

Resolution 2011-12: 18
Amendment #1 to SWBR Architect's Agreement (Master Plan)

By Board Member Richard Pifer

WHEREAS, the Rochester School Facilities Modernization Program Act ("the Act") established the Rochester Joint Schools Construction Board ("RJSCB"), a seven voting member board consisting of equal representation by the City of Rochester ("City") and the Rochester City School District ("District"), as well as a member jointly selected by the City and the District; and

WHEREAS, under the Act, the RJSCB has certain enumerated powers to act as agent for the District, the City, or both; and

WHEREAS, the RJSCB approved the selection of SWBR Architects, ("SWBR") as the Master Plan Architect for the Rochester Schools Modernization Program (Resolution 2010-11: 8);

WHEREAS, the RJSCB entered into an agreement with SWBR Architects (Resolution 2010-11: 8) dated August 16, 2010, entitled Agreement Between Board and Architect (the "Agreement");

WHEREAS, following the execution of the Agreement, SWBR Architects incurred the amount of \$10,470 for printing and binding costs for the draft and final report for the Master Plan and the firm should be reimbursed for these costs incurred on behalf of the RJSCB as a reimbursable expense; and

WHEREAS, under the Agreement, SWBR Architects is entitled to interest at the rate of .50% per month beginning forty-five (45) days after the receipt of the invoices and that the amount of interest that has accrued will be \$15,406.26 through September 15, 2011; and

WHEREAS, the Program Manager thereafter recommended to the RJSCB's MWBE and Services Procurement Committee (the "Committee") that SWBR's Agreement should be amended to add the total amount of \$10,470 as a reimbursable expense and \$15,406.26 for interest under the Agreement (through September 15, 2011); and

WHEREAS, the Committee considered and discussed the Program Manager's recommendation at its September 8, 2011 meeting and after due deliberation, it approved the request to amend the Agreement;

THEREFORE, BE IT RESOLVED:

1. That the proposed amendment to SWBR's Agreement Between Board and Architect dated August 16, 2010 as set forth above is hereby approved; and
2. The RJSCB's Chair is hereby authorized in the name and on behalf of the RJSCB, to execute an amendment to the Agreement that is consistent with this approval and in an acceptable form to the Chair upon the advice of the Program Manager and the RJSCB's general counsel.

Second by Board Chairman Ken Bell
Approved 4-0 with Members Brown and Castro away