

**Resolution 2016-17: 87**

**Amendment #6 to The Pike Company (CM – Schools 5 and 12)**

**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 RJSCB selected The Pike Company (“Construction Manager”) to provide construction management services for the School 5 and School 12 projects in September 2012 as part of Phase 1b of the of the Rochester Schools Modernization Program (“RSMP” or “Program”) (Resolution 2012-13: 16), and the parties thereafter entered into the Agreement between the RJSCB and the Construction Manager dated September 10, 2012 (the “Agreement”); and

WHEREAS, subsequent to the execution of the Agreement, the Agreement was amended to provide a bid document reproduction allowance for the School 5 and School 12 projects in the amount of \$40,000.00;

WHEREAS, the Construction Manager has completed its services for the School 5 and School 12 projects and the Program Manager has completed its reconciliation of all invoices for these services resulting in an unused bid document reproduction balance remaining in the amount of \$10,049.09; and

WHEREAS, the Program Manager recommended to the M/WBE and Services Procurement Committee (the “Committee”) that the Construction Manager’s Agreement should be amended to credit the amount of \$10,049.09 back to the RSMP; and

WHEREAS, the Committee considered and discussed the Program Manager’s recommendation at its December 8, 2016 meeting to reduce the Construction Manager’s Agreement amount by \$10,049.09, and after due deliberation, it approved the request to amend the Agreement;

THEREFORE, BE IT RESOLVED:

1. The proposed amendment to the Agreement between the RJSCB and the Construction Manager dated September 10, 2012, as set forth above is hereby approved, decreasing the total amount of the Agreement by the sum of \$10,049.09; 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 Vice Chair Schmidt**

**Approved 5-0 with Member Cruz on phone and Member Jones not yet arrived**