

**Resolution 2023-24: 19**  
**Amendment to Closeout Watts Step 1 Contract**

**By Kim Jones**

WHEREAS, the Rochester School Facilities Modernization Program Act (“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 New York State Legislature amended the Act by enacting Chapter 533 of the Laws of 2014 (“Amended Act”), thereby providing alternative financing mechanisms for the reconstruction of up to 26 projects for a total cost of \$435,000,000 for Phase II; and

WHEREAS, the New York State Legislature amended the Amended Act by enacting Chapter 614 of the Laws of 2021 (“Second Amended Act”) to authorize additional oversight, transparency, and accountability by the New York State Education Department to ensure projects are completed on time and within budget, and to provide alternative financing mechanisms for the reconstruction of up to 12 projects for a total cost of \$475,000,000 for Phase III; and

WHEREAS, the RJSCB entered into an agreement with Watts Architecture & Engineering, D.P.C. (“Watts”), dated August 1, 2022 (the “Agreement”), for the provision of Step 1 master planning services associated with the development of the Strategic Plan for Phase III of the RSMP (“Step 1 Services”); and

WHEREAS, Watts has completed its Step 1 Services for Phase III of the RSMP and the Program Manager has completed its reconciliation of all invoices for those services resulting in an unused balance remaining under the Agreement in the amount of \$92,780.03; and

WHEREAS, the Program Manager thereafter recommended to the RJSCB that the Agreement should be amended to reduce the total amount of compensation payable thereunder by the sum of \$92,780.03; and

WHEREAS, the Board discussed and duly considered the Program Manager’s recommendation at its October 15, 2024 meeting and, after due deliberation, it approved the request to amend the Agreement, and now acts as follows.

THEREFORE, BE IT RESOLVED:

1. The proposed amendment to the Agreement between the RJSCB and Watts, dated August 1, 2022, as set forth above is hereby 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 Program Manager and the RJSCB’s general counsel.

**Second by Ronald Gaither**  
**Adopted 5-0**