

Resolution 2011-12: 57
Amendment to Seeler Engineering Agreement

By Board Chair Ken 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 hiring of Seeler Engineering P.C. as the PLA Consultant for Phase I of the Rochester Schools Modernization Program (“RSMP”) and entered into an agreement with Seeler Engineering P.C. (Resolution 2011-12: 16) dated October 3, 2011 entitled Consulting Services Agreement Between Board and Seeler Engineering P.C. (the “Agreement”) and

WHEREAS, the RJSCB accepted the PLA Study performed by Seeler Engineering P.C. (Resolution 2011-12: 42), which identified significant savings opportunities for the RSMP, and directed the Program Manager, along with Seeler Engineering P.C and the RJSCB’s General Counsel, to create a formal PLA and begin negotiations with the Rochester Building and Construction Trades Council; and

WHEREAS, following the RJSCB’s direction to begin negotiations with the Rochester Building and Construction Trades Council, the Executive Director identified the need to expand the scope of work from Seeler Engineering P.C., and obtained and reviewed a cost proposal for this additional work;

WHEREAS, the Executive Director thereafter recommended to the RJSCB’s MWBE and Services Procurement Committee (the “Committee”) that Seeler Engineering P.C.’s Agreement should be amended (the “Amendment”) to expand the scope of work for an additional sum of \$4,134.88, and that this amount be treated as a not-to-exceed allowance; and

WHEREAS, the Committee considered and discussed the Executive Director’s recommendation at its January 5, 2012 meeting and, after due deliberation, it approved the Amendment;

THEREFORE, BE IT RESOLVED:

1. The RJSCB hereby approves the proposed Amendment to the Seeler Engineering P.C. Agreement Between Board and Consultant dated October 3, 2011 in the manner described above; and
2. The RJSCB’s Chair is hereby authorized, in the name and on behalf of the RJSCB, to execute the Amendment in a form consistent with this approval and acceptable to the Chair, upon the advice of the RJSCB’s general counsel.
3. The Officers 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 as may be necessary, or in the opinion of the officer so acting, desirable and proper to effect the purposes of the foregoing resolutions and to cause compliance by the RJSCB with all of the provisions of the foregoing resolutions.

Second by Board Member Brown
Approved 5-0 with Members Castro and Underwood away