

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

Tuesday, June 4, 2019, at 3:30 p.m. CDT

The Public Building Commission of McLean County, Illinois (the "Commission") was called to order by Chairman Novosad on June 4, 2019, in Room LL1 of the Government Center, 115 East Washington Street, Bloomington, McLean County, Illinois.

Secretary Morel called the roll with the following members answering "present": Novosad, Zimmerman, Morel, Farnsworth, Schultz, Harris, Reid, Fruin, and Fazzini.

Also present were Commission Attorney Robert Porter; Commission Treasurer James Mulligan; County Director of Administrative Services Eric Schmitt; Mr. Jack Moody; and Project Manager John Bishop of the Farnsworth Group, Inc.

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

Chairman Novosad began the meeting by presenting the Minutes of the May 7, 2019 Regular Meeting of the Commission for approval. Chairman Novosad asked if there were any questions, additions, and/or revisions to the Minutes. Hearing none, Chairman Novosad asked for a Motion to approve the Regular Meeting Minutes. It was moved by Mr. Farnsworth and seconded by Mr. Harris that the Minutes of the May 7, 2019 Regular Meeting be approved as submitted. Chairman Novosad called for a vote on the Motion to approve the Minutes and the Motion was unanimously approved by voice vote.

Chairman Novosad then called on Commission Treasurer James Mulligan to present the Treasurer's Report for the fiscal year. Mr. Mulligan initially noted that the Commission made its first (1st) 2019 interest payment on its Series 2015 Public Building Revenue Bond Issue on June 1st. Mr. Mulligan indicated that this payment was in the amount of nine hundred forty-seven thousand six hundred fifty dollars and 00/100 (\$947,650.00). Mr. Mulligan stated that the Commission tendered this sum to its paying agent, Heartland Bank & Trust Company, which in turn paid the bondholders.

Mr. Mulligan then noted that the Treasurer's Report had been updated to reflect updated interest earnings for a majority of the Commission's accounts. Mr. Mulligan indicated that the Commission's four (4)-week U.S. Treasury holdings were bearing an annual yield at just more than two percent (2%).

Mr. Mulligan next indicated that River City Construction, LLC.'s remaining unbilled total on

its contract with the Commission was approximately five hundred thousand dollars and 00/100 (\$500,000.00).

Chairman Novosad then asked Project Manager John Bishop of the Farnsworth Group, Inc. if he had confidence that there would not be any additional unforeseen expenses incurred on the Project. Mr. Bishop responded in the affirmative and further noted that the retainage had already been effectively billed.

Mr. Mulligan then noted that the month's disbursements were delineated on page fifteen (15) of the Treasurer's Report.

Chairman Novosad asked Mr. Mulligan whether any of the proceeds from the Commission's Series 2015 Public Building Revenue Bond Issue were still invested in C.D.s at Morton Community Bank. Mr. Mulligan responded in the negative and further noted that all of the Bond proceeds were either invested in U.S. Treasuries or held in the Commission's Project Fund checking account at Morton Community Bank.

Chairman Novosad then asked if there were any additional questions or comments for Mr. Mulligan on the Treasurer's Report. Hearing none, Chairman Novosad asked for a Motion to approve the Treasurer's Report and proposed payments as submitted. It was moved by Mr. Fazzini and seconded by Mr. Schultz to approve the Treasurer's Report and proposed payments as submitted. Upon a roll call vote, all Commissioners voted in favor of the Motion.

Chairman Novosad next turned to the Commission's "New Business" and asked Mr. Bishop, County Director of Administrative Services Eric Schmitt, and Mr. Jack Moody to discuss the architectural design, engineering services, and construction administration of the McLean County Law & Justice Center Expansion Project.

Mr. Bishop initially noted that punch list activities in the existing Jail facility were completed last week. Mr. Bishop then showed the Commission several photographs of the exterior of the new Jail facility, a photograph of the new Jail facility's loading dock, a photograph of the new Jail facility's landscaping, a photograph of the window replacements in the existing Jail facility, a photograph of the existing Jail facility's new infirmary, a photograph of the ramp near the existing Jail facility's new infirmary, a photograph of the existing Jail facility's new breakroom, a photograph of the new staff restrooms in the existing Jail facility, and a photograph of the existing Jail facility's new staff office.

Mr. Bishop then indicated that River City Construction, LLC. was currently in the process of laying epoxy coating on the floors in the remodeled sections of the existing Jail facility.

Chairman Novosad asked Mr. Bishop whether River City Construction, LLC. would reach substantial completion of its work in the existing Jail facility by June 12th. Mr. Bishop responded by

noting that substantial completion would likely be reached on June 12th. Mr. Bishop did indicate, however, that some work would extend past June 12th. Nevertheless, Mr. Bishop indicated that representatives from McLean County, the Farnsworth Group, Inc., and River City Construction, LLC. had been discussing the release of retainage.

County Director of Administrative Services Eric Schmitt then indicated that River City Construction, LLC. was currently working on the outdoor recreation yard windows in the existing Jail facility's west pod. Mr. Schmitt next noted that the same work would be performed in the east pod within the next two (2) weeks.

Mr. Bishop further relayed that River City Construction, LLC. would soon begin demobilizing at the Project site. Mr. Bishop noted that the job site trailer would be taken away in the near future. Mr. Bishop also indicated that Jail staff would soon be performing a security sweep of the remodeled, existing Jail facility.

Chairman Novosad then asked Mr. Bishop whether he had begun to receive the manufacturers' warranties and other pertinent warranties and Mr. Bishop responded in the affirmative.

Chairman Novosad next inquired as to when the Project would be entirely finished. In response, Mr. Bishop stated that he expected the Project to be entirely finished in either July or August. Mr. Bishop then noted that final retainage would not be released until the Sheriff's Department conducted a final security sweep of the remodeled existing Jail facility.

Chairman Novosad then asked about the progress of the floor leveling work in the existing Jail facility. Mr. Bishop indicated that this work was largely completed by January 2019. Mr. Bishop further noted that River City Construction, LLC. was currently working on placing an epoxy finish on the leveled floors.

Mr. Bishop next indicated that he had recently issued Allowance Authorization Sixteen (16). Mr. Bishop noted that Allowance Authorization Sixteen (16) included a variety of items. Mr. Bishop indicated that these items included: 1) revisions to the new Jail facility's water heater piping; 2) the insertion of soap dishes in showers in the existing Jail facility; 3) the addition of new ceiling access panels in the existing Jail facility; 4) the addition of new piping to the Law & Justice Center's I.T. room; 5) the revision of ceiling heights and mechanical ceiling diffusers in the existing Jail facility; 6) the inclusion of new shower ceilings in the existing Jail facility; 7) the addition of "EXIT" signs in the existing Jail facility; 8) the elimination of redundant smoke detectors in the existing Jail facility; 9) the insertion of new circuitry in the new Jail facility's kitchen; and 10) sloping the existing Jail facility's showers towards floor drains to prevent spillage. Mr. Bishop then noted that the Farnsworth Group, Inc. would be refunding the Commission in the amount of four thousand five hundred one dollars and 58/100 (\$4,501.58) for the cost of the work associated with revising the new Jail facility's water heater piping.

Chairman Novosad inquired as to why the Farnsworth Group, Inc. would be reimbursing the Commission for the water heating piping work. In response, Mr. Bishop noted that this was an area where fault could not properly be assigned between the Farnsworth Group, Inc. and the plumbing subcontractor. As a result, Mr. Bishop felt it was appropriate for the Farnsworth Group, Inc. to cover the cost of the work.

Although Mr. Bishop noted that there were still outstanding Allowance Authorization items remaining to be priced, he stated that he had no concern about the Commission exceeding its current Project contingency fund.

Chairman Novosad then asked Mr. Bishop why the elimination of redundant smoke detectors was "zero cost" work. Mr. Bishop responded by noting that the subcontractor never included the cost of the installation of redundant smoke detectors in its bid.

Chairman Novosad next noted that, to date, the Commission had spent approximately five percent (5%) of the overall contract amount on changes. Chairman Novosad indicated that this was an impressive figure given the overall scope and complexity of the Project.

Chairman Novosad then asked if there were any additional questions or comments regarding the status of the McLean County Law & Justice Center Expansion Project. Hearing none, Chairman Novosad stated that the Commission had received an invoice from the Farnsworth Group, Inc. on May 29, 2019 in the amount of nineteen thousand eight hundred seventy-seven dollars and 60/100 (\$19,877.60). This amount represented the fee incurred by the Farnsworth Group, Inc. during the month of May 2019.

Chairman Novosad asked Mr. Moody whether the invoice was in order. Mr. Moody indicated that the invoice was in order and that it represented costs associated with the completion of ninety-eight percent (98%) of the Project's construction phase.

Chairman Novosad asked if there were any questions or comments regarding the Farnsworth Group, Inc.'s May 2019 invoice. Hearing none, Chairman Novosad asked for a Motion to approve payment to the Farnsworth Group, Inc. in the amount of nineteen thousand eight hundred seventy-seven dollars and 60/100 (\$19,877.60) from the Series 2015 Public Building Revenue Bond Issue's Project Fund for services rendered on the Law & Justice Center Expansion Project during the month of May 2019. It was moved by Mr. Zimmerman and seconded by Mr. Reid to approve payment to the Farnsworth Group, Inc. in the amount of nineteen thousand eight hundred seventy-seven dollars and 60/100 (\$19,877.60) from the Series 2015 Public Building Revenue Bond Issue's Project Fund for services rendered on the Law & Justice Center Expansion Project during the month of May 2019. Upon a roll call vote, all Commissioners voted in favor of the Motion.

Chairman Novosad next noted that the Commission had been presented with an invoice from River City Construction, LLC. on May 29, 2019 in the amount of eight hundred forty-six thousand

two hundred fifteen dollars and 16/100 (\$846,215.16). This amount represented the fee incurred by River City Construction, LLC. during the month of May 2019. Chairman Novosad asked Mr. Moody whether the fee was in order and Mr. Moody responded in the affirmative. Chairman Novosad asked Mr. Bishop whether he had approved the invoice and Mr. Bishop responded in the affirmative.

Chairman Novosad asked if there were any additional questions or comments regarding River City Construction, LLC.'s May 2019 invoice. Hearing none, Chairman Novosad asked for a Motion to approve payment to River City Construction, LLC. in the amount of eight hundred forty-six thousand two hundred fifteen dollars and 16/100 (\$846,215.16) from the Series 2015 Public Building Revenue Bond Issue's Project Fund for services rendered on the Law & Justice Center Expansion Project during the month of May 2019. It was moved by Mr. Schultz and seconded by Mr. Farnsworth to approve payment to River City Construction, LLC. in the amount of eight hundred forty-six thousand two hundred fifteen dollars and 16/100 (\$846,215.16) from the Series 2015 Public Building Revenue Bond Issue's Project Fund for services rendered on the Law & Justice Center Expansion Project during the month of May 2019. Upon a roll call vote, all Commissioners voted in favor of the Motion.

Chairman Novosad next noted that McLean County was requesting reimbursement from the Commission in the amount of twenty-nine thousand six hundred seventy-eight dollars and 99/100 (\$29,678.99) for FF&E items purchased as a part of the Law & Justice Center Expansion Project. Chairman Novosad asked Mr. Schmitt to address this matter further with the Commission.

Mr. Schmitt noted that, during the month of May 2019, McLean County spent twenty-nine dollars and 98/100 (\$29.98) on two (2) wall clocks, nineteen thousand six hundred five dollars and 00/100 (\$19,605.00) on forty-eight (48) wireless access points, one thousand four hundred ninety-seven dollars and 32/100 (\$1,497.32) on the upholstery of a dental chair, three hundred seventy-seven dollars and 98/100 (\$377.98) on three (3) mini refrigerators, two thousand one hundred fifty-nine dollars and 00/100 (\$2,159.50) on two (2) exam tables, five hundred forty-one dollars and 50/100 (\$541.50) on two (2) exam stools, one hundred thirty-two dollars and 00/100 (\$132.00) on two (2) tilt storage bins, three hundred sixty-nine dollars and 00/100 (\$369.00) on a digital medical scale, two thousand six hundred forty-two dollars and 90/100 (\$2,642.90) on two (2) wall diagnostic systems, two hundred ninety-three dollars and 57/100 (\$293.57) on two (2) mobile instrument stands, one hundred seventy-two dollars and 76/100 (\$172.76) on two (2) gooseneck lamps, fifty-three dollars and 28/100 (\$53.28) on two (2) wire glove box holders, three hundred twenty-nine dollars and 36/100 (\$329.36) on a blood drawing chair, six hundred ninety-four dollars and 55/100 (\$694.55) on four (4) waste receptacles, ninety-one dollars and 29/100 (\$91.29) on an institutional mop bucket, four hundred forty-eight dollars and 00/100 (\$448.00) on an armless big and tall chair, and two hundred forty-one dollars and 00/100 (\$241.00) on an ergonomic chair.

Mr. Schultz asked Mr. Schmitt what the County used before it began using wireless access points. In response, both Mr. Schmitt and Mr. Moody stated that the County previously utilized CAT access ports.

Chairman Novosad inquired whether the County had nearly completed its FF&E purchases. Mr. Schmitt responded by noting that the County was trying to wrap up its FF&E purchases in the near future.

Mr. Zimmerman asked about the amount the Commission had expended to date on FF&E. In response, Commission Attorney Robert Porter noted that the Commission had thus far spent two hundred six thousand nine hundred twelve dollars and 06/100 (\$206,912.06) of its four hundred thousand dollar and 00/100 (\$400,000.00) FF&E budget.

Chairman Novosad asked if there were any additional comments or questions regarding the reimbursement request. Hearing none, Chairman Novosad asked for a Motion to approve reimbursing McLean County in the amount of twenty-nine thousand six hundred seventy-eight dollars and 99/100 (\$29,678.99) from the Series 2015 Public Building Revenue Bond Issue's Project Fund. It was moved by Mr. Schultz and seconded by Mr. Harris to reimburse McLean County in the amount of twenty-nine thousand six hundred seventy-eight dollars and 99/100 (\$29,678.99) from the Series 2015 Public Building Revenue Bond Issue's Project Fund. Upon a roll call vote, all Commissioners voted in favor of the Motion.

Chairman Novosad then noted that the Commission had received an insurance release relating to work performed by River City Construction, LLC.'s electrical subcontractor, Zeller Electric, Inc. Chairman Novosad asked Mr. Porter to address this matter.

Mr. Porter reminded the Commission that, on or about May 8, 2018, it was discovered that one (1) of the electrical cables connecting the Law & Justice Center to the new Jail facility was leaking water. Mr. Porter indicated that the leak caused a breaker to short and a small fire in the electrical room to ensue. Mr. Porter noted that the fire was quickly contained. Mr. Porter indicated that Mr. Bishop believed that the cable had been under water prior to being shipped to Zeller Electric, Inc. Indeed, the cable was supplied by a manufacturer from Houston and was shipped shortly after Hurricane Harvey made landfall in the city.

Mr. Porter indicated that the damaged cable that failed on May 8, 2018 was subsequently replaced in July 2018. Mr. Porter stated that the six (6)-figure cost of replacement was borne by River City Construction, LLC.'s insurance carrier, Travelers, as well as Zeller Electric, Inc.'s E&O carrier, West Bend. Mr. Porter specifically indicated that Travelers contributed twenty-nine thousand three hundred five dollars and 47/100 (\$29,305.47) and West Bend contributed one hundred one thousand five hundred twenty-four dollars and 00/100 (\$101,524.00).

Mr. Porter noted that both carriers required the Commission to release the contractor and subcontractor from any liability concerning this specific work as a condition of payment. Mr. Porter further stated that he reviewed the proposed release and inserted language carving out the Commission's rights of warranties relating to the work. Mr. Porter further indicated that he carved out exceptions allowing the Commission to recover for damages in the event the newly-installed

cable were to fail. Mr. Porter noted that his changes were approved by the carriers.

Chairman Novosad asked whether a fault determination had ever been made for the cable's failure. Mr. Schmitt responded by noting that the carriers would likely engage in subrogation.

Chairman Novosad thereafter inquired as to whether the Commission would be involved in any subrogation and Mr. Porter responded in the negative.

Chairman Novosad asked if there were any additional comments or questions regarding the insurance release. Hearing none, Chairman Novosad asked for a Motion to approve the insurance release. It was moved by Mr. Schultz and seconded by Mr. Fazzini to approve the insurance release and the Motion was unanimously approved by voice vote.

Chairman Novosad then inquired as to whether there was any "Other Business" before the Commission.

In response, Mr. Schultz remarked that he noticed from recent correspondence that the Commission carried general liability insurance on the McLean County Emergency Management Garage. Mr. Schultz then asked where that Garage was located. In response, Mr. Porter noted that the Emergency Management Garage was located at the Fairview Campus in North Normal. Mr. Porter specifically noted that the Garage was located directly behind the vacant Fairview Sanitarium Building.

Mr. Zimmerman asked whether the Commission insured the Fairview Sanitarium Building and Mr. Porter responded that the Commission did have a general liability policy on that facility.

Mr. Schmitt added that there have been a number of competing proposals as to how best to utilize the Fairview Sanitarium Building in the future.

Mr. Farnsworth then expressed his view that the County should never vacate the Fairview Campus.

Chairman Novosad then asked whether any Commissioner had any additional "Other Business" to discuss before the Commission. Hearing none, Chairman Novosad asked for a Motion to adjourn. It was moved by Mr. Farnsworth and seconded by Mr. Reid to adjourn and the Motion was unanimously approved by voice vote. The Regular Meeting was adjourned at 4:05 p.m.

The next meeting of the Commission will be Tuesday, July 2, 2019, at 3:30 p.m.

APPROVED:

July 2, 2019

John L. Morel (7/12)

JOHN L. MOREL,
Secretary, Public Building Commission