

Resolution 2018-19: 36

Change Order #9 to Manning Squires Hennig Contract (John Walton Spencer School 16)

By Board Member Brown

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 John Walton Spencer School 16 (“School 16”) is one of the projects included in Phase 2a of the RSMP as provided in the Phase 2 Master Plan; and

WHEREAS, the RJSCB approved the award of the general contractor contract to Manning Squires Hennig, Inc. (“MSH”) for the School 16 project in Phase 2a (Resolution 2017-18: 27); and

WHEREAS, the RJSCB entered into a contract with MSH (Resolution 2017-18: 27) dated August 21, 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 Buffalo Construction Consultants, 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 #9 includes the following items:

1. T202 Wall Types \$477.00
2. Room 200, 200A Wall Prep \$2,943.00
3. Corridor 1C4 Wall Furring \$1,537.00
4. Custodian Room 146 Wall Furring \$1,792.00

The total amount of Change Order #9 is \$6,749.00; 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 this additional work; 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 these scope items for a total increase in the Contract Sum of \$6,749.00; and

WHEREAS, the Committee considered and discussed the Program Manager’s recommendation at its September 6, 2018 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 Order to MSH's Contract between the Board and Contractor dated August 21, 2017 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 the Change Orders 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 Cruz

Approved 7-0