

Resolution 2016-17: 194

Amendment #3 to SWBR Architects Agreement – John Walton Spencer School No. 16 (Phase 2a)

By Board Member Cruz

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 2a Schools (Resolution 2015-16: 82); and

WHEREAS, the RJSCB approved the selection of SWBR Architects (“SWBR”) as the Architect for the John Walton Spencer School No. 16 (“School 16”) project in Phase 2a (Resolution 2015-16: 102); and

WHEREAS, the RJSCB entered into an agreement with SWBR (Resolution 2015-16: 102) dated February 9, 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 scopes of design and construction administration work required for (1) early foundation and steel package for accelerated design and construction schedule and (2) fulltime on-site project representation beyond basic services for the Phase 2a project at School No. 16; and

WHEREAS, the Program Manager thereafter recommended to the RJSCB’s MWBE and Services Procurement Committee (the “Committee”) that SWBR’s Agreement should be amended to add these additional scope items in the total amount of \$184,136.00 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

WHEREAS, the Committee considered and discussed the Program Manager’s recommendation at its May 4, 2017 meeting, and after due deliberation, it approved the request to amend the SWBR Agreement.

THEREFORE, BE IT RESOLVED:

1. The proposed amendment to the SWBR Agreement between Board and Architect dated February 9, 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 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 Jones

Approved 6-0 with Chairman Williams away