

Resolution 2019-20: 125

Change Orders #69 & 70 to Holdsworth Klimowski Construction Contract (East Upper & Lower School – Phase 2b)

By Board Member Jesse Dudley

WHEREAS, the Rochester School Facilities Modernization Program Act (“the Act”) established the Rochester Joint Schools Construction Board (“RJSCB” or “Board”), 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 authorizing legislation for Phase 2 of the Rochester Schools Modernization Program (“RSMP”) was signed into law by the Governor of the State of New York on December 17, 2014; and

WHEREAS, the amended Act authorized up to 26 projects in Phase 2 of the RSMP including a District Wide Technology program which involves technology upgrades and infrastructure work at several of the possible projects; and

WHEREAS, for Phase 2 of the RSMP, the RJSCB intends to undertake 14 projects for the design, reconstruction, or rehabilitation of existing school buildings for their continued use by the District (collectively, the “Phase 2 Projects”), which have been further defined as Phase 2a, Phase 2b, Phase 2c and Phase 2d, plus a DWT project at each of the Phase 2 school buildings; and

WHEREAS, the East Upper & Lower School Modernization Project (“East”) is one of the projects included in Phase 2 of the RSMP as provided in the Phase 2 Master Plan; and

WHEREAS, the RJSCB approved the award of the general construction contract to Holdsworth Klimowski Construction (“HKC”) for the East project in Phase 2 (Resolution 2018-19: 51); and

WHEREAS, the RJSCB entered into a contract with HKC (Resolution 2018-19: 51) dated September 10, 2018 (the “Contract”), to perform the scope of services defined in the contract documents as the general construction contractor’s scope of work; and

WHEREAS, following the execution of the Contract, HKC, along with The Pike Company, Inc. (the Construction Manager), and the Program Manager, identified changes in the scope of work, and cost proposals were then obtained for these changes in scope items and provided to the Construction Manager and the Program Manager for review; and

WHEREAS, Change Order #69 includes the following items:

1. IB#127 - A-107B Replace (3) existing roller shade fabric panels in room A-107B. Provide new fabric to match existing within the existing roller shade housing \$1,249.00
2. IB#142 - Provide new hardware sets for required access control doors. These changes are a result of coordinating with the RCSD Security Dept. \$20,489.00
3. IB#155 - Revise Door A-103QA to meet accessibility requirements. This was required when the Barber Shop was relocated from the Dental Suite area to its own room \$8,005.00

4. GC to seal and wax floor after punch list completion B-125 per RFP#164. The floor tile specified is intended to be installed without a wax but maintenance of the tile without wax will be costly and difficult to keep looking clean. All other resilient floor tiles required waxing \$4,006.00

The total amount of Change Order #69 is **\$33,749.00**; and

WHEREAS, Change Order #70 includes the following items:

1. C2-Boy Locker Room - GC to remove approx. 1 CY of unstable slab on grade concrete in Boys Locker Room C119/117. Place new concrete to match \$2,116.00
2. IB#157 -Revisions in F-wing Level 01 and Level 02 to accommodate field conditions. Work shown in the Bulletin includes work such as adding bracing and insulation at existing walls, adding soffits to conceal piping, furring out and sheetrocking existing walls, replacing existing partitions etc. \$15,732.00
3. IB#162 & 162R1 - Additional removal and replacement of damaged GWB as a result of existing mechanical failure. (The Freezing of an existing coil that broke and flooded the work area.) \$2,388.00
4. RFI-388 - - Remove Counter Top, move door and bottom wall of A-100B due to existing field conditions \$2,577.00
5. RFI-439 - A-100 - Area A - Room A100B Install Hat Chanel & Frame in Opening and Remove Counter Top, move door and bottom wall of A-100B due to existing field conditions \$1,820.00
6. RFI#376 -Area F - Abate VAT Floor Tile Under Cabinets 2nd Floor RFI#376 80376 \$8,839.00

The total amount of Change Order #70 is **\$33,472.00**; and

WHEREAS, the Construction Manager and the Program Manager believe that the change order work is necessary, the pricing is appropriate and the Contract Time will not be increased by the foregoing changes; and

WHEREAS, the Program Manager thereafter recommended to the RJSCB's M/WBE and Services Procurement Committee (the "Committee") that HKC's Contract should be amended to add these scope items for an increase in the Contract Sum of \$67,221.00; and

WHEREAS, the Committee considered and discussed the Program Manager's recommendation at its June 4, 2020 meeting and after due deliberation, it approved the request to amend the Contract as set forth herein.

THEREFORE, BE IT RESOLVED:

1. The proposed Change Orders to HKC's Contract between the Board and Contractor dated September 10, 2018 as set forth above are hereby approved; and
2. The RJSCB Chair is hereby authorized, in the name and on behalf of the RJSCB, to execute the Change Orders to the Contract that are 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 Geena Cruz
Adopted 5-0