

CLEVELAND PUBLIC LIBRARY

Finance Committee

June 23, 2015

**RESOLUTION ANNOUNCING CONSTRUCTION MANAGER AT RISK
DETERMINED TO BE BEST VALUE AND AUTHORIZING
NEGOTIATION OF CONSTRUCTION MANAGER AGREEMENT FOR
PHASE 2 MAIN CONSOLIDATION PROJECT**

WHEREAS, On May 2, 2015, 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 Phase 2 Main Consolidation Project. On June 2, 2015, statements of qualification were submitted to the Library from the following construction manager firms: The Albert M. Higley Co., LLC, Turner Construction Company, Panzica Construction Company, Infinity Construction Co., Inc., Ozanne Construction Company, Inc., Regency Construction Services, R. L. Hill Management, Inc., and Richard L. Bowen + Associates, Inc.; and

WHEREAS, On May 19, 2015, the Board of Trustees of 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 on June 3, 2015 and June 4, 2015 and, utilizing evaluation criteria and a scoring method established prior to the announcement of the qualifications phase, selected the following four construction manager firms as the most qualified for its short list: The Albert M. Higley Co., LLC, Panzica Construction Company, Infinity Construction Co., Inc., and Ozanne Construction Company, Inc.; and

WHEREAS, On June 4, 2015 the Library issued a Request for Pricing and Technical Proposal to the four short-listed firms, requiring that proposals be submitted to the Library by June 12, 2015 at 12 noon; and

WHEREAS, Proposals were timely received on June 12, 2015, and on June 17, 2015, the evaluation committee interviewed all four construction manager firms. The evaluation committee then met on June 18, 2015 and June 19, 2015 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.

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) The Albert M. Higley Co., LLC \$456,014;
- 2) Panzica Construction Company \$557,919;
- 3) Infinity Construction Co., Inc. \$576,690;
- 4) Ozanne Construction Company, Inc. \$771,624.48;

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 The Albert M. Higley Co., LLC 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 contract with The Albert M. Higley Co., LLC 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 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. This process shall be repeated again with the fourth ranked firm in the event negotiations fail with the third highest firm; be it further

RESOLVED, That upon completion of negotiations, the Executive Director is authorized to execute a contract with The Albert M. Higley Co., LLC, in the amount of \$456,014.00 which shall be paid from the funds budgeted for the Phase 2 Main Consolidation Project as approved by this Board. Should the Executive Director or his designees terminate negotiations with The Albert M. Higley Co., LLC pursuant to Revised Code Section 9.334 and successfully negotiate an agreement with Panzica Construction Company, the Executive Director is hereby authorized to enter into an agreement with Panzica Construction Company in the amount of \$557,919 payable from the funds budgeted for the Phase 2 Main Consolidation Project as approved by this Board. Authority is further given to enter into contracts with Infinity Construction Co., Inc. in the amount of \$576,690 and Ozanne Construction Company, Inc. in the amount of \$771,624.48, payable from the funds budgeted for the Phase 2 Main Consolidation Project as approved by this Board, if the circumstances as described in the previous paragraph require negotiations with the third or fourth ranked firms. The contract with the construction manager at risk is subject to approval of the Chief Legal Officer.