

CLEVELAND PUBLIC LIBRARY

Finance Committee

November 15, 2016

**RESOLUTION TO AMEND DESIGN SERVICES AGREEMENT WITH BOSTWICK
DESIGN PARTNERSHIP FOR DIGITAL HUB DESIGN SERVICES AND
AUTHORIZING TRANSFER OF FUNDS**

WHEREAS, On December 20, 2013 the Board of Trustees approved an agreement between the Cleveland Public Library and Bostwick Design Partnership (“Bostwick”), to provide design services for the Digital Hub Project, in the amount of \$280,245.00 (“Agreement”); and

WHEREAS, In June of 2014, the Library awarded the Digital Hub construction contract to R.L. Hill Management, Inc. (“R.L. Hill”), which contract included the installation of new carpeting; and

WHEREAS, In February of 2015, this Board approved a change order to the contract with R.L. Hill for the purchase and installation of an acrylic picture frame cover and handrail for the protection of the Coltman painting located in the Digital Hub; and

WHEREAS, Disputes with the contractor over defective carpet tile, the contractor’s failure to install the painting protection, and other contract work, delayed the completion of the project and ultimately resulted in the Library entering into a settlement agreement in January of 2016 with R.L. Hill to close out the project, with the Library taking over the completion of the unfinished work and retaining funds; and

WHEREAS, Bostwick provided additional services that were not in the original scope of the Agreement by assisting the Library in resolving these disputes, and is requesting additional fees for these services in the amount of \$1,802.41; and

WHEREAS, Recognizing that Bostwick expended time in excess of the amount it presently seeks, the Library Administration recommends making this payment. No funds remain in the Digital Hub project budget. However,

funds remain in the Main Phase 2 project budget that can be transferred to the Digital Hub project fund to cover this expenditure; now therefore be it

RESOLVED, That the Board of Library Trustees authorizes the Executive Director, CEO, or his designee to execute an amendment to the Agreement with Bostwick Design Partners for additional services in connection with the Digital Hub as described in this Resolution, in an amount not-to-exceed \$1,802.41. This Board further authorizes funds to be transferred from the Building and Repair Fund Account 40190105-55300-11901(ML Reconfiguration Phase 2 Project) to 40190105-55300-10419 (Digital Hub Project) to which these expenditures will be charged. The amendment shall be subject to the review and approval of the Chief Legal Officer.