

**Resolution 2017-18: 195
Amendment #1 to The Pike Company (CM – East)**

By Board Member Richards

WHEREAS, the Rochester School Facilities Modernization Program Act (“School Modernization Act”) established the Rochester Joint Schools Construction Board (“RJSCB” or “Board”), 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 School Modernization Act, the RJSCB has certain enumerated powers to act as agent for the District, the City, or both; and

WHEREAS, the authorizing legislation for Phase 2 of the Rochester Schools Modernization Program (“RSMP” or the “Program”) was signed into law by the Governor of the State of New York on December 17, 2014; and

WHEREAS, the amended School Modernization Act authorized up to 26 projects in Phase 2 of the RSMP including a District Wide Technology program which involves technology upgrades and infrastructure work at several of the possible projects; and

WHEREAS, the RJSCB selected The Pike Company (“Construction Manager”) to provide construction management services for the East School project in August 2016 as part of Phase 2a of the of the RSMP (Resolution 2016-17: 29), and the parties thereafter entered into the Agreement between the RJSCB and the Construction Manager dated August 9, 2016 (the “Agreement”); and

WHEREAS, subsequent to the execution of the Agreement, the Program Manager directed the Construction Manager to provide additional services, changed the length of the Agreement and the Program Manager has received and reviewed a proposal for this additional work provided by the Construction Manager as well as the corresponding wage rate escalation the details of which are set forth below; and

Change	Description	Cost/Credit
Early Roof Package	This work included early additional CM estimates and services during the Construction Phase. The Agreement included phased construction but not multiple phased bids. The project was completed in 2017.	\$87,805.00
Wage Rate Escalation	The Construction Schedule shifted an additional year. The Agreement included Construction to be completed by June 2020, revised re-launch of project completion date is scheduled for June 2021.	\$18,174.00

Additional CM Staff	The occupied Campus will generate the need for additional onsite staff (3 total) for an additional 18 months which is the full duration of Construction (34 months).	\$264,200.00
Revised Schedule	The Agreement included 35 months of Construction, but the revised schedule is 34 months of Construction (1 month less).	(\$52,229.00) credit
Amendment #1	Total not-to-exceed	\$317,950.00

WHEREAS, the Program Manager recommended to the M/WBE and Services Procurement Committee (the "Committee") that the Construction Manager's Agreement should be amended to add the not-to-exceed amount of \$317,950.00 for the additional scope of work in support of the East School project; and

WHEREAS, the Committee considered and discussed the Program Manager's recommendation at its May 31, 2018 meeting to increase the Construction Manager's Agreement by the not-to-exceed amount of \$317,950.00, and after due deliberation, it approved the request to amend the Agreement;

THEREFORE, BE IT RESOLVED:

1. The proposed amendment to the Agreement between the RJSCB and the Construction Manager dated August 9, 2016, as set forth above is hereby approved, increasing the total amount of the Agreement by the not-to-exceed amount of \$317,950.00; 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 RJSCB's general counsel.

Second by Board Member Jones

Approved 5-0 with Vice Chair Schmidt away and Member Cruz not yet arrived