

Resolution 2017-18: 58

Amendment #2 to Clark Patterson Lee Agreement – Phase 2 SEQRA Consulting Services

By Vice Chair Schmidt

WHEREAS, the Rochester School Facilities Modernization Program Act (“the 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 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 Clark Patterson Lee (“Clark Patterson”) as the SEQRA consultant in Phase 1 (Resolution 2010-11: 18); and

WHEREAS, the RJSCB entered into an agreement with Clark Patterson (Resolution 2010-11: 18) dated November 23, 2010 for Phase 1 SEQRA services; and

WHEREAS, the RJSCB approved the extension of the services of Clark Patterson for Phase 2 of the RSMP, and the RJSCB subsequently entered into an agreement with Clark Patterson (Resolution 2015-16: 83) dated December 14, 2015 (“Agreement”) for professional SEQRA consulting services for the Phase 2 of the RSMP; and

WHEREAS, following the execution of the Agreement, the Program Manager requested, and cost proposals were then obtained and reviewed, for additional services to conduct an assessment of the potential impacts associated with the changes in the scope proposed for Flower City School No. 54, including a bus loop and acquisition of two vacant lots; and

WHEREAS, the Program Manager thereafter recommended to the RJSCB’s M/WBE and Services Procurement Committee (the “Committee”) that the Agreement should be amended to adjust the original not-to-exceed allowance and add additional scope items in the total amount of \$5,000.00 to Exhibit I of the Agreement and that this amount shall be treated as a not-to-exceed allowance under Section 11.1.1 of the Agreement; and

WHEREAS, the Committee considered and discussed the Program Manager’s recommendation at its October 12, 2017 meeting, and after due deliberation, it approved the recommendation to amend the Agreement.

THEREFORE, BE IT RESOLVED:

1. The proposed amendment to the Agreement between the Board and Consultant dated December 14, 2015, as set forth above is hereby approved, increasing the total amount of the agreement by the not-to-exceed amount of \$5,000.00; 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 6-0 with Member Cruz not yet arrived