

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.