

**Resolution 2016-17: 133**  
**Amendment #1 to Lawley Insurance Agreement for Phase 2 of the RSMP**

**By Board Member Brown**

WHEREAS, the Rochester School Facilities Modernization Program Act (the "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 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 retained Lawley Services Inc. to provide insurance and bond review consultant services in connection with the RSMP (Resolution 2016-17: 44) and entered into a Consulting Services Agreement dated September 12, 2016 (the "Agreement"); and

WHEREAS, Lawley sought and obtained proposals for comprehensive Builder's Risk Insurance and Existing Structure coverage for Phase 2 of the RSMP to be purchased and maintained by the RJSCB; and

WHEREAS, Lawley obtained a proposal from Travelers for comprehensive Builder's Risk Insurance coverage for Phase 2 of the RSMP, which includes Builder's Risk and Existing Structure coverage, at an annual premium of \$102,306; and

WHEREAS, at its regular monthly meeting on January 17, 2017, the RJSCB approved the purchase of comprehensive Builder's Risk Insurance for Phase 2 of the RSMP in accordance with the Travelers' proposal (Resolution 2016-17: 127); and

WHEREAS, the Program Manager thereafter recommended to the RJSCB's MWBE and Services Procurement Committee (the "Committee") that Lawley's Agreement be amended to add the total amount of \$511,530 to provide for the funding of the annual premium cost for five (5) years of the Travelers' Builder's Risk and Existing Structure insurance to be obtained by Lawley on behalf of the RJSCB for the duration of Phase 2; and

WHEREAS, the Committee considered and discussed the Program Manager's recommendation at its February 2, 2017 meeting, and after due deliberation, it approved the request to amend the Agreement.

THEREFORE, BE IT RESOLVED:

1. The proposed amendment to Consulting Services Agreement between the RJSCB and Lawley 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 Consulting Services 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 Cruz**

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