

Resolution 2016-17: 193
Amendment #2 to LPCiminelli, Inc. Contract (CM – School 16)

By Board Member Cruz

WHEREAS, the Rochester School Facilities Modernization Program Act (“School Modernization Act”) established the Rochester Joint Schools Construction Board (“RJSCB” or “Board”), 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 School Modernization 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” or the “Program”) was signed into law by the Governor of the State of New York on December 17, 2014; and

WHEREAS, the amended School Modernization 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 selected LPCiminelli, Inc. (“Construction Manager”) to provide construction management services for the School 16 project in August 2016 as part of Phase 2a of the of the RSMP (Resolution 2016-17: 29), and the parties thereafter entered into the Agreement between the RJSCB and the Construction Manager dated August 9, 2016 (the “Agreement”); and

WHEREAS, subsequent to the execution of the Agreement, the Program Manager directed the Construction Manager to provide additional services due to the increase in project scope (Option I.2) and cost, as well as the condensed schedule for the School 16 project and the Program Manager has received and reviewed a proposal for this additional work provided by the Construction Manager; and

WHEREAS, the Program Manager recommended to the M/WBE and Services Procurement Committee (the “Committee”) that the Construction Manager’s Agreement should be amended to add the not-to-exceed amount of \$155,670.00 for the additional scope of work in support of the School 16 project; and

WHEREAS, the Committee considered and discussed the Program Manager’s recommendation at its May 4, 2017 meeting to increase the Construction Manager’s Agreement by the not-to-exceed amount of \$155,670.00, 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 9, 2016, as set forth above is hereby approved, increasing the total amount of the Agreement by the not-to-exceed amount of \$155,670.00; 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 RJSCB’s general counsel.

Second by Board Member Jones
Approved 6-0 with Chairman Williams away