

**CLEVELAND PUBLIC LIBRARY**

**Finance Committee**

October 18, 2022

**RESOLUTION TO REJECT BIDS, DECLARE URGENT NECESSITY AND  
AUTHORIZE NEGOTIATION OF CONTRACT FOR LOUIS STOKES WING CEILING  
MODIFICATION PROJECT**

WHEREAS, On December 16, 2021, the Board of Library Trustees authorized the Library to purchase custom shelving for floors seven and nine of the Louis Stokes Wing in order to maximize storage capacity on those floors; and

WHEREAS, Due to the height of the custom shelving, modifications must be made to the drop ceilings, lighting, and fire suppression system on floors seven and nine in order to accommodate the higher shelves; and

WHEREAS, The Library advertised in the Plain Dealer on June 3 and June 17 for bids to perform the ceiling modifications needed for the new shelving to be installed, but the Library received no bids from contractors to perform the work; and

WHEREAS, The Library advertised for bids in the Plain Dealer a second time on August 3 and August 17 and received the following three bids on September 22, 2022: Feghali Brothers LLC (\$650,000); Cold Harbor Building Company (\$948,000); and Panzica Construction Co. (\$1,354,777); and

WHEREAS, All three bids received by the Library on September 22, 2022 exceed the Library's \$500,000 estimated cost for the project by more than ten percent, and the Library is therefore precluded by Ohio Revised Code Section 153.12 from awarding a contract to any of the three bidders; and

WHEREAS, Supply chain disruptions have become commonplace in the aftermath of the COVID-19 pandemic, and prolonged delays and steeply escalating prices are now the norm when acquiring materials, equipment, and labor; and

WHEREAS, No new shelving can be installed until the ceiling modifications are complete, and bidding the project a third time will further delay the entire project and, in light of the unprecedented material and labor shortages, will not guarantee that lower bids will be received; and

WHEREAS, Pursuant to Revised Code Section 3375.41, the Library may dispense with statutory competitive bidding requirements and award a contract directly to

one or more contractors when the Board of Library Trustees determines that the situation presents an urgent necessity; now therefore be it

RESOLVED, That the Board of Library Trustees hereby rejects the three bids for the ceiling modification project received by the Library on September 22, 2022; and be it further

RESOLVED, That the Board of Library Trustees declares an urgent necessity and waives competitive bidding requirements in order to move forward with the ceiling modification project on floors seven and nine of the Louis Stokes Wing; and be it further

RESOLVED, That the Executive Director, CEO or his designee is authorized to enter into an agreement or agreements with one or more contractors to perform the ceiling modification project on floors seven and nine of the Louis Stokes Wing and is instructed to present such executed agreement or agreements to this Board for ratification at the next regularly scheduled meeting.