

Resolution 2013-14: 131
Independent Compliance Officer, Contract Extension

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 Act requires the Board is to engage an Independent Compliance Officer (“ICO”) to report directly to the Board; and

WHEREAS, the RJSCB issued an RFP for an Independent Compliance Officer in April of 2010 (Resolution 2009-10: 11); and

WHEREAS, in June of 2010, the RJSCB selected Landon & Rian Enterprises, Inc. as the finalist for Independent Compliance Officer (Resolution 2009-10: 14) and subsequently entered into an agreement with Landon & Rian Enterprises, Inc. entitled “Independent Compliance Officer Agreement” (the “Agreement”) in August of 2010 (Resolution 2010-11: 7); and

WHEREAS, the Agreement includes a Scope of Work divided into two Stages; Stage 1 for work during the Master Plan Development and Stage 2 for Pre-Construction activities; and

WHEREAS, the Agreement has a term of two years; and

WHEREAS, the RJSCB extended the term of the Agreement by one year and added certain additional services in June of 2012 (Resolution 2011-12: 111) and;

WHEREAS, the RJSCB extended the term of the Agreement by an additional four months in August of 2013 (Resolution 2013-14: 27) and;

WHEREAS, the RJSCB now wishes to extend the term of the Agreement by an additional one month, through January 31, 2014; and

WHEREAS, the scope of work and hourly rates previously established will remain intact during this one month extension; and

WHEREAS, an extension of the ICO services at this time will allow the project to remain on schedule; and

WHEREAS, at its December 12, 2013 meeting, the MWBE and Services Procurement Committee considered and discussed a proposal from the Independent Compliance Officer, a copy of which is attached hereto (the “Proposal”), along with a recommendation from the Executive Director, and after due deliberation, it approved forwarding the Proposal to the full Board for review and consideration at its monthly meeting on December 16, 2013; and

THEREFORE, BE IT RESOLVED:

1. The RJSCB hereby approves an extension to the Agreement between the Board and Landon & Rian Enterprises through January 31, 2014 to provide compliance monitoring for the Phase 1b Schools and all other project related compliance services for the Phase 1a projects and the Phase 1b projects; and
2. The RJSCB's Chair is hereby authorized, in the name and on behalf of the RJSCB, to execute an Amendment that is consistent with this approval and in an acceptable form to the Chair upon the advice of the RJSCB's General Counsel.

Second by Board Member Roulin

Approved 5-0 with members Brown and Pifer away