

Resolution 2014-15: 63
Amendment #4 to OSO Inc. Contract (Phase 1b Projects)

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 issued a Request For Proposals (“RFP”) for Environmental Monitoring and Indoor Air Monitoring Agent Services on June 5, 2012 (Resolution 2011-12: 107) which included work at the first five projects in Phase 1a (School 17, School 50, School 58, Charlotte High School and Franklin High School); and

WHEREAS, the RJSCB, at its monthly meeting on July 2, 2012 (Resolution 2012-13: 13), approved the selection of OSO, Inc., for Environmental Monitoring and Indoor Air Monitoring Agent Services for School 17, School 50, School 58, Charlotte High School, and Franklin High School, and the parties thereafter entered into the Agreement between the RJSCB and Consultant dated July 2, 2012; and

WHEREAS, the RJSCB issued a Request For Proposals (“RFP”) for Environmental Monitoring and Indoor Air Monitoring Agent Services on May 6, 2013 (Resolution 2012-13: 175) which included work at four projects in Phase 1b (School 5, School 28, East High School, and Edison Educational Campus); and

WHEREAS, the RJSCB, at its monthly meeting on June 10, 2013 (Resolution 2012-13: 196), approved the selection of OSO, Inc., for Environmental Monitoring and Indoor Air Monitoring Agent Services for School 5, School 28, East High School, and Edison Educational Campus, and the parties thereafter entered into an Agreement between the RJSCB and Consultant dated June 28, 2013 (the “Agreement”); and

WHEREAS, the RJSCB now wishes to extend the services of OSO, Inc. to include work at the School 12 project in Phase 1 which is scheduled to begin in October 2014 and be completed in August 2016; and

WHEREAS, the current contract (Section 1.1) between the RJSCB and OSO, Inc. specifically allows for such an extension of services if the Board elects to do so; and

WHEREAS, the Environmental Monitoring and Indoor Air Monitoring Services have been bid twice before by the RJSCB and on both occasions the firm OSO, Inc. has been selected to provide these services based on quality and best value for the services; and

WHEREAS, the hourly rates and sampling/testing costs were previously negotiated for the Agreement and OSO, Inc. has confirmed that it will honor these current rates [See exhibit 1 attached]; and

WHEREAS, the value for the Agreement was set by the RSMP based on previous project comparisons, and the contract value for P.B. Duffy School # 12 will be \$85,000.00; and

WHEREAS, the Program Manager met with OSO, Inc to discuss lessons learned and OSO has agreed to incorporate additional scope to include: holding a preconstruction meeting to review submittals, verification of licenses and certifications of the remediation company employees, defining and following a protocol for an inspections, defining and following a protocol for time & material documentation, utilizing a daily report log to document each day's labor, progress, and work areas and the timely issuance of inspection reports; and

WHEREAS, based on the advice and recommendation of the Program Manager, at its September 4, 2014 meeting, the MWBE and Services Procurement Committee considered and discussed the proposal to extend the OSO, Inc. contract to include work at the James P.B. Duffy School #12 in Phase 1 of the RSMP and after due deliberation, it approved the request to amend the Agreement;

THEREFORE, BE IT RESOLVED:

1. The proposed amendment to the Agreement Between Board and OSO, Inc. dated June 28, 2013 as set forth above is hereby approved; and
2. The RJSCB's Chair is authorized in the name and behalf of the RJSCB, to execute an amendment to the OSO, Inc.'s contract 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 Thomas away