

CLEVELAND PUBLIC LIBRARY

Board Meeting

December 21, 2023

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

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, November 18, 2021, February 15, 2022, and October 20, 2022 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, increasing the total fee to \$2,109,360; and

WHEREAS, On February 15, 2022, this Board approved a total project budget for the construction of the new Martin Luther King, Jr. branch, which budget was amended by this Board on May 16, 2023 as shown in Exhibit "A;" and

WHEREAS, Due to an extended construction schedule, it has become necessary to further amend the agreement with JKURTZ Architects Ltd. to allow for additional construction administration services of approximately 20 hours per week for roughly 40 weeks; and

WHEREAS, The Library desires to amend the agreement with JKURTZ to include expanded construction administration services needed to accommodate the extended construction schedule, and JKURTZ has submitted a proposal in the amount of \$155,750 for the additional services, which would increase JKURTZ's total fee to \$2,265,110; and

WHEREAS, This Board finds that the increase in the fees is fair and reasonable; and

WHEREAS, The Chief Operating Officer recommends that this Board the amended project budget as shown in Exhibit "A" to reallocate funds from the Furniture, Fixtures, and Equipment budget to the Architect Fees budget, which will allow the Library

EXHIBIT 4

to amend the agreement with JKURTZ Architects Ltd. without increasing the overall project budget; 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 \$155,750, 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 \$2,265,110, in such form as is approved by the Director of Legal Affairs.

Exhibit "A"

MLK Branch Budget	February 15, 2022 Project Budget	May 16, 2023 Project Budget	Increase*	Amended Project Budget
Guaranteed Maximum Price	\$14,486,867	\$14,486,867		\$14,486,867
Owner's Construction Contingency	\$972,005	\$1,347,005		\$1,347,005
Furniture, Fixtures, and Equipment	\$472,201	\$572,201	(\$155,750)	\$416,451
Architect and Engineering Fees	\$2,564,725	\$2,564,725	\$155,750	\$2,720,475
CPL Direct Costs	\$730,750	\$770,750		\$770,750
Developer Shared Costs	\$674,938	\$674,938		\$674,938
TOTAL PROJECT BUDGET	\$19,901,486	\$20,416,486		\$20,416,486