

**CLEVELAND PUBLIC LIBRARY**

**Special Board Meeting**

July 6, 2021

**RESOLUTION APPROVING GUARANTEED MAXIMUM PRICE AMENDMENTS WITH  
GILBANE CONSTRUCTION COMPANY FOR THE HOUGH AND WOODLAND  
BRANCHES**

WHEREAS, On February 20, 2020, the Board of Trustees of the Cleveland Public Library authorized the Library to enter into a construction manager at risk master agreement with Gilbane Building Company (“Gilbane”) for the Phase 1A projects of the Library’s Facilities Master Plan and authorized Gilbane to commence preconstruction services in an amount not-to-exceed \$242,611. The Library and Gilbane executed the master agreement on September 11, 2020 (“Agreement”); and

WHEREAS, Gilbane has completed procurement of subcontractor construction bids for the work the Hough and Woodland branches and, as contemplated by the Agreement, Gilbane has prepared Guaranteed Maximum Price Proposals, which set forth a maximum construction budget for each project; and

WHEREAS, The Guaranteed Maximum Price (“GMP”) for each project is set forth in Exhibit “A” to this Resolution and includes the early E-Rate technology packages for both locations as authorized by this Board on March 18, 2021 as well as the early packages for the Hough branch that this Board authorized on April 15, 2021, May 20, 2021, and June 17, 2021 and the early package for the Woodland branch that this Board authorized on June 17, 2021; and

WHEREAS, The GMP does not include the costs of professional design services, permitting, and other purchases that the Library will make directly and outside of the GMP, including architecture and design services, permits, environmental assessment services; and

WHEREAS, The Library desires to establish an Owner’s Contingency Fund as set forth in Exhibit “A” to cover additional costs outside of the GMP that arise during the course of construction; now therefore be it

## **EXHIBIT 2**

RESOLVED, That the Board of Library Trustees authorizes the Executive Director, CEO or his designees to accept the Guaranteed Maximum Price proposals and enter into and execute an amendment to the agreement between the Cleveland Public Library and Gilbane Building Company approving the subcontract packages and establishing the Guaranteed Maximum Price for each project as set forth in Exhibit "A," which shall be charged to the Construction Tax Exempt fund accounts 40275205-55300 (Hough - Construction/Improvements) and 40279905-55300 (Woodland - Construction/Improvements); be it further

RESOLVED, That the Executive Director, CEO or his designees, is authorized to establish Owner's Contingency Funds for each project in the amounts set forth in Exhibit "A" to this Resolution and to make expenditures and enter into contracts in excess of \$25,000 to pay the costs resulting from changes and additions to the Project which may be made in the future by the Library, and which are not included in the GMP. The Library shall report monthly to the Board on expenditures from the Owner's Contingency Funds; be it further

RESOLVED, That this Board hereby ratifies the Early Construction Work Authorization Agreements entered into by the Library on May 18, 2021 for the Woodland branch and on May 21, 2021 for the Hough branch for E-Rate technology packages as authorized by this Board on March 18, 2021 in the amounts of \$80,796 (Woodland) and \$112,120 (Hough), which amounts shall be charged to the Construction Tax Exempt fund account 40279905-55300 (Woodland - Construction/Improvements) and 40275205-55300 (Hough - Construction/Improvements).

**EXHIBIT "A"**

<b>Branch / Project</b>	<b>Guaranteed Maximum Price</b>	<b>Owner's Construction Contingency</b>
Hough Branch	\$4,589,863	\$200,252
Woodland Branch	\$6,088,653	\$270,617