

Resolution 2017-18: 159
Amendment #1 to Seeler Engineering, P.C. Agreement (PLA Study)

By Board Member Benincasa

WHEREAS, the Rochester School Facilities Modernization Program Act constituting Chapter 416 of the 2007 Laws New York and Chapter 533 of the 2014 Laws of New York (collectively, the "Rochester Schools 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 Rochester Schools 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") was signed into law by the Governor of the State of New York on December 17, 2014; and

WHEREAS, in December 2015, the RJSCB engaged Seeler Engineering, P.C. to perform a Project Labor Agreement ("PLA") Study for Phase 2 (Resolution 2015-2016: 83) to evaluate potential costs/benefits of utilizing a PLA for Phase 2 of the RSMP; and

WHEREAS, in connection with the planning for an anticipated Phase 3 of the RSMP, the Program Manager identified the need for a PLA Study to evaluate potential costs/benefits of utilizing a PLA for Phase 3 of the RSMP; and

WHEREAS, the Program Manager thereafter recommended to the RJSCB's M/WBE and Services Procurement Committee (the "Committee") that Seeler Engineering, P.C.'s Agreement should be amended to add the additional scope for a Phase 3 PLA Study and that a cost proposal should be solicited from Seeler Engineer, P.C. for said Study and related services; and

WHEREAS, the Committee discussed and considered the Program Manager's recommendation at its April 5, 2018 meeting, and after due deliberation, it authorized the RJSCB Chair to solicit a cost proposal, negotiate the terms and scope of an amendment and execute an amendment to Seeler Engineering, P.C.'s Agreement that is acceptable to the Chair upon the advice of the Program Manager and the RJSCB's general counsel.

THEREFORE, BE IT RESOLVED:

1. The RJSCB hereby approves Seeler Engineering, P.C. to perform a PLA Study for Phase 3 of the RSMP; and
2. The RJSCB Chair, in conjunction with the Program Manager, is hereby authorized to undertake necessary actions to negotiate an amendment to Seeler Engineering, P.C.'s Agreement for a Phase 3 PLA Study and related services and thereafter 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 Member Cruz

Approved 5-0 with Member Richards away and Member Jones not yet arrived