

Resolution 2018-19: 34

Insurance Requirements Waiver for Coloring on Canvas – (Schools 16, 7, Monroe and Edison)

By Board Member Brown

WHEREAS, the Rochester School Facilities Modernization Program Act (the “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 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, the amended 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 Board of Education (“BOE”) has approved the comprehensive Master Plan for Phase 2 (BOE Resolution 2015-16: 630); and

WHEREAS, the Superintendent has identified and confirmed the projects for Phase 2 of the RSMP and the RJSCB has received New York State Education Department and New York State Comptroller’s approval of the comprehensive Master Plan for Phase 2; and

WHEREAS, the RJSCB supports the incorporation of professional works of art to encourage “community pride” in the public schools of the District; and

WHEREAS, the RJSCB has selected Coloring on Canvas as an artist to provide commissioned public art works as part of Phase 2 of the RSMP; and

WHEREAS, for Phase 2 of the RSMP, the RJSCB established certain insurance coverages required to be obtained and maintained by consultants and subconsultants working on Phase 2 of the RSMP; and

WHEREAS, Coloring on Canvas has requested waiver of the corporate automobile liability coverage requirement on the grounds that it does not own or lease any company vehicles and does not reimburse its employees for mileage or travel; and

WHEREAS, Coloring on Canvas has requested waiver of the corporate automobile insurance coverage requirement on the grounds that it does not own or lease any company vehicles and does not reimburse its employees for mileage or travel; and

WHEREAS, Coloring on Canvas has provided proof that it meets all of the other insurance requirements for the Phase 2 projects; and

WHEREAS, the RJSCB’s insurance consultant has recommended that the RJSCB approve the requested waiver based upon its review of Coloring on Canvas’ insurance policy and the limited scope of its work on the Phase 2 projects; and

WHEREAS, the M/WBE and Services Procurement Committee reviewed and discussed the waiver request at its meeting on September 6, 2018, and, after due deliberation, it approved the forwarding of the waiver request to the full Board for its consideration.

THEREFORE, BE IT RESOLVED:

1. The RJSCB hereby waives the requirement that Coloring on Canvas provide corporate automobile insurance coverage for the Phase 2 projects.

Second by Board Member Cruz

Approved 7-0