

Resolution 2018-19: 98

Change Orders #39, #40, #41, #42, #43, #44 & #45 to Manning Squires Henning Contract (Monroe 2b)

By Board Member Michael 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 James Monroe High School (“Monroe 2b”) is one of the projects included in Phase 2b of the RSMP as provided in the Phase 2 Master Plan; and

WHEREAS, the RJSCB approved the award of the general construction contract to Manning Squires Henning (“MSH”) for the Monroe 2b project (Resolution 2017-18: 52); and

WHEREAS, the RJSCB entered into a contract with MSH (Resolution 2017-18: 52) dated September 11, 2017 (the “Contract”), to perform the scope of services defined in the contract documents as the general contractor’s scope of work; and

WHEREAS, following the execution of the Contract, MSH, along with The Pike Company (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 #39 includes the following item:

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| 1. Winter Heat Cost @ Foundations | \$54,000.00 |
| The total amount of Change Order #39 is | \$54,000.00 |

WHEREAS, Change Order #40 includes the following items:

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| 1. Anchor Bolt Coverage/Bridge Ledge - G Line | \$3,536.00 |
| 2. Site Transite Pipe Removal - Part 2 | \$734.00 |
| 3. Bedrock @ Scoreboards - Part 2 | \$1,227.00 |
| 4. Move showers out | \$267.00 |
| 5. Discovered Concrete @ Old Playground | \$7,718.00 |
| 6. ASI#089 - Furring Corr 1C-5A, 1C-6 | \$1,987.00 |
| 7. Unforeseen Foundations @ Monroe Ave | \$9,667.00 |
| 8. ASI#111 - Existing Site Light | \$4,974.00 |
| 9. ASI#115 Galvanized Stair to Loading - Manhole | \$772.00 |
| 10. ASI#121 Miscellaneous Repairs | \$3,861.00 |
| 11. ASI#119 Base outside Kitchen Walk-I | \$1,271.00 |
| 12. Sidewalk Demo - Pearl & Averill | \$9,915.00 |
| 13. RGE Gas Service Conflict | \$832.00 |

The total amount of Change Order #40 is **\$46,761.00**; and

WHEREAS, Change Order #41 includes the following items:

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| 1. ASI#031-C Basement Flr. Underlayment | \$34,212.17 |
| 2. ASI#107-Bsmnt Underlay for VCT Floor | \$11,180.00 |

The total amount of Change Order #41 is **\$45,392.17**; and

WHEREAS, Change Order #42 includes the following items:

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| 1. RFI#0080 - CMU Walls @ Exist Gyms | \$12,347.00 |
| 2. RFI#0152 - W16 & W89 Beams | \$8,172.00 |
| 3. RFI#0169 - Windows at First Floor | \$13,134.00 |

The total amount of Change Order #42 is **\$33,653.00**; and

WHEREAS, Change Order #43 includes the following items:

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| 1. ASI#052 - Applied Fireproof Lintels / RFI#0068 - Dimension for new opening | \$15,025.00 |
| 2. ASI#057 - Mechanical Penthouse | \$5,579.00 |
| 3. Additional Demo Door BC-7-1 | \$3,805.00 |
| 4. RFI#0199 - Door Frame 1C-1B-1 | \$7,058.00 |
| 5. Dura Rock @ Washroom | \$1,503.26 |
| 6. ASI#106 - Opening 1C-6-1 | \$4,119.79 |
| 7. Area B Water Damage - Credit | (\$7,928.13) |
| 8. Gym A100 Duct Damaged by Lift - Credit | (\$2,895.97) |

The total amount of Change Order #43 is **\$26,256.95**; and

WHEREAS, Change Order #44 includes the following item:

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| 1. ASI#080 - Area B Exterior Paving | \$20,857.00 |
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The total amount of Change Order #44 is **\$20,875.00**; and

WHEREAS, Change Order #45 includes the following items:

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| 1. ASI#078 - Door 107-3 / East Exterior Stair Extension Demo | \$1,528.50 |
| 2. ASI#051 - Lintels | \$4,589.00 |
| 3. Speaker Pole Revisions | \$9,252.00 |

The total amount of Change Order #45 is

\$15,360.50; and

WHEREAS, the Construction Manager and the Program Manager believe that the change orders 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 MSH's Contract should be amended to add the scope items described in the above-referenced change orders for an increase in the Contract Sum of \$242,298.62; and

WHEREAS, the Committee considered and discussed the Program Manager's recommendation at its January 3, 2019 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 MSH's Contract between the Board and Contractor dated September 11, 2017 as set forth above are hereby approved; and
2. The RJSCB's Chair is hereby authorized, in the name and on behalf of the RJSCB, to execute 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 Norman Jones

Approved 5-0 with Member Cruz away