

Minutes of the Rutherford County Public Building Authority

November 6, 2014 at 4:00 p.m.
Historic Courthouse, Room 205

Members Present

Mike Picklesimer
Leslie Smith, Jr.
Jim Bailey
Steve Waldron
Dow Smith
Stan Vaught

Others Present

Mayor Burgess
Bricke Murfree
Jerry Preston
Ken Swann
Steve Johnson
Jonathan Holmes
John Thayer
Amanda Larkins

Chairman Michael Picklesimer presided and called the meeting to order at 4:00 p.m. with 6 (six) members being present at that time.

Minutes –“Mr. Bailey moved, seconded by Mr. Leslie Smith, to approve the October 2, 2014 PBA minutes as written. This motion passed by acclamation.”

Judicial Building – Mr. Swann distributed a handout regarding the Design Review Committee Status as of November 6, 2014. Mr. Preston advised he will give the Committee status reports and updates and once past the end of the program phase, he will bring everyone in for an update and set meetings on a scheduled basis. Mr. Preston advised there will be both primary representatives and their designees.

Mr. Swann distributed Exhibit “B” to the contract which is a breakdown of the fee. It shows different phases and percentages of the \$3,775,000.00 approved at last month’s meeting. Exhibit “A” to the contract shows the project components, what items are included in the fee and those not included in the fee, and project assumptions. Mr. Preston opened the floor for questions regarding Exhibits “A” and “B”. Mr. Vaught inquired what the role of the commissioning agent was and Mr. Preston replied its role is to run functional tests on engineering and security systems; verify completeness; conduct training of staff. Mr. Bailey advised most things are digital and if the printing was used for the owner or the contractors. Mr. Johnson replied printing could be used for both and would include printing for the review of documents. Mr. Preston advised the comments made at last month’s meeting regarding the contract with Gresham, Smith and Partners were taken into consideration and he feels all the issues have been worked out. Mr. Johnson replied he felt there may be some wording issues that need to be cleaned up.

Mr. Swann distributed the Standard Form of Agreement Between Owner and Architect Draft. Mr. Preston advised there were many different perspectives and things brought to the table regarding the contract. Mr. Murfree advised he felt the contract was fair and reasonable. Mr. Waldron inquired if the money proposed includes coverage for inflation during the process and Mayor Burgess replied Justice Planning added inflation and there are contingency allowances in there as well. Following discussion:

“Mr. Waldron moved, seconded by Mr. Vaught to approve the Agreement Between Owner and Architect with the stipulation to make minor changes cleaning up the language, but not making any constructional changes. This motion passed by acclamation.”

Mr. Swann distributed a Request for Qualifications/Proposals for the Construction Manager/General Contractor position. Mr. Preston presented the evaluation process which includes an Evaluation Team consisting of five representatives who will remain confidential. The Evaluation Team will select the top three contenders from the technical proposals and those chosen will send sealed cost proposals. The PBA members will then decide which method they would like to use to select the CM/GC. Mr. Preston explained the two options. In Option One the top evaluators’ choices are interviewed by the PBA and ranked one through three then the cost proposal is opened from the CM/GC selected by the PBA as number one and negotiations can begin. If the negotiation is not successful, the cost proposal from number two is opened and negotiations can begin and so forth. If the first negotiation is successful, the other two cost proposals are returned unopened. In Option Two the top evaluators’ choices are interviewed by the PBA and are considered to be equally qualified. At that time, the cost proposals are opened from the CM/GC

considered equally qualified and negotiations begin with the lowest proposer. If the negotiations fail, the PBA may begin negotiations with the next lowest proposer, and so forth. Mr. Bailey advised he did not feel comfortable with option one and Mr. Preston responded he is open to other ideas and there are a number of ways to choose the CM/GC. Mr. Murfree advised the statute is consistent with looking for the most qualified applicant first and cost second. Mr. Leslie Smith advised he felt the CM position was the main person of this project and should they look at three or four qualified applicants. Mr. Picklesimer advised he felt three was a good number and since the evaluation process has a point values system, they may end up with four qualified applicants if the values are close. Mr. Preston advised they could change the wording to ask the evaluators to recommend a minimum of three.

Mr. Swann distributed a Pre-Construction Services Fee Guide and Mr. Preston advised the last page summarizes the cost of what is being asked of the CM.

Mr. Swann distributed a rough draft of the RFP/RFQ for the CM/GC position. The RFQ/P includes the schedule, requirements, evaluation process, and a skeleton contract to sign once selected. Mr. Murfree advised it may be best to perform background checks once the evaluators narrow down the selection and the Board agreed. Following discussion:

“Mr. Vaught moved, seconded by Mr. Bailey, to approve the first part of the RFQ/P for the CM/GC position. This motion passed by acclamation.”

Other Business – NONE

There being no further business at this time, Chairman Picklesimer declared the meeting adjourned at 5:28 p.m.

MICHAEL PICKLESIMER, CHAIRMAN