

**Resolution 2016-17: 186**

**Amendment #1 to Watts Architecture & Engineering – Dr. Freddie Thomas Learning Center (Phase 2b)**

**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 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 RJSCB issued a request for proposals (the “RFP”) for architectural services, renovation and addition projects for Phase 2b Schools (Resolution 2015-16: 158); and

WHEREAS, the RJSCB approved the selection of Watts Architecture & Engineering, D.P.C. (“Watts”) as the Architect for the Dr. Freddie Thomas Learning Center (“DFTLC”) project in Phase 2a (Resolution 2016-17: 41); and

WHEREAS, the RJSCB entered into an agreement with Watts (Resolution 2016-17: 41) dated September 12, 2016, entitled Agreement Between Board and Architect (the “Agreement”); and

WHEREAS, following the execution of the Agreement, the Program Manager requested, and cost proposals were then obtained and reviewed, for additional services to produce an assessment to determine the scope, budget and schedule for an expedited replacement of the chiller system at DFTLC within two to four weeks of Board’s authorization to proceed; and

WHEREAS, the Program Manager thereafter recommended to the RJSCB that Watts’ Agreement should be amended to add this additional scope item in the total amount of \$16,398.00 to Exhibit I of the Agreement and that this amount shall be treated as a not-to-exceed allowance under Section 11.1.1 of the Agreement and that the assessment shall be delivered within two to four weeks of the Board’s authorization to proceed; and

WHEREAS, the RJSCB considered and discussed the Program Manager’s recommendation at its April 10, 2017 meeting, and after due deliberation, it approved the request to authorize the assessment and amend the Watts Agreement accordingly.

THEREFORE, BE IT RESOLVED:

1. The proposed amendment to the Watts Agreement between Board and Architect dated September 12, 2016 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 Watts 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 Schmidt**

**Approved 6-0 with Member Richards away**