

Resolution 2019-20: 17

Amendment #5 to CannonDesign Agreement – East (Phase 2)

By Board Member I. Geena Cruz

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 (“DWT”) program, which involves technology upgrades and infrastructure work at several of the possible projects; and

WHEREAS, for Phase 2 of the RSMP, the RJSCB intends to undertake 14 projects for the design, reconstruction, or rehabilitation of existing school buildings for their continued use by the District (collectively, the “Phase 2 Projects”), which have been further defined as Phase 2a, Phase 2b, Phase 2c and Phase 2d, plus a DWT project at each of the Phase 2 school buildings; and

WHEREAS, the East School (“East”) is one of the projects included in Phase 2 of the RSMP as provided in the Phase 2 Master Plan; and

WHEREAS, the RJSCB approved the selection of CannonDesign as the Architect for the East project in Phase 2 (Resolution 2014-15: 216); and

WHEREAS, the RJSCB entered into an agreement with CannonDesign (Resolution 2014-15: 216) dated December 22, 2015, entitled Agreement Between Board and Architect (the “Agreement”) for the East project; and

WHEREAS, subsequent to the execution of the Agreement, the Program Manager requested, and cost proposals were obtained and reviewed, for additional scopes of design services for additional redesign service of the investigate/upgrade portions of the existing boiler system; and

WHEREAS, the Program Manager recommended to the M/WBE and Services Procurement Committee (the “Committee”) that CannonDesign’s Agreement should be amended to add these additional scope items in the total amount of \$69,807.00 and that this amount shall be treated as a not-to-exceed allowance under section 11.1.1 of the Agreement; and

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

THEREFORE, BE IT RESOLVED:

1. The proposed amendment to the Agreement between the RJSCB and CannonDesign dated December 22, 2015, as set forth above is hereby approved, increasing the total amount of the Agreement by the sum of \$69,807.00; 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 Program Manager and RJSCB's general counsel.

Second by Vice Chair Michael Schmidt

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