

**CLEVELAND PUBLIC LIBRARY**

**Board Meeting**

February 15, 2022

**RESOLUTION AUTHORIZING AMENDMENT TO AGREEMENT FOR DESIGN SERVICES FOR THE NEW MARTIN LUTHER KING, JR. BRANCH PROJECT**

WHEREAS, On June 18, 2019, the Board of Trustees of the Cleveland Public Library authorized an agreement with SO-IL Office Ltd and/or JKURTZ Architects Ltd in the amount of \$1,456,525 for architectural and engineering design services for the new Martin Luther King, Jr. branch. The Library and JKURTZ Architects Ltd. entered into an agreement in the amount of \$1,435,210 on November 15, 2019; and

WHEREAS, On September 17, 2020, October 21, 2021, and November 18, 2021 this Board authorized the Library to amend the agreement with JKURTZ Architects Ltd. to revise the design of the new Martin Luther King, Jr. branch to bring the project within budget and to address the redesign of certain elements of the library's exterior and interior features and HVAC, increasing the total fee to \$2,035,620; and

WHEREAS, JKURTZ has submitted an additional services fee request seeking payment of \$19,740 for services including additional revisions, reviews, drawings, models, and meetings required as a result of the delay of the start of construction of the new Martin Luther King, Jr. branch; and

WHEREAS, This Board finds that the increase 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(s), to negotiate and execute an amendment to the agreement with JKURTZ Architects Ltd., in an amount not-to-exceed \$19,740, with the expenditure being charged to the Construction – Tax-Exempt fund account 40276705-55300 (Construction/Improvements), and increasing the agreement to a total cost of \$2,055,360, in such form as is approved by the Director of Legal Affairs.

John Lang, COO  
Cleveland Public Library  
325 Superior Avenue  
Cleveland, OH 44114

RE: Cleveland Public Library  
Martin Luther King Jr. Branch  
Additional Services Fee Request #7\_MLK Oct. 5 - Feb. 17 Schedule Delay

Dear John,

Below I offer a reporting on our additional work precipitated by delays that were outside of our control and agreed schedule. We request a delay remuneration for the scope of these services as follows:

**1.0 Additional Services** Additional revision, reviews, drawings, models, and meetings.

These services include:

- 1.1 Review of previously proposed structural modifications, planning and design implications
- 1.2 Review and coordination of Structural Modifications and potential implications including pending review and coordination of Structural revisions by SGH
- 1.3 Update of model and drawings in for-construction and permit set based on revised structural drawings
- 1.4 Rooftop mechanical screen [coordination, correspondence and drawing, Addendum #4]
- 1.5 Review and consultation on rooftop screen revision requested since Addendum 4
- 1.6 Ongoing Meetings - 16 - additional meetings attended by JK and SO-IL since GMP was supposed to be finalized, an additional
- 1.7 Podium permit - We completed this task twice: June 2021 [original date we held to for our work but was never issued, on hold due to developer] + revised date August 2021.
- 1.8 Schedule adjustments, 20 week (100 Day) delay if the schedule as currently revised is maintained

**2.0 Additional Fee**

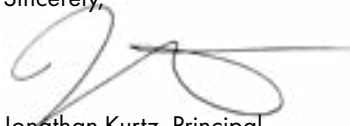
We offer the following for considering the fees incurred as a result of this delay:

- 2.1 Fee Adjustment based on hours spent by rates in Prime agreement
- 2.2 82 Hours - attributable to delay related scope as identified above [194 Hours spent since October 5th 2021 - original finalization of bidding and GMP]
  - Ongoing Meetings
  - Review of Structural modifications by SGH - 2 days

**Delay AS - \$19,740**

I know that CPL has also been financially impacted by this delay for similar reasons that were also outside of their control. If you have any questions or if any of the services differ from your expectation, please contact me directly at 330.328.7347 or [jk@jkurtz.com](mailto:jk@jkurtz.com).

Sincerely,

A handwritten signature in black ink, appearing to read 'Jonathan Kurtz', with a long horizontal flourish extending to the right.

Jonathan Kurtz, Principal  
[jk@jkurtz.com](mailto:jk@jkurtz.com)