

CLEVELAND PUBLIC LIBRARY

Special Board Meeting

July 21, 2022

**RESOLUTION ESTABLISHING PROJECT BUDGET FOR THE ROCKPORT
BRANCH**

WHEREAS, On March 18, 2021, the Board of Trustees of the Cleveland Public Library authorized the Library to enter into a construction manager at risk master agreement with Regency Construction Services, Inc. (“Regency”) for the Phase 1B projects of the Library’s Facilities Master Plan and authorized Regency to commence preconstruction services in an amount not-to-exceed \$116,461. The Library and Regency executed the master agreement on April 13, 2021 (“Agreement”); and

WHEREAS, Regency has completed procurement of subcontractor construction bids for the work at the Rockport branch and is in the process of preparing a formal Guaranteed Maximum Price Proposal; and

WHEREAS, Based on Regency’s preliminary review of the subcontractor construction bids, Regency estimates that the Guaranteed Maximum Price (“GMP”) for the Rockport branch will be approximately \$6,989,221, which amount does not include the costs of professional design services, permitting, and other purchases that the Library will make directly and outside of the GMP; and

WHEREAS, The Library, in consultation with Regency, prepared a budget for the Rockport branch project, which consists of: 1) the estimated GMP; 2) an Owner’s Contingency Fund to cover additional costs outside of the GMP that arise during construction; 3) estimated costs for furniture, fixtures, and equipment; 4) the architect fees approved by this Board; and 5) Owner Direct costs, all of which are set forth in Exhibit “A” to this Resolution; and

WHEREAS, This Board desires to authorize the Library to move forward with the Rockport branch project, to allocate funds from the Construction – Tax-Exempt Fund 402 and/or Construction – Taxable Fund 403 accounts, and

to accept Regency's finalized GMP proposal when it becomes available; now therefore be it

RESOLVED, That the Board of Library Trustees approves the total project budget for the Rockport branch project as set forth in Exhibit "A" to this resolution, which expenditures shall be charged to the Construction Tax Exempt Fund 402 and/or the Construction Taxable Fund 403, and authorizes the Executive Director, CEO, or his designee to move forward in taking the steps necessary to complete the Rockport branch project and to execute such instruments or documents as may be necessary or appropriate to effectuate the terms of this Resolution, including those in excess of \$25,000 and which are payable from the project budget established herein; and be it further

RESOLVED, That the Board of Library Trustees authorizes the Chief Operating Officer to reallocate the budgeted amounts set forth in Exhibit "A" for the Owner's Contingency Funds, furniture, fixtures, and equipment, and owner direct costs as needed, provided that such reallocations shall not increase the overall project budget for the Rockport branch. The Library shall report monthly to the Board on expenditures from the Owner's Contingency Fund; be it further

RESOLVED, That the Board of Library Trustees authorizes the Executive Director, CEO or his designee to accept Regency's finalized Guaranteed Maximum Price proposal when it becomes available and enter into and execute an amendment to the agreement between the Cleveland Public Library and Regency Construction Services, Inc. approving the subcontract packages and establishing the Guaranteed Maximum Price for the Rockport branch which shall be charged to the Construction Tax Exempt Fund account 40277905-55300 (Construction/Improvements) and/or the Construction Taxable Fund account 40377905-55300 (Construction/Improvements); be it further

RESOLVED, That the finalized Guaranteed Maximum Price proposal will be presented for ratification by the Board of Library Trustees at their next regularly scheduled meeting.

EXHIBIT "A"

Rockport Branch	
Pre-Construction¹	\$29,568
Guaranteed Maximum Price	\$6,989,221
Owner's Construction Contingency	\$316,913
Furniture, Fixtures, and Equipment	\$300,000
Architect Fees²	\$644,740
Owner Direct Costs³	\$354,600
TOTAL PROJECT BUDGET	\$8,635,042

¹ Pre-Construction fees for all Phase 1B were approved by this Board on March 18, 2021.

² Architectural fees were separately approved by this Board on August 6, 2020.

³ Owner Direct Costs include, but are not limited to, such project-related costs as surveys, environmental assessments, legal fees, property acquisition, and permits.