

**Resolution 2017-18: 76**

**Amendment #1 to Foit-Albert Associates Agreement (DSG - Phase 2)**

**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 Foit-Albert Associates, Architecture, Engineering and Surveying, P.C. (“Foit-Albert”) as the Design Standards Guide Consultant for the Phase 2 projects (Resolution 2016-17: 89); and

WHEREAS, the RJSCB entered into an agreement with Foit-Albert, dated December 13, 2016, for the provision of Design Standards Guide consulting services (the “Agreement”) (Resolution 2016-17: 89); and

WHEREAS, Foit-Albert has completed its services for the Phase 2 projects and the Program Manager has completed its reconciliation of all invoices for these services resulting in an unused contract sum of \$11,443.88; and

WHEREAS, the Program Manager recommended to the M/WBE and Services Procurement Committee (the “Committee”) that Foit-Albert’s Agreement should be amended to credit the amount of \$11,443.88 back to the RSMP; and

WHEREAS, the Committee considered and discussed the Program Manager’s recommendation at its November 9, 2017 meeting to reduce Foit-Albert’s Agreement amount by \$11,443.88, 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 Foit-Albert dated December 13, 2016, as set forth above is hereby approved, decreasing the total amount of the Agreement by the sum of \$11,443.88; 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 Richards**

**Approved 6-0 with Vice Chair Schmidt away**