

**Resolution 2024-25: 45**

**Phase 3B Architect Agreement Amendment – Food Services Consultants at Franklin Educational Campus**

**By Board Member Ronald Gaither**

WHEREAS, the Rochester School Facilities Modernization Program Act (“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 New York State Legislature amended the Act by enacting Chapter 533 of the Laws of 2014 (“Amended Act”), thereby providing alternative financing mechanisms for the reconstruction of up to 26 projects for a total cost of \$435,000,000 for Phase II; and

WHEREAS, the New York State Legislature amended the Amended Act by enacting Chapter 614 of the Laws of 2021 (“Second Amended Act”) to authorize additional oversight, transparency, and accountability by the New York State Education Department to ensure projects are completed on time and within budget, and to provide alternative financing mechanisms for the reconstruction of up to 12 projects for a total cost of \$475,000,000 for Phase III; and

WHEREAS, the RJSCB issued a request for proposals for Architectural/Engineering (“A/E”) Services (the “RFP”) for the Franklin Educational Campus project (the “Franklin Project”); and

WHEREAS, the Program Manager received a total of eight proposals as of the date and time specified in the RFP, and promptly distributed those proposals to the RJSCB members; and

WHEREAS, a selection committee made up of RJSCB and RCSD Facilities Department representatives, the Independent Compliance Officer and the Program Manager extensively reviewed the submitted proposals from all eight firms and then on August 5 and 14, 2024, interviewed four of the responding firms that were shortlisted by the selection committee; and

WHEREAS, after due deliberation by the selection committee, the firm of LaBella Associates was identified as being highly qualified and fiscally responsive to the RJSCB’s RFP for the Franklin Project.

WHEREAS, on August 20, 2024, the selection committee and Program Manager provided their recommendation that LaBella Associates be retained by the RJSCB to provide A/E Services for the Franklin Project; and

WHEREAS, the Board discussed and duly considered the recommendation for the award of the A/E Services contract for the Franklin Project at its regular Board meeting on September 9, 2024, and resolved to approval LaBella Associates to provide Architectural/Engineering Services; and

WHEREAS, the need subsequently arose to secure the services of Roth Consulting Group, Inc. as a subconsultant to LaBella Associates with respect to kitchen equipment and food service issue at an additional cost not to exceed \$74,750; and

WHEREAS, the Board discussed and duly considered the recommendation for the amendment of the A/E Services contract for the Franklin Project at its regular Board meeting on April 14, 2025 and resolved to approve the amendment; and now acts as follows.

THEREFORE, BE IT RESOLVED:

1. The RJSCB hereby approves an amendment to the agreement under which LaBella Associates is to provide Architectural/Engineering Services as indicated above for Franklin Educational Campus Project in Phase 3B of the RSMP; and
2. The Chair is hereby authorized, in the name and on behalf of the RJSCB, to execute and deliver an agreement with the firm named above in substantially the form previously approved by the RJSCB as an attachment to the RFP, with such changes as the Chair may approve (his signature thereon being conclusive evidence of such approval) on the advice of the Program Manager, the Independent Compliance Officer and the RJSCB's general counsel.

**Second by Board Member Jacob Scott**

**Adopted 5-0**