

Resolution 2010-11: 15

Selection Process and Award, RFP Energy Services Consultant

By Member of the Board Roulin

WHEREAS, the Rochester School Facilities Modernization Program Act (“School Modernization Act”) established the Rochester Joint Schools Construction Board (“RJSCB”), 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 RJSCB, acting in accordance with its statutory authority, issued a Request for Proposal (RFP) for a NYSERDA FlexTech Energy Services Consultant to perform an energy efficiency study of potential energy conservation measures (ECMs) for Phase 1 of the RMSP to assist in master planning and building upgrades, and make informed implementation decisions based on energy, operational and maintenance savings (Resolution 2009-10: 14); and

WHEREAS, the RJSCB procurement policy stipulates an RFP and interview process for professional services contracts; and

WHEREAS, the RJSCB Program Manager (Gilbane/Savin) upon review of the responses has determined that respondent interviews would not provide additional information to assist in a selection recommendation; and

WHEREAS, the RJSCB agrees with this recommendation and with the identification of Wendel Energy Services, 140 John James Audubon Parkway Suite 201, Amherst, NY 14228 as the most qualified firm and the lowest bidder, and wishes to engage the services of Wendel Energy Services (the "Company") under the terms of the New York State Energy and Resource Development Authority’s (NYSERDA) FlexTech Program, therefore, be it

RESOLVED:

1. The Chair of the RJSCB is hereby authorized and directed to retain the Company for a term of six months, which includes participation in the NYSERDA FlexTech Program that provides for NYSERDA overseeing the work of the Company and to pay the Company directly for up to 50% of the cost of the work. In return, the RJSCB shall pay to the Company fees as set forth in the Project Budget section of the Agreement (as defined in the next paragraph) and the Option A of their proposal dated September 9, 2010 which include those costs not reimbursed directly to the Company by NYSERDA and which are estimated to total \$132,500 (one hundred thirty-two thousand five hundred dollars) including reimbursable expenses.

2. The Chair is hereby authorized, in the name and on behalf of the RJSCB, to execute and deliver an agreement (the “Agreement”) with the Company in the form presented at today's meeting, with such changes as the Chair may approve (his signature thereon being conclusive evidence of such approval) and to authorize the completion and signing of the NYSERDA FlexTech Program Application.

3. The Officers and staff of the RJSCB are hereby authorized and directed for and on behalf of the RJSCB and in its name to do all acts and things required or provided by the provisions of the Agreement, and to execute and deliver all such additional certificates, and to do all such further acts and things as may be necessary, or in the opinion of the officer or staff member so acting, desirable and proper to effect the purposes of the foregoing resolutions and to cause compliance by the RJSCB with all of the terms, covenants and provisions of the Agreement and make the Agreement binding upon the RJSCB.

Second by Member of the Board Henderson
Adopted 5-0 with members Brown and Pifer away