

PUBLIC BUILDING COMMISSION OF CHICAGO
MINUTES OF THE RE-SCHEDULED REGULAR MEETING OF THE
BOARD OF COMMISSIONERS HELD ON NOVEMBER 12, 2014

The regular meeting of the Board of Commissioners of the Public Building Commission of Chicago was held at the Board Meeting Room, 2nd Floor, Richard J. Daley Center on November 12, 2014 at 2:30 P.M.

The following Commissioners were present:

Rahm Emanuel, Chairman
Byron T. Brazier
Martin Cabrera, Jr.
Thomas J. Kotel
Toni Preckwinkle
Arnold L. Randall
Samuel Wm. Sax
Mariyana Spyropoulos
David Vitale

Also present were:

Erin Lavin Cabonargi

I. Agee	E. Kern	E. Rodriguez
A. Becerra	V. Kornecay	O. Ruffin
N. Bravo	I. Lakada	E. Ryan
B. Campney	L. Lypson	E. Fisk Smith
A. Del Muro	A. Marti	P. Spieles
A. Fredd	D. McNabb	S. Stickney
T. Fowler-Weekly	M. Moore	M. Sullivan
S. Gavin	L. Neal	M. Vander Weele
L. Gideroff	K. Newman	J. Woods
G. Grabowski	T. Niemi	
I. Hansen	K. Pensack	
T. Haymaker	K. Purcell	
C. Kelly	J. Randles	

The meeting was called to order by Chairman Rahm Emanuel and the presence of a quorum was established.

Public participation was deferred until the end of the regular meeting.

Chairman Emanuel presented to the Board of Commissioners for consideration of approval the minutes of the annual meeting held on October 1, 2014. The reading of said minutes, which had previously been distributed, was dispensed with and upon motion duly made and seconded, the minutes of the October 1, 2014 meeting were unanimously approved.

The next item on the agenda was a report by the Chairman of the Audit Committee regarding the meeting held on October 27, 2014. Commissioner Cabrera stated that a report was presented to the Audit Committee by Legal Counsel regarding a proposed Intergovernmental Agreement (IGA) between the Public Building Commission and the City of Chicago which provided that the City's Office of Inspector General will also serve as the Commission's Inspector General. Counsel submitted an Executive Summary of the IGA to the Audit Committee for review and also provided information regarding the scope and application of the IGA to the PBC. A discussion regarding the IGA took place. The Audit Committee accepted the Executive Summary and deferred action on the matter to allow for further consideration.

Next, Commissioner Byron Brazier presented the report of the Administrative Operations (AO) Committee meeting held on October 30, 2014, which is summarized as follows:

1. Reports by the Executive Director. The Executive Director advised the AO Committee regarding the proposed IEPA Municipal Brownfields Redevelopment Grant Agreement and Intergovernmental Agreement (IGA) with the City of Chicago. The grant will provide \$120,000 in funds to pay a portion of the cost of environmental remediation of the Southeast Area Elementary School Site. A copy of the 2015 Schedule of Administrative Operations Committee Meetings was also provided.

The Executive Director also presented the 2014 Q3 Staff Reports which are summarized as follows: The Program Cost Status Report showed current program authority in excess of \$2.8 billion in project development costs for 2014 Q3, and projects trending under budget by 10.19% representing a variance of approximately \$288 million under the current budgets. For Q3 2014, the PBC's budget to actual variance for active capital construction projects is less than 1%. The

Program Cost Effectiveness Report (change orders for projects recently completed and those currently in construction) is 2.4%. The projected change order percentage for such projects is 3.1%, which rates are within the industry standard change order percentage of 3-5%. PBC's Indirect Costs average 16.29% of construction costs, below the industry average of 25%. For large projects in excess of \$50 M, indirect costs average 13.54%. The Q3 2014 Project Status Report provided a detailed snapshot of each active PBC project. The Environmental Sustainability Report through Q3 2014 indicated that PBC has achieved LEED Certification on two new projects for a total of 66 municipally-owned projects with LEED Certification, with an additional 17 registered projects. The Economic Sustainability Report for M/WBE participation and Workforce (Equal Employment Opportunity) goals for construction contracts completed in 2014 (Bell Elementary School, John C. Coonley Elementary School Addition, Albany Park Branch Library, and William Jones College Preparatory High School Renovation (Phases I and II) showed total M/WBE Participation achieved to date on General Construction and Professional Service contracts of 38.20%. The Executive Director's reports were accepted.

2. Report by the Director of Finance. Daryl McNabb, Director of Finance, provided status reports on the Q3 2014 Richard J. Daley Center Budget and the Q3 2014 PBC Administrative Expense Budget. He advised the Commissioners regarding variances in the Daley Center Budget on various categories including Repairs and Maintenance, Utilities Expense and Administrative Expenses. Director McNabb also discussed proposed refinancing of the Daley Center Tax Exempt Lease Purchase Agreement (TELPA) loan in the amount of \$7,740,969.00 associated with the Guaranteed Energy Performance Contracting (GEPC) for the Daley Center Energy Savings Program, improvements financed by the loan and projected annual operating savings. The lease financing was purchased by Capital One, LLC and it is offering a refinancing opportunity at 3.87% while maintaining the original maturity date of September 1, 2025. The refinancing will result in approximately \$33,000 in annual reduction in financing payments. The AO Committee accepted the reports provided by the Director of Finance.

3. Reports of the Chief Operating Officer. The AO Committee accepted the following reports and recommendations by the Chief Operating Officer:

- **Specialty Consultants – Task Orders.** Report on Task Orders awarded to Specialty Consultants for:
 - **Environmental ABC Services:** Edwards ES Annex
 - **Environmental Renovation/Demolition:** Canty ES Annex; Edwards ES Annex; and Jones College Prep HS – Phase II
 - **Material Testing:** Henderson ES; Lincoln ES Annex; and CVCA – Phase I
 - **Traffic Study:** Canty ES Annex; Edwards ES Annex; Jamieson ES Annex; Lincoln ES Annex; and Clarendon Hills – Prospect Ave.
- **Appointment for Design Architect Services – Recommendation to appoint FGM Architects, Legat Architects and SMNGA for Design Architect Services in amounts not to exceed \$2,000,000 for each firm with for three year terms and two additional one year options.**

- **Appointment for Construction Management Services** – Recommendation to appoint Berglund Construction as Construction Manager for the Edwards Elementary School Annex for a negotiated fee of not to exceed 2.5% of the Work and Pre-Construction Services in an amount not to exceed \$150,000.

4. Reports by the Chief Development Officer. The AO Committee accepted the following reports by the Chief Development Officer:

- **Amendments.** Recommendation to approve proposed amendments to professional services agreements with the following firms: Midwest Office Interiors (Albany Park Branch Library) in the sum of \$13,631.22; and Wallin Gomez Architects (Architect of Record for Oriole Park Elementary School) in the sum of \$45,540.00.
- **Change Orders.** Recommendation to approve proposed Change Orders for the following projects: Bell Elementary School Addition, credit (\$98,511.54); Peck Elementary School Addition, credit (\$250,122.84) and Jones College Prep HS, \$134,636.17.
- **Field Order Activity Report.** The AO Committee was advised that eight field orders were issued involving the following projects: Children’s Advocacy Center Addition, Albany Park Branch Library, Chinatown Branch Library; and Chicago Vocational Career Academy Phase 1.

5. Report by Legal Counsel. During Executive Session, the AO Committee was advised by Legal Counsel regarding proposed settlements with McDonagh pursuant to Job Order Contract No. 1463 and with the Gordian Group, Inc. pursuant to Contract No PS1007. A further report will be provided to the Board of Commissioners during Executive Session.

The report of the AO Committee was accepted.

Following consideration of the AO Committee report and upon motion duly made and seconded, the following Resolution was adopted by the Board of Commissioners:

RESOLUTION NO. 8119

BE IT RESOLVED by the Board of Commissioners of the Public Building Commission of Chicago that the Executive Director is hereby authorized to issue amendments to the Professional Service Agreements as indicated on the document entitled “Proposed Professional Services Amendment Report to the Administrative Operations Committee” and attached to the minutes of this meeting as **Exhibit “A”**.

Commissioners voting in the affirmative:

Rahm Emanuel, Byron T. Brazier,

Martin Cabrera, Jr., Thomas J. Kotel,
Toni Preckwinkle, Arnold L. Randall,
Samuel Wm. Sax, Mariyana Spyropoulos,
and David Vitale – 9

Commissioners voting in the negative:

None

The next item on the agenda was a report by the Executive Director regarding regular reports, development status and other matters. The Executive Director's report included a brochure describing the following recent events and awards: Community Meetings held at the Richard Edwards IB Fine & Performing Arts Dual Language School on November 3, 2014, and Dunne Technology Academy on November 10, 2014. In Addition, the Commission received an Honorable Mention for the Sarah E. Goode STEM Academy at the Illinois Governor's Sustainability Award Ceremony on October 23, 2014 as well as the 2014 Cultural Restoration Vision Award for the positive community impact of the Back of the Yards Campus at the Keep Chicago Beautiful 27th Annual Awards Luncheon on October 2, 2014.

The Executive Director's report also included the following 2014 Third Quarter (Q3) Staff Reports: Executive Summary Report; Program Forecast Report; Market Conditions Report; Program Cost Status Report; Program Cost Effectiveness Report; Monthly Project Status Report; Sustainable Development Q3 2014 Status Report; M/WBE Commitment Reports; M/WBE Compliance Reports; and Specialty Consultants Q3 2014 Award and Commitment Report. Highlights of the various reports are summarized in the foregoing report of the Administrative Operations Committee.

The Executive Director's reports were accepted.

The Executive Director then called upon Paul Spieles, Chief Development Officer, to present to the Board of Commissioners for consideration of approval proposed Change Orders to various contracts for the projects as indicated on the document entitled, "Summary of Proposed

Change Orders” and attached to the minutes of this meeting as **Exhibit “B”**. After discussion and consideration, and upon motion duly made and seconded, the following Resolution was adopted:

RESOLUTION NO. 8120

BE IT RESOLVED by the Board of Commissioners of the Public Building Commission of Chicago that the Executive Director is hereby authorized to issue Change Orders for the projects as indicated on the document entitled “Summary of Proposed Change Orders” and attached to the minutes of this meeting as **Exhibit “B”**.

Commissioners voting in the affirmative:

Rahm Emanuel, Byron T. Brazier,
Martin Cabrera, Jr., Thomas J. Kotel,
Toni Preckwinkle, Arnold L. Randall,
Samuel Wm. Sax, Mariyana Spyropoulos,
and David Vitale – 9

Commissioners voting in the negative:

None

The next item presented to the Commissioners was the Notice of Awards report. There were two items included on the notice of contracts awarded since the previous board meeting that were under \$25,000. The report was accepted and a copy of this report is attached hereto as **Exhibit “C”**.

The Board of Commissioners was next presented with a report regarding awards made to Specialty Consultants to be used on various projects undertaken by the Public Building Commission. There were 13 items included on the Notice of Task Orders issued to Specialty Consultants against term contracts since the previous board meeting. The report was accepted and a copy of this report is attached hereto as **Exhibit “D”**.

The next item presented to the Board of Commissioners was a report regarding refinancing of the Tax Exempt Lease Purchase Agreement (TELPA) loan associated with the Guaranteed Energy Performance Contract (GEPC) for the Richard J. Daley Center Energy

Savings Program. The Executive Director advised the Commissioners that the proposed re-financing of the GEPC for the Daley Center offered by Capital One, LLC would result in approximately \$33,000 in annual reduced financing payments, and savings for 2015 is reflected in the Daley Center annual budget approved on October 1, 2014. The report was accepted, and the Executive Director was authorized and directed to execute the necessary documentation on behalf of the Public Building Commission of Chicago.

Next the Commissioners were presented with consideration of approval to award term contracts to FGM Architects, Inc., Legat Architects and SMNGA to provide Design Architect Services to the Public Building Commission on various projects. The proposed firms were selected by the Evaluation Committee on the basis of responsiveness to questions by the Commission, team experience and staff experience in working with the Commission and its User Agencies. Upon motion duly made and seconded, the following resolution was adopted:

RESOLUTION NO. 8121

BE IT RESOLVED that the Board of Commissioners of the Public Building Commission hereby appoints FGM Architects, Inc., Legat Architects and SMNGA to provide Design Architect Services to the Public Building Commission on various projects for an amount not to exceed \$3,000,000 for each firm over the term of the agreement for a period of three years with two additional one year options.

BE IT FURTHER RESOLVED that the Public Building Commission hereby authorizes and directs the Executive Director and appropriate officials of the Public Building Commission to undertake such actions and to execute, upon approval by Legal Counsel as to form and legality, such documents as may be necessary and appropriate in order to effectuate this Resolution.

Commissioners voting in the affirmative:

Rahm Emanuel, Byron T. Brazier,
 Martin Cabrera, Jr., Thomas J. Kotel,
 Toni Preckwinkle, Arnold L. Randall,
 Samuel Wm. Sax, Mariyana Spyropoulos,

and David Vitale – 9

Commissioners voting in the negative:

None

The next item on the agenda was consideration of approval to adopt the City of Chicago's Minimum Wage as set forth in Executive Order No. 2014-1 (the "Executive Order") for contracts awarded by the Public Building Commission. The Executive Order provides that eligible employees of contractors and subcontractors on City contracts would receive no less than \$13.00 per hour in recognition of the increased unaffordability of living in Chicago and primarily impacts security, custodial and clerical workers. Following discussion, and upon motion duly seconded, the following resolution was adopted:

RESOLUTION NO. 8122

WHEREAS, on September 3, 2014, the Mayor of the City of Chicago (the “City”) issued Executive Order No. 2014-1 (the “Executive Order”) which raises the minimum wage for eligible employees of City contractors and holders of City concessions to no less than \$13.00 per hour in recognition of the increased unaffordability of life in Chicago for many of its residents; and

WHEREAS, as set forth in the Executive Order, more than 30 percent of Chicago workers make \$13.00 per hour or less (the median age of these workers is 33, two-thirds are over the age of 25, and a disproportionate share are women and/or minorities) and, in Chicago, rent as a percentage of income has risen from a historical average of 21 percent to 31 percent; and

WHEREAS, research on previous minimum wage increases shows that raising the minimum wage does not adversely affect employment and prices but, to the contrary, according to the Economic Policy Institute, an increased wage actually helps the economy grow; and

WHEREAS, the Public Building Commission of Chicago (the “Commission”) was created by the City Council of the City of Chicago pursuant to the Public Building Commission Act of the State of Illinois (50 ILCS 20/1 et seq.) (the “Act”) for the purpose of facilitating the construction, acquisition and enlargement of public buildings, facilities and improvements for use by governmental agencies in furnishing essential services to the residents of the City; and

WHEREAS, pursuant to Section 8 of the Act, the government, control and management of the affairs of the Commission shall be vested in the Board of Commissioners of the Commission (the “Board”); and

WHEREAS, the Board has full power and authority to pass all necessary resolutions, rules and regulations for the proper conduct of the programs and operations of the Commission and to effectuate the objectives for which the Commission was created; and

WHEREAS, the Board is committed to increasing affordability of life for all employees of Contractors and subcontractors doing business with the Commission and desires that such employees shall be paid a minimum wage consistent with the provisions of the Executive Order.

THEREFORE, BE IT RESOLVED by the Board of Commissioners of the Public Building Commission of Chicago as follows:

1. The foregoing recitals are hereby incorporated herein by reference.
2. The Board of Commissioners hereby adopts applicable provisions of the Executive Order with respect to all contracts entered into by the Public Building Commission.
3. The Executive Director of the Commission is hereby authorized and directed to incorporate into all bid specifications and contracts provisions that require contractors and subcontractors to pay their eligible employees a minimum wage of not less than \$13.00 per hour for work performed on contracts awarded by the Commission consistent with the provisions of the Executive Order.

4. The Executive Director is further authorized and directed to take such administrative action as may be necessary and appropriate in order to implement this Resolution including, without limitation, promulgation of rules and regulations with regard to the requirements of this Resolution, undertaking appropriate enforcement and compliance measures, and advising prospective contractors and subcontractors of the minimum wage requirement in all procurement outreach efforts by the Commission, on its website www.pbcchicago.com and through “PBC Alerts” that offer updates on business opportunities with the Commission.

5. This Resolution shall take effect immediately upon its adoption.

Commissioners voting in the affirmative:

Rahm Emanuel, Byron T. Brazier,
Martin Cabrera, Jr., Thomas J. Kotel,
Toni Preckwinkle, Arnold L. Randall,
Samuel Wm. Sax, Mariyana Spyropoulos,
and David Vitale – 9

Commissioners voting in the negative:

None

Next the Commissioners were presented with consideration of approval to appoint Berglund Construction Management Services to provide construction management services for the Richard Edwards IB – Fine & Performing Arts Dual Language School Annex Project located at 4815 South Karlov Avenue. The proposed firm was selected by an Evaluation Committee based upon responsiveness to Commission inquiries, and commitment to meet or exceed M/WBE participation goals. Authority was requested to negotiate a compensation agreement with Berglund which will amount to 2.5% of the Work, and a fee for pre-construction services in the lump sum of \$134,440.00. Upon motion duly made and seconded, the following resolution was adopted:

RESOLUTION NO. 8123

BE IT RESOLVED by the Board of Commissioners of the Public Building Commission that a contract for Construction Management Services is hereby awarded to Berglund Construction to provide construction management services for the Richard Edwards IB – Fine & Performing Arts Dual Language School Annex Project located at 4815 South Karlov Avenue with compensation in the amount of 2.5% of the Work (which includes reimbursable trade contractor costs, Commission contingencies, Commission allowance items, Construction Manager Allowances and Construction Manager Contingency) and a fixed fee of \$134,040 for Pre-construction Services.

BE IT FURTHER RESOLVED that the Public Building Commission hereby authorizes and directs the Executive Director and appropriate officials of the Public Building Commission to undertake such actions and to execute, upon approval by Legal Counsel as to form and legality, such documents as may be necessary and appropriate in order to effectuate this Resolution.

Commissioners voting in the affirmative:

Rahm Emanuel, Byron T. Brazier,
Martin Cabrera, Jr., Thomas J. Kotel,
Toni Preckwinkle, Arnold L. Randall,
Samuel Wm. Sax, Mariyana Spyropoulos,
and David Vitale – 9

Commissioners voting in the negative:

None

The next item on the agenda was consideration of approval of a request from the Board of Education to convey the land and improvements located at 1434 and 1444 West Augusta Avenue (former Peabody Elementary School) to Svigos Asset Management pursuant to Board Report No. 14-1022-OP3, adopted on October 22, 2014. The property, zoned RS-3, is improved with two buildings which the Chicago Public Schools has determined is no longer needed for school purposes. The deed of conveyance will be subject to a restrictive covenant requiring use of the property for educational, workforce development, child care or family and community support as more fully set forth in the Board Report. On motion duly and made, the following resolution was adopted:

RESOLUTION NO. 8124

BE IT RESOLVED by the Board of Commissioners of the Public Building Commission that the request from the Chicago Board of Education for the Public Building Commission to transfer title to the following-described property, located at 1434 and 1444 West Augusta Avenue Svigos Asset Management Inc. is hereby approved:

LEGAL DESCRIPTION:

Lots 30 to 47, inclusive, in Block 2 in McCagg's Subdivision of Block 19 in Canal Trustee's Subdivision of the West ½ (except the Southeast ¼ of the Northwest ¼ and the Northeast ¼ of the Southwest ¼) of Section 5, Township 39 North, Range 14, East of the Third Principal Meridian, in Cook County, Illinois.

PIN'S: 17-05-309-080 and 17-05-309-094

BE IT FURTHER RESOLVED that the Public Building Commission hereby authorizes and directs the Executive Director and appropriate officials of the Public Building Commission to undertake such actions and to execute, upon approval by Legal Counsel as to form and legality, a quit claim deed and such documents as may be necessary and appropriate in order to effectuate this Resolution.

Commissioners voting in the affirmative:

Rahm Emanuel, Byron T. Brazier,
Martin Cabrera, Jr., Thomas J. Kotel,
Toni Preckwinkle, Arnold L. Randall,
Samuel Wm. Sax, Mariyana Spyropoulos,
and David Vitale – 9

Commissioners voting in the negative:

None

The next item on the agenda was consideration of approval of an Illinois Environmental Protection Agency (IEPA) Municipal Brownfields Redevelopment Grant and Intergovernmental Agreement (IGA) with the City of Chicago for receipt of IEPA grant funds in the amount of \$120,000 to pay a portion of the cost of environmental remediation of the Southeast Area Elementary School site located at 10468 South Indianapolis Boulevard. The grant funds will be

used for environmental engineering services, contaminated soils management and disposal. Pursuant to the IGA with the City, the Department of Fleet and Facilities Management will accept the grant funds on behalf of the Commission. Upon motion duly made and seconded, the following resolution was adopted:

RESOLUTION NO. 8125

BE IT RESOLVED that the Board of Commissioners of the Public Building Commission hereby approves the Illinois Environmental Protection Agency (IEPA) Municipal Brownfields Redevelopment Grant and Intergovernmental Agreement with the City of Chicago for receipt of IEPA grant funds in the amount of \$120,000 to pay a portion of the cost of environmental remediation of the Southeast Area Elementary School site located at 10468 S. Indianapolis Boulevard.

BE IT FURTHER RESOLVED that the Public Building Commission hereby authorizes and directs the Executive Director and appropriate officials of the Public Building Commission to undertake such actions and to execute, upon approval by Legal Counsel as to form and legality, such documents as may be necessary and appropriate in order to effectuate this Resolution.

Commissioners voting in the affirmative:

Rahm Emanuel, Byron T. Brazier,
Martin Cabrera, Jr., Thomas J. Kotel,
Toni Preckwinkle, Arnold L. Randall,
Samuel Wm. Sax, Mariyana Spyropoulos,
and David Vitale – 9

Commissioners voting in the negative:

None

The next item on the agenda was consideration of approval of an undertaking request from the City of Chicago for the Interior Renovation Project at the Woodson Regional Library located at 9525 South Halsted Street. The project will include interior ceiling and lighting renovations at the ground floor entry lobby, ground floor Children's Library and second floor public areas on behalf of the Department of Fleet and Facilities Management (2FM) and the Chicago Public Library for a total project budget of \$585,000.

Upon motion duly made and seconded, the following resolution was adopted.

RESOLUTION NO. 8126

BE IT RESOLVED that the request by the City of Chicago for the Public Building Commission to undertake the Interior Renovation Project at the Woodson Regional Library located at 9525 South Halsted Street on behalf of the Department of Fleet and Facilities Management (2FM) and the Chicago Public Library for a total project budget of \$585,000, is hereby approved.

BE IT FURTHER RESOLVED that the Public Building Commission hereby authorizes and directs the Executive Director and other appropriate officials of the Public Building Commission to take such action and to execute, upon approval by Legal Counsel as to form and legality, such documents as may be necessary and appropriate in order to effectuate this resolution.

Commissioners voting in the affirmative:

Rahm Emanuel, Byron T. Brazier,
Martin Cabrera, Jr., Thomas J. Kotel,
Toni Preckwinkle, Arnold L. Randall,
Samuel Wm. Sax, Mariyana Spyropoulos,
and David Vitale – 9

Commissioners voting in the negative:

None

The next item presented to the Commissioners for consideration of approval was an undertaking request from the Chicago Park District for the purchase of playground equipment in support of Mayor Emanuel's Chicago Plays! Program. The equipment will be installed at the following facilities: Brynford (5640 N. Pulaski Road); Stephen Douglas (1400 S. California Avenue); James Humbert (632 W. 31st Street); and Legion (3000 W. Catalpa). The preliminary budget for the project is \$161,665.67. Upon motion duly made and seconded, the following resolution was adopted:

RESOLUTION NO. 8127

BE IT RESOLVED that the request by the Chicago Park District for the Public Building Commission to undertake the purchase of playground equipment for the Brynford (5640 N. Pulaski Road), Stephen Douglas (1400 S. California Avenue), James Humbert (632 W. 31st Street) and Legion (3000 W. Catalpa) park facilities for the sum of \$161,665.67 is hereby approved.

BE IT FURTHER RESOLVED that the Public Building Commission hereby authorizes and directs the Executive Director and other appropriate officials of the Public Building Commission to take such action and to execute, upon approval by Legal Counsel as to form and legality, such documents as may be necessary and appropriate in order to effectuate this resolution.

Commissioners voting in the affirmative:

Rahm Emanuel, Byron T. Brazier,
Martin Cabrera, Jr., Thomas J. Kotel,
Toni Preckwinkle, Arnold L. Randall,
Samuel Wm. Sax, Mariyana Spyropoulos,
and David Vitale – 9

Commissioners voting in the negative:

None

The next item on the agenda was consideration of approval of a revised undertaking request from the Village of Clarendon Hills for the Transit Access Improvement Project at the railroad crossing at Prospect Avenue in Clarendon Hills. The revised formulation request will further the Phase I Engineering process with the completion of a Professional Development Report (PDR) to be submitted to the Regional Transit Authority in support of a grant application for the Prospect Avenue improvements and the Burlington/Golf improvement for a not to exceed cost of \$250,000 (inclusive of the \$80,000 formulation amount approved by the Commission in August 2014). Upon motion duly made and seconded, the following resolution was adopted:

RESOLUTION NO. 8128

BE IT RESOLVED that the Board of Commissioners of the Public Building Commission hereby approves the revised undertaking request by the Village of Clarendon Hills, including the completion of a Professional Development Report, budget, schedule and other related services for a not to exceed amount of \$250,000 (inclusive of the \$80,000 formulation amount approved by the Commission in August 2014).

BE IT FURTHER RESOLVED that the Public Building Commission hereby authorizes and directs the Executive Director and other appropriate officials of the Public Building Commission to take such action and to execute, upon approval by Legal Counsel as to form and legality, such documents as may be necessary and appropriate in order to effectuate this resolution.

Commissioners voting in the affirmative:

Rahm Emanuel, Byron T. Brazier,
Martin Cabrera, Jr., Thomas J. Kotel,
Toni Preckwinkle, Arnold L. Randall,
Samuel Wm. Sax, Mariyana Spyropoulos,
and David Vitale – 9

Commissioners voting in the negative:

None

At the conclusion of the regular meeting a public participation period was held pursuant to Section 2.06(g) of the Open Meetings Act. Kathryn Pensack had previously registered to provide comments under the guidelines established by Resolution No. 7611 approved by the Board of Commissioners on January 11, 2011. Ms. Pensack provided comments recommending the use of solar energy on all public buildings.

Next, the Board of Commissioners convened an Executive Session for the purpose of discussing undertaking requests from the Office of Emergency Management and Communications (OEMC) for the OEMC Camera Infrastructure Program under Section 2 (c) (8) of the Open Meetings Act, settlement agreements regarding the Kelly Curie Gage Park High School (now known as Eric J. Solorio High School) and potential litigation pursuant to Section 2

(c) (11) of the Open Meetings Act. Upon motion duly made and seconded, the following resolution was adopted:

RESOLUTION NO. 8129

BE IT RESOLVED that an Executive Session of the Board of Commissioners is hereby convened for the purpose of consideration of approval of undertaking requests by the Office of Emergency Management and Communications for the OEMC Camera Infrastructure Program, settlements regarding the Eric J. Solorio High School Project and potential litigation under Section 2 (c) (8) and Section 2 (c) (5), respectively, of the Open Meetings Act.

Commissioners voting in the affirmative:

Rahm Emanuel, Byron T. Brazier,
Martin Cabrera, Jr., Thomas J. Kotel,
Toni Preckwinkle, Arnold L. Randall,
Samuel Wm. Sax, Mariyana Spyropoulos,
and David Vitale – 9

Commissioners voting in the negative:

None

During the Executive Session, the Commissioners were presented with consideration of approval of Undertaking Request No. 67 – Phase I Navy Pier Fly Over Fiber Repair by the Office of Emergency Management and Communications (OEMC) and the Office of Management and Budget. The project consists of an analysis, investigation, redesign and installation of the fiber, conduit and camera equipment at Lower Lake Shore Drive near Navy Pier for an estimated project budget of \$130,890. Following the Executive Session, the meeting was reconvened and the following resolution was adopted upon motion duly made and seconded:

RESOLUTION NO. 8130

BE IT RESOLVED that the Board of Commissioners of the Public Building Commission hereby approves Undertaking Request No. 67 from the Office of Emergency Management and Communications and the Office of Budget and Management for Phase I of the Navy Pier Fly Over Fiber Repair project in the amount of \$130,890.

BE IT FURTHER RESOLVED that the Executive Director and appropriate officials of the Public Building Commission are authorized and directed to execute, upon approval as to form and legality by Legal Counsel, and to undertake such actions as may be necessary and appropriate in order to implement this resolution.

Commissioners voting in the affirmative:

Rahm Emanuel, Byron T. Brazier,
Martin Cabrera, Jr., Thomas J. Kotel,
Toni Preckwinkle, Arnold L. Randall,
Samuel Wm. Sax, Mariyana Spyropoulos,
and David Vitale – 9

Commissioners voting in the negative:

None

The next item on the agenda during the Executive Session was the consideration of approval of Undertaking Request No. 76, which was deferred by the Board of Commissioners.

Also during the Executive Session, Legal Counsel presented for consideration of approval proposed settlements related to the site preparation and construction of the Kelly Curie Gage Park High School (now known as Eric J. Solorio High School). He advised the Commissioners that a proposed settlement has been reached with McDonagh Demolition, Inc. based upon deficient performance under Contract No. 1453 in the sum of \$100,000 in partial recoupment of funds expended by the Commission to repair the storm water retention system. After the meeting was reconvened in open session, the following resolution was adopted upon motion duly made and seconded:

RESOLUTION NO. 8131

BE IT RESOLVED that the Board of Commissioners of the Public Building Commission hereby approves the settlement agreement with McDonagh Demolition, Inc. for the payment of \$100,000 toward the costs incurred by the Commission to repair the storm water retention system resulting from deficiencies in site preparation and construction work for the Kelly Curie Gage Park High School (now known as Eric J. Solorio High School).

BE IT FURTHER RESOLVED that the Executive Director and appropriate officials of the Public Building Commission are authorized and directed to execute, upon approval as to form and legality by Legal Counsel, and to undertake such actions as may be necessary and appropriate in order to implement this resolution.

Commissioners voting in the affirmative:

Rahm Emanuel, Byron T. Brazier,
Martin Cabrera, Jr., Thomas J. Kotel,
Toni Preckwinkle, Arnold L. Randall,
Samuel Wm. Sax, Mariyana Spyropoulos,
and David Vitale – 9

Commissioners voting in the negative:

None

In addition, Legal Counsel advised the Commissioners during the Executive Session regarding a proposed settlement related to the site preparation and construction of the Kelly Curie Gage Park High School (now known as Eric J. Solorio High School) with The Gordion Group based upon deficient performance under Contract No. PS 1007 in the sum of \$25,000 in partial recoupment of funds expended by the Commission to repair the storm water retention system. After the meeting was reconvened in open session, the following resolution was adopted upon motion duly made and seconded:

RESOLUTION NO. 8132

BE IT RESOLVED that the Board of Commissioners of the Public Building Commission hereby approves the settlement agreement with The Gordion Group for the payment of \$25,000 toward the costs incurred by the Commission to repair the storm water retention system resulting from deficiencies in site preparation and construction work for the Kelly Curie Gage Park High School (now known as Eric J. Solorio High School).

BE IT FURTHER RESOLVED that the Executive Director and appropriate officials of the Public Building Commission are authorized and directed to execute, upon approval as to form and legality by Legal Counsel, and to undertake such actions as may be necessary and appropriate in order to implement this resolution.

Commissioners voting in the affirmative:

Rahm Emanuel, Byron T. Brazier,
 Martin Cabrera, Jr., Thomas J. Kotel,
 Toni Preckwinkle, Arnold L. Randall,
 Samuel Wm. Sax, Mariyana Spyropoulos,
 and David Vitale – 9

Commissioners voting in the negative:

None

Finally, the Commissioners were advised by Legal Counsel during the Executive Session regarding potential litigation between the Public Building Commission and Walsh Construction Company II (“Walsh”) to obtain additional costs incurred in connection with the construction of the new William Jones College Preparatory High School. Legal Counsel advised that the Commission has provided a report to the Chicago Public School summarizing potential costs that may be incurred for the project, including various claims by Walsh that are disputed by the Commission and may result in litigation being filed by Walsh. He summarized the components of the claim and damages allegedly resulting from steel fabrication and erection, and acceleration costs, and advised that, to date, the Commission is confident that the claims are unsubstantiated. Also present and introduced to the Commissioners during the Executive Session was Richard Steinken, an attorney with Jenner & Block who has been engaged to represent the Commission with respect to this matter.

There being no further business to come before the meeting, the meeting was adjourned.

Secretary

APPROVED:

Chairman

Public Building Commission of Chicago
 Proposed Amendment Report to the Administrative Operations Committee
 October 30, 2014

Amendment	Project	Consultant	Reason for the Proposed Amendment	Current Cost of Construction (including approved change orders)	Current Agreement	Amount of the Proposed Amendment	Revised Agreement Included Proposed Amendments	Consultant's Fee including the Proposed Amendment Fee as a % of the Current Cost of Construction
1	Albany Park Branch Library	Midwest Office Interiors (PS2012 - A1) Fixtures, Furniture, and Equipment (FF&E)	This amendment increases the fee by \$13,631.22 for additional services associated with the provision of specified fixtures, furniture, and equipment (FF&E) for the children's area, clarifications associated with the Agatti table specifications, and a unit price modification. The scope of services included in this amendment were not part of the original scope of services.	N/A	\$186,368.78	\$13,631.22	\$200,000.00	N/A
2	Oriole Park Elementary School Annex	Wallin Gomez Architects (PS2000 - A1) Architect of Record	This amendment increases the fee by \$45,540.00 for additional services associated with architectural and engineering services required for: - Revisions to the plenum rated cabling for low voltage systems; - Removal of water service back feed to existing main building; - Hybrid kitchen ventilation classification revisions; - Revisions to existing building services (including existing domestic water service, clock system, fire alarm system, AI phone access control system, exit signs, and egress lighting); - Regulatory review requirements. The scope of services included in this amendment were not part of the original scope of services.	\$11,889,000.00	\$1,200,000.00	\$45,540.00	\$1,245,540.00	10.48%

PUBLIC BUILDING COMMISSION OF CHICAGO

BOARD MEETING – November 12, 2014

CHANGE ORDERS

"EXHIBIT B"

PUBLIC BUILDING COMMISSION
SUMMARY OF PROPOSED CHANGE ORDERS
FOR PBC BOARD MEETING
November 12, 2014

A	B	C	D	E	F = (D+E)	G	H=(F+G)	I=(E+G/D)
PROJECT	CONTRACT #	CONTRACTOR	ORIGINAL CONTRACT VALUE	PREVIOUSLY APPROVED CHANGES	CURRENT CONTRACT VALUE (Including Previously Approved Changes)	PROPOSED CHANGE ORDERS	ADJUSTED CONTRACT VALUE (Including Approved Current Proposed Change Orders)	APPROVED BOARD CHANGE ORDERS % (of Original Contract)
Close-Out								
Bell Elementary School Addition 3730 N. Oakley Avenue Project Manager: Andy Horn	C1545R	Wight Construction	\$7,256,000.00	\$36,000.00	\$7,292,000.00	(\$98,511.54)	\$7,193,488.46	-0.86%
Peck Elementary School Addition 3826 W. 58th Street Project Manager: Mark Lindstrom	C1536	F. H. Paschen, SN Nielsen & Associates, LLC	\$10,388,000.00	\$0.00	\$10,388,000.00	(\$250,122.84)	\$10,137,877.16	-2.41%
Jones College Preparatory High School 606 N. State Street Project Manager: Ryan Forristall	C1527	Walsh Construction Company II, LLC	\$90,980,000.00	\$213,546.65	\$91,193,546.65	\$134,636.17	\$91,328,182.82	0.38%

PUBLIC BUILDING COMMISSION OF CHICAGO

CHANGE ORDER

Bell Elementary School Addition

3730 N. Oakley Avenue

November 12, 2014

Wight Construction Services, Inc.

211 N. Clinton Street, Suite 300 N

Chicago, IL 60661

CHNG	BULL	CONTRACT NUMBER 1545R	
ORDR	NUM	ORIGINAL CONTRACT PRICE	\$7,256,000.00
NUM		APPROVED CHANGE ORDERS	\$36,000.00
ADJUSTED CONTRACT PRICE TO DATE			\$7,292,000.00

002	1545R-036	Deduct unused Digital Video Surveillance (DVS) System Allowance. Other.	(\$52,642.54)
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002	1545R-037	Deduct unused Site Work Allowance. Other.	(\$45,869.00)
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TOTAL CHANGE ADDITION (\$98,511.54)

ADJUSTED CONTRACT PRICE AFTER APPROVAL \$7,193,488.46

All interested parties are hereby notified that the Change Order listed above shall apply to Contract No. 1545R heretofore issued by the Public Building Commission.

All parties shall apply the change as indicated above.

Resolution Number _____

Changes as specified above authorized for the Public Building Commission of Chicago by:

Reviewed By

Executive Director

Public Building Commission of Chicago
Workforce Liquidated Damages Report

Project: Peck Elementary School
Base Bid: \$10,388,000.00

Contract No: C1536
Data Date: 10/17/2014

Contractor: FH Paschen
Adjusted Contract: \$10,158,653.16

	Total Hours	Goal %	Goal Hours	Actual %	Actual Hours	Shortfall	Liquidated Damages
Journeyworkers	33,622						
Minority		50	16,811	62.21	20,918	0	\$0.00
Female		10	3,362	4.70	1,582	5	\$20,776.00
Apprentice	3,937						
Minority		50	1,969	113.61	4,473	0	\$0.00
Female		10	394	14.41	568	0	\$0.00
Laborer	12,771						
Minority		50	6,385	85.05	10,861	0	\$0.00
Female		10	1,277	9.01	1,151	0	\$0.00
City Residency	50,330	50	25,165	50.55	25,442	0	\$0.00
Community Hiring	50,330	7.5	3,775	11.58	5,830	0	\$0.00

FH Paschen Total Liquidated Damages \$20,776.00

- Journeyworkers: .0004 x base bid x shortfall points
- Apprentices: .0003 x base bid x shortfall points
- Laborers: .0001 x base bid x shortfall points
- City Residency & Community Hiring: .0005 x adjusted contract value x shortfall points

Final

PUBLIC BUILDING COMMISSION OF CHICAGO

CHANGE ORDER

Jones College Preparatory High School

606 N. State Street

November 12, 2014

Walsh Construction Company II

929 W. Adams

Chicago, IL 60607

CO NUM	BULL NUM	CONTRACT NUMBER 1527 ORIGINAL CONTRACT AWARD VALUE APPROVED CHANGE ORDERS	\$90,980,000.00 \$213,546.65
CURRENT CONTRACT VALUE			\$91,193,546.05
004	1527-079	Door hardware revisions. Error or Omission.	\$16,140.11
004	1527-081	Ceiling height and soffit revisions at Corridor and Women's Toilet. Error or Omission.	\$36,587.43
004	1527-106	Structural Steel revisions. Error or Omission.	\$45,751.00
004	1527-151	Provide additional flow meter bypasses of the Hot Water, Chilled Water, and Condenser Water flow meters. Error or Omission.	\$46,924.91
004	1527-152	Furnish and install partition wall and drywall revisions at various locations. Error or Omission.	\$18,938.51
004	1527-156	Furnish and install aluminum linear grilles with dampers in lieu of the specified stainless steel grilles. Error or Omission.	\$9,344.00
004	1527-181	Furnish and install acoustic isolated ceilings and provide additional framing, gyp board assemblies and painting. Error or Omission.	\$43,168.29
004	1527-185	Deduct unused site work allowance. Other.	(\$150,000.00)
004	1527-188	Curtain wall trim detail revisions. Error or Omission.	\$20,231.45
004	1527-189	Parking garage door revisions. Error or Omission.	\$20,303.66
004	1527-215	Furnish and install metal stud framing and gyp board finishes, ceiling mounted brackets for projection screens, remove & replace stair tread, and furnish and install sink. Error or Omission.	\$27,246.81
TOTAL CHANGE			\$134,636.17
ADJUSTED CONTRACT VALUE AFTER APPROVED CHANGES			\$91,328,182.82

All interested parties are hereby notified that the Change Order listed above shall apply to Contract No. 1527 heretofore issued by the Public Building Commission.

All parties shall apply the change as indicated above.

Resolution Number _____

Changes as specified above authorized for the Public Building Commission of Chicago by:

Reviewed By

Executive Director

NOTICE OF AWARD
November 2014

REQUEST FOR SERVICE \$25,000 & UNDER					
Service	Type	M/WBE	Firm	\$ Total	Total Commitment to Date
Dell Laptop		MBE	Sierra Public Safety Group	\$ 3,386.00	\$ 3,386.00
Façade Inspection			WJE (Wiss, Janney, Elstner Associates, Inc.)	\$ 10,682.70	\$ 10,682.70

"EXHIBIT D"

**NOTICE OF AWARD
November 2014**

TASK ORDERS AWARDED AGAINST TERM CONTRACTS						Total Commitment to Date
Project Name	Service	Type	M/WBE	Firm	\$ Total	
Canty ES Annex	Environmental - Reno/Demo	RMW	WBE	Carnow Conibear & Assoc.	\$ 30,193.75	\$ 2,437,234.25
Canty ES Annex	Traffic Study	R	MBE	Infrastructure Engineering, PLLC	\$ 14,828.00	\$ 14,828.00
Clarendon Hills - Prospect Ave. TAIP	Traffic Study	R	WBE	Terra Engineering, Ltd.	\$ 53,460.00	\$ 86,522.00
CVCA - Phase I	Material Testing	D	MBE	GSG Material Testing, Inc.	\$ 349,250.00	\$ 1,596,154.50
Edwards ES Annex	Environmental, A, B, C	R		Pioneer Engineering	\$ 55,098.00	\$ 176,047.00
Edwards ES Annex	Environmental - Reno/Demo	R		Environmental Consulting Group, Inc.	\$ 29,900.00	\$ 306,286.00
Edwards ES Annex	Traffic Study	R		CivilTech Engineering, Inc.	\$ 14,000.00	\$ 14,000.00
Henderson ES	Material Testing	A		AECOM Technical Services	\$ 5,400.00	\$ 381,413.75
Jamieson ES Annex	Traffic Study	RMW	WBE	Terra Engineering, Ltd.	\$ 16,906.00	\$ 103,428.00
Jones College Prep HS - Phase II	Environmental - Reno/Demo	C	WBE	Carnow Conibear & Assoc.	\$ 11,755.00	\$ 2,407,040.50
Lincoln ES Annex	Environmental - Reno/Demo	C		Accurate/GSG Consultants a JV	\$ 78,481.00	\$ 219,069.48
Lincoln ES Annex	Material Testing	R		Terracon Consultants, Inc.	\$ 54,716.00	\$ 507,546.55
Lincoln ES Annex	Traffic Study	A		Traffic Analysis & Design, Inc.	\$ 2,330.00	\$ 12,130.00

Specialty Consultant	Term Limits Not to Exceed
Environmental-Category A,B,C	\$1,500,000.00
Environmental Reno/Demo	\$1,000,000.00
Geotechnical	\$750,000.00
Material Testing	\$1,000,000.00
Surveying	\$200,000.00
Traffic Study	\$200,000.00
Commissioning	\$500,000.00

R - Rotation
RMW - M/WBE Deficiency
C- Cradle to Grave (Environ.
D - Directed Source
AT - Amendment to task order
A - Additional Services