

CLEVELAND PUBLIC LIBRARY

Board Meeting

February 15, 2022

**RESOLUTION APPROVING BUDGET FOR THE NEW MARTIN LUTHER KING, JR.
BRANCH PROJECT**

WHEREAS, On September 16, 2021, The Board of Library Trustees accepted the Guaranteed Maximum Price (“GMP”) proposal for the new Martin Luther King, Jr. (“MLK”) branch project prepared by Panzica Construction Company (“Panzica”), who is serving as the construction manager at risk for the MLK project through a contract with the private developer that owns the project and is acting as the Library’s limited construction agent; and

WHEREAS, The Library, in consultation with Panzica, prepared a project budget for the new MLK branch project, which consists of: 1) the GMP approved by this Board on September 16, 2021; 2) a CPL contingency fund; 3) estimated costs for furniture, fixtures, and equipment; 4) architectural and engineering fees; 5) CPL direct costs; and 6) developer shared costs, all of which are set forth in Exhibit “A” to this Resolution; and

WHEREAS, In order to better manage the project budget and to increase efficiency, the Chief Operating Officer recommends that this Board permit that the Library to reallocate the budgeted amounts for the CPL contingency fund, furniture, fixtures, and equipment, CPL direct costs, and developer shared costs among the various budget categories for the MLK project as needed, provided such reallocations do not increase the total approved project budget; now therefore be it

RESOLVED, That the Board of Library Trustees approves the total project budget for the new MLK branch project as set forth in Exhibit “A” to this resolution, with \$5,200,000 being charged to the Building and Repair Fund 40176705-55300 (Construction Improvements) and the remaining amount being charged to the Construction Tax Exempt Fund 40276705-55300 (Construction Improvements); and be it further

RESOLVED, That the Executive Director, CEO or his designee, is authorized to establish a CPL contingency fund for the MLK branch project in the amount set forth in Exhibit “A” to this Resolution and to make expenditures and enter into contracts in excess of \$25,000 to pay the costs resulting from changes and

additions to the Project which may be made in the future by the Library, and which are not included in the GMP. The Library shall report monthly to the Board on expenditures from the CPL contingency fund; be it further

RESOLVED, That the Board of Library Trustees authorizes the Chief Operating Officer to reallocate the budgeted amounts set forth in Exhibit "A" for the CPL contingency fund, furniture, fixtures, and equipment, CPL direct costs, and developer shared costs among the various budget categories for the MLK project as needed, provided that such reallocations shall not increase the total approved project budget; and be it further

RESOLVED, That the Board of Library Trustees authorizes the Executive Director, CEO, or his designees, to move forward in taking the steps necessary to complete the new MLK branch project, and to execute such instruments or documents as may be necessary or appropriate to effectuate the terms of this Resolution, including those in excess of \$25,000 and which are payable from the project budgets established by this Resolution, subject to the approval of the Library's Director of Legal Affairs.

Exhibit "A"

Guaranteed Maximum Price¹	Owner's Construction Contingency	Furniture, Fixtures, and Equipment	Architect and Engineering Fees²	CPL Direct Costs³	Developer Shared Costs⁴	Total Project Budget
\$14,486,867	\$972,005	\$472,201	\$2,564,725	\$730,750	\$674,938	\$19,901,486

¹The Guaranteed Maximum Price for the new MLK branch was approved by the Board of Library Trustees on September 16, 2021 and includes the \$80,005 for preconstruction services approved by this Board on September 17, 2020.

²Architect and Engineering Fees were approved by the Board of Library Trustees on August 9, 2018, March 21, 2019, June 18, 2019, September 17, 2020, October 21, 2021, November 18, 2021, and February 15, 2022.

³CPL Direct Costs include, but are not limited to, such project related costs as environmental assessments, legal fees, and consulting fees.

⁴Developer shared costs include both soft (design) and hard (construction) costs incurred by the Library and the developer on behalf of and for the benefit of the other party.