

Resolution 2019-20: 16

Amendment #3 to Moody Nolan, Inc. Agreement – Lincoln School 22 (Phase 2c)

By Board Member I. Geena Cruz

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”) 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 RJSCB issued a request for proposals (the “RFP”) for architectural services, renovation and addition projects for Phase 2c Schools (Resolution 2016-17: 136); and

WHEREAS, the RJSCB approved the selection of Moody Nolan, Inc. (“Moody Nolan”) as the Architect for the Lincoln School 22 (f/k/a Dag Hammarskjold School No. 6) (“School 22”) project in Phase 2c (Resolution 2016-17: 151); and

WHEREAS, the RJSCB entered into an agreement with Moody Nolan (Resolution 2016-17: 151) dated March 6, 2017, entitled Agreement Between Board and Architect (the “Agreement”); and

WHEREAS, following the execution of the Moody Nolan Agreement, the Program Manager requested, and cost proposals were then obtained and reviewed, for additional scopes of architect services for the School 22 project; and

WHEREAS, the Program Manager thereafter recommended to the RJSCB’s M/WBE and Services Procurement Committee (the “Committee”) that the Moody Nolan Agreement should be amended to add the additional scope items and increase the Agreement in the amount of \$37,700.00 and that this amount shall be treated as a not-to-exceed allowance under the Agreement; and

WHEREAS, the Committee considered and discussed the Program Manager’s recommendation at its August 1, 2019 meeting, and after due deliberation, it approved the request to amend the Moody Nolan Agreement.

THEREFORE, BE IT RESOLVED:

1. The proposed amendment to the Moody Nolan Agreement between the RJSCB and Architect dated March 6, 2017 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 Moody Nolan 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 Vice Chair Michael Schmidt

Adopted 4-0 with Members Sewell, Dudley, and Richards absent