

CLEVELAND PUBLIC LIBRARY  
Minutes of the Special Board Meeting  
March 15, 2016  
Trustees Room                      Louis Stokes Wing  
12:00 Noon

Present: Ms. Butts, Mr. Seifullah, Mr. Corrigan,  
Ms. Rodriguez, Mr. Hairston, Mr. Parker

Absent: Ms. Washington

Ms. Rodriguez called the meeting to order at 12:06 p.m.

Director Thomas stated that when the initial resolution regarding wayfinding, the Welcome Room and the Louis Stokes Legacy Room was introduced to the Board, it was noted that additional costs associated with these spaces, which were unknown at that time, would be brought to the Board for discussion and considered for approval. For this project to remain on schedule and not be delayed, this Special Board Meeting was necessary.

Director Thomas stated when the additional costs for the Welcome Room were reviewed by staff, it was decided that two alternatives would be presented to the Board for consideration. The Director introduced Joyce Dodrill, Chief Legal Officer, and Eric Herman, Project Construction Manager, to explain the differences between the two resolutions.

Mr. Herman showed the Board drawings previously presented to them by Karen Skunta & Company (KSCO), a subcontractor on the project.

Ms. Dodrill identified the locations of the Louis Stokes Legacy Room and the Welcome Room.

Mr. Herman explained that the Welcome Room would have a timeline of the Library's history on panels around the perimeter walls with a single multimedia station for digital information. KSCO also designed six large freestanding/permanently mounted panels/walls in the middle of the room that are meant to echo the Library's logo with colored transparent plastic fins at the top, up lit through the walls so that they can glow. Current information about the Main Library, branches,

programming and library statistics would be displayed on these freestanding walls.

Mr. Herman stated that \$70,000 is the total price for the Welcome Room; the price includes both the timeline on the perimeter walls as well as the freestanding walls with the plastic fins in the middle of the room. He then expressed concern that the Library might want to remove the freestanding walls in a couple of years to accommodate a different use of the space.

Ms. Dodrill stated that the freestanding walls are to be permanently affixed to the floor.

Mr. Herman stated that the freestanding walls are to be mounted to the floor and electrically powered so that the transparent plastic fins of the Library's logo would glow.

Mr. Herman stated that if the freestanding walls in the middle of the Welcome Room were removed from the project and the perimeter timeline was retained, there would be a deductible of approximately \$30,000 in terms of the freestanding walls, the electrical to the freestanding walls and the spot lighting fixtures above the walls.

Carrie Krenicky, Chief Financial Officer, clarified that the deductible would be a minimum of \$30,000, as exact figures have not been received.

Mr. Seifullah asked for examples of what would cause the Library to reconsider the configuration of the Welcome Room.

Mr. Herman explained that if tours for school children were conducted, could the space accommodate a class of children? However, if the inner freestanding walls were removed from the project, the space could be opened for seating, or possible use for The Peoples' University activities, for example.

Director Thomas asked that while there is a purpose to the freestanding walls that contain general information about the library, would the space be more useful in the future for a different purpose.

Lengthy discussion continued about how the Welcome Room might be used.

Mr. Corrigan referred to his recent experience in Guangzhou, China, and stated that the first floor of the library should be a space that invites and welcomes patrons and visitors continuously. Classroom visits will probably not occur twice weekly. This layout with the freestanding walls will provide a much more attractive and modern introduction to the Library and is worth doing. There is ample display space that in the future other opportunities can be discussed for those walls.

Timothy Diamond, Chief Knowledge Officer, explained his concern that the information placed on the freestanding walls is fixed and will be dated as soon as the walls are put up. Although the information can be changed, it will not be easy or inexpensive. Mr. Diamond explained that the information on the freestanding walls should have a life of approximately five years before you would want to make an investment to change it. However, the information planned for the freestanding walls is information that should be updated at least every year. In a rapidly changing environment, the Library needs the flexibility to continuously edit and update information about the organization and the services it offers.

Ms. Rodriguez stated that for the cost, this may not be a sound long term investment.

Ms. Butts asked what would be the exciting attraction to the room if the center freestanding walls were omitted.

Ms. Krenicky stated, at this point, we are paying change order pricing for these freestanding walls. As a result, no competitive pricing has been sought. That is the reason this alternative is being offered. The Board may consider it appropriate to remain flexible and wait until future decisions on the use of this space have been made.

Mr. Herman stated that the design and information have already been paid for. If it is decided to go back and do the freestanding walls a year from now, the information and layout are done.

Mr. Seifullah asked for clarification on the resolutions the Board is being asked to consider.

Ms. Krenicky stated that the first resolution is with both the perimeter walls and the freestanding walls in

the center of the room. The second resolution is having the historical timeline around the perimeter and leaving the middle space open for now.

Ms. Dodrill stated that both resolutions include all of the work that is going to be done in the Louis Stokes Legacy Room and the Gift Shop.

Mr. Seifullah stated that resolution "B" would offer more flexibility if the Library decided wanted to do something different in the future. Resolution "A" would lock the Library in for a set period.

Mr. Corrigan stated that the Library has only one opportunity to make a first impression and if it appears that the use of space is questionable, the entire investment in the project is questionable. The change of information that is semi-permanent on these freestanding walls is not \$30,000 each time. The cost would be more like \$3,000-\$5,000 each time. That expense would be worth updating our information every 4-5 years. However, the design with its layout and lighting is significant to investment in.

In response to Mr. Corrigan's inquiry about the investment, Mr. Diamond stated that this is not the way that people want to receive information these days. A static display of text and graphics about the Library's services, programs, and statistics that would remain the same for 4-5 years would be looked at once and never looked at again. Once that information is read, it is unlikely that a visitor would ever return to the room. An investment in a media wall where information is being conveyed through a large screen and the use of social media would provide more flexibility.

Ms. Butts referred to an experience at a library during her visit to China, and noted a large media screen that displayed a welcome message to Cleveland visitors to the library.

Mr. Hairston stated that static walls would not be the best way to disseminate information.

In response to Mr. Hairston's inquiry regarding a completion timeline for either alternative, Josh Herman, representative from Higley Construction, stated that this project should be completed by the end of May.

In response to Mr. Parker's inquiry about staff preference for either alternative, Director Thomas stated that staff seemed to prefer not committing to the freestanding walls, leaving the Library with more options in the future. However, Director Thomas said that the freestanding walls with the colored fins were designed in an artistic way and would be exceptionally impressive for first time visitors.

Lengthy discussion continued about the illuminating lights, the artistic value of the freestanding walls, the historical timeline, multimedia wall, time for redesigning the space, cost for the small space, cost of an interactive touch screen, and information available on the media screen.

Director Thomas stated that the Welcome Room is designed to inform visitors of the Library's long and rich history. The Louis Stokes Legacy Room would provide information on the life and contributions of Congressman Stokes.

Mr. Corrigan stated that to take the information planned for the freestanding walls out of the Welcome Room would weaken it. The question is if the expense of the freestanding walls is appropriate for what we are trying to accomplish. Mr. Corrigan referred again to the library in Guangzhou, China, and stated that the first floor space was a jewel space that opened up the history and vision of that library to visitors.

Ms. Rodriguez stated that such an investment in one room was inappropriate when the Library has other priorities which need attention.

Mr. Parker stated that if the Board decides to proceed with the freestanding walls, then he would want assurances that the staff members are prepared to make information changes in the future. A plan for updates and a budget for making the updates should be in place.

Mr. Hairston stated that any changes should be cost efficient and content oriented.

Mr. Seifullah stated that it appeared that staff was in favor of not having the freestanding walls.

Ms. Rodriguez asked each trustee to indicate their preference.

Ms. Butts stated that with resolution "B" a media screen would probably offer more flexibility for the future but was torn between the two alternatives.

Mr. Seifullah stated that his preference was resolution "B" as we could put the walls in if in the future we wanted to. However, he would like to defer to the recommendation of staff on this issue.

Mr. Corrigan stated that he believed that it was too late in the game to change the initial plans with the graphics that were previously approved and preferred resolution "A".

Mr. Hairston stated that he preferred resolution "B" with the media.

Mr. Parker stated that he preferred resolution "B" understanding that it is important to be able to change when necessary.

Discussion continued about the ease of changing the information on the freestanding walls and refinishing them.

Ms. Rodriguez stated that she agreed that the budget would have to accommodate periodic information updates for the Library to remain current. However, such expense may not be appropriate considering other priorities.

Discussion continued about staff capability to update the Welcome Room.

Ms. Butts stated that she would agree with resolution "B".

Resolution Approving Change Order #00016 To Provide Updates to Wayfinding and Exhibitory for LSW First Floor

(See pages 486-493)

Mr. Corrigan moved to permanently place this Resolution "A" on the table. Mr. Seifullah seconded the motion, which passed unanimously by roll call vote.

MOTION TO  
PERMANENTLY  
PLACE  
RESOLUTION  
"A" ON THE  
TABLE  
Approved

WHEREAS, On June 25, 2015, the Board of Trustees of the Cleveland Public Library authorized the Library to enter into an agreement with the Albert M. Higley Co., LLC ("Higley") for construction management services, and the Library executed the agreement on June 6, 2015 (the "Agreement"); and

WHEREAS, Pursuant to the Agreement, Higley prepared a Guaranteed Maximum Price ("GMP") Proposal in the amount of **\$3,356,247.00** which this Board approved on November 19, 2015; and

WHEREAS, On December 15, 2015, this Board adopted a resolution authorizing the Library to enter into change orders with Higley up to \$50,000, but still requiring this Board's approval for those change orders in excess of \$50,000, with a change order total not to exceed \$250,000; and

WHEREAS, As of March 22, 2016, the Library has approved \$30,993.25 for change order numbers 00001, 00002, 00003, 00004, 00007, 00008, 00009, 00011 and 0014, that were under \$50,000, increasing the GMP to \$3,387,240.25 and

WHEREAS, The Board of Library Trustees can, in its discretion, approve written change orders and subsequently amend the contract sum; and

WHEREAS, Bostwick Design Partnership, the Library's architect for the Main Library Phase 2 project has reviewed the necessity of the following and recommends acceptance as detailed in the attached:

<b>Contractor</b>	<b>Change</b>	<b>Amount</b>
A. M. Higley Co., LLC	#00016	<b>\$136,429.31</b>
This change order adds to the contract exhibitry, signage, and associated lighting which were not included in the initial scope of work.		
<b>Total Net Increase</b>		<b>\$136,429.31</b>

Now therefore be it

RESOLVED, That the above-listed change order is hereby approved with a net total increase of **\$136,429.31** to the

contract with A.M. Higley Co., LLC, with a total contract amount of \$3,523,669.56.

Resolution Approving Change Order #00016 To Provide Updates to Wayfinding and Exhibitry for LSW First Floor

Ms. Rodriguez moved approval of the following resolution. Mr. Hairston seconded the motion, which passed with five in favor and one abstention by Mr. Corrigan.

WHEREAS, On June 25, 2015, the Board of Trustees of the Cleveland Public Library authorized the Library to enter into an agreement with the Albert M. Higley Co., LLC ("Higley") for construction management services, and the Library executed the agreement on June 6, 2015 (the "Agreement"); and

WHEREAS, Pursuant to the Agreement, Higley prepared a Guaranteed Maximum Price ("GMP") Proposal in the amount of **\$3,356,247.00** which this Board approved on November 19, 2015; and

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WHEREAS, As of March 22, 2016, the Library has approved \$30,993.25 for change order numbers 00001, 00002, 00003, 00004, 00007, 00008, 00009, 00011 and 0014, that were under \$50,000, increasing the GMP to \$3,387,240.25 and

WHEREAS, The Board of Library Trustees can, in its discretion, approve written change orders and subsequently amend the contract sum; and

WHEREAS, Library Administration has reviewed change order #00016 and desires to present to this Board the option of not including the permanent panels, except those on the perimeter of the room in the Visitors Center "Welcome" Area and moving forward with the Louis Stokes Legacy Room and the Friends Gift Shop for

RESOLUTION  
APPROVING  
CHANGE  
ORDER  
#00016 TO  
PROVIDE  
UPDATES TO  
WAYFINDING  
AND  
EXHIBITRY  
FOR LSW  
FIRST FLOOR  
Approved

exhibitry, signage, and associated lighting which were not included in the initial scope of work, with a **minimum** savings of \$30,000 from the change order cost as originally presented, and a total change order amount not to exceed \$106,429.31; now therefore be it

RESOLVED, That change order #00016 revised as described above is hereby approved with a net total increase not to exceed **\$106,429.31** to the contract with A.M. Higley Co., LLC, with a total estimated contract amount of \$3,493,669.56; be it further

RESOLVED. The Library shall report the actual amount of change order #00016, as revised, to the Board on the next month's Board report.

Ms. Rodriguez adjourned the Special Board meeting at 12:49 p.m.

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Maritza Rodriguez  
President

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Thomas D. Corrigan  
Secretary



Change Order

00016

CPL Phase 2

Proj. No. 151759

**TITLE:** Design assist adds **DATE:** 03/17/2016  
**PROJECT:** CPL Phase 2 **JOB:** 151759  
**TO:** Attn: Joyce M. Dodrill **CONTRACT NO:** 1  
Cleveland Public Library **COST CODE:** MULTIPLE  
325 Superior Ave. **CHANGE MGMT:** 00028  
**SOURCE:**

Phone: 216-623-2808

Item	Description	Net Amount
00001	Exhibits- Extra costs for Lewis Stokes and Welcome Center Signage- Extra cost for job	\$84,500.00
00002	Signage- Added cost for job signage	\$179.00
00003	Electric- Added cost for the 3 corner rooms on the 1st floor L.S.W	\$47,916.50
00004	Staff costs	\$260.00
00005	Subcontract Default	\$1,301.98
00006	Insurance	\$1,474.70
00007	CM Bond	\$797.13
<b>Total:</b>		<b>\$136,429.31</b>

The Original Contract Sum was \$3,356,247.00  
Net Change by Previously Approved/Pending Change Orders ..... 30,993.25 \$70,371.39  
The Contract Sum Prior to This Change Order was ..... 3,387,240.25 \$3,426,618.39  
The Contract Sum Will be Increased ..... \$136,429.31  
The New Contract Sum Including This Change Order ..... 3,523,669.50 \$3,563,047.70  
The Contract Time Will Not be Changed .....  
The Date of Substantial Completion as of this Change Order Therefore is .....

ACCEPTED:

Cleveland Public Library

The Albert M. Higley Co.

By: \_\_\_\_\_  
Joyce M. Dodrill

By:   
Josh Herman

By:   
Rick Ortmyer

Date: \_\_\_\_\_

Date: 3/21/16

Date: 3/21/16



Communication Exhibits, Inc.  
 1119 Milan St.  
 Canal Fulton, OH 44614  
[www.ceilink.com](http://www.ceilink.com)

March 16, 2016

Mr. Josh Herman  
 Project Manager  
 The Albert M. Higley Co.  
 2926 Chester Ave.  
 Cleveland, OH 44114

Dear Josh:

Communication Exhibits, Inc. would like to thank you for the opportunity to present our proposal for the Cleveland Public Library Wayfinding and Signage System: and the exhibits in the Visitors Center "Welcome" area and "Louis Stokes Legacy" room.

Based on design documents provided by Karen Skunta & Company CEI is pleased to provide the following proposal. We are confident that based on the most recent documents, CEI can stay within the following proposed budget.

**Phase 2 Scope of Interior Building signage for both Main and Louis Stokes Wing:**

**Building Directories:** Three free-standing units will be built to house both the Louis Stokes and Main Building directories (A & B). Individual building directories for LSW stairwells (C) and LSW elevators (D) and Main elevators (E) will be made for easy updates.

A. Engineered and construct two 46"x84" illuminated directories	\$12,500.00
B. Engineered and construct one 46"x84" non-illuminated directories	\$5,900.00
C. Engineered and construct nine 22"x48" non-illuminated stair directories	\$16,500.00
D. Engineered and construct three 22"x48" non-illuminated elevator directories	\$5,400.00
E. Engineered and construct two 20"x31" non-illuminated elevator directories	\$3,800.00
<b>Sub-Total Building Directories:</b>	<b>\$44,100.00</b>

**Destination Portal Signage:**

Produce a total of ten -111" x 39" direct print graphics, dimensional copy and u-channel with Chemetal face to be utilized above entrances in the Cleveland Public Library (Main has 8 / LSW has 2)	\$32,875.00
Produce four -"Check Out" dimensional copy with Chemetal face with mounts (Main has 2 / LSW has 2)	\$12,000.00
Produce two signs in the Pathway To / From LSW and Main -direct print graphic and dimensional copy with Chemetal face (2 signs)	\$3,250.00

**LSW:**

Tech Central -direct print graphic, dimensional copy and u-channel with Chemetal face	\$4,895.00
Indoor Reading Garden - direct print graphic, outlined, dimensional copy, with two mullions	\$5,500.00
Produce four -94"x12" stairs and elevator dimensional copy with Chemetal face, with mounts for stairs and elevators	\$10,000.00
Visitors Center Signage -direct print graphic, dimensional copy with Chemetal face	\$4,000.00
Louis Stokes Legacy Room -direct print graphic and dimensional copy with Chemetal face	\$4,000.00

**Main:**

Produce two, vertical portal signs 40"x84" with direct print graphics, dimensional type (Special Collections and Ohio Center for the Book) \$2,300.00

John G. White Exhibit Hall -direct print graphic, dimensional copy and arched u-channel with Chemetal face \$3,200.00

**Sub-Total Destination Portal Signage: \$82,020.00**

**Visitors Center "Welcome" Area:**

This area contains six, free-standing exhibit walls with LED edgelit plexi panels at the top of each wall. The strategy is to power the six walls from one floor penetration and use connecting arms, from wall to wall, to hide the power.

All six walls will have laminate on three sides, with the faces of each wall containing full-size direct print graphics with dimensional headline type. On top of each face, there will be individual panels applied for ease of updating. Several of the walls have five panels each, and some have only up to three panels.

On the perimeter of the room, the existing four recessed areas will contain a full-size direct print interior graphic panel with side panels of laminated surface. In each recessed area, a series of direct print panels will be installed to present the Cleveland Public Library history.

CEI will assemble as much of these exhibits in our shop and deliver on-site for Agile Sign to install. \$70,000.00

**Louis Stokes Legacy Room:**

This room contains five perimeter walls that will each have exhibit panels fabricated with metallic and plastic laminates, direct print and applied graphic panels. Each wall will have dimensional headline type with Chemetal faces installed above the exhibit panels.

A custom showcase, based on the CPL request, will be fabricated to match the style of the units being produced for Brett Hall. Modifications to the supplied drawing by KSCO have value-engineered the unit to be more economical.

CEI will assemble as much of these exhibit in our shop and deliver on-site for Agile Sign to install. Installation is included in the cost. \$60,000.00

**Sub-Total Phase 2 Exhibits: \$130,000.00**

**Project Coordination and Transportation (as needed):**

**\$8,800.00**

**Total Proposal Cost: \$264,920.00**

**Notes:**

\*Electrical work is not included, and will be done by others.

\*The above quote does not include sign installation as installation will be done by Agile Sign.

\*Tax is not included in the above quote and will be included on the final invoice if applicable.

**Terms and Conditions:**

CEI Services require a 50% down payment, along with our signed agreement. The balance will be billed upon completion of the project, net 30 days.

We authorize Communication Exhibits, Inc. to proceed with the above described project based on the proposal contained within. Any additional items will be quoted separately and approved prior to adding to the project..

\_\_\_\_\_  
Josh Hennan  
The Albert M. Higley Co.

\_\_\_\_\_  
Date

\_\_\_\_\_  
Abbie Nicholson  
Communication Exhibits, Inc.

\_\_\_\_\_  
Date



35280 Lakeland Blvd Eastlake Ohio 44095  
 Date: March 15, 2016

To: Josh Herman Project Manager  
 The Albert M. Higley Co.

RE: Cleveland Public Library Signage

Agile Sign would like to thank you for the opportunity to present our proposal for the Cleveland Public Library Wayfinding and Signage System.

Based on design documents provided by Karen Skunta & Company, meetings with her and her team, both on site and in the office, we would like to propose the following:

Project management, installation and transportation (as needed) is based on the total project being coordinated and installed during regular hours (7:30 AM-3:30 PM) Agile Sign has included installation of the Communication Exhibits Inc. signage, which will be delivered to the site.

**PHASE 2 SCOPE OF INTERIOR BUILDING SIGNAGE FOR MAIN AND LOUIS STOKES WING  
 AND REFURBISHING OF LSW AND MAIN EXTERIOR SIGNAGE**

Building Directional Signs:

There are a total of 56 signs:

- 14 Large, Single-sided Floor Stand Signs — \$32,285.00
- 1 Large, Double-sided Floor Stand Sign — \$3,084.00
- 41 Wall-mounted Signs in three sizes, from 18" x 18 to 20" x 54". — \$20,395.00

The Standing floor signs will be manufactured with .080 aluminum. The bases will be 1/4" Aluminum powder coated, and the backing of the single sided signs will be powder coated. The smaller wall mounted signs may be manufactured from .060 aluminum.

Building Directional Signs Cost: \$ 55,764.00

Destination Portal Signage:

Produce material substrates to align with the dimensional copy and furnish to CEI for final assembly of finished signage. A total of 10 signs, as follows:

- Four suspended "Check Out" signs (2 in Main and 2 in LSW)
- Two Passageway signs announcing Main and LSW
- One Visitors Center sign and One Louis Stokes Legacy sign, both suspended in the LSW Foyer
- Produce two, vertical portal signs with structural frame and base (Special Collections and Ohio Center for the Book)

Destination Portal Signage Material Cost: \$ 11,506.00

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 Public Library Wayfinding and Signage System

Informational Signs:

There are a variety of Informational Sign types with different production processes. Following is a list of all signs with their respective quantities:

- Department Information Signs are located outside the entrances in the Main Building. There are 9 signs with Braille to be added.
- There are 14 Restroom Flag signs: 1 Handicap Elevator and 1 Book Return sign for a total of 16 signs.
- There are 3 Horizontal Directional Signs, all located in LSW.
- There are 15 applied vinyl graphics for the restroom doors and several doors in Main.
- Inside 9 of the departments, there are tabletop "Information" signs for a total of 9.
- Both front entrances to Main and LSW have two, regulatory decal signs for a total of 4 to be fabricated.

Informational Signage Cost: \$ 12,900.00

Exterior Building Banners:

KSCO has not received final specifications from CPL regarding existing hardware located on both LSW and Main. \*Price does not include sign permits or acquisition costs as needed

The estimate provided does not include hardware, if it is needed, it will be added to the final cost.

- Two, 40' long x 41" wide vertical banners, fabricated for installation - \$3,570.00
- One, horizontal banner, 82' long x 4' wide, fabricated for installation - \$4,450.00

Exterior Banner Cost: \$ 8,020.00

Project Management, installation of both Agile Sign and CEI signage, and transportation.  
 (as needed):

\$ 25,552.00

Removal of Existing Signage:

Karen Skunta & Company showed Agile the basic type of signage that needed to be removed in LSW and Main.

KSO will be mark all the signage/areas with blue tape for ease of identifying the day before removal is scheduled.

The signage includes:

- Vinyl typography applied to all surfaces. We will do our best to clean off the "gas imprint" left during years of adhesion. We cannot guarantee a perfect surface.
- Wall-mounted signs in elevators, stairwells, and current signage that will be replaced with new signage. We are not patching, priming, painting any of the surfaces. CPL will need to determine the follow-up plan for the surfaces.
- There are several unique signs – including the two "Lending" wrought iron signs in Main that we will not remove as these are both fastened in the marble walls.
- CPL will need to coordinate cleaning the restroom doors prior to Agile applying the vinyl graphics.

Signage Removal Cost: \$ 4,400.00

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Public Library Wayfinding and Signage System

Refurbishing of LSW and Main Exterior Signage:

Main Building Entrance

The façade lettering and handicap symbols on the Main Building are weathered, deteriorated and broken. If removed, there will be holes remaining in the stone block that will not be easy to match with installing newly fabricated metallic letters. In discussion with KSCO, we are recommending two, brass panels (to be designed by KSCO), cast and installed where the current type is located.

Main Entrance including new handicap symbols cost: \$ 4,800.00

LSW Building Entrance

Also weathered after 19 years, we would remove all the individual letters, clean and reinstall on a newly painted back panel.

Louis Stokes Building Entrance Cost: \$ 3,250.00

Note that a sidewalk permit may need to be obtained and is not included in this cost.

LSW 2nd Floor Conference Room Signs and ADA Room Signage:

KSCO learned that the new "Learning Commons" area requires five hanging signs for a clear understanding of where there 5 conference rooms are located. Our estimate includes matching materials used in the CPL system. KSCO will supply final sign sizes, content layout and digital files for the vinyl type that will appear on all front surfaces. We will also match the hardware for suspending the signs in proximity to the entrances.

We also included 15 ADA room signs that will be fabricated and installed based on KSCO supplying content, room numbers, etc.

LSW 2nd Floor Conference Room Signs and ADA Signage cost: \$3,500.00

TOTAL COST: \$ 129,692.00

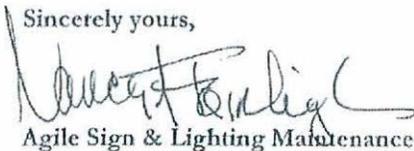
\*Terms: 50 % Deposit/ Balance upon completion

\*This signed proposal acts as a security agreement and until the balance is paid in full, signs remain the property of Agile Signs & Lighting Maintenance, Inc.

\*Note: This proposal, and upon acceptance, this Contract, is subject to the Terms and Conditions attached hereto as Exhibit A and made a part hereof.

We appreciate the opportunity to quote this project and thank you for considering Agile Sign & Lighting Maintenance. We look forward to working with you on this project.

Sincerely yours,

  
Agile Sign & Lighting Maintenance

Approved and accepted as proposed:

By: \_\_\_\_\_  
The Albert M. Higley Co.

#### TERMS AND CONDITIONS

1. This proposal is made for specially constructed signage equipment and, when accepted (upon acceptance, this "Contract"), is not subject to cancellation. Agile Sign & Lighting Maintenance shall not be responsible for any errors, omissions or deficiencies in plans, designs, specifications or drawings furnished by Purchaser or for any defects or damages caused thereby. Any revisions to work in progress will be charged as necessary.
2. Purchaser shall be responsible for securing all necessary permits (governmental, building owner, etc.) which are required for the installation of the signage equipment. Purchaser assumes all liability (for personal injury, property damage or otherwise) caused by the sign or by reason of it being on or attached to the premises. Purchaser agrees to secure all necessary permission for use of all registered trademarks or copyrights and shall assume all liability for patent and trademark infringement. Furthermore, Purchaser agrees to defend, indemnify and hold Agile Sign & Lighting Maintenance harmless against any loss, cost, liability or expense resulting from infringement, asserted or actual, of patents, trademarks or copyrights, on items delivered hereunder.
3. All necessary electrical wiring, outlets and connections to the sign from the building meter and/or fuse panel will be properly fused and installed (in accordance with all applicable code regulations) at the expense of the Purchaser.
4. Installation prices quoted are subject to increase where sub-surface soil conditions affect foundations, or where unforeseen fascia impediments (i.e. steel structural beams), are encountered.
5. Purchaser hereby agrees to make arrangements for shipment of all items hereunder immediately upon completion. Any items not shipped or installed within thirty (30) days from completion will be invoiced in full at the designated unit price, which sum shall be due within ten (10) days thereafter. Furthermore, Purchaser agrees that any such items not shipped or installed within thirty (30) days from completion will be subject to a storage charge of one percent (1%) of the equipment price, per month, until shipped or installed.
6. Payment for items purchased under this Contract are due upon completion of the work performed. Purchaser hereby agrees to pay a late charge of one and one-half percent (1.5%), per month, on all invoices not paid within ten (10) days of submission thereof. Purchaser also agrees to pay all reasonable attorney fees and costs incurred by Agile Sign & Lighting Maintenance in connection with any overdue accounts.
7. All applicable taxes payable under the laws of the State into which property is to be delivered or installed as mentioned herein shall be added to the price quoted, unless such tax is paid directly by Purchaser.
8. Agile Sign & Lighting Maintenance will not be responsible for delays in shipments caused by delays created by suppliers or transportation services or by labor disputes or due to any other circumstances beyond its control.
9. Title to all materials and property covered by this Contract shall remain in Agile Sign & Lighting Maintenance and shall not be deemed to constitute a part of the realty to which it may be attached until the purchase price is paid in full. Agile Sign & Lighting Maintenance is given an express chattel mortgage lien upon said materials and property both erected and unereccted notwithstanding the manner in which such personal property shall be annexed or attached to the realty. In the event of default by Purchaser, including, but not limited to, payment of any amounts due and payable, Agile Sign & Maintenance may at once (and without process of law) take possession of and remove, as and when it sees fit and wherever found, all materials used or intended for use in the construction of said equipment and any and all property called for in this Contract without being deemed guilty of trespass.
10. This Contract shall be governed in accordance with the laws of the State of Ohio (without regard to its choice of law provisions). Furthermore, the parties hereto agree that any dispute arising herefrom shall be venued in the State of Ohio, County of Lake.
11. The parties hereby agree that all provisions contained in the attached letter agreement between Purchaser and Agile Sign & Lighting Maintenance are integral parts of this Contract, and are incorporated herein, and there is no other agreement or understanding of any nature concerning same unless such other agreement or understanding is specifically incorporated herein by reference. **THE END**

