

Minutes of the Rutherford County Public Building Authority

November 5, 2015 at 4:00 p.m.
Historic Courthouse, Room 205

Members Present

Mike Picklesimer
Dow Smith
Steve Waldron
Leslie Smith

Others Present

Mayor Burgess
Steve Johnson
John Thayer
Jerry Preston
Ken Swann
Lisa Nolen
Ted Goodman
Felicia Reed

Chairman Michael Picklesimer presided and called the meeting to order at 4:04 p.m. with four (4) members being present at that time.

Chairman Michael Picklesimer opened the meeting with the first matter of business on approving the minutes from the last meeting held on October 1, 2015. Mr. Leslie Smith motioned for their approval and Mr. Dow Smith seconded that motion. The motion for approval of the October 1, 2015 minutes passed by unanimous acclamation.

Design Development Pricing Package- Mr. Jerry Preston stated that we are expecting the Design Development Pricing from Bell & Associates on November 12, 2015. Thereafter, Bell will be preparing to present the Design Development Estimate to Gresham Smith & Partners and Pinnacle on November 18, 2015. On Friday, November 20, 2015, the Design Development Pricing process of evaluating options and alternates and the VE workshop will begin at 8:30 a.m. At that workshop, they will go through reconciliation of the budget which will be presented to the PBA at the next meeting on the 3rd of December and a complete pricing will be presented for review. Mr. Preston stated they are hopeful that everything will be in budget. Depending on the outcome of that meeting, approval of the Design Development Pricing Package will be on December 22, 2015. Mr. Steve Johnson stated they recently had a work session to work on pricing and issued a small addendum answering questions. Mr. John Thayer stated that the documents have been sent out and they will be getting prices based on the market right now. All pricing will be presented at the next PBA meeting on the 3rd of December.

Demolition Contract Update- Mr. John Thayer stated that the judicial center site is complete with the exception of putting straw down. They did discover a gas main that no one knew about. The Asbestos Survey came back clear and the quantities are good. Everything is on the ground on the garage site and everything will be hauled off this week. They are trying to make sure that no tanks are in the ground. They did bust a water line that no one knew about, but got that taken care of. They are currently still out there looking at the grounds. They did discover a storm drain line and will be working to get that out of the ground. Mr. Leslie Smith asked if any of this has had an effect on the budget and Mr. John Thayer stated it has not. They should be completely finished with demolition by next week.

Delegation of Cost Approval-Mr. Preston stated that this is not intended to change any of the pricing previously established and approval is still with Chairman Mike Picklesimer and Mayor Burgess. This was a request for approval of small items of approximately \$5,000.00

or less and for miscellaneous things outside of the contract, such as the file review which was under \$4,000.00. Mr. Preston stated they would report every month of what costs had been approved.

Mr. Ted Goodman stated the statute is silent regarding delegation of cost approval. There is limited case law research and it did not reveal any authority regarding the question of delegation of cost approval. He further elaborated that any change orders should be signed off by a member of the PBA. The question then is what should be the limit of this authority without advance PBA approval being required. He recommends that if you are going to give a member the ability to approve costs that there should be a cap of no more than \$5,000.00 dollars. The purpose for this is because one of the statutes states that the PBA can purchase goods, supplies and services which are generally sold to the public by advertised price without the necessity of competitive bidding or any larger limit as shall be allowed for such purchases under the regulations of a municipal corporation with which the authority has contracted. Tenn. Code Ann § 12-10-124(b). He stated that expenditures that have been approved should also later be approved by the PBA so the PBA can be allowed to ask any questions and maintain oversight. He also suggested that a monthly aggregate limit of \$10,000.00 be set before having to call a special meeting and without the requirement for public meeting.

Mr. Leslie Smith asked if this would come out of the contingency. Mr. Jerry Preston stated it would not come out of the construction contingency but the owners contingency. Mr. Preston stated that he was not sure they will ever use this, but it will provide flexibility in the event it is needed.

Mr. Preston stated that the request is for approval for the Chairman Mike Picklesimer to sign off on a request of \$5,000.00 or less and that this be used for miscellaneous items that might occur and would not be expanding the GMP. Chairman Mike Picklesimer suggested that the sign off person be the project representative, Mr. Leslie Smith, since he has been attending the Design Review meetings on Wednesdays and would be more properly informed. Mr. Steve Waldron motioned to approve Mr. Leslie Smith and Mr. Dow Smith seconded that motion. The motion passed by unanimous acclamation.

Rezoning Schedule Update- Council public hearing is at 7:00 p.m on November 19, 2015. A similar presentation will be made that was made to the planning commission. They are submitting to Planning for Site Plan Approval on November 25, 2015. On December 16, 2015 at 1:00 p.m. the Planning Commission will be meeting for site plan approval. Zoning should be approved by the third meeting of the City Council which is tentatively set for December 17, 2015. Then we will be clear to proceed with permitting.

Future Key Events-The funding cycle is set for December and January. If things go well and we are able to say we have a firm number on November 20, 2015, the project schedule may move up a month early. Mr. John Thayer stated when they get the documents on November 18, 2015, they can compare them against the estimates. January 18, 2016 is the early release package date. Funding should be in place no later than February 1, 2016. On April 1, 2018, they are hoping for construction completion.

Other-Ms. Lisa Nolen wants a draw schedule on the money as this will impact how they borrow money. Mr. Jerry Preston said he would get with Mr. John Thayer and Gresham to provide her with a schedule.

Chairman Mike Picklesimer asked how the coordination was going with Wisser. Mr. Steve Johnson said they haven't met with them in a few weeks so they need to follow up with them. They need to see where they are with the developments of the drawings. At the last meeting everything was on track. Mr. Steve Waldron asked if in the early release package they would put in transformers. Mr. John Thayer said no because the power demands will not be real high until mid or late next summer.

Mr. Leslie Smith asked how we are doing with the current contracts. Mr. Jerry Preston stated we are within budget and everything is tracking fine. Both Bell & Associates and Gresham Smith & Partners contracts are set on regimented costs. They have monthly amounts that are set in place. Pinnacle is actually under their projections. The Justice Planning Contract is a fixed number as well.

Mr. Steve Waldron asked if there are any options out there as far as elevators go. Mr. Steve Johnson stated that there are a lot of options. The ones they have chosen for the new judicial building are designed around a high performance elevator. The elevators are as fast as they can be for the acceleration of the building. A service elevator will be in place for trash and it will go to a trash area that will have a compactor in the future..

With no further items, Mr. Mike Picklesimer concluded and adjourned the meeting at 4:53 p.m.

MICHAEL PICKLESIMER, CHAIRMAN