

**Resolution 2017-18: 44**

**Commissioning Agent Contract Award – LaBella Associates, D.P.C. (Monroe 2b)**

**By Board Member Benincasa**

WHEREAS, the Rochester School Facilities Modernization Program Act (“the 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 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 RJSCB approved the selection of LaBella Associates D.P.C. (“LaBella”) as the commissioning agent for Phase 2a of the James Monroe High School project (Resolution 2015-16: 176); and

WHEREAS, the RJSCB entered into an agreement with LaBella for commissioning agent services for Monroe 2a (Resolution 2015-16: 176); and

WHEREAS, Phase 2b of the James Monroe High School (“Monroe 2b”) project is underway and the services of a commissioning agent are necessary given the scope of the work for said project; and

WHEREAS, the RJSCB recognizes that experience, knowledge, and consistency are critical factors when completing the mechanical, electrical, and plumbing systems within a building; and

WHEREAS, LaBella is most familiar with the mechanical, electrical and plumbing systems within the Monroe building, having performed as commissioning agent for the Monroe Phase 1 and Phase 2a projects; and

WHEREAS, the RJSCB believes that the time necessary for a formal request for proposal and selection process for this service will not achieve any measurable cost savings where negotiations can achieve the same outcome in a more timely fashion; and

WHEREAS, LaBella has submitted a written proposal for the commissioning agent services, which has been reviewed and analyzed by the Program Manager; and

WHEREAS, on August 23, 2017, the Program Manager recommended that LaBella’s proposal be accepted and that it be awarded the commissioning agent contract for Monroe 2b project in the amount of \$48,830.00; and

WHEREAS, the M/WBE and Services Procurement Committee (the “Committee”) discussed and considered the Program Manager’s recommendation at its September 7, 2017 meeting, and after due deliberation, the Committee approved the recommendation to award the commissioning agent contract to LaBella for the Monroe 2b project in the amount of \$48,830.00.

THEREFORE, BE IT RESOLVED:

1. That the RJSCB hereby approves LaBella Associates, D.P.C. to provide commissioning agent services for the Monroe 2b project of the RSMP; and
2. The RJSCB's Chair is hereby authorized, in the name and on behalf of the RJSCB, to execute an agreement with LaBella Associates, D.P.C. for commissioning agent services in the amount of \$48,830.00 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 6-0 with Member Cruz away**