

Resolution 2014-15: 101
Amendment #4 to The Pike Company (CM – Schools 5 and 12)

By Board Member Benincasa

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 selected The Pike Company (“Construction Manager”) to provide Construction Management services for the School 5 and School 12 projects in September of 2012 as a part of Phase 1b of the Rochester Schools Modernization Program (the “RSMP”) (Resolution 2012-13: 36) and the parties thereafter entered into the Agreement between the RJSCB and the Construction Manager dated September 10, 2012 (the “Agreement”); and

WHEREAS, subsequent to the execution of the Agreement, the Program Manager directed the Construction Manager to provide additional services and the Program Manager has received and reviewed proposals for this additional work provided by the Construction Manager; and

WHEREAS, the Agreement includes allowances for printing costs which have not been fully exhausted, of which \$444.40 shall be reallocated to pay for other reimbursable costs; and

WHEREAS, the remaining balance of the printing allowance, \$9,357.84, shall be credited back to the RSMP; and

WHEREAS, the RJSCB’s Program Manager recommended to the MWBE and Services Procurement Committee (the “Committee”) that the Construction Manager’s Agreement should be amended to credit the amount of \$9,357.84 back to the RSMP; and

WHEREAS, the Committee considered and discussed the Program Manager’s recommendation at its October 30, 2014 meeting and after due deliberation, it approved the request to amend the Agreement;

THEREFORE, BE IT RESOLVED:

1. The proposed amendment to the Agreement between the RJSCB and The Construction Manager dated September 10, 2012 as set forth above is hereby approved, including the reallocation of \$444.40 of unused printing allowance for other reimbursable items, and a credit of \$9,357.84, the remaining printing allowance, back to the RSMP; 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 Vice Chair Brown

Approved 6-0 with Member Hilger away