

**CLEVELAND PUBLIC LIBRARY**

**Finance Committee**

October 18, 2016

**RESOLUTION ANNOUNCING CONSTRUCTION MANAGER AT RISK DETERMINED  
TO BE BEST VALUE AND AUTHORIZING  
NEGOTIATION OF CONSTRUCTION MANAGER AGREEMENT FOR  
SOUTH BRANCH RENOVATION PROJECT**

WHEREAS, On August 19, 2016 and September 2, 2016, 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 South Branch Renovation Project. On September 19, 2016, 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, Regency Construction Services, GreenSpace Construction Services, Dunlop & Johnston, Inc. Contractors; and

WHEREAS, On August 18, 2016, 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 September 23, 2016 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, Panzica Construction Company, and Turner Construction Company; and

WHEREAS, On September 23, 2016 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 October 5, 2016 at 12 noon; and

WHEREAS, Proposals were timely received on October 5, 2016, and on October 6<sup>th</sup> and 7<sup>th</sup>, the evaluation committee interviewed all three construction

manager firms. The evaluation committee then met on October 11, 2016 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) Albert M. Higley Co., LLC           \$368,353.75
- 2) Turner Construction Company   \$372,959.00
- 3) Panzica Construction Company \$381,891.00

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 at risk 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 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 The Albert M. Higley Co. LLC, in an amount not to exceed \$368,353.75 which shall be paid from the funds budgeted for the South Branch Rehabilitation 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 Turner Construction Company, the Executive Director is hereby authorized to enter into an agreement with Turner Construction Company in the amount not to exceed \$372,959.00 payable from the funds budgeted for the South Branch Rehabilitation Project as approved by this Board. Should the Executive Director or his designees terminate negotiations with Turner Construction Company, authority is further given to enter into a contract with Panzica Construction Co., Inc. in an amount not to exceed \$381,891.00 payable from the funds budgeted for the South Rehabilitation 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.