

CLEVELAND PUBLIC LIBRARY

Finance Committee

November 14, 2023

**RESOLUTION AUTHORIZING AGREEMENT FOR REPLACEMENT OF
UNION BRANCH HVAC SYSTEM**

WHEREAS, The Union Branch is currently without a functional forced air HVAC system, which poses a risk to Library property and patron well-being as freezing temperatures and winter weather approach; and

WHEREAS, The Property Management Department has already purchased a replacement HVAC unit in advance of the necessary work to replace the HVAC system and has sought a vendor to complete the installation services, including recovery of refrigerant; demolition and removal of existing HVAC equipment, concrete pillars, and steel beams to support the new system; installation of new equipment including electrical, mechanical, and ductwork; startup and commissioning of the new HVAC system; and all associated permits; and

WHEREAS, The Library initially anticipated that the above services would likely range in cost from \$50,000 to \$70,000 and so, therefore, solicited quotes from vendors to complete the installation work and received the following responses:

Vendor	Cost
Diversified Piping and Mechanical	\$84,550
T.H. Martin, Inc.	\$91,000
The Smith & Oby Co.	\$106,250
Aberdeen Mechanical (FBE)	Non-Responsive (declined to bid)
Cromwell Mechanical (MBE)	Non-Responsive (no bid submitted)

; and

WHEREAS, Because the cost of the HVAC system installation exceeds the statutory threshold of \$75,000, Ohio Revised Code § 3375.41 would normally require the Library to engage in competitive bidding to award a contract for this work; and

WHEREAS, Under R.C. 3375.41, the Library may dispense with the statutory competitive bidding requirements and award a contract directly to one or more contractors when the Board of Library Trustees determines that the installation work is necessary for the security and protection of Library property; and

WHEREAS, The Property Management Department has determined that a formal public bidding process would delay execution of the necessary HVAC system installation work by at least one to two months, and that this delay would put Library property at risk due to the potential for burst pipes and other building malfunctions that could result from the lack of a functioning HVAC system during winter weather; and

WHEREAS, The Chief Operating Officer recommends that the Library enter into a contract with Diversified Piping and Mechanical in an amount not-to-exceed \$91,000, which consists of their bid of \$84,550 plus an additional 7.5% or \$6,450 to serve as a contingency to cover unforeseen costs that may arise during the course of installation now therefore be it

RESOLVED, That the Board of Library Trustees hereby determines that, given the risks associated with not having a functioning HVAC system during winter weather, it is necessary for the security and protection of Library property at the Union branch to dispense with the statutory competitive bidding requirements for the installation of the HVAC system at the Union branch; be it further

RESOLVED, That the Board of Trustees of the Cleveland Public Library hereby authorizes the Executive Director, CEO or his designee, to forgo a formal public bid process under R.C. 3375.41 due to the need to protect Library property and to enter into an agreement with Diversified Piping and Mechanical to complete the work described above regarding the HVAC system installation at the Union Branch for a total contract price of \$91,000, subject to approval of the Director of Legal Affairs, with the expenditure being charged to the General Fund Account 17920053-53310 (Building Repairs).