

Resolution 2020-21: 59

Change Orders #98-99 to Holdsworth Klimowski Construction Contract (East Campus – Phase 2a)

By Board Member Mike Schmidt

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 #98 includes the following item:

<p>1. Per IB 296, in the C-Wing, an existing concrete floor was damaged (outside of base scope of work) allowing water to drip on electrical and mechanical equipment below. As a result, the Owner requested a waterproof epoxy coating being installed to seal the existing floor and protect the equipment below.</p>	<p>\$26,025.00</p>
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The total amount of Change Order #98 is **\$26,025.00**; and

WHEREAS, Change Order #99 includes the following items:

<p>1. Per IB 290, in the D-Wing, room D-200, the location of the computer classroom and the book storage room were incorrect on the existing record documents. As a result, the Contract Documents were altered as requested by the Owner to provide an accessible entrance to the D-200 computer classroom.</p>	<p>\$15,233.00</p>
<p>2. Per IB 298, in the D-Wing, the Owner requested to have an existing floor receptacle removed as a result of their decision to relocate existing metal detecting equipment. The relocation of equipment left the existing floor receptacle as a tripping hazard. Removal of the receptacle therefore required the floor to be patched.</p>	<p>\$617.00</p>
<p>3. Per RFI 597, in the D-Wing, room D205-B, plans did not indicate access control for the IT closet despite IT closets requiring card readers for access (design inconsistency).</p>	<p>\$1,091.00</p>
<p>4. Per IB 302, in the B-Wing, terrazzo base was required in the location of a new cross corridor door. The notation of such was inadvertently left out of the Contract Documents.</p>	<p>\$2,465.00</p>
<p>5. The existing dental suite walls had an uneven existing surface that was previously painted over by the district. The Owner requested the existing irregularities be prepared prior to installing the new finishes.</p>	<p>\$1,042.00</p>
<p>6. Per IB 312, in the D-Wing, individual accessible toilet rooms required doors to be 36" wide (design inconsistency).</p>	<p>\$12,582.00</p>
<p>7. Per IB 307, in the B-Wing, due to a roof leak during construction (outside of the base scope of work), water damage occurred at the ceilings and walls. The damaged ceiling tiles are to be replaced and walls patched and repaired.</p>	<p>\$2,570.00</p>

The total amount of Change Order #99 is **\$35,600.00**; 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 **\$61,625.00**; and

WHEREAS, the RJSCB Board considered, discussed and deliberated the Program Manager's recommendation at its March 8, 2021 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