

**Resolution 2018-19: 24**  
**Amendment #1 to SEI Design Group (School 7)**

**By Board Member Brown**

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” or the “Program”) was signed into law by the Governor of the State of New York on December 17, 2014; and

WHEREAS, the amended School Modernization 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 selected SEI Design Group (the “Architect”) to provide architectural services for the Virgil S. Grissom School 7 project (“School 7 project”) in February 2016 as part of Phase 2a of the of the RSMP (Resolution 2015-16: 102), and the parties thereafter entered into the Agreement between the RJSCB and the Architect dated February 9, 2016 (the “Agreement”); and

WHEREAS, following the execution of the Agreement, the Program Manager has identified unused Allowance balances within the Agreement the details of which are set forth below; and

<b>G703 Line</b>	<b>Description</b>	<b>Credit</b>
9	Acoustical Consultant	\$5,000.00
11	FF&E	\$30,000.00
12	Hazmat Survey & Testing	\$0.00
13	Geotechnical	\$4,118.40
14	Traffic Study	\$10,000.00
15	SWPP	\$25,000.00
16	Swing Space Coord	\$6,420.00
<b>Amendment #1</b>	<b>Total Recoverable Un-Used Allowances</b>	<b>\$80,538.40</b>

WHEREAS, the Program Manager recommended to the M/WBE and Services Procurement Committee (the “Committee”) that the Architect’s Agreement should be amended to reduce the contract amount by \$80,538.40 for the unused Allowance balances; and

WHEREAS, the reduction as described above will result in a decrease of the Agreement value from One Million Four Hundred Fifty-Eight Thousand Six Hundred Dollars and Zero Cents (\$1,458,600.00) to an amount not to exceed One Million Three Hundred Seventy-Eight Thousand Sixty-One Dollars and Sixty Cents (\$1,378,061.60); and

WHEREAS, the Committee considered and discussed the Program Manager’s recommendation at its August 2, 2018 meeting to decrease the Architect’s Agreement by the amount of \$80,538.40 thereby reducing the Agreement value to an amount not to exceed One Million Three Hundred Seventy-Eight Thousand Sixty-One

Dollars and Sixty Cents (\$1,378,061.60), and after due deliberation, it approved the request to amend the Agreement.

THEREFORE, BE IT RESOLVED:

1. The proposed amendment to the Agreement between the RJSCB and the Architect dated February 9, 2016, as set forth above is hereby approved, decreasing the total amount of the Agreement by \$80,538.40 thereby reducing the Agreement value to an amount not to exceed One Million Three Hundred Seventy-Eight Thousand Sixty-One Dollars and Sixty Cents (\$1,378,061.60); 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 RJSCB's general counsel.

**Second by Vice Chair Schmidt**

**Approved 6-0 with Member Jones away**