

CLEVELAND PUBLIC LIBRARY

Finance Committee

September 17, 2024

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

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, Over the course of the last five years, this Board approved six amendments to the agreement with JKURTZ Architects Ltd., both expanding the scope of the architects' services and increasing their fees. The most recent such amendment was approved by this Board on December 21, 2023, which increased the architects' fees to a total of \$2,265,110; and

WHEREAS, On February 15, 2022, the Board of Library Trustees approved a total project budget for the construction of the new Martin Luther King, Jr. branch, which budget was amended by this Board five times, with the most recent amendment having occurred on June 18, 2024 as shown in Exhibit "A" to this Resolution; and

WHEREAS, The Library Administration has determined that it is necessary to further amend the agreement with JKURTZ to allow for additional construction administration services required to address water damage that occurred in spring of 2024 and to allow for additional design services to address coordination issues with podium structure and stairways and to modify the building's egress plan in order to maximize the building's capacity; and

WHEREAS, The Library Administration desires to amend the agreement with JKURTZ to include the additional construction administration and design services as described in this Resolution for an added fee of \$60,000, which would increase JKURTZ's total fee to \$2,325,110; and

WHEREAS, This Board finds the increase in the fees to be fair and reasonable; and

EXHIBIT 8

WHEREAS, The Chief Operating Officer recommends that this Board approve the revised project budget as shown in Exhibit "A" to this Resolution to the budgets for Owner's Construction Contingency, Furniture, Fixtures, and Equipment, Architect and Engineering Fees, and Owner Direct Costs to cover, among other expenses, construction change orders related to roof and equipment modifications; movie-theater quality projection and sound equipment; lighting for the Anisfield-Wolf book collection; additional construction administration and design services; and enhanced furniture for the children's "immersive environment" play and learn area; now therefore be it

RESOLVED, That the Board of Trustees of the Cleveland Public Library authorizes the Executive Director, CEO or his designee to negotiate and execute an amendment to the agreement with JKURTZ Architects Ltd. in an amount not-to-exceed \$60,000, 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 \$2,325,110, in such form as is approved by the Director of Legal Affairs; and be it further

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, which expenditures shall be charged to the Construction Tax Exempt Fund 402 and/or the Construction Taxable Fund 403.

Exhibit "A"

| MLK Branch Budget | February 15, 2022 Project Budget | June 18, 2024 Project Budget ¹ | Increase | Amended Project Budget |
|---|----------------------------------|---|------------------|------------------------|
| Guaranteed Maximum Price | \$14,486,867 | \$14,486,867 | | \$14,486,867 |
| Owner's Construction Contingency | \$972,005 | \$1,765,503 | \$500,000 | \$2,265,503 |
| Furniture, Fixtures, and Equipment | \$472,201 | \$727,953 | \$80,000 | \$807,953 |
| Architect and Engineering Fees | \$2,564,725 | \$2,774,475.53 ² | \$60,000 | \$2,834,475.53 |
| CPL Direct Costs | \$730,750 | \$770,750 | \$140,000 | \$910,750 |
| Developer Shared Costs | \$674,938 | \$620,937.47 | | \$620,937.47 |
| TOTAL PROJECT BUDGET | \$19,901,486 | \$21,146,486 | | \$21,926,486 |

¹The budget amounts shown reflect amendments approved by the Board of Library Trustees on October 20, 2022, May 16, 2023, and December 21, 2023 and reallocations between the Owner's Construction Contingency and Furniture, Fixtures, and Equipment budgets.

²This figure includes \$509,365.53 of fees paid in 2018-2019 under a preliminary agreement with JKURTZ Architects Ltd.

August 30, 2024

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

RE: Additional Services Fee Request #10

Dear Mr. Lang,

Please find below our request for additional services for the Martin Luther King, Jr. Branch of the Cleveland Public Library, located at 10601 Euclid Ave, Cleveland, Ohio, 44106.

In accordance with the terms of our agreement dated 11/15/2019, JKURTZ is writing to request an additional service fee to complete Construction Administration. These services will continue from the month of August 2024 through November 2024 in accordance with the June 2024 updated construction schedule. Based on this revised timeline, we believe an additional service request is appropriate.

Owner requested add service requests outlined below:

**Modify egress to include building new egress north onto Reserve Court
8 hours - \$1,560**

**Modification of non-conforming column footing construction to allow for
required egress width - design and coordination
16 hours + Structural redesign - \$5,400**

**Monument sign - Relocation and infrastructure coordination
6 hours - \$1,170**

**Book Lockers - Redesign, infrastructure modifications, doors and walls
10 hours - \$1,950**

**Previous CA Add Service was for CA through July 2024. We currently expect
these to continue through November 20th, 2024.
16 hours/week x 16 weeks - \$49,920**

If you believe our commitment should differ from what I have outlined above please let me know and we will discuss. We look forward to formal authorization of this additional service fee proposal request in the amount of Sixty Thousand dollars (\$60,000).

We eagerly look forward to completion of this project, MLK day 2025, and the joy of discovering all of the new uses and inspired experiences this truly civic space will accommodate.

Sincerely,


Jonathan Kurtz
Principal, J. KURTZ Architects