

Resolution 2012-13: 96
Independent Compliance Officer – Additional Services

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 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 original Agreement had a term of two years; and

WHEREAS, the original Agreement was extended by the RJSCB in June of 2012 to include construction related activities (Resolution 2011-2012: 111); and

WHEREAS, the RJSCB now wishes to add certain additional services, including but not limited to: City of Rochester resident participation reporting, compliance reporting by school project, compliance reporting by contractor, compliance reporting by union trade, and administrative support for the RJSCB; and

WHEREAS, at the request of the Executive Director, the ICO submitted the resume and qualifications of the proposed candidate to perform these additional services; and

WHEREAS, the Executive Director and the Board Chair have interviewed the proposed candidate, and have agreed that the candidate Rochelle Newman is qualified to perform these additional services; and

WHEREAS, based on negotiations between the Executive Director and the Independent Compliance Officer, the Independent Compliance Officer has agreed to provide these additional services at the blended hourly rate of \$41.25 per hour; and

WHEREAS, the ICO will provide these additional services for the time period beginning on February 5, 2013 through June 30, 2013 for the not to exceed amount of \$34,650 at which time the RJSCB may elect to extend the agreement for an additional one year; and

WHEREAS, the Executive Director recommended to the M/WBE Services Procurement Committee (“the Committee”) at its January 31, 2013 meeting that the ICO’s Agreement be amended to include these additional services, and the Committee considered and discussed the additional services proposal, and after due deliberation, it agreed to forward the proposal to the full board for further consideration;

THEREFORE, BE IT RESOLVED:

1. The RJSCB hereby accepts and approves the proposal from the Independent Compliance Officer at the blended rate of \$41.25 per hour to provide the above mentioned additional services for the not to exceed amount of \$34,650.
2. The RJSCB approves Rochelle Newman of Landon & Rian Enterprises to perform the above mentioned Additional Services.
3. 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 RJSCB’s General Counsel.

Second by Board Member Brown

Approved 5-0 with Members Castro and McCormick away