

Resolution 2016-17: 216

Amendment #4 to Savin Engineers P.C. Program Manager Agreement (Phase 2)

By Board Member Brown

WHEREAS, the Rochester School Facilities Modernization Program Act (“School Modernization Act”) established the Rochester Joint Schools Construction Board (“RJSCB” or the “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 “Program”) 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 District Wide Technology improvements which involve technology upgrades and infrastructure work at several of the possible projects; and

WHEREAS, the RJSCB selected Savin Engineers P.C. (“Program Manager”) to provide Program Management services to the Board for Phase 2 of the RSMP in October of 2015 (Resolution 2015-16: 55); and

WHEREAS, the RJSCB entered into an agreement with the Program Manager dated December 15, 2015, entitled Program Manager Agreement (the “Agreement”); and

WHEREAS, the Agreement was amended to provide that the rent and additional rent for the 70 Carlson Road Program Office premises (the “Program Office”) and the 68 Nassau Street Warehouse premises (the “Warehouse”) are reimbursable expenses to the Program Manager (Resolution 2016-17: 131); and

WHEREAS, the RJSCB and Program Manager desire to further amend the Agreement to provide for (1) a 10% markup for coordination and administration of the Program Office and Warehouse by the Program Manager, including the buildout and routine maintenance, but exclusive of rent and additional rent for the Program Office and Warehouse, and (2) a credit in the amount of \$2,468 to the Board under the Agreement; and

WHEREAS, the proposed amendment to the Agreement was discussed at the MWBE and Services Procurement Committee Meeting (“Committee”) on June 1, 2017, and after due deliberation, the Committee approved the request to amend the Agreement;

THEREFORE, BE IT RESOLVED:

1. The proposed amendment to the Program Manager Agreement, dated December 15, 2015, 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 Program Manager 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 Cruz

Approved 5-0 with Vice Chair Schmidt and Member Richards away