

Resolution 2011-12: 73
REVISED Amendment #6 to SWBR Architect's 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 SWBR Architects, ("SWBR") as the Architect for the School 17 project in Phase I (Resolution 2010-11: 35); and

WHEREAS, the RJSCB entered into an agreement with SWBR Architects (Resolution 2010-11: 35) dated March 28, 2011, entitled Agreement Between Board and Architect (the "Agreement"); and

WHEREAS, the RJSCB adopted Resolution 2011-12: 54 at its January 9, 2012 meeting which approved Amendment #6 to SWBR's contract; and

WHEREAS, SWBR has now determined that it will hire The RediCheck Firm, LLC to provide Interdisciplinary Document Review Services (proposal attached hereto) instead of The Gilbane Building Company, these services having been included as a part of SWBR's Amendment #6; and

WHEREAS, the cost of these services as proposed by The RediCheck Firm, including the contractually permitted mark-up by SWBR, is \$29,920, which is different from the value previously approved in Amendment #6 to SWBR's contract (Resolution 2011-12: 54) for these specific services, and should therefore cause Amendment #6 to be revised to reflect this change accordingly; and

WHEREAS, all other items and costs included in the original Amendment #6 to SWBR shall remain the same; and

WHEREAS, the Program Manager thereafter recommended to the RJSCB's MWBE and Services Procurement Committee (the "Committee") that Amendment #6 to SWBR's Agreement should be revised to show The RediCheck Firm, LLC as the Interdisciplinary Document Review service provider selected by SWBR and that SWBR's Agreement should be amended to add these services in the total amount of amount of \$39,059, and this amount being added to Exhibit I of the Agreement shall be treated as a not-to-exceed allowance under Section 11.1.1 of the Agreement; and

WHEREAS, the Committee considered and discussed the Program Manager's recommendation at its March 8, 2012 meeting and after due deliberation, it approved the request to revise the previously approved Amendment #6 to the Agreement;

THEREFORE, BE IT RESOLVED:

1. Amendment #6 to SWBR's Agreement Between Board and Architect dated March 28, 2011 as set forth above is hereby revised and 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 Castro

Approved 6-0 with Member Pifer away.