

CLEVELAND PUBLIC LIBRARY

Finance Meeting
September 13, 2016

**RESOLUTION AUTHORIZING AGREEMENT WITH OSBORN ENGINEERING FOR
PROFESSIONAL ARCHITECTURAL AND ENGINEERING SERVICES FOR THE
SAFE, WARM AND DRY IMPROVEMENT PROJECT**

WHEREAS, On June 14, 2016, the Board of Trustees of the Cleveland Public Library approved the selection of The Osborn Engineering Company as the top-rated, most qualified firm to provide professional architectural and engineering services for the Safe, Warm, and Dry improvement project, and authorized the Executive Director, CEO or his designees to enter into negotiations for an agreement; and

WHEREAS, Osborn has submitted a proposal for a total cost of \$474,930. Of the total cost of Osborn's proposal, predesign services account for \$58,310, base design services account for \$335,500, and the additional services (including roof asbestos testing, project oversight for abatement services, Landmark Commission and City Planning Review, ADA Variances, and providing CAD floorplans), account for \$81,120; and

WHEREAS, This Board finds that Osborn's fee is fair and reasonable; now therefore be it

RESOLVED, That this Board authorizes the Executive Director, CEO or his designees, to execute an agreement with The Osborn Engineering Company in an amount not-to-exceed \$474,930, and such other documents as are necessary or appropriate to effectuate the Agreement in accordance with this Resolution, with the expenditure of \$474,930 being charged to the Building and Repair fund 401, Project Code 10798, subject to the approval of the Chief Legal Officer.



P20160202.000 REV. 2

August 12, 2016

Joyce M. Dodrill, Esq.
Chief Legal Officer
Cleveland Public Library
325 Superior Avenue
Cleveland, OH 44114

sent via email: joyce.dodrill@cpl.org

Re: Cleveland Public Library – Branch Rehabilitation and Improvement Project (Safe, Warm, and Dry)

Dear Ms. Dodrill:

Osborn Engineering (Osborn) is pleased to submit this proposal to provide Professional Architectural and Engineering Services and Improvement Project (Safe, Warm, and Dry) at ten (10) branch facilities related to the Branch Rehabilitation

SCOPE OF SERVICES

We understand the scope of this project to include providing architectural/engineering services for the rehabilitation of ten library branches, including:

Addison Branch
Collinwood Branch
Glenville Branch
Harvard Lee Branch
Langston Hughes Branch
Carnegie West Branch
Fulton Branch
Jefferson Branch
Lorain Branch
Rockport Branch

The primary scope of the project includes mechanical, electrical, plumbing, HVAC, handicap accessibility, building envelope, roofing, interior renovation and improvements, exterior site work and other items as needed.

The primary desired outcome is to provide fully functional buildings that will support the Library's mission and programming for years to come. As many of the buildings are approaching or exceeding a century of service, caring for and protecting the architectural integrity of those buildings will be an important part of the design process.

We understand the importance of only one building being closed on each side of town at a time. Per the RFQ, the team's scope for the services will include:



1. **Program verification, Scoping, and Scheduling (Additional Service Outside of Base Design Fees).** The first step will be to review and update the 2011 building facilities assessment with the Library to determine what items have been completed in the interim, what priorities may have changed, what new critical items may have emerged, and how library programming changes may affect the use of the space. This may also include development of preliminary project scheduling, renderings or modeling as needed to convey the intent to the Library Board.
2. **Regulatory requirements.** Review the project against current building codes, Americans with Disability Act (ADA) and Architectural Barriers Act (ABA), environmental statutes, and any other requirements that might affect the construction plans for each building, particularly with respect to the restrooms.
3. **Hazardous materials specifications.** Identify hazardous materials design issues and incorporate solutions into construction documents or provide separate abatement specifications as determined for each site. Our sub-consultant, HzW Environmental will write the specifications for hazardous material abatement or encapsulation required and will include asbestos, PCB, and lead based paint. Hazardous materials identification will be based on the reports developed by AECOM.
4. **Document Preparation.** Prepare all phases of drawings and submit to the Library and CM (if applicable) for review before continuing with the design. Design phases will include schematic design, design development, 50% construction documents, plan review documents (approximately 90%), bidding and final construction documents inclusive of all improvements, which may be used to generate a GMP if the Library chooses to pursue the CM/R path. Specifications (written) for bidding the execution of work, supplying of materials, etc. shall be provided in CSI format. Preliminary estimating and scheduling at each phase will also be required. Some long lead time equipment may also be purchased ahead of time and provided to the contractor for installation. Bid documents will be prepared and bids evaluated by Osborn.
5. **CM Selection and Bid / award support.** The Cleveland Public Library may utilize a construction manager at-risk or construction manager agent project delivery method. Osborn will provide support and information to the Library as requested to assist in the selection of the CM or CM/R for the project. During the bidding and award process, we will provide information and input to the Library as needed. This includes but is not limited to responding to questions from contractors and CM or CM/R, evaluating alternates and substitutions, attending pre-bid meetings, support with updating project schedules and assisting in evaluating bids and bidders.
6. **Permitting and Review.** Osborn shall submit drawings for permitting and approval to all jurisdictions having authority and revise drawings as necessary to secure approvals and permits.
7. **Bulletins and Addendums.** Osborn shall issue revisions to the drawings and oversee document version control.
8. **Request for Information/Clarification.** Osborn shall be responsible for supplying clarification and information when required regarding the construction documents.
9. **Shop Drawing Review.** Osborn shall review submittals and shop drawings from the chosen contractor and suppliers.
10. **Progress Payment/Change Order Review.** Osborn shall review contractor applications for progress payments, evaluation of proposed change orders, etc.



11. **Contractor Coordination.** Throughout the design, permitting, and construction phases, Osborn shall coordinate and collaborate with the chosen CM or CM/R. If a traditional project delivery system is chosen with a general contractor and subcontractors, we shall provide construction administration services.
12. **Contract Administration and Post-Construction Services.** Construction administration shall include but not be limited to weekly construction meetings and minutes (Osborn will prepare minutes if there is no CM), responding to requests for information, site visits and inspections, submittal review, and contractor payment evaluation and approval. Expectations will be fully detailed in the contract negotiated with the CM or General Contractor.
13. **As-Built Certifications.** If required, Osborn shall provide any post-construction design certifications to the requesting authority having jurisdiction.
14. **Post Construction Services.** We will take the as-built drawings submitted by the contractor or construction manager and develop CAD and PDF documents with all changes to the building incorporated. A set of CAD drawings accurately reflecting the current floor plans for each branch will be generated by Osborn and provided to Cleveland Public Library. The record drawings incorporating the Safe, Warm, and Dry work is included in our base fees. Fees for the development of accurate floor plans for each branch are broken out as an additional service. Osborn will be available for a post- construction “Lessons Learned” site walk and review.

CLARIFICATIONS

1. The assessment verification services within this scope of work are limited to a visual survey of existing conditions and exclude both nondestructive and destructive testing. However, this type of inspection does not clearly reveal all defects and requires certain engineering assumptions be made to establish condition. These assumptions cannot always be verified without extensive testing, some of which can be destructive. Therefore, this evaluation is not to be considered a guarantee of the exact condition, life and total extent of potential repairs of the facilities inspected.
2. Osborn Engineering does not have control over the cost of labor, materials, or equipment, or Contractor’s methods of determining prices, or over competitive bidding, market, or negotiating conditions. Accordingly, Osborn Engineering does not warrant or represent that bids or negotiated prices will not vary from any estimate or evaluation prepared, or agreed to, by Osborn Engineering.
3. Plan review or permitting fees are not included in our lump sum fee stated below. If Osborn is to carry these fees in our agreement, they will be invoiced at cost to Cleveland Public Library.
4. Osborn’s proposed fee below includes typical project in-house printing costs. Any mass printing associated with the production of Bid Documents is not included in our fees but may be incurred as a reimbursable expense at cost.

PROPOSED SCHEDULE

We anticipate the following schedule for the project:

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|---|----------|
| ■ Assessment Phase: | 2 Months |
| ■ Refining Cost Estimates, Defining Scope | 2 Months |



(incl. reviewing assessment findings with Key personnel), Outlining Schedule, Coordination with Construction Manager

- | | |
|-------------------------------|-----------------------|
| ▪ 50% Construction Documents | 2 Months |
| ▪ Review | 1 Month |
| ▪ 100% Construction Documents | 2 Months |
| ▪ Construction | 3-4 Months / Building |

Estimated Design Completion:

Spring 2017

Estimated Construction Start:

Summer 2017

ADDITIONAL SERVICES

Hazardous Materials

Asbestos Testing of Roofs: As an additional service, we have provided a separate fee for HzW to provide asbestos testing for eight (8) branch roofs that are expected to have work done per the 2011 WRL Assessments, which were not tested through AECOM's work. This fee includes development of survey reports and the findings by HzW in the asbestos sampling of roofs. Roofs will be repaired/patched weathertight wherever test samples are taken. The fee for Asbestos testing of the roofs is \$3,700.00.

Project Oversight: If Cleveland Public Library is interested, HzW Environmental can also provide project oversight during the asbestos abatement process, which would include the following:

An Asbestos Hazard Evaluation Specialist (AHES)/ Asbestos Hazard Abatement Specialist (AHAS), certified by the State of Ohio in accordance with Ohio Department of Health (ODH) regulations, will verify that all abatement activities performed by the contractor are conducted within federal, state, and local regulations and the project specifications. This includes:

- A. Prior to the abatement activities being conducted, HzW will perform a walk-through of the areas where asbestos containing materials are to be abated to determine the air monitoring strategy.
- B. Perform "perimeter" air monitoring during the asbestos abatement activities to verify that fiber levels in the ambient air outside the containment/work areas remain below regulated limits. All air monitoring activities will be conducted in accordance with the National Institute for Occupational Safety and Health Administration ("NIOSH") Method 7400.
- C. Conduct "final clearance" air monitoring in the containment/work areas following completion of the asbestos abatement activities to verify that fiber levels are below regulated limits.
- D. Submit all air samples to an American Industrial Hygiene Association ("AIHA") and National Voluntary Laboratory Accreditation and Proficiency ("NVLAP") Program accredited laboratory for analysis by Phase Contrast Microscopy ("PCM"), or analysis will be performed by HzW's representative who has received NIOSH 7400 Equivalency training.
- E. Upon completion of the asbestos abatement activities and receipt of waste manifests and laboratory analytical reports for any air samples collected, prepare a letter report which summarizes the project oversight services. The CPL be provided with one (1) hard copy of the letter report in an electronic format burned on a CD.



The fees for project oversight for the asbestos abatement process includes a combination of fixed fees and estimated daily costs of \$815/day. At this point the total cost for these services cannot be determined but we suggest that Cleveland Public Library designate an allowance of \$30,000.00 if you choose to move forward with asbestos project oversight services.

Other Hazardous Materials: If during the course of the project, it is determined that additional asbestos testing, or testing of lead based paint or other hazardous materials is required, HzW can perform these services in accordance with the following service and rate table:

SCHEDULE OF SERVICES
and FEE SCHEDULE

Projected Hourly Rate Schedule for HzW Labor
March 1, 2016 to February 28, 2017

Employee Classification	
Senior Industrial Hygienist/Project Manager	\$182.50
Scientist II (AHES/AHAS & Lead RA)	\$87.50
Industrial Hygienist	\$115.00
Technical Editor	\$125.00
CAD Technician II	\$87.50

TESTING COSTS

Analytical Costs: Asbestos Bulk PLM Analysis @ \$12.00/sample*
400 Point Count Analysis @ \$20.00/sample*
1000 Point Count Analysis @ \$25.00/sample*

Lead Wipe@ \$12.00/sample
(*Based on normal 5-day turnaround time for results)

PCB Bulk liquid sample@ \$125.00/sample
(not including field technician time for collecting the sample)

[Landmark Commission and City Planning Review](#)

If required, Osborn Engineering will prepare renderings, graphics, and other support materials and meet with the City of Cleveland's Design Review and Landmark Commission to present the Carnegie West branch exterior project work for approval. We have also included time to meet with the State Historical Preservation Office if that is required as well. We propose to perform these services on a Time & Expense basis with a not-to-exceed fee of \$10,620.00.



ADA Variance Applications

Although Federal ADA obligations may apply, Osborn will process any ADA variances that apply to each branch through the City of Cleveland, including:

- Submit plans to the City to identify any non-conformance
- Process applicable paperwork to appeal the non-conformance and request the variance
- Attend Adjudication hearing for the variance

We propose to perform these services on a Time & Expense basis with a not-to-exceed fee of \$25,975.00.

Architectural Design or Programming Support

Osborn Engineering's in-house Architectural staff will be performing the Safe, Warm, and Dry Architectural scope of services. Our Architectural design partner on the project, HBM Architects will be on-call throughout the course of the project. If the Cleveland Public Library has need for any design or programming related services outside the scope of the Safe, Warm, and Dry services described in the RFQ and this proposal, we can engage HB+M on an hourly or additional services basis based on the following rates:

HB+M Regular Hourly Rates

Managing Principal	205.00 / hr
Principal	195.00 / hr
Associate	175.00 / hr
Project Manager	165.00 / hr
Project Architect	135.00 / hr
Interiors	130.00 / hr
Staff Architect	105.00 / hr
Interns	93.00 / hr
Cadd Technician	85.00 / hr
Admin. Assist.	65.00 / hr
Consultants @ cost x 1.15	



FEES

Our total lump sum fee to perform the Base Design Services for the above noted scope of work is: **\$335,550.00** and includes all expenses outside of plan review, permitting, or mass document printing. Billings will be made monthly based on percentage of work complete the previous month.

This fee is broken into phases of the project as follows:

Task	FEE
BASE DESIGN SERVICES	
Schematic Design	\$50,235.00
Design Development	\$83,725.00
Construction Documents (Including GMP Set if necessary)	\$101,070.00
Bidding or Negotiation Phase	\$16,745.00
Construction Phase	\$83,725.00
TOTAL BASE DESIGN FEE	\$335,500.00
ADDITIONAL SERVICE FEES	
Pre-Design Phase (Program Verification and Scoping)	\$58,310.00
Roof Asbestos Testing	\$3,700.00
Project Oversight for Abatement Services (Allowance)	\$30,000.00
Landmark Commission and City Planning Review (Not to Exceed)	\$10,620.00
ADA Variance or Avoidance (Not to Exceed)	\$25,980.00
Complete CAD Floorplans for Each Branch	\$10,820.00
TOTAL BASE DESIGN FEE & ALL ADD SERVICES (NOT TO EXCEED)	\$ 474,930.00

The Total Base Design Fee broken out by discipline is as follows:

Discipline	BASE FEE
Architectural and ADA Signage	\$127,230.00
HVAC & Plumbing	\$109,400.00
Electrical	\$54,855.00
ADA Site Work	\$35,055.00
Asbestos Abatement Design Work	\$8,960.00
TOTAL BASE DESIGN FEE	\$ 335,500.00



Please contact me if you have any questions. We look forward to the opportunity to work with you on this exciting project and we are prepared to begin work immediately upon your authorization.

Sincerely,
OSBORN ENGINEERING

A handwritten signature in blue ink that reads "Douglas S. Lancashire".

Douglas S. Lancashire, P.E.
Vice President

cc: J. Donovan
A. Johnson
L. Hemingway
S. Moses
B. Vorachek
File