

**Resolution 2020-21: 29**

**Change Orders #79 - 82 to Holdsworth Klimowski Construction Contract (East Campus – Phase 2a)**

**By Board Member I. Geena Cruz**

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 Campus 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 #79 includes the following items:

1. CM80335 - Credit to eliminate new dividing wall type A-1 and door A-121A in Room D-121.	(\$1,378.00)
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2. CM80340 - Document discrepancy: Credit for new ceiling as existing ceilings in corridor CC-2.1, CC-2.2 and Room C-206 to remain.	(\$5,458.00)
3. CM80391 - Document discrepancy : provide gypsum board lamination at vestibule ceilings; Paint ceilings after installation of new lights.	\$8,563.00
4. CM80407 - Credit adjustment in field to revise air intake at C-Wing penthouse to accommodate interior penthouse new layout.	(\$1,273.00)
5. CM80419 - Continuation of 1.B 178/178R1: provide Gypsum soffits for new grilles to existing ductwork (detail inconsistency).	\$2,153.00
6. CM80427 - Rm. E-105 gypsum board lamination for move uniform finish of original plaster walls (RFI-483).	\$1,554.00
7. CM80433 - Correct Partition Type R2 to P4 in Supt. Suite (E-107) for proper acoustic separation (detail inconsistency).	\$649.00
8. CM80435 - Per IB-196/196R1/196R2 demo/replace chase walls in A & F Wings to comply with current codes and standards.	\$31,762.00
9. CM80436 - Area D2 - Correction of finish detailing at various locations: existing wall murals; articulated curtainwall soffits; sawtooth window pockets; ceiling alignment to window mullions.	\$4,988.00

The total amount of Change Order #79 is **\$41,560.00**; and

WHEREAS, Change Order #80 includes the following items:

1. CM80450 - Per RFI - 551 F-Wing 1st Floor moisture mitigation of existing floor slabs after high humidity test results.	\$9,858.24
2. CM80454 - Per RFI-510 verified in field by CM and Contractor of existing frames and new door inconsistencies, ratings and finish.	\$8,848.00
3. CM80459 - C-Wing Health Classrooms and Offices multiple revisions: 1) RFI-513 Rms. C-102/103 Demo Note for teaching wall (patch/prep/finish); 2) RFI-519 Rms. C-102 A/B provide new VCT flooring; 3)RFI-523 remove existing ceilings; 4) paint offices C-102 A/B (design inconsistencies).	\$8,634.00

4. CM80460 - Document inconsistency: per RFI - 526 Rm. D-231 demo ceiling and replace.	\$479.00
5. CM80464 - C-127 & 129 provide floor leveling to watch adjacent finishes.	\$9,915.00
6. CM80465 - Per IB-211, Rm. B-116/116A demo of existing pass thru impacts existing display case & S/S Countertop for installation of new door requiring: 1) IB-212R1 additional VAT Abatement; 2) Remove/Infill of pass thru; 3) Patching per removal of Electrical Conduit; 4) Rm. B-116A ceiling demo/replace; 5) Demo/Infill Rm. B-116 Corridor Door.	\$11,167.00
7. CM80470 – Per IB-213, provide roller window shades in Rooms D209A and D209B.	\$1,013.00

The total amount of Change Order #80 is **\$49,914.24**; and

WHEREAS, Change Order #81 includes the following items:

1. CM80418 – Per IB-194/194R1/194R2, F-Wing demo & replace Toilet Rooms in poor condition with Wall Type L3.	\$22,945.00
2. CM80418 – Per IB-194/194R1/194R2, C-Wing demo & replace Toilet Rooms in poor condition with Wall Type L3.	\$49,713.00
3. CM80418 – Per RFI-494 & IB-194/194R1/194R2, clarification that work is No Cost addition to IB-194 (CM tracking notation).	\$0.00
4. CM80423 – Credit for Toilet Room to remain in lieu of demo & upgrades	(\$8,495.00)
5. CM80423 – Per RFI-497 & IB-195 for Toilet Rooms A-101A/A-118A & B/A- 119A/B-112/B114/C-105/D-203/D-344/D-348/F-100/F101B/F-102/F- 103B/F-300/F-302 provide 3/4” backer board for new tile finish to be uniform on existing walls.	\$0.00

The total amount of Change Order #81 is **\$63,713.00**; and

WHEREAS, Change Order #82 includes the following items:

1. CM80380 – Request for Collaboratorium new exterior door to allow independent after hour use requires access control changes, new exit stair and sidewalk.	\$53,455.00
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2. CM80380 – Credit for requested door access control modifications to Door B-112N, including hardware group revisions to various other door locations.	(\$10,986.00)
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The total amount of Change Order #82 is **\$42,469.00**; 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 that HKC’s Contract should be amended to add these scope items for an increase in the Contract Sum of \$197,656.24; and

WHEREAS, the RJSCB Board considered, discussed and deliberated the Program Manager’s recommendation at its October 12, 2020 regular meeting.

THEREFORE, BE IT RESOLVED:

1. The Rochester Joint Schools Construction Board hereby approves 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 Jesse Dudley**  
**Adopted 5-0**