

**CLEVELAND PUBLIC LIBRARY**

**Board Meeting**

May 22, 2018

**RESOLUTION APPROVING REDUCED GUARANTEED MAXIMUM PRICE  
AMENDMENT TO AGREEMENT WITH REGENCY CONSTRUCTION SERVICES,  
INC. FOR SAFE, WARM AND DRY CONSTRUCTION PROJECT**

WHEREAS, On June 13, 2017, this Board authorized the Library to enter into a contract with Regency Construction Services, Inc. for Construction Manager at Risk services for the Safe, Warm and Dry Construction Project wherein the Library would make needed repairs and upgrades to ten of its branches, including the Rockport branch; and

WHEREAS, On September 21, 2017, this Board accepted a grant in the amount of \$180,000 from Best Buy to build and open a Teen Tech Center at the Rockport Branch; and

WHEREAS, On December 21, 2017, this Board approved an amendment to the Agreement with Regency Construction Services, Inc. establishing a Guaranteed Maximum Price (“GMP”) of \$4,425,831.31 for the Safe, Warm and Dry Construction Project; and

WHEREAS, The Teen Tech Center is scheduled to open in July 2018, and the Rockport branch is scheduled to close in October 2018 to allow the Safe, Warm and Dry repairs to be made; and

WHEREAS, In order to allow the Teen Tech Center to remain open without interruption, the Library has determined that it is necessary to remove the Rockport branch from the scope of the Safe, Warm and Dry Construction Project and to make the repairs needed at the branch as a part of the building’s regular maintenance; and

WHEREAS, By removing the Rockport branch from the scope of the Safe, Warm & Dry Construction Project, Regency’s GMP would be reduced by \$299,648.82 which would then be allocated to the Owner’s Contingency and Permit fund

to cover unanticipated costs that may arise as repairs are made to the other branches. Additionally, the Library would retain the equipment already purchased for the Rockport branch to be used as needed in other branches;

WHEREAS, The total change orders approved to date have increased the GMP by \$21,961.26, thus increasing the GMP from \$4,425,831.31 to \$4,447,792.57 now therefore be it

RESOLVED, That the Board of Library Trustees authorizes the Executive Director, CEO or his designee to enter into and execute an amendment to the Agreement between the Cleveland Public Library and Regency Construction Services, Inc. reducing the Guaranteed Maximum Price from \$4,447,792.57 to \$4,148,143.75, which amendment shall be subject to the approval of the Chief Legal Officer; and be it further

RESOLVED, That the Executive Director, CEO or his designee is further authorized to increase the Owner's Contingency and Permit Fund by \$299,648.82 to pay the costs resulting from changes and additions to the Project which may be made in the future by the Library, and which are not included in the GMP.