

**Resolution 2013-14: 201
Amendment #9 to LaBella Associates Agreement – Edison Technology Campus**

By Board Member Brown

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 LaBella Associates, P.C. (“LaBella”) as the Architect for the Edison Technology Campus project in Phase I (Resolution 2011-12: 39); and

WHEREAS, the RJSCB entered into an agreement with LaBella (Resolution 2011-12: 39) dated November 15, 2011, entitled Agreement Between Board and Architect (the “Agreement”); and

WHEREAS, following the execution of the Agreement, LaBella, along with the Program Manager, identified the need for additional 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 LaBella’s Agreement should be amended to add these additional scope items in the total amount of \$15,000 to Exhibit I of the Agreement and that this amount shall be treated as a not-to-exceed allowance under Section 11.1.1 of the Agreement; and

WHEREAS, the Program Manager, the Architect, and the Construction Manager believe that the savings associated with deletion of the exterior waterproofing system will provide substantial savings to the project and will more than off-set the costs of the additional design services; and

WHEREAS, the Committee considered and discussed the Program Manager’s recommendation at its February 27, 2014 meeting, and after due deliberation, it approved the request to amend the Agreement;

THEREFORE, BE IT RESOLVED:

1. The proposed amendment to the LaBella Associates P.C. Agreement Between Board and Architect dated November 15, 2011 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 Benincasa
Approved 7-0**

