

CLEVELAND PUBLIC LIBRARY

Finance Committee

November 17, 2020

**RESOLUTION AUTHORIZING AMENDMENT TO AGREEMENT WITH BOSTWICK
DESIGN PARTNERSHIP, INC. AND UBIQUITOUS DESIGN LTD FOR DESIGN
SERVICES FOR THE WOODLAND BRANCH AND DISTRIBUTION FACILITY**

WHEREAS, On September 26, 2019, the Board of Trustees of the Cleveland Public Library authorized the Executive Director to enter into an agreement with Bostwick Design Partnership, Inc. (in partnership with Ubiquitous Design LTD) (“Bostwick”) in an amount not-to-exceed \$363,310.00 for the design of the renovation of the Woodland Branch and \$586,700.00 for the design of the Woodland distribution facility, and the agreement was executed on November 4, 2019; and

WHEREAS, On February 20, 2020, the Board of Trustees authorized amending the agreement and increasing the architect fee due to the changes in design which included adding a book storage facility and enlargement of the branch, thereby increasing the total fee by \$493,750.00 for a total contract price not-to-exceed \$1,443,760.00; and

WHEREAS, Due to a second revision to the design, which will remove the book storage facility from the plan and increase the size of the new Woodland branch, the architect fees will be \$544,479 for the Woodland branch and \$716,360 for the Woodland distribution facility, which will decrease the total contract amount by \$182,921, resulting in an overall contract amount of \$1,260,839; and

WHEREAS, This Board finds that the decrease in the fees is fair and reasonable; now therefore be it

RESOLVED, That the Board of Trustees authorizes the Executive Director, CEO or his designee, to negotiate and execute an amendment to the agreement with Bostwick Design Partnership Inc. upon such terms and conditions as are approved by the Library’s Director of Legal Affairs, decreasing the architect fee by \$182,921 for a total contract amount not-to-exceed \$1,260,839, being charged to the Construction – Tax-Exempt fund account 40241105/40279905-55300 (Construction/Improvements); and further authorizes entering into such other documents or instruments as

EXHIBIT 11

are necessary or appropriate to effectuate the amendment in accordance with this Resolution.

9 November 2020

John Lang, PE
Chief Operating Officer
Cleveland Public Library
325 Superior Avenue
Cleveland OH 44114

RE: Woodland Branch and Central Distribution Facility November 2020 Fee Amendment
Bostwick Design Partnership Project No: 19047

Dear John:

Please accept this letter as formal request to amend our design services fees for the above project, to align with the current approved scope of work associated with the Woodland Branch Library and Central Distribution Facility (CDF) projects.

Woodland Branch Library: After the Schematic Design Phase, the estimated cost for the Woodland Branch exceeded the approved budget. The design team worked with CPL and the Construction Manager at Risk (CMR) Gilbane to reduce scope, including shrinking the branch from 10,000 SF to 8,000 SF. CPL subsequently determined the branch would remain 10,000 SF as a Community Hub, with a corresponding increase in budget to accommodate this commitment.

CDF: The budget for this project has been reduced to match the original Master Plan budget. This aligns with the removal of the Book Storage Facility added in February 2020, and a slight increase to the scope of renovation in the existing facilities to accommodate the CDF.

Our revised Design Services Fees and Project Cost – Attachment A is attached, which replaces the previous fee schedule in our Agreement. Please don't hesitate to call with any questions.

Sincerely,

BOSTWICK DESIGN PARTNERSHIP

AGREED and ACCEPTED



Rick Ortmeyer AIA, LEED AP
Principal

John Lang, PE
Cleveland Public Library

Date

cc: Carrie Krenicky, CPL
Kath Sonnhalter, CPL
Peter Mac Ewan, CPL
Dan Bickerstaff, UD
Dan Polak, Bostwick
Jessi Rable, Bostwick

Design Services Fees and Project Cost - Attachment A

A/E	Bostwick Design Partnership + Ubiquitous Design	Date	11/09/2020
Owner	Cleveland Public Library	Owner Project #	
Project	Woodland Branch + CDF + Collections Storage	BDP Project #	19047
Address	5806 Woodland Ave, Cleveland OH 44104		

Proposed SF * 10,000 SF Branch; +/- 25,000 SF CDF (includes shell basement space)

* SF as modified to provide new branch and renovated CDF

		REVISSED TOTAL	REVISSED Project Budgets	
		Budget + Fees	CDF no BSF	New Branch
Woodland Branch + CDF Construction Budget		Total combined budget	4,432,047.00	4,617,466.00
Woodland Branch + CDF FFE Budget		Nov 5, 2020 CPL Budget (incl AMH allowance)	700,000.00	250,000.00
Total Estimated Construction Budget		9,999,513.00	5,132,047.00	4,867,466.00
A. Pre-Design Services and Fees		Notes		
1. Community Engagement at project initiation		17,000.00	8,000.00	9,000.00
2. Site visits to peer facilities	Accounted for in reimbursables	0.00	0.00	0.00
3. Programming	CDF concept and programming NTE	42,250.00	42,250.00	0.00
4. AMH + Collection Management consultation	The Galecia Group + June Garcia NTE	25,000.00	25,000.00	0.00
5.				
Subtotal A		84,250.00	75,250.00	9,000.00
B. Basic Services @ 9% of construction cost		Notes		
1. Schematic Design		289,403.50	179,869.50	109,534.00
2. Design Development		232,830.00	118,170.00	114,660.00
3. Construction Documents		214,920.00	109,080.00	105,840.00
4. Bidding / GMP Reconciliation		17,910.00	9,090.00	8,820.00
5. Construction		214,920.00	109,080.00	105,840.00
6. Closeout		8,955.00	4,545.00	4,410.00
7.				
Subtotal B		978,938.50	529,834.50	449,104.00
C. Additional Services		Notes		
1. Assistance with CM Selection	AIA B133 4.1.1 - not required per CPL	0.00	0.00	0.00
2. Programming - Maintenance Garage	AIA B133 4.1.2	9,800.00	9,800.00	0.00
3. Multiple Preliminary Designs	AIA B133 4.1.3 - up to 3 in Basic Svcs	0.00	0.00	0.00
4. Measured Drawings - Point Cloud Scan	AIA B133 4.1.4	6,200.00	6,200.00	0.00
5. Existing Facilities Survey	AIA B133 4.1.5 - by CPL, see below	0.00	0.00	0.00
6. Site Evaluation and Planning	AIA B133 4.1.6 - only for extensive site planning	0.00	0.00	0.00
7. Building Information Modeling	AIA B133 4.1.7 - included in Basic Svcs	0.00	0.00	0.00
8. Civil Engineering	AIA B133 4.1.8 - included in Basic Svcs	0.00	0.00	0.00
9. Landscape design	AIA B133 4.1.9 - included in Basic Svcs	0.00	0.00	0.00
10. Architectural Interior Design	AIA B133 4.1.10 - included in Basic Svcs	0.00	0.00	0.00
11. Value Analysis	AIA B133 4.1.11	0.00	0.00	0.00
12. Detailed Cost Estimating	AIA B133 4.1.12 - included in Basic Svcs	0.00	0.00	0.00
13. On Site Project Representation	AIA B133 4.1.13	0.00	0.00	0.00
14. Conformed Construction Documents	AIA B133 4.1.14 - only if multiple bid packages	0.00	0.00	0.00
15. As-Designed Record Drawings	AIA B133 4.1.15 - included in Basic Svcs	0.00	0.00	0.00
16. As-Constructed Record Drawings	AIA B133 4.1.16 - not required per CPL	0.00	0.00	0.00
17. Post-Occupancy Evaluation	AIA B133 4.1.17 - post occ visit in Basic Svcs	0.00	0.00	0.00
18. Facility Support Services	AIA B133 4.1.18 - NA	0.00	0.00	0.00
19. Tenant-related Services	AIA B133 4.1.19 - NA	0.00	0.00	0.00
20. Coordination of Owner's Consultants	AIA B133 4.1.20 - not expected per CPL	0.00	0.00	0.00
21. Telecommunications / IT Design	AIA B133 4.1.21 - included in Basic Svcs	0.00	0.00	0.00
22. Security Evaluation and Planning	AIA B133 4.1.22 - provided by CPL	0.00	0.00	0.00
23. Commissioning	AIA B133 4.1.23 - by CPL, see below	0.00	0.00	0.00
24. Extensive Environmentally Responsible Design	AIA B133 4.1.24 - NA for branch	0.00	0.00	0.00
25. LEED Certification	AIA B133 4.1.25 - for new branch	51,250.00	0.00	51,250.00
26. Historic Preservation	AIA B133 4.1.26 - NA	0.00	0.00	0.00
27. Furniture, Fixtures and Equipment Design	AIA B133 4.1.27 - included in Basic Services	0.00	0.00	0.00
28. Hazardous Materials Investigation	see below	0.00	0.00	0.00
29. Ongoing Community and Staff Engagement	CPL to lead, minimal effort	0.00	0.00	0.00
30. CDF + Collections Mgmt Design	allowance for misc consulting for CDF	75,000.00	75,000.00	0.00
31. Architectural / Engineering Fee Contingency	Allowance, any use requires CPL approval	40,000.00	15,000.00	25,000.00
32.				
Subtotal C		182,250.00	106,000.00	76,250.00
Total Design Services Fees (A + B + C)		1,245,438.50	711,084.50	534,354.00
D. Reimbursable Expenses - Budget		Notes		
1. Reimbursables and Contingency	5.0 % of fee per CPL	10,275.50	5,275.50	5,000.00
2. Advertising Expense	in above	0.00	0.00	0.00
3. Travel / Parking / Mileage / Lodging, Misc	in above	0.00	0.00	0.00
4. LEED Registration/Administration Fees	Estimate for LEED online registration + review	5,125.00	0.00	5,125.00
5. Project Printing / Copy	0.05% of CC per CPL MP Budget - in above	0.00	0.00	0.00
6. Misc Reimbursables	Dayton / Cincinnati trip *REMOVED	0.00	0.00	0.00
7.				
Subtotal D		15,400.50	5,275.50	10,125.00
Total Design Services Fees + Reimbursables (A + B + C + D)		1,260,839.00	716,360.00	544,479.00
E. Construction, Contingencies, Other Costs		Notes		
1. Estimated Construction Costs	From above	9,999,513.00	5,132,047.00	4,867,466.00
2. Owner Construction Contingency	per CPL 11/5/2020 budget	393,994.00	191,078.00	202,916.00
3. CMR Preconstruction	per CPL 11/5/2020 budget	90,625.00	52,282.00	38,343.00
4. Legal	per CPL 11/5/2020 budget	30,000.00	6,000.00	24,000.00
5. Property Acquisition	per CPL 11/5/2020 budget	25,800.00	12,900.00	12,900.00
6. Environmental Site Assessment	per CPL 11/5/2020 budget	14,000.00	3,000.00	11,000.00
7. Site Survey	per CPL 11/5/2020 budget	6,000.00	3,000.00	3,000.00
8. Geotechnical + Subsurface Investigations	per CPL 11/5/2020 budget	7,800.00	2,000.00	5,800.00
9. Hazardous Materials Investigation	per CPL 11/5/2020 budget	6,500.00	6,500.00	0.00
10. Utility Costs / Relocations	per CPL 11/5/2020 budget	10,000.00	5,000.00	5,000.00
11. Agency Approval Fees	per CPL 11/5/2020 budget	6,000.00	3,000.00	3,000.00
12. Building Permit	per CPL 11/5/2020 budget	90,000.00	55,000.00	35,000.00
13. Builder's Risk Insurance	per CPL 11/5/2020 budget	10,500.00	6,500.00	4,000.00
14. AV/Technology Equipment	per CPL 11/5/2020 budget	15,000.00	5,000.00	10,000.00
15. Computers / Telecom	per CPL 11/5/2020 budget	37,000.00	15,000.00	22,000.00
16. Artwork / Graphics / Displays	per CPL 11/5/2020 budget	10,000.00	0.00	10,000.00
17. Construction Testing	per CPL 11/5/2020 budget	27,000.00	10,000.00	17,000.00
18. Commissioning	per CPL 11/5/2020 budget	35,000.00	12,000.00	23,000.00
19. Roof Inspection	per CPL 11/5/2020 budget	7,000.00	4,000.00	3,000.00
20. Printing Reimbursable	per CPL 11/5/2020 budget	4,000.00	2,000.00	2,000.00
21. Moving Costs	per CPL 11/5/2020 budget	32,000.00	20,000.00	12,000.00
22. Furniture Standards	per CPL 11/5/2020 budget	10,000.00	5,000.00	5,000.00
23. Community Engagement	per CPL 11/5/2020 budget	2,000.00	1,000.00	1,000.00
24. Miscellaneous	per CPL 11/5/2020 budget	40,000.00	20,000.00	20,000.00
25.				
Subtotal E		10,909,732.00	5,572,307.00	5,337,425.00
Project Cost Budget		12,170,571.00	6,288,667.00	5,881,904.00