

Resolution 2012-13: 140
Amendment #3 to Clark Patterson Lee's Agreement on SEQRA

By Board Chair Giess

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 declared its intent to serve as the SEQRA Lead Agency for the project components of the Rochester Schools Modernization Program ("RSMP") in the fall of 2010 (Resolution 2010-11: 24), and subsequently confirmed that it would act as the SEQRA Lead Agency in January of 2011 (Resolution 2010-11: 27); and

WHEREAS, after having reviewed the completed long-form Environmental Assessment Forms for each of the twelve projects, based on the Master Plan, the RJSCB formally issued a Negative Declaration to all interested and involved parties in March 2011 (Resolution 2010-11: 38); and

WHEREAS, following the program verification phase and the schematic design phase for the first six projects in Phase 1 of the RSMP (Schools 17, 28, 50, 58, Charlotte High School, and Franklin High School), the RJSCB reaffirmed its prior determination of a SEQRA Negative Declaration for the proposed Phase I projects (Resolution 2011-2012: 59); and

WHEREAS, as the SEQRA Lead Agency, it is the intent of the RJSCB to keep all of the involved and interested parties informed as to the status of the RSMP projects, and any potential impacts based upon program changes to the second set of six school projects as set forth in the original SEQRA report; and

WHEREAS, at the request of the Program Manager, Clark Patterson Lee, the RJSCB's SEQRA consultant for the original SEQRA report (Resolution 2010-11: 18), the first SEQRA update (Resolution 2011-2012: 49) and the second SEQRA update (Resolution 2012-2013: 111), has provided a proposal for additional services associated with the potential land acquisition near the Monroe High School site, including a SEQRA/NEPA assessment, a land survey, a Phase 1 Environmental Study, and a SHPO submission in the amount of \$19,500 and that such services would be additional services under Clark Patterson Lee's contract with the RJSCB dated November 23, 2010 ("Agreement"); and

WHEREAS, the Program Manager has recommended to the RJSCB's MWBE and Services Procurement Committee ("the Committee") that the RJSCB proceed with these additional SEQRA services relating to the potential land acquisition and that Clark Patterson Lee be retained by amendment to the Agreement to perform these services for the not-to-exceed amount of \$19,500; and

WHEREAS, the Committee considered and discussed the Program Manager's recommendation at its March 28, 2013 to accept Clark Patterson Lee's proposal for additional SEQRA services, and after due deliberation, it approved the request to amend the Agreement between the RJSCB and Clark Patterson Lee;

THEREFORE, BE IT RESOLVED:

1. The proposed amendment to the Clark Patterson Lee Agreement Between Board and Consultant dated November 23, 2010 as set forth above is hereby approved for an amount Not to Exceed \$19,500; 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 Member McCormick
Approved 6-0 with Member Roulin away