

**CLEVELAND PUBLIC LIBRARY**

**Finance Committee**

June 13, 2016

**RESOLUTION ANNOUNCING CONSTRUCTION MANAGER AT RISK DETERMINED  
TO BE BEST VALUE AND AUTHORIZING NEGOTIATION OF CONSTRUCTION  
MANAGER AGREEMENT FOR SAFE, WARM AND DRY CONSTRUCTION  
PROJECT**

WHEREAS, On March 27, 2017 and April 3, 2017, the Cleveland Public Library placed an ad in the Cleveland Plain Dealer requesting statements of qualifications for construction manager at risk services in connection with the Safe, Warm and Dry Construction Project. On April 26, 2017, statements of qualification were submitted to the Library from the following construction manager firms: The Albert M. Higley Co., LLC, Turner Construction Company, Regency Construction Services, Dunlop & Johnston, Inc. Contractors, John G. Johnson Construction Company, and Millstone Management Group; and

WHEREAS, On March 23, 2017, the Cleveland Public Library established an evaluation committee and authorized the evaluation committee to evaluate the statements of qualifications and to select no fewer than three firms which it considered most qualified. The evaluation committee met May 3, 2017 and, utilizing evaluation criteria and a scoring method established prior to the announcement of the requests for qualifications, selected the following three construction manager firms as the most qualified for its short list: The Albert M. Higley Co., LLC, Turner Construction Company, and Regency Construction Services; and

WHEREAS, On May 8, 2017 the Library issued a Request for Pricing and Technical Proposal to the three short-listed firms, requiring that proposals be submitted to the Library by May 19, 2017 at 12 noon; and

WHEREAS, Proposals were timely received on May 19, 2017, and on May 24<sup>th</sup> and 25<sup>th</sup>, the evaluation committee interviewed all three construction manager firms. The evaluation committee then met on May 31, 2017 to evaluate and score

the technical qualifications. Price proposals were evaluated separately and then combined with the technical proposal to determine the best value based on a weighted comparison of qualifications to price; and

WHEREAS, Based upon the ratings obtained from combining qualifications and pricing scores, the evaluation committee has ranked the short-listed firms in the following order:

- |    |         |              |
|----|---------|--------------|
| 1) | Regency | \$ \$458,800 |
| 2) | Higley  | \$ \$628,082 |
| 3) | Turner  | \$ \$705,419 |

Now therefore be it

RESOLVED, That the Board of Library Trustees hereby accepts the recommendation of the evaluation committee, and announces the selection of the construction manager firm of Regency Construction Services, Inc. as the firm presenting the pricing and technical proposal which represents the best value; and be it further

RESOLVED, That the Board authorizes the Executive Director, CEO or his designees to enter into negotiations for a construction management at risk contract with Regency Construction Services, Inc. in accordance with the requirements of Ohio Revised Code Section 9.334 which provides, among other things, that if the Library fails to negotiate a construction management contract with the highest ranked firm, it shall terminate negotiations with the highest ranked firm and enter into negotiations with the construction manager at risk ranked the second highest. If the Library fails to negotiate a contract with the second highest ranked firm, it shall terminate negotiations and enter into negotiations with the firm ranked the third highest; be it further

RESOLVED, That upon completion of negotiations, the Executive Director is authorized to execute a contract with Regency Construction Services, Inc., in an amount not to exceed \$ 458,800.00 which shall be paid from the funds budgeted for the Safe, Warm and Dry Construction Project as approved by this Board. Should the Executive Director or his designees terminate negotiations with Regency Construction Services, Inc. pursuant to Revised Code Section 9.334 and successfully negotiate an agreement with Albert M. Higley Co., LLC, the Executive Director is hereby authorized to enter

into an agreement with Albert M. Higley Co., LLC in the amount not to exceed \$628,082\_ payable from the funds budgeted for the Safe, Warm and Dry Construction Project as approved by this Board. Should the Executive Director or his designees terminate negotiations with Albert M. Higley Co., LLC, authority is further given to enter into a contract with Turner Construction Company in an amount not to exceed \$705,419.00 payable from the funds budgeted for the Safe, Warm and Dry Construction Project as approved by this Board, if the circumstances as described in the previous paragraph require negotiations with the third ranked firm. The contract with the construction manager at risk is subject to approval of the Chief Legal Officer.