

Resolution 2015-16: 176
Commissioning Agent Services Extension – Labella Associates (Monroe 2a)

By Board Member W. Williams

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 authorizing legislation for Phase 2 of the Rochester Schools Modernization Program (“RSMP”) was signed into law by the Governor of the State of New York on December 17, 2014; and

WHEREAS, the amended Act authorized up to 26 projects in Phase 2 of the RSMP including a District Wide Technology program which involves technology upgrades and infrastructure work at several of the possible projects; and

WHEREAS, the legislation for Phase 2 of the RSMP states that “the RJSCB may extend the contracts of the providers of professional services for Phase One upon the adoption of findings that doing so would be in the public interest; the contracts of the Program Manager and the independent Compliance Officer for Phase Two will be rebid, and provided further that the Program Manager and the Independent Compliance Officer and any new or different providers of professional services shall be engaged in compliance with the provisions of Section Eight of this Act”; and

WHEREAS, the RJSCB recognizes that experience, knowledge, and consistency are critical factors when completing the mechanical, electrical, and plumbing systems within a building; and

WHEREAS, as permitted by the Phase 2 legislation, the RJSCB wishes to extend the services of the Commissioning Agent for Monroe High School, LaBella Associates, which is most familiar with the Project and the mechanical, electrical, and plumbing systems within the building, having performed the specific Phase 1 scopes of work and to do so; and

WHEREAS, the RJSCB believes that the time necessary for a formal request for proposal and selection process for this service will not achieve any measurable cost savings where negotiations can achieve the same outcome in a more timely fashion; and

WHEREAS, the RJSCB approved the selection of Labella Associates as the Commissioning Agent for the Monroe High School project in Phase I (Resolution 2012-13: 67); and

WHEREAS, the RJSCB entered into an agreement with LaBella Associates (Resolution 2012-13: 67) dated November 5, 2012 and

WHEREAS, at the MWBE and Services Procurement Committee (“Committee”) meeting on June 2, 2016, the Program Manager recommended that Labella Associate be extended for commissioning services at the Monroe High School Phase 2a project; and

THEREFORE, BE IT RESOLVED:

1. The RJSCB hereby approves the Program Manager's recommendation that the services of LaBella Associates be extended for Commissioning Agent Services at the Monroe High School Phase 2a project based upon the finding that the extension is in the public interest for the reasons set forth above; and
2. The RJSCB hereby directs the Executive Director to engage LaBella Associates, and to obtain and review a proposal to provide commissioning services for the Monroe High School Phase 2a project; and
3. The RJSCB hereby approves the issuance of an Agreement to LaBella Associates to provide Commissioning Agent Services as a part of the Monroe High School Phase 2a project of the RSMP contingent upon satisfactory negotiations; and
4. The Chair is hereby authorized, in the name and on behalf of the RJSCB, to execute and deliver an Agreement to the firm named above, with such changes as the Chair may approve on the advice of the Program Manager and the RJSCB's general counsel; and

Second by Board Member Brown

Approved 4-0 with Members Cruz, Schmidt and A. Williams away