

CLEVELAND PUBLIC LIBRARY

Finance Committee

May 14, 2019

**RESOLUTION AUTHORIZING AGREEMENT WITH ROETZEL & ANDRESS, LPA
FOR LEGAL SERVICES RELATED TO THE MARTIN LUTHER KING, JR. BRANCH
OF THE CLEVELAND PUBLIC LIBRARY**

WHEREAS, Due to the complexity of the new Martin Luther King, Jr. branch project, involving the design and construction of the new Martin Luther King Jr. branch library which must be integrated with components of a multi-story private apartment building owned by UC City Center LLC to be constructed above the library building, the Chief Legal Officer has sought out the legal assistance of attorney Thomas Rosenberg of Roetzel & Andress, LPA; and

WHEREAS, Thomas Rosenberg has extensive experience in construction law, including experience with negotiating and litigating architect/engineer and construction manager at risk contracts, as well as experience with joint public-private construction projects. Mr. Rosenberg is a Fellow in the American College of Construction Lawyers and is the Chair of the American Bar Association Forum on Construction Law; and

WHEREAS, As the Library moves forward with the design and eventual construction phases of the library branch in coordination with the surrounding development, agreements will need to be negotiated and finalized, including agreements for architectural/engineering services and construction manager at risk services, as well as an agreement for allocation of shared costs between the Library and University Circle City Center LLC; and

WHEREAS, The Chief Legal Officer expects that the total amount of fees paid to Roetzel & Andress, LPA will soon reach \$25,000 and is requesting authority to continue to engage the Roetzel & Andress, LPA for up to an additional \$35,000, which the Chief Legal Officer views as reasonable; now therefore be it

RESOLVED, That the Board of Library Trustees authorizes the Executive Director, CEO or the Chief Legal Counsel to enter into an amendment to the agreement with the Roetzel & Andress, LPA to provide additional legal services in connection with the Martin Luther King Jr. branch relocation project in an amount up to \$35,000.00, for a total contract amount not-to-exceed \$60,000.00, which expenditure shall be charged to the General Fund Account 11400053-53710 (Professional Services), and to execute such other instruments or documents as may be necessary or appropriate to effectuate the terms of this Resolution, subject to the approval of the Chief Legal Officer.