

Resolution 2017-18: 132

Amendment #1 to LaBella Associates, D.P.C. Agreement – School 7 (Part B)

By Board Member Brown

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 (the “Amended Act”); 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, upon the recommendation of its Program Manager, has determined a need for a Environmental Monitoring and Testing Services firm to provide services for the Virgil Grissom School 7 (Part B) project in Phase 2a (the “School 7 (Part B) project”); and

WHEREAS, the RJSCB issued a Request for Proposals (“RFP”) for Environmental Monitoring and Testing Services for the School 7 (Part B) project (Resolution 2016-17: 219); and

WHEREAS, the RJSCB approved the selection of LaBella Associates, D.P.C. (“LaBella”) as the Environmental Monitoring Agent for the School 7 (Part B) project in Phase 2a (Resolution 2016-17: 241); and

WHEREAS, the RJSCB entered into an agreement with LaBella (Resolution 2016-17: 241) dated June 29, 2017, entitled Agreement Between Board and Consultant (the “Agreement”); and

WHEREAS, following the execution of the Agreement, the Program Manager requested, and cost proposals were then obtained and reviewed, for additional scopes of work at the School 7 (Part B) project; and

WHEREAS, the Program Manager thereafter recommended to the RJSCB’s M/WBE and Services Procurement Committee (the “Committee”) that LaBella’s Agreement should be amended to adjust the original not-to-exceed allowance and add additional scope items in the total amount of \$20,008.00 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 February 1, 2018 meeting, and after due deliberation, it approved the request to amend the LaBella Agreement.

THEREFORE, BE IT RESOLVED:

1. The proposed amendment to the LaBella Agreement between Board and Consultant dated June 29, 2017 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 LaBella 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 Board Member Richards

Approved 6-0 with Vice Chair Schmidt away