

**Resolution 2012-13: 45  
Amendment #5 to LaBella Associates Agreement**

**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 approved the selection of LaBella Associates as the Architect for the Henry Hudson School #28 project in Phase I (Resolution 2010-11: 35); and

WHEREAS, the RJSCB entered into an agreement with LaBella Associates (Resolution 2010-11: 35) dated March 28, 2011, entitled Agreement Between Board and Architect (the “Agreement”); and

WHEREAS, following the execution of the Agreement and at the request of the District, LaBella Associates, along with the Program Manager, identified the need for additional scopes of design work relating to the addition of a full building air conditioning system at School #28, 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 LaBella Associates’ Agreement should be amended to add these additional scope items in the total amount of \$58,600 to Exhibit I of the Agreement and that this amount shall be treated as a not-to-exceed allowance under Section 11.1.1 of the Agreement; and

WHEREAS, the Committee (Committee member Castro and Board member Roulin) considered and discussed the Program Manager’s recommendation at its October 11, 2012 meeting and after due deliberation, it was agreed to forward the request to amend the Agreement to the full Board for review and approval;

THEREFORE, BE IT RESOLVED:

1. The proposed amendment to the LaBella Associates Agreement Between Board and Architect dated March 28, 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 Castro  
Approved 4-0 with Members Roulin and Underwood away**