

Resolution 2013-14: 177
Independent Compliance Officer (Landon & Rian Enterprises), Contract Close-Out

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 Act requires the Board is to engage an Independent Compliance Officer (“ICO”) to report directly to the Board; and

WHEREAS, the RJSCB issued an RFP for an Independent Compliance Officer in April of 2010 (Resolution 2009-10: 11); and

WHEREAS, in June of 2010, the RJSCB selected Landon & Rian Enterprises, Inc. as the finalist for Independent Compliance Officer (Resolution 2009-10: 14) and subsequently entered into an agreement with Landon & Rian Enterprises, Inc. entitled “Independent Compliance Officer Agreement” (the “Agreement”) in August of 2010 (Resolution 2010-11: 7); and

WHEREAS, the Agreement includes a Scope of Work divided into two Stages; Stage 1 for work during the Master Plan Development and Stage 2 for Pre-Construction activities; and

WHEREAS, the Agreement has a term of two years; and

WHEREAS, the RJSCB extended the term of the Agreement by one year and added certain additional services in June of 2012 (Resolution 2011-12: 111) and;

WHEREAS, in August 2013 the RJSCB extended the term of the Agreement by an additional four months through December 31, 2013 (Resolution 2013-14: 27) and;

WHEREAS, in December 2013 the RJSCB extended the term of the Agreement by an additional one month, through January 31, 2014 (Resolution 2013-14: 131) and;

WHEREAS, the RJSCB now wishes to extend the term of the Agreement by an additional two months, through March 31, 2014 specifically related to close-out of the 1a projects (School 17, School 50, Charlotte High School and Franklin Educational Campus) and;

WHEREAS, the scope of work has been detailed in the Amendment to the Agreement, attached hereto, and the hourly rates previously established will remain intact during this two month extension; and

WHEREAS, this extension of the ICO services will not result in an increase to the current contract amount; and

WHEREAS, at its January 30, 2014 meeting, the MWBE and Services Procurement Committee considered and discussed a recommendation from the Executive Director to extend the ICO's Agreement (Landon & Rian Enterprises) two months to complete close-out services, and after due deliberation, it agreed to forward the recommendation to the full Board for consideration;

THEREFORE, BE IT RESOLVED:

1. The RJSCB hereby approves an extension to the Agreement between the Board and Landon & Rian Enterprises through March 31, 2014 to provide close-out services associated with the 1a projects (School 17, School 50, Charlotte High School, and Franklin Educational Campus);
2. The current contract amount shall not be increased; and
3. The RJSCB's Chair is hereby authorized, in the name and on behalf of the RJSCB, to execute an Amendment 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 4-0 with Board Members Coronas, McCormick and Richards away