

MINUTES OF THE SPECIAL MEETING  
OF THE  
PUBLIC BUILDING COMMISSION OF McLEAN COUNTY, ILLINOIS

Thursday, November 10, 2022, at 3:30 p.m.

The Public Building Commission of McLean County, Illinois (the "Commission") was called to order by Chairman Novosad on November 10, 2022 in Room 404 of the Government Center, 115 East Washington Street, Bloomington, McLean County, Illinois.

Acting Secretary Robert Porter called the roll with the following members answering "present": Novosad, Zimmerman, Reid, Schultz, Harris, Fruin, Fazzini, and O'Grady. Ms. Lee was absent.

Also present were Commission Attorney Robert Porter; Commission Treasurer Jim Mulligan; George Farnsworth; and Mary Lou Farnsworth.

No members of the media, press, and/or radio were present.

Chairman Novosad began the meeting by recognizing former Commissioner George Farnsworth and his wife Mary Lou Farnsworth. Chairman Novosad noted that Mr. Farnsworth had served the Commission with distinction for twenty-three (23) years. Chairman Novosad further remarked that Mr. Farnsworth was originally appointed to the Commission in 1999 to fill the unexpired term of his late father, George L. Farnsworth. Chairman Novosad recounted that George L. Farnsworth joined the Commission in 1968. Chairman Novosad then noted that a George Farnsworth had served on the Commission for fifty-four (54) of the Commission's fifty-five (55) years in being. Chairman Novosad next indicated that Mr. Farnsworth's tenure on the Commission coincided with the following Projects: 1) the acquisition and improvement of the Government Center, adjoining parking lots, and Abraham Lincoln Memorial Parking Deck; 2) the renovations to the Old Courthouse's bell tower cupola; 3) the Law & Justice Center Expansion Project; 4) the Old Courthouse roof replacement; and 5) the Elevator Modernization and Animal Control Shelter Projects. Chairman Novosad then indicated that Mr. Farnsworth had been married to his wife, Mary Lou Farnsworth, for fifty-six (56) years. Chairman Novosad noted that, together, Mr. Farnsworth and Mrs. Farnsworth have three (3) children and six (6) grandchildren. Chairman Novosad then presented Mr. Farnsworth with a commemorative desk clock.

Mr. Farnsworth thanked Chairman Novosad and the Commission for recognizing his service. Mr. Farnsworth recounted that he initially joined the Commission to complete his father's unexpired term. Mr. Farnsworth then remarked that his father taught him a lot about the bonding process. Mr. Farnsworth added that the Commission served a vital role in the community. Mr. Farnsworth specifically recounted that the Commission's acquisition of the Government Center

between 2001 and 2004 kept two hundred sixty (260) jobs in downtown Bloomington.

Chairman Novosad next called on Assistant County Administrator Tony Grant to discuss the Commission entering into an agreement with an independent consultant for the performance of consulting, oversight, and assistance on the Elevator Modernization Project.

Mr. Grant initially reminded the Commission that, at the Commission's October 4th meeting, the County asked the Commission to consider retaining an independent consultant for assistance on the Elevator Modernization Project. Mr. Grant further recalled that the County wished for the Commission to retain a qualified consultant who could ensure the procurement of appropriate materials, their correct installation, and proper functioning of the modernized elevators. Mr. Grant next noted that the County had received three (3) proposals from independent consultants. Mr. Grant indicated that proposals were received from Stuard & Associates, Inc., The Elevator Consultants ("TEC"), and VDA Consulting Services.

In providing an assessment of the three (3) proposals, Mr. Grant first (1st) noted that VDA Consulting Services' proposed scope of work was not appropriately-tailored to the Project. Mr. Grant thus discarded VDA Consulting Services' proposal. With respect to the proposals from TEC and Stuard & Associates, Inc., Mr. Grant noted that the price differential between the two (2) proposals was minimal. Mr. Grant indicated that both TEC and Stuard & Associates, Inc. would perform site walk-throughs and develop punch lists. Unlike Stuard & Associates, Inc., however, Mr. Grant noted that TEC's proposal included reviewing pay requests. Although Mr. Grant relayed that both companies presented with strong references, County Administration was ultimately recommending that the Commission award a contract to TEC. Mr. Grant specifically indicated that County Administration felt that TEC had a greater capacity to perform the work and was more independent than Stuard & Associates, Inc. from Otis Elevator Co. and Kone, Inc. Mr. Grant ultimately noted that TEC's proposal was in the sum of twenty-eight thousand six hundred fifty dollars and 00/100 (\$28,650.00) and Stuard & Associates, Inc.'s proposal was in the sum of approximately nineteen thousand two hundred dollars and 00/100 (\$19,200.00).

Chairman Novosad inquired whether it would be legally problematic for the Commission not to approve the lowest-cost proposal. In response, Commission Attorney Robert Porter indicated that, under the *Local Government Professional Services Selection Act*, the Commission is not obligated to select engineering and consulting services through a bidding process.

Chairman Novosad next inquired of Mr. Grant whether the County was prepared to spend an additional nine thousand dollars and 00/100 (\$9,000.00) to go with TEC. Mr. Grant responded by indicating that the County felt that retaining TEC was well worth the cost. Mr. Grant then reiterated the County's concerns about Stuard & Associates, Inc. not being independent enough from Kone, Inc. and Otis Elevator Co.

Mr. Fruin then asked whether the County had a policy in regards to accepting a high bid. In response, Mr. Grant indicated that the County could accept a higher bid if the proposal was otherwise more advantageous to the County than other lower-bid proposals.

Mr. Reid stated his belief that there was a lot of value in having an experienced consultant review pay requests.

Chairman Novosad asked if there were any additional questions or comments for Mr. Grant regarding TEC's proposal. Hearing none, Chairman Novosad asked for a Motion to approve entering into an agreement with TEC in the sum of twenty-eight thousand six hundred fifty dollars and 00/100 (\$28,650.00) for the performance of consulting, oversight, and assistance on the Elevator Modernization Project. It was moved by Mr. Harris and seconded by Mr. Schultz to approve entering into an agreement with TEC in the sum of twenty-eight thousand six hundred fifty dollars and 00/100 (\$28,650.00) for the performance of consulting, oversight, and assistance on the Elevator Modernization Project. Upon a roll call vote, all Commissioners voted in favor of the Motion.

Following the vote, Mr. Zimmerman asked Mr. Grant whether he could furnish the Commission with a Gantt Chart for the Elevator Modernization Project. Mr. Grant responded by noting that he was working on putting a Gantt Chart together. Mr. Grant specifically indicated that he was building a Gantt Chart with a program called "Smartsheet." Mr. Grant added that TEC also utilized Smartsheet.

Treasurer Jim Mulligan then inquired why the Commission had not received initial invoices for two (2) of the elevators. Mr. Grant replied that work on the Jail Visitors Elevator and the Northeast and Northwest Lobby Elevators in the Law & Justice Center had yet to be billed out.

Mr. Mulligan then asked about the timeframe of the work. Mr. Grant responded by noting that Otis Elevator Company had begun purchasing materials. Mr. Grant added that work would begin on the initial elevators on January 24, 2023.

Mr. Zimmerman noted that the Elevator at the Old Courthouse was reportedly not operational. Mr. Zimmerman inquired as to what was being done to expedite the repair of this Elevator. Mr. Grant responded by noting that the control board for this Elevator had gone down. Mr. Grant then stated that the County was having trouble finding "vintage parts" for the Elevator.

Mr. Zimmerman then asked when the Old Courthouse's Elevator was slated to be modernized. Mr. Grant replied that work would begin on the Old Courthouse's Elevator on April 17, 2023. Mr. Grant stated that the McLean County History Museum selected this date. Mr. Grant was of the understanding that this was a slower time in the Museum's schedule.

Chairman Novosad asked whether the inoperability of the Old Courthouse's Elevator presented *ADA* concerns. Mr. Grant responded by noting that accessibility issues did present a concern.

Chairman Novosad then asked Mr. Grant about the plan to rectify the issue with the Old Courthouse's Elevator. In response, Mr. Grant indicated that he had been in contact with the Museum's Interim Executive Director, Norris Porter, and would be bringing in Otis Elevator Co.

and TEC as additional resources.

Chairman Novosad next noted that the Commission had received Invoice Number Four (4) from Otis Elevator Co. on October 27, 2022 in the amount of fifty-six thousand one hundred forty-eight dollars and 30/100 (\$56,148.30). Chairman Novosad stated that this Invoice encompassed the initial payment on the contract for the Elevator in the Old Jail. Chairman Novosad indicated that the Invoice had been reviewed and approved by Mr. Grant.

Chairman Novosad asked whether there were any questions or comments regarding Invoice Number Four (4) from Otis Elevator Co. Hearing none, Chairman Novosad asked for a Motion to approve payment of Otis Elevator Co.'s Invoice Number Four (4) in the sum of fifty-six thousand one hundred forty-eight dollars and 30/100 (\$56,148.30) from the Series 2022 Project Fund at PMA Securities, LLC. It was moved by Mr. Schultz and seconded by Mr. Fazzini to approve payment of Otis Elevator Co.'s Invoice Number Four (4) in the sum of fifty-six thousand one hundred forty-eight dollars and 30/100 (\$56,148.30) from the Series 2022 Project Fund at PMA Securities, LLC. Upon a roll call vote, all Commissioners voted in favor of the Motion.

Chairman Novosad then noted that the Commission had received Invoice Number Five (5) from Otis Elevator Co. on October 27, 2022 in the amount of one hundred ten thousand seventy dollars and 00/100 (\$110,070.00). Chairman Novosad stated that this Invoice encompassed the initial payment on the contract for the Elevator at the Old Courthouse. Chairman Novosad indicated that the Invoice had been reviewed and approved by Mr. Grant.

Chairman Novosad asked whether there were any questions or comments regarding Invoice Number Five (5) from Otis Elevator Co. Hearing none, Chairman Novosad asked for a Motion to approve payment of Otis Elevator Co.'s Invoice Number Five (5) in the sum of one hundred ten thousand seventy dollars and 00/100 (\$110,070.00) from the Series 2022 Project Fund at PMA Securities, LLC. It was moved by Mr. Harris and seconded by Mr. O'Grady to approve payment of Otis Elevator Co.'s Invoice Number Five (5) in the sum of one hundred ten thousand seventy dollars and 00/100 (\$110,070.00) from the Series 2022 Project Fund at PMA Securities, LLC. Upon a roll call vote, all Commissioners voted in favor of the Motion.

Chairman Novosad further noted that the Commission had received Invoice Number Six (6) from Otis Elevator Co. on October 27, 2022 in the amount of seventy-one thousand two hundred ninety-five dollars and 30/100 (\$71,295.30). Chairman Novosad indicated that this Invoice encompassed the initial payment on the Judge's Private Elevator at the Law & Justice Center. Chairman Novosad relayed that the Invoice had been reviewed and approved by Mr. Grant.

Chairman Novosad asked whether there were any questions or comments regarding Invoice Number Six (6) from Otis Elevator Co. Hearing none, Chairman Novosad asked for a Motion to approve payment of Otis Elevator Co.'s Invoice Number Six (6) in the sum of seventy-one thousand two hundred ninety-five dollars and 30/100 (\$71,295.30) from the Series 2022 Project Fund at PMA Securities, LLC. It was moved by Mr. Schultz and seconded by Mr. Reid to approve payment of Otis Elevator Co.'s Invoice Number Six (6) in the sum of seventy-one thousand two

hundred ninety-five dollars and 30/100 (\$71,295.30) from the Series 2022 Project Fund at PMA Securities, LLC. Upon a roll call vote, all Commissioners voted in favor of the Motion.

Chairman Novosad next noted that the Commission had received Invoice Number Seven (7) from Otis Elevator Co. on October 27, 2022 in the amount of two hundred thirty-three thousand seven hundred sixty-six dollars and 90/100 (\$233,766.90). Chairman Novosad indicated that this Invoice encompassed the initial payment on the Duplex Elevators in the Old Jail. Chairman Novosad noted that the Invoice had been reviewed and approved by Mr. Grant.

Chairman Novosad asked whether there were any questions or comments regarding Invoice Number Seven (7) from Otis Elevator Co. Hearing none, Chairman Novosad asked for a Motion to approve payment of Otis Elevator Co.'s Invoice Number Seven (7) in the sum of two hundred thirty-three thousand seven hundred sixty-six dollars and 90/100 (\$233,766.90) from the Series 2022 Project Fund at PMA Securities, LLC. It was moved by Mr. Fazzini and seconded by Mr. Zimmerman to approve payment of Otis Elevator Co.'s Invoice Number Seven (7) in the sum of two hundred thirty-three thousand seven hundred sixty-six dollars and 90/100 (\$233,766.90) from the Series 2022 Project Fund at PMA Securities, LLC. Upon a roll call vote, all Commissioners voted in favor of the Motion.

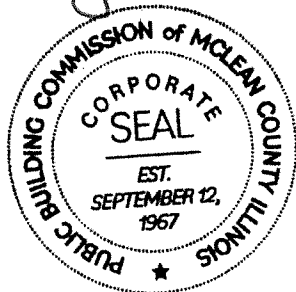
Chairman Novosad then indicated that the Commission had received Invoice Number Eight (8) from Otis Elevator Co. on October 27, 2022 in the amount of ninety-one thousand three hundred dollars and 50/100 (\$91,300.50). Chairman Novosad indicated that this Invoice encompassed the initial payment on the Sidewalk Freight Elevator at the Law & Justice Center. Chairman Novosad indicated that the Invoice had been reviewed and approved by Mr. Grant.

Chairman Novosad asked whether there were any questions or comments regarding Invoice Number Eight (8) from Otis Elevator Co. Hearing none, Chairman Novosad asked for a Motion to approve payment of Otis Elevator Co.'s Invoice Number Eight (8) in the sum of ninety-one thousand three hundred dollars and 50/100 (\$91,300.50) from the Series 2022 Project Fund at PMA Securities, LLC. It was moved by Mr. O'Grady and seconded by Mr. Fruin to approve payment of Otis Elevator Co.'s Invoice Number Eight (8) in the sum of ninety-one thousand three hundred dollars and 50/100 (\$91,300.50) from the Series 2022 Project Fund at PMA Securities, LLC. Upon a roll call vote, all Commissioners voted in favor of the Motion.

There being no "Other Business," Chairman Novosad asked for a Motion to adjourn. It was moved by Mr. O'Grady and seconded by Mr. Harris that the meeting be adjourned. The Motion was unanimously approved by voice vote. The meeting was adjourned at 4:30 p.m.

The next meeting of the Commission will be Tuesday, January 3, 2023, at 3:30 p.m.

January 3, 2023



  
Terry L. Reid  
Secretary, Public Building Commission

