

Resolution 2016-17: 147

Independent Compliance Officer, Additional Services – Third Amendment to Phase 1 Agreement

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 Act requires the Board is to engage an Independent Compliance Officer (“ICO”) to report directly to the Board; and

WHEREAS, in November of 2013, the RJSCB issued a request for proposals regarding ICO services for the remainder of Phase 1 of the RSMP entitled “Independent Compliance Officer Services” (Resolution 2013-2014: 103); and

WHEREAS, in January 2014, the RJSCB awarded the remainder of Phase 1 Independent Compliance Officer Services contract to the firm Baker Tilly Virchow Krause LLP (“Baker Tilly”) (Resolution 2013-14: 162) and entered into an agreement with Baker Tilly dated January 13, 2014 (“Agreement”); and

WHEREAS, the RJSCB now wishes to add certain additional scopes of services to the Agreement (*i.e.*, document review from 10/2016 through 8/2017, government investigation services, out-of-scope monitoring activities, reviewing workforce data, analyze and report residency data, and project wage analysis), a cost proposal, dated February 27, 2017, for said additional services was obtained from the ICO and reviewed by the Phase 1 Program Manager; and

WHEREAS, the Phase 1 Program Manager has distributed the proposal provided by the ICO to the full Board and the Board’s general counsel for review; and

WHEREAS, at its March 2, 2017 meeting, the MWBE and Services Procurement Committee considered and discussed the proposal from the ICO and after due deliberation, it approved the request to amend the Agreement in accordance with the ICO’s cost proposal.

THEREFORE, BE IT RESOLVED:

1. The RJSCB hereby approves the additional services added to the Agreement between the Board and Baker Tilly in an amount not-to-exceed \$156,846.44 in accordance with the ICO’s cost proposal.
2. The RJSCB’s Chair is hereby authorized, in the name and on behalf of the RJSCB, to execute an Amendment 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 Jones

Approved 6-0 with Member Schmidt away