

**Resolution 2019-20: 36**

**Amendment #4 to SWBR Architects Agreement (Phase 2 – John Walton Spencer School 16)**

**By Board Member Thomas Richards**

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 RJSCB approved the selection of SWBR Architecture, Engineering & Landscape Architecture, P.C. (“SWBR”) to provide architectural services John Walton Spencer School 16 (“School 16”) project for Phase 2 of the RSMP (Resolution 2015-16: 102); and

WHEREAS, the RJSCB entered into an agreement with SWBR, dated February 9, 2016, to provide architect services for the School 16 project (the “Agreement”) (Resolution 2015-16: 102); and

WHEREAS, subsequent to the execution of the Agreement, the Program Manager requested, and a cost proposal was obtained and reviewed, for additional scope of services for architect services for the School 16 project; and

WHEREAS, the Program Manager recommended to the M/WBE and Services Procurement Committee (the “Committee”) that SWBR’s Agreement should be amended to add these additional services in the total amount of \$108,558.00 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 October 3, 2019, and after due deliberation, it approved the request to amend the Agreement.

THEREFORE, BE IT RESOLVED:

The proposed amendment to the Agreement between the RJSCB and SWBR dated February 9, 2016, as set forth above is hereby approved, increasing the total amount of the Agreement by the sum of \$108,558.00; and

1. 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 Vice Chair Michael Schmidt**

**Adopted 6-0**