

**Resolution 2016-17: 145**

**Amendment #1 to Campus Construction Management Group Inc. Contract (CM – Monroe 2a)**

**By Board Member Brown**

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, as permitted by the Phase 2 legislation, the RJSCB approved an extension of the services of Campus Construction Management Group Inc. (“Campus”) (Resolution 2015-16: 121) for the Phase 2 Monroe High School project; and

WHEREAS, the RJSCB and Campus thereafter entered into the Construction Management Agreement dated May 2, 2016 for the provision of construction management services by Campus for the Phase 2a Monroe High School project (the “Agreement”); and

WHEREAS, subsequent to the execution of the Agreement, Campus has provided certain pre-construction phase construction management services for the Phase 2a Monroe High School project; and

WHEREAS, the RJSCB has retained The Pike Company as construction manager for the Phase 2b Monroe High School project (Resolution 2016-17: 112); and

WHEREAS, the Program Manager has recommended to the RJSCB that, for cost-savings and project efficiencies, it utilize a single construction manager for the Phase 2a and 2b Monroe High School projects; and

WHEREAS, on January 27, 2016, the RJSCB issued a notice of termination for convenience to Campus with regard to the Campus Agreement; and

WHEREAS, the parties subsequently conferred and agreed to, in lieu of a for convenience termination, amend the Campus Agreement to remove the construction phase construction management services from the scope of the Agreement and decrease the compensation for construction management services accordingly; and

WHEREAS, the MWBE and Services Procurement Committee considered and discussed the proposed amendment to the Campus Agreement at its February 2, 2017 meeting, and after due deliberation, it approved the request to amend the Agreement and rescind the RJSCB’s January 26, 2017 notice of termination for convenience.

THEREFORE, BE IT RESOLVED:

1. The proposed amendment to the Agreement between the RJSCB and the Construction Manager dated May 2, 2016, as set forth above is hereby approved; and
2. The January 26, 2017 notice of termination for convenience is hereby rescinded effective upon the execution of the amendment as set forth above; and
3. 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 Cruz**

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