

**Resolution 2012-13: 72**  
**Amendment #5 to LeChase Construction Services, LLC**

**By Board Chair Giess**

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 RJSCB selected LeChase Construction Services, LLC (“Construction Manager”) to provide Construction Management services for the School 28 and the School 58 projects in August of 2011 as a part of Phase 1 of the Rochester Schools Modernization Program (the “RSMP”) (Resolution 2011-12: 7) and the parties thereafter entered into an Agreement between the RJSCB and the Construction Manager dated August 3, 2011 (the “Agreement”); and

WHEREAS, following the execution of the Agreement, the Program Manager directed the Construction Manager to provide job site security guard services for all non-business hours, weekends, and holidays at the School 58 project site and thereafter the Construction Manager provided a cost proposal for this documentation to the Program Manager for review; and

WHEREAS, the Program Manager thereafter recommended to the RJSCB’s MWBE and Services Procurement Committee (the “Committee”) that the Construction Manager’s Agreement should be amended to add job site security guard services for the School 58 project to their scope of work for a period up to 90 days in the amount of \$41,237 and that this amount shall be treated as a not-to-exceed allowance; and

WHEREAS, the Program Manager also recommended to the Committee that the RJSCB should take the necessary steps to retain the security guard services directly for School 58, as well as other school project sites (ie. School 17) over the next 90 days, so that these expenses could be treated as program expenses chargeable against the program funds for District-Wide projects; and

WHEREAS, the Committee considered and discussed the Program Manager’s recommendation at its November 29, 2012 meeting 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 August 3, 2011 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 Member Pifer**

**Approved 5-0 with Members Brown and Castro away**