

**Resolution 2014-15: 124**

**Amendment #9 to LeChase Construction Services, LLC - CM at School 28 and School 58**

**By Vice Chair 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 selected LeChase Construction Services, LLC (“Construction Manager”) to provide Construction Management services for the School 28 and the School 58 projects in August of 2011 as a part of Phase 1 of the Rochester Schools Modernization Program (the “RSMP”) (Resolution 2011-12: 7) and the parties thereafter entered into an Agreement between the RJSCB and the Construction Manager dated August 3, 2011 (the “Agreement”); and

WHEREAS, subsequent to the execution of the Agreement, the Program Manager directed the Construction Manager to provide additional services associated with cleaning the School 28 building and the Program Manager has received and reviewed proposals for this additional work performed on a time and materials basis provided by the Construction Manager; and

WHEREAS, the Construction Manager is in the process of assigning the contractors’ responsibility for the additional cleaning services provided, upon which individual back charge change orders will be issued to each of the four Prime contractors for their obligation; and

WHEREAS, the back charges for the additional cleaning services will result in a net zero cost to the project; 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 add the not-to-exceed amount of \$18,410.49; and

WHEREAS, the Committee considered and discussed the Program Manager’s recommendation at its December 4, 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 August 3, 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 6-0 with Member Hilger away**