

Resolution 2012-13: 71
Amendment #4 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 document all pre-construction existing conditions prior to the start of work at the School 58 project and thereafter the Construction Manager provided a cost proposal for this documentation to the Program Manager for review; and

WHEREAS, following the execution of the Agreement, and at the direction of the District, the Program Manager directed the Construction Manager to provide a feasibility study for full building air conditioning at the School 58 project and thereafter the Construction Manager provided a cost proposal for this work 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 existing condition documentation at School 58 to their scope of work in the total amount of \$2,613.00 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 Construction Manager’s Agreement should be amended to add the feasibility study for full building air conditioning to their scope of work in the total amount of \$6,692.00 and that this amount shall be treated as a not-to-exceed allowance; and

WHEREAS, the Committee considered and discussed the Program Manager’s recommendations at its November 29, 2012 meeting and after due deliberation, it approved the requests 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 Board Member Underwood

Approved 5-0 with Members Brown and Castro away