

CLEVELAND PUBLIC LIBRARY

Finance Committee

December 13, 2016

RESOLUTION AUTHORIZING AMENDMENT TO AGREEMENT WITH ALBERT M. HIGLEY CO., LLC FOR THE SOUTH RENOVATION PROJECT

WHEREAS, On October 20, 2016, the Board of Trustees of the Cleveland Public Library authorized the Library to enter into an agreement with the Albert M. Higley Co., LLC (“Higley”) for construction management services in the amount not-to-exceed \$368,353.75, \$32,400.00 of which was for preconstruction services, and the Library executed the agreement on November 9, 2016 (the “Agreement”); and

WHEREAS, The Library has since determined that as a part of preconstruction activities, it would like to assess the structural integrity of the large skylight over the circulation desk which has been closed for many years, to determine whether it can feasibly be restored as a part of this Project; and

WHEREAS, Higley has proposed to perform the work necessary to assess the skylight in the amount of \$3,700.00, as set forth in its proposal dated December 8, 2016; and

WHEREAS, The Library Administration hereby requests that this Board authorize an amendment to the agreement with Higley to increase the scope and cost of the preconstruction activities in accordance with Higley’s proposal by \$3,700.00 for a total agreement amount of \$372,053.75; now therefore be it

RESOLVED, That the Board of Trustees of the Cleveland Public Library authorizes an amendment to the agreement with the Albert M. Higley Co., LLC, in the amount of \$3,700.00 for a total agreement amount of \$372,053.75, to be paid from the Building and Repair Fund Account 40178305-55300-10783, and further authorizes the Executive Director, CEO or his designee, to execute said amendment, subject to the review and approval of the Chief Legal Officer.

December 8, 2016

Mrs. Joyce Dodrill
Mr. Eric Herman
325 Superior Ave
Cleveland, OH 44114

RE: Skylight Observation
Lump Sum Proposal

Joyce and Eric,

The Albert M. Higley Co. (AMH) requests your formal authorization to proceed with the Skylight Observation. Please note the following –

- The work shall include the delivery and set up of scaffolding to reach the existing skylight and the removal of the observable plywood located in the skylight opening. This proposal also includes 4 holes to be cut into the existing plaster ceiling. 3 holes around the skylight and a single hole to be directed by the Library to look above the existing plaster ceiling in another room. The Cleveland Public Library agrees to submit payment to AMH within 30 days of receiving our billing.
- If additional work is needed, as directed by the Library, to see the existing condition of the skylight, a change order will be associated with the additional work.
- To the fullest extent permitted by law, AMH shall indemnify and hold harmless the Library and its respective representatives, consultants, agents and employees from and against claims, damages, losses and expenses, including but not limited to reasonable attorneys' fees, arising out of or resulting from performance of the work described in this Agreement, provided that such claim, damage, loss or expense is attributable to bodily injury, sickness, disease or death, or to injury to or destruction of tangible property, including loss of use resulting there from, but only to the extent caused in whole or in part by the negligent acts or omissions of AMH, a subcontractor or material supplier directly or indirectly employed by them, or anyone for whose acts AMH may be liable. Provided The Library has paid to AMH all sums due and owing, AMH shall further indemnify and hold harmless the Library from and against any and all costs, loss and expense, liability, damages, settlements, or claims for damages (including reasonable attorneys' fees and costs for defending any action) suffered, incurred or arising from mechanics' liens by subcontractors or material suppliers and security interests by suppliers of goods and materials.

The Painting Protection work shall be completed for \$3,700.

If there are any questions, please contact me at 216-630-8193 or by email at jherman@amhigley.com.

Sincerely,

Josh Herman

Josh Herman
Project Manager

Acceptance of lump sum proposal for painting protection for \$3,700:

By: _____ Date: _____
Cleveland Public Library

December 8th, 2016

The Albert M. Higley Co.
2926 Chester Ave
Cleveland, OH 44114
Attn: Josh Herman

Re: Cleveland Public Library, South Branch

Dear Mr. Herman,

Thank you for allowing Precision Environmental Company (PEC) the opportunity to provide costs and details for our services. Precision Environmental proposes the following;

- Remove and dispose the following materials and debris based off of drawings, and documents provided by AM Higley. Asbestos abatement necessities and quantities were identified from verbal communication with AM Higley (Josh Herman)
- Selective demolition of areas as specified

Scope of Work

Plaster Ceiling Penetration(s)

- Remove (4) areas of trace (<1%) asbestos plaster ceilings for the purposes of exploratory investigation of the existing skylight
- (4) Plaster openings will be 1~4sf in size to allow for access (areas to be marked out by other)

Work is to be conducted on a T&M basis with a "not to exceed" cost based below

Proposed Cost \$1,000.00

The Following is Understood:

- All work will be performed in accordance with applicable Federal, State and Local compliance regulations.
- OSHA compliance personnel air monitoring is included, 3rd party air monitoring provided as option
- Owner will provide electrical and water sources.
- All work areas are to be free and clear prior to Precision Environmental Company's (PEC) mobilization. All work is to be done in (1) mobilization(M-F 7am-3:30pm)
- Insurance – Proposal includes asbestos liability insurance, general liability, auto liability with limits of one million/three million secured from Nautilus Insurance Company and Motorists Mutual and workman's compensations as regulated by the State of Ohio.
- No put-back, securing, patching, or repairing of structure/finishes is included.
- All ceiling/ wall penetrations and MEP demo work is to be clearly marked out by other(s) prior to abatement and demolition work commencing
- All cut, cap, and make safe by other(s)
- Scaffolding will be erected and in place prior to PEC's mobilization

If you require further information, please contact me on (216) 642-6040.

Sincerely,



Tom FitzGerald, Project Manager
Precision Environmental Co.



5500 Old Brecksville Road • Independence, Ohio 44131
(216) 642-6040 • fax (216) 642-6041
