

**Resolution 2016-17: 114**

**Change Order #1 to Louis Del Prince & Sons Contract – School 12 Parking Lot Project**

**By Board Member Cruz**

WHEREAS, the Rochester School Facilities Modernization Program Act (“School Modernization 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 School Modernization Act, the RJSCB has certain enumerated powers to act as agent for the District, the City, or both; and

WHEREAS, the School Modernization Act authorized up to 13 projects in Phase I of the Rochester Schools Modernization Program (“RSMP”) including a District Wide Technology program which involves technology upgrades and infrastructure work at each of the 12 school projects identified in Phase 1; and

WHEREAS, the RJSCB approved the award of the School 12 Parking Lot Project to Louis Del Prince and Sons, Inc. (“Del Prince”) for School 12 in Phase I (Resolution 2016-17: 12); and

WHEREAS, the RJSCB entered into a contract with Del Prince (Resolution 2013-14: 128) dated July 18, 2016 (the “Contract”), to perform the scope of services defined in the contract documents as the paving contractor’s scope of work; and

WHEREAS, the Contract provided for certain Parking Lot Allowances, including the Parking Lot Allowance, the Play Ground Surface Allowance, and the Parking Lot Space Numbering Allowance; and

WHEREAS, following the completion of the Contract, The Pike Company (the Construction Manager), along with the Program Manager, identified unused Parking Lot Allowances and prepared a deduct Change Order to the Contract in order to credit those funds back to the RSMP; and

WHEREAS, Change Order #1 includes the following items:

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| 1. Credit of Parking Lot Allowances – | (\$5,709.50) |
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The Total amount of Change Order #1 is (\$5,709.50); and

WHEREAS, the Program Manager thereafter recommended to the RJSCB’s M/WBE and Services Procurement Committee (the “Committee”) that Del Prince’s Contract should be amended to deduct the unused Parking Lot Allowance balances for a total decrease in the Contract Sum of \$5,709.50; and

WHEREAS, the Committee considered and discussed the Program Manager’s recommendation at its January 12, 2017 meeting and after due deliberation, it approved the request to amend the Contract;

THEREFORE, BE IT RESOLVED:

1. The proposed Change Order to Del Prince’s Contract between the Board and Contractor dated July 18, 2016 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 a Change Order to the Contract 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 Brown**

**Approved 7-0**

