

**Resolution 2011-12: 30
Amendment #2 to Wendel Energy Services Agreement**

By Board Chairman Bell

WHEREAS, the Rochester School Facilities Modernization Program Act (“the 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 Act, the RJSCB has certain enumerated powers to act as agent for the District, the City, or both; and

WHEREAS, the RJSCB approved the selection of Wendel Energy Services (“Wendel Energy”) as the NYSERDA FlexTech Energy Services consultant for Phase 1 of the project (Resolution 2010-11: 15); and

WHEREAS, the RJSCB entered into an agreement with Wendel Energy Services (Resolution 2010-11: 15) dated September 27, 2010, entitled Agreement to Provide NYSERDA FlexTech Assistance Services (the “Agreement”); and

WHEREAS, following the execution of the Agreement, Wendel Energy Services, along with the Program Manager, identified the need for additional scopes of design work, and cost proposals were then obtained for these additional scope items and provided to the Program Manager for review; and

WHEREAS, the Program Manager thereafter recommended to the RJSCB’s MWBE and Services Procurement Committee (the “Committee”) that Wendel Energy Services Agreement should be amended to add these additional scope items in the total amount of \$29,900; and

WHEREAS, the Committee considered and discussed the Program Manager’s recommendation at its September 29, 2011 meeting and after due deliberation, it approved the request to amend the Agreement;

THEREFORE, BE IT RESOLVED:

1. That the proposed amendment to the Wendel Energy Services Agreement Between Board and Architect dated September 27, 2010 as set forth above is hereby approved; 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 the RJSCB’s general counsel.

Second by Board Member Richard Pifer

Approved 5-0 with Member Giess abstaining and Member Underwood away