

**Resolution 2017-18: 30**

**Amendment #5 to Savin Engineers P.C. Program Manager Agreement (Phase 2)**

**By Board Member Benincasa**

WHEREAS, the Rochester School Facilities Modernization Program Act (“School Modernization Act”) established the Rochester Joint Schools Construction Board (“RJSCB” or the “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 School Modernization 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” or “Program”) 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 District Wide Technology improvements which involve technology upgrades and infrastructure work at several of the possible projects; and

WHEREAS, the RJSCB selected Savin Engineers P.C. (“Program Manager”) to provide Program Management services to the Board for Phase 2 of the RSMP in October of 2015 (Resolution 2015-16: 55); and

WHEREAS, the RJSCB entered into an agreement with the Program Manager dated December 15, 2015, entitled Program Manager Agreement (the “Agreement”); and

WHEREAS, the Program Manager has recently adjusted its staffing plan for Basic Services on Forms B-1.7 and B-1.8 (copies of which are attached) to establish permitted changes in personnel (i.e., creation of the Special Assistant to Executive Director position) and hourly billing rates for 2017-2018 fiscal year; and

WHEREAS, the Basic Service Fee Limit and the Additional Service Fee Limit of the Agreement shall not be effected by these staffing and hourly rate changes; and

WHEREAS, the proposed amendment to the Agreement was discussed at the M/WBE and Services Procurement Committee Meeting (“Committee”) on September 7, 2017, and after due deliberation, the Committee approved the request to amend the Agreement;

THEREFORE, BE IT RESOLVED:

1. The proposed amendment to the Program Manager Agreement, dated December 15, 2015, 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 Program Manager 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 away**