

Resolution 2016-17: 237

Amendment #4 to MEH Consulting, LLC Agreement – Virgil I. Grissom School No. 7 (Phase 2a)

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 (“RFP”) for Environmental Monitoring Agent Services (Resolution 2016-17: 30), which included work at the first projects in Phase 2a; and

WHEREAS, the RJSCB approved the selection of ME Holvey Consulting, LLC (“MEH”) as the Environmental Monitoring Agent for the Virgil I. Grissom School No. 7 (“School 7”) project in Phase 2a (Resolution 2016-17: 47); and

WHEREAS, the RJSCB entered into an agreement with MEH (Resolution 2016-17: 47) dated September 12, 2017, entitled Agreement Between Board and Consultant (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 made necessary by the delayed completion of the Phase 1 (Part A) abatement activities at School 7; and

WHEREAS, the Program Manager thereafter recommended to the RJSCB that the Agreement should be amended to adjust the original not-to-exceed allowance and add additional scope items in the total amount of \$11,978.07 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 Board considered and discussed the Program Manager’s recommendation at its June 16, 2017 meeting, and after due deliberation, it approved the recommendation to amend the Agreement.

THEREFORE, BE IT RESOLVED:

1. The proposed amendment to the Agreement between the Board and Consultant dated September 12, 2016, as set forth above is hereby approved, increasing the total amount of the agreement by the not-to-exceed amount of \$11,978.07; 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 Benincasa

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