CLEVELAND PUBLIC LIBRARY

Finance Committee
December 15, 2015

AMENDMENT TO RESOLUTION APPROVING GUARANTEED MAXIMUM PRICE
AMENDMENT TO AGREEMENT WITH ALBERT M. HIGLEY CO., LLC FOR MAIN
LIBRARY PHASE 2 CONSTRUCTION PROJECT

WHEREAS, On November 19, 2015, the Board of Trustees of the Cleveland Public
Library authorized the Library to accept the Guaranteed Maximum Price
(“GMP”) proposal from Albert M. Higley Co., LLC (“Higley) and enter into
an amendment to the agreement between the Cleveland Public Library
and Higley in the amount of $3,356,248.00; and

WHEREAS, At that meeting this Board also approved establishing an Owner’s
Contingency Fund in the amount of $500,000 to pay the costs resulting
from changes and additions to the Project that have already been made
by the Library or which may be made in the future by the Library, and
which were not included in the GMP (“Additional Work”); and

WHEREAS, The Library is requesting that the Board amend the Resolution adopted on
November 19, 2015 to authorize the Library to increase the GMP by
expending up to $250,000 of the $500,000 Owner’s Contingency Fund on
Additional Work that can be performed by Higley or Higley’s
subcontractors, and to authorize the Library to enter into change orders
with Higley up to $50,000 each for that Additional Work. Any change
order in excess of $50,000 would be submitted to the Board for approval;
and

WHEREAS, Such an amendment to the Resolution will allow the Library to enter into
change orders for Additional Work without delay which is essential in order
to meet the tight construction schedule of the Project; now therefore be it

RESOLVED, That the Board of Trustees of the Cleveland Public Library hereby amends
the Resolution adopted on November 19, 2015, and authorizes the
Executive Director, CEO or his designees to increase the GMP by
entering into change orders with Higley in amounts not-to-exceed $50,000
each for Additional Work as described in this Resolution, to be paid from
funds not-to-exceed $250,000 of the Owner’s Contingency Fund established by this Board for this Project; be it further

RESOLVED, That any change order in excess of $50,000 must be submitted to this Board for approval. The Library shall report monthly to the Board on change orders issued pursuant to this Resolution and expenditures from the Owner’s Contingency Fund.