

**Resolution 2019-20: 30**

**Change Orders #32 & 34-39 to Concord Electric Contract (Clara Barton School No. 2)**

**By Board Member Vice Chair 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 RJSCB approved the award of the electrical contractor contract to Concord Electric Corp. (“Concord”) for the Clara Barton School No. 2 project in Phase 2c (Resolution 2017-18: 181); and

WHEREAS, the RJSCB entered into a contract with Concord (Resolution 2017-18:181) dated May 7, 2018 (the “Contract”), to perform the scope of services defined in the contract documents as the electrical contractor’s scope of work; and

WHEREAS, following the execution of the Contract, Concord, 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 #32 includes the following item:

1. RFI095-Complete Lightning Protection System \$48,165.00

The total amount of Change Order #32 is **\$48,165.00**; and

WHEREAS, Change Order #34 includes the following item:

1. IB-67-Projector & Screen at Stage \$24,028.00

The total amount of Change Order #34 is **\$24,028.00**; and

WHEREAS, Change Order #35 includes the following item:

1. IB-68-Gym Scoreboard & Power requirement \$12,079.00

The total amount of Change Order #35 is **\$12,079.00**; and

WHEREAS, Change Order #36 includes the following item:

1. IB-70-Teaching Walls in room 112B & 228 \$12,752.00

The total amount of Change Order #36 is **\$12,752.00**; and

WHEREAS, Change Order #37 includes the following item:

1. IB-71-RFI232-Provide Power & Data Outlets in Maker Space \$24,202.00

The total amount of Change Order #37 is **\$24,202.00**; and

WHEREAS, Change Order #38 includes the following item:

1. RFI 252- Provide New Feed to 2nd Floor Panel \$42,916.00

The total amount of Change Order #38 is **\$42,916.00**; and

WHEREAS, Change Order #39 includes the following item:

1. IB-91R1-Provide New Electrical Service to Building \$190,441.00

The total amount of Change Order #39 is **\$190,441.00**; 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 Concord's Contract should be amended to add these scope items for a total increase in the Contract Sum of \$354,583.00; and

WHEREAS, the Committee considered and discussed the Program Manager's recommendation at its September 5, 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 Concord's Contract between the Board and Contractor dated May 7, 2018 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 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 Cruz**

**Adopted 7-0**