

Resolution 2016-17: 28
Phase 2 ICO Services Award

By Board Member Benincasa

WHEREAS, the Rochester School Facilities Modernization Program Act (“School Modernization 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 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”) 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 legislation for Phase 2 of the RSMP states that “the contracts of the Program Manager and the independent Compliance Officer for Phase Two will be rebid, and provided further that the Program Manager and the Independent Compliance Officer and any new or different providers of professional services shall be engaged in compliance with the provisions of Section Eight of this Act”; and

WHEREAS, the RJSCB’s Executive Director and its general counsel prepared a Request for Proposals (an “RFP”) regarding Independent Compliance Officer (“ICO”) services related to Phase 2 of the RSMP; and

WHEREAS, the RJSCB approved the RFP at its monthly meeting on April 4, 2016 and authorized the Executive Director to obtain proposals from qualified firms using a request for proposals process (Resolution 2015-16: 145); and

WHEREAS, the Executive Director received 3 proposal responses on April 27, 2016 as stipulated in the RFP, and thereafter these proposals were delivered to each of the RJSCB Members for review; and

WHEREAS, at a special meeting on May 10, 2016 the RJSCB reviewed and discussed the proposals and determined that the firm Baker Tilly Virchow Krause, LLP (“Baker Tilly”) was the most responsive to the RFP and is a highly qualified firm; and

WHEREAS, at the special meeting on May 10, 2016, the RJSCB identified Baker Tilly as the finalist for Phase 2 ICO Services and directed the Executive Director and the Program Manager to begin the negotiation process with Baker Tilly; and

WHEREAS, the Executive Director and the Program Manager requested additional information from Baker Tilly which was received, reviewed, and subsequently distributed to the RJSCB by the Executive Director on May 31, 2016; and

WHEREAS, at the MWBE and Services Procurement Committee (“Committee”) meeting on August 4, 2016, the Committee discussed the status of the contract negotiations with Baker Tilly and agreed to forward the recommendation to the full Board for final consideration;

THEREFORE, BE IT RESOLVED:

1. The RJSCB hereby awards the Phase 2 Independent Compliance Officer Services contract to the firm Baker Tilly Virchow Krause LLP, in the amount not to exceed \$2,280,000; and
2. The Chair is hereby authorized, in the name and on behalf of the RJSCB, to execute and deliver an Agreement (the “Agreement”) with the firm named above for the Phase 2 – Independent Compliance Officer Services with the advice of the RJSCB’s general counsel.

Second by Board Member Brown

Approved 7-0