

**Resolution 2012-13: 54
Amendment #2 to OSO Inc. Contract**

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 issued a Request For Proposals (“RFP”) for Environmental Monitoring and Indoor Air Monitoring Agent Services on June 5, 2012 (Resolution 2011 – 2012: 107) which included work at the first five projects in Phase 1a (School 17, School 50, School 58, Charlotte High School and Franklin High School); and

WHEREAS, the RJSCB, at its monthly meeting on July 2, 2012 (Resolution 2012-12: 13), approved the selection of OSO, Inc., for Environmental Monitoring and Indoor Air Monitoring Agent Services for School 17, School 50, School 58, Charlotte High School, and Franklin High School, and the parties thereafter entered into the Agreement between the RJSCB and Consultant dated July 2, 2012 (the “Agreement”); and

WHEREAS, following the execution of the Agreement, OSO, Inc., along with the Program Manager, identified the need for additional work associated with swing space and unforeseen conditions where additional asbestos abatement is necessary, and cost proposals and/or estimates were then obtained for these additional scope items and provided 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 OSO, Inc.’s Agreement should be amended to add these additional scope items in the total amount of Not to Exceed \$293,100; and

WHEREAS, the Committee considered and discussed the Program Manager’s recommendation at its November 1, 2012 meeting, and after due deliberation, it approved the request to amend OSO, Inc.’s contract;

THEREFORE, BE IT RESOLVED:

1. The proposed amendment to the Agreement Between Board and OSO, Inc. dated July 2, 2012 as set forth above is hereby approved; and
2. The RJSCB’s Chair is authorized in the name and behalf of the RJSCB, to execute an amendment to the OSO, Inc.’s contract 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 Pifer
Approved 5-0 with Member Castro away**