

Resolution 2016-17: 75

Savin Engineers P.C. Revised Exhibit B-1 and B-2 (Staffing Plan Revisions)

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” or “Program”) 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 District Wide Technology improvements which involve technology upgrades and infrastructure work at several of the possible projects; and

WHEREAS, the RJSCB selected Savin Engineers P.C. (“Program Manager”) to provide Program Management services to the Board for Phase 2 of the RSMP in October of 2015 (Resolution 2015-16: 55); and

WHEREAS, the RJSCB entered into an agreement with the Program Manager dated December 15, 2015, entitled Program Manager Agreement (the “Agreement”); and

WHEREAS, Article 1.2 of the Agreement provides that the Program Manager will not reassign from the Program its Program Director or other members of the Management Team during the Term of the Agreement without prior written approval from the Board; and

WHEREAS, Article 1.4 of the Agreement provides that the Program Manager shall not subcontract any of the Services to be performed by it under the Agreement to any subcontractor other than a Designated Consultant (as defined in the Agreement) unless approved in writing in advance by the Board; and

WHEREAS, the Program Manager has recently updated its staffing plan and subcontracting plan for Basic Services on Exhibit B-1 and Additional Services on Exhibit B-2 (copies of which are attached); and

WHEREAS, the Basic Service Fee Limit and the Additional Service Fee Limit of the Agreement shall not be effected by these staffing and subcontracting changes; and

WHEREAS, the RJSCB’s Executive Director recommended at the MWBE and Services Procurement Committee Meeting (“Committee”) on November 3, 2016, that the RJSCB approve the Phase 2 Program Manager’s revised staffing plan and subcontracting plan as shown in Exhibit B-1 and Exhibit B-2 and that the Agreement then be amended to incorporate the revised Exhibit B-1 and Exhibit B-2, and after due deliberation, the Committee approved the revised staffing plan and request to amend the Agreement;

THEREFORE, BE IT RESOLVED:

1. The proposed changes to Exhibit B-1 and Exhibit B-2 of the Agreement between the RJSCB and the Phase 2 Program Manager are 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 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 Brown

Approved 4-0 with Member Cruz away and Vice Chair Schmidt delayed