

Resolution 2014-15: 90
Master Plan Update – School 16 Evaluation and Recommendation

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 entered into an agreement with SWBR Architects (“SWBR”) (Resolution 2010-11: 8) dated August 16, 2010 entitled Agreement Between the Board and the Architect (the “SWBR Agreement”) to create a comprehensive Facilities Modernization Plan (“FMP” or “Master Plan”); and

WHEREAS, the RJSCB subsequently approved the Master Plan prepared by SWBR in January of 2011 (Resolution 2010-11: 29) and directed Gilbane Building Company (the “Program Manager”) to forward it to the State Education Department (“SED”) and to the State Comptroller for review and approval; and

WHEREAS, the Master Plan was subsequently approved by SED and the State Comptroller in May 2011; and

WHEREAS, in January/February 2012, the RJSCB thereafter approved proceeding with an update of the original Master Plan and retaining SWBR to perform these Master Plan update services as an amendment to the SWBR Agreement (Resolution 2011-12: 61 and Resolution 2011-12: 64); and

WHEREAS, SWBR’s update of the Master Plan was completed in September of 2012 and turned over to the District for review, public comment, and approval by the Board of Education; and

WHEREAS, following a series of public forums in late 2012/early 2013 and additional comments received from the District, the Master Plan update was revised by SWBR; and

WHEREAS, the Board of Education of the District (the “Board of Education”) approved the Master Plan update in March of 2013; and

WHEREAS, in August 2014, the District requested that the RJSCB proceed with another update of the Master Plan to serve as the basis for the Phase 2 Rochester Schools Modernization Program (“RSMP”) and the RJSCB subsequently extended the services of SWBR Architect to provide these services upon the issuance of a notice to proceed (Resolution 2014-15: 37); and

WHEREAS, on August 21, 2014, the Board of Education approved Board of Education Resolution 2014-2015: 154 which included, in part, the following:

“Resolved, the services of a qualified engineering/architecture firm will be immediately engaged to provide the Board and the Superintendent with an itemized cost estimate and feasibility opinion regarding the repairs necessary for the School 16 building on Post Avenue to be returned to use, with students, in fall 2015;

and be it further Resolved, the analysis will include the following assumptions: 1. the building will eventually be fully renovated as a K-6 School with FMP II resources; 2. Fall 2015 occupancy may be a proportion of the full capacity (for example, one or two grade levels, not K-6, in 2015-16); and 3. the analysis should include flexibility and contingent estimates where relevant, aiming to identify only the fundamental requirements for the building to house children safely and adequately in this valued neighborhood school pending the highly anticipated, more complete rehabilitation.”

WHEREAS, the District’s Superintendent has requested that the RJSCB assist the District in the evaluation and recommendation for School #16 as it relates to the Board of Education Resolution 2014-2015: 154 (the “School #16 Evaluation”); and

WHEREAS, the work related to the School #16 Evaluation will become an integral part of the Phase 2 Master Plan Update, for which the RJSCB has already retained the services of SWBR Architects; and

WHEREAS, SWBR has provided a proposed scope of work to complete the School #16 Evaluation, whereby the services for the School #16 Evaluation would be an additional service under the SWBR Agreement; and

WHEREAS, the District has advised the RJSCB that it approves the retaining of SWBR to proceed with the School #16 Evaluation, and has agreed to advance to the RJSCB the funds required to be paid to SWBR for the School #16 Evaluation; and

WHEREAS, the Program Manager has recommended to the RJSCB’s MWBE and Services Procurement Committee (the “Committee”) that the SWBR Agreement should be amended to add the School #16 Evaluation, for compensation in an amount not to exceed the sum of \$16,000; and

WHEREAS, the Committee considered and discussed the Program Manager’s recommendation at its October 2, 2014 meeting and, after due deliberation, it tabled the request to amend the SWBR Agreement and requested additional information;

THEREFORE, BE IT RESOLVED:

1. The proposed amendment to the SWBR Agreement to provide for the School #16 Evaluation, as set forth above, is hereby approved, provided that either the District shall advance to the RJSCB the funds required to pay for the School # 16 Evaluation or will pay SWBR directly for the services, with the RJSCB repaying such funds to the District upon approval and funding of Phase 2 of the RSMP provided also that School 16 is part of the Phase 2 list of schools approved by the City and School District; and
2. The RJSCB’s Chair is hereby authorized in the name and on behalf of the RJSCB, to execute an amendment to the SWBR 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 Brown
Approved 6-0 with Member Hilger away**