



BUILDING AUTHORITY

CITY OF NOVI

Building Authority Meeting

Thursday, November 14, 2007 | 3:30 P.M.

Activities Room | Novi Civic Center | 45175 W. Ten Mile Road

Meeting was called to order at 3:37 p.m.

Members Present: Larry Czekaj, Julie Farkas, Rob Hayes (arrived 3:41 pm), Clay Pearson, Mark Sturing

Members Absent: Steve Rumble, Kathy Smith-Roy,

STAFF/OTHERS: Pam Antil, Mary Ellen Mulcrone, Barb Rutkowski, Margi Karp-Opperer, Joel Dion, Thomas Schultz, Melissa Place

APPROVAL OF AGENDA

Motion by Sturing, seconded by Pearson; CARRIED UNANIMOUSLY: To approve the agenda as presented. (Hayes absent)

APPROVAL OF MINUTES

1. November 1, 2007 meeting

Minutes were deferred to the next meeting.

PURPOSE OF THE MEETING

1. Continued discussion of BEI/Diamond & Schmitt and Project Management/Owner's Representative methods and contract agreements.

Mr. Pearson opened discussion by mentioning Pam Antil, Julie Farkas, Tom Schultz, David Asker, and himself met with Syndey Browne and Chris Kittides earlier to discuss the architectural contract which calls for construction drawings by April 28, 2008. There may be some merit in pushing back the drawings 8-12 weeks which is the recommendation of BEI. Mr. Czekaj said Plante & Moran is still under contract for \$35,000. Mr. Pearson commented Mr. Asker is working with Diamond & Schmitt to come up with a mutual date. Mr. Sturing said it is good to address the April date if there is a schedule of preliminary stages which locks into a timetable. Mr. Pearson said yes, and there are many check points. Mr. Czekaj asked when the next discussion with BEI/Diamond and Schmitt is scheduled. Mr. Pearson said staff will be meeting with them on November 20. Mr. Czekaj commented if the construction drawings are to be done by April 28, then we do not have to start construction immediately. Mr. Czekaj wanted clarification that the owner of the contract is the City. Mr. Schultz said yes. Mr. Czekaj said the Library Board gave rights to the Building Authority. Mr. Schultz clarified that City Council has given approval to the Building Authority to oversee the process. However, City Council is ultimately responsible for construction and completion of the building. This makes the City the contracting party.

Mr. Czekaj referred to 1.1.3.1 regarding the Owner's Representative which should be the Building Authority to manage the project. We expect the City staff to come to the Building Authority with issues for them to be resolved. Mr. Czekaj said he does not recall having separate point people. Mr. Pearson said for all practical purposes there needs to be a contact that can be reached easily which lends itself to City staff. Mr. Czekaj said Mr. Asker should air issues to the Building Authority. Mr. Pearson commented there are always going to be calls to himself, Ms. Farkas or Mr. Schultz. Mr. Czekaj said previously the Building Authority did not let the Project Manager decide on color schemes, as an example. Mr. Schultz clarified that the resolution passed by City Council specifies at what level each group is responsible. Mr. Pearson said it should be up to the Library staff and Library Board to make decisions on sample boards. It is not the function of the Building Authority for that type of detail. However, the Building Authority should be familiar with what color schemes, etc. are being considered but it is the task for the Library staff to decide. Ms. Farkas commented the Library staff will work together and bring the final decision to the Building Authority. Mr. Pearson said the Building Authority is the guardian of the big schedule but it is up to staff and the Library Board to be the watchdog. Mr. Czekaj agrees and is willing to spend the time and to do what it takes to make the project successful. Ms. Farkas commented all suggestions, whether they are from staff, Library Board or Building Authority will be considered prior to making a decision. Mr. Pearson explained Ms. Browne will make a presentation to Library staff. Mr. Czekaj said the Building Authority should have a presentation, too. Mr. Pearson commented the Building Authority Members can attend the Library staff presentation. The consensus is that the Building Authority will be invited to the Diamond and Schmitt presentation regarding material selection.

Mr. Sturing commented on the not-to-exceed amount of \$11 million. The \$11 million does not include furniture or technology. The total amount is \$12.5 million with technology. Mr. Pearson said we need more details of what the \$11 million includes. Mr. Schultz said BEI will come up with a written list, and there will be a specific fee associated.

Mr. Czekaj began with sections 1.2.2.4 and 1.2.2.5 should be the responsibility of the architect to retain some of these services. Also, 1.3.1.2 needs to be reviewed because we got rid of rates. Mr. Schultz confirmed references to prevailing rates were removed. Under the 1.3.3.1 section regarding change of services, BEI is to retain certain consultants. Section 1.3.3.2 subpart 6 refers to preparation and attendance at a public hearing. This should include a party to legal proceeding with no charge.

Mr. Czekaj asked why the City is responsible for an error or omission. There is a 1.95 % standard of care included, and that they will not challenge us if the error or omission is less. Why set a deductible if we could file a claim against their insurance. Mr. Sturing asked what is an error or omission. Plans are never complete. The word omission triggers that it counts toward the 1.95%. He is comfortable because the word omission is included. Mr. Sturing commented in the private sector some money is put in reserve or a contingency. Mr. Pearson commented it could be negotiated to 1.5%. The 1.95% is more valid for an April 2008 plan delivery. If they go for a later date it can come down a bit if not completely to 1.5%. Mr. Czekaj commented he does not have an issue if BEI/Diamond and Schmitt needs more time as a result of the change in scope. An important notation needs to be that the City will be given 30 days notice if insurance is cancelled.

Mr. Czekaj asked if BEI/Diamond and Schmitt is familiar with the planning submission process. Mr. Sturing interjected that Article 2.8.1. in the architect's contract regarding design and contract administrative services reads that there are three reviews for the various submittals. As an example, if they need to go to the Planning Commission more than three times are we paying for the additional meetings. Mr. Schultz said he will review that section.

Mr. Pearson said Plante & Moran was asked for a detailed list of what they will provide as the Owner's Rep for the project. Mr. Czekaj commented on the \$2 million insurance liability. Mr. Pearson said the Building Authority Members can talk about this at the next meeting.

Rapid Robots Presentation

Mrs. Cindy Buckley introduced the First Lego League Rapid Robots Team. The group presented a Power Puzzle theme regarding the conservation and efficiency of energy. They explained their process was first to chose a building (Novi Public Library). Secondly, they would meet with facility personnel to find out about the energy sources the building has and their uses. Lastly, they needed to present their findings to an audience. They chose to present to the Building Authority.

Continued Discussion

Mr. Pearson said there needs to be some discussion regarding the ala carte pricing for Plante & Moran services totaling \$270,000. There are three questions that need to be discussed. Does the Building Authority want an Owner's Representative? If yes, who? What are their responsibilities? Mr. Czekaj asked if that needs to be decided right now. Mr. Pearson said no but believes there needs to be one. Mr. Czekaj asked why. Mr. Pearson responded there is too much work not to have one. It is worth the investment. Ms. Antil commented we have had a lot of discussions, and we do not have the staff time to dedicate on a daily basis. When something goes wrong the City will be called. It is too hard to call a meeting to a make decision. Mr. Cutler said it is nice to have a person on-site. Ms. Farkas said it is a good comfort level. Mr. Czekaj said the RFP was an after thought. Mr. Pearson thought this is what the Library Board wanted. Mr. Sturing said the library would have needed an Owner's Representative when the Library was alone. Now there is staff and an architect to keep everyone on track. Mr. Czekaj thinks it is a duplication of many services. Mr. Sturing commented Plante & Moran is not a technical consultant and not able to review the space plan or a children's section. Mr. Sturing thinks it would be prudent to have \$270,000 at the end of the project. Mr. Hayes commented there could be a predetermined amount the field representative could be authorized to ok. Mr. Czekaj again stated there is duplication of services. Why do we need to pay \$270,000 to look over BEI? Mr. Schultz commented there is not staff to do the work. Mr. Pearson asked where Mr. Czekaj sees overlap or unnecessary work. Mr. Czekaj is not saying it is not helpful but \$270,000 is a lot of money. Mr. Schultz commented it is more likely to be a standard contract. Mr. Czekaj asked where our payback is for \$270,000. What are we getting for the money? Mr. Sturing said there are significant talents on the Building Authority body to raise the bar. A lot of problems can be solved at the end of the project with \$270,000. Mr. Pearson said Plante & Moran includes some coordination. Mr. Czekaj said this issue does not need to be answered until a general contractor is on board. Mr. Sturing commented on the architect's contract to make the Owner's Representative optional. Mr. Czekaj agrees that the language referring to the Owner's Representative should be taken out of the architect's contract.

The next meeting is scheduled for Thursday, November 29, 2007 at 8 a.m.

Motion by Sturing and seconded by Farkas: CARRIED UNANIMOUSLY: To adjourn the meeting at 5:55 p.m.

Minutes approved December 13, 2007