

Resolution 2018-19: 153
Change Order #2 to Mark Cerrone Contract – School 50 (Phase 1)

By Board Member Cruz

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 Site Work contract to Mark Cerrone, Inc. (“Cerrone”) for the School 50 project at its regular meeting on September 11, 2017 (Resolution 2017-18: 53); and

WHEREAS, the RJSCB subsequently entered into a contract with Cerrone (Resolution 2017-18: 53) dated September 11, 2017 (the “Contract”), to perform the scope of services defined in the contract documents as the Site Work Contractor’s scope of work; and

WHEREAS, following the execution of the Contract, Cerrone, along with 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 Program Manager for review; and

WHEREAS, Change Order #2 includes the following item:

1. Contaminated soils return to site \$12,985.77
2. Capping black cinder remnants \$282,861.34

The total amount of Change Order #2 is \$297,847.11; and

WHEREAS, the Program Manager believes 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 Cerrone’s Contract should be amended to add this scope item for an increase in the Contract Sum of \$297,847.11; and

WHEREAS, the Committee considered and discussed the Program Manager’s recommendation at its July 5, 2018 meeting and after due deliberation, it approved the request to amend the Contract.

THEREFORE, BE IT RESOLVED:

1. The proposed Change Order to Cerrone’s Contract between the Board and Contractor dated September 11, 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 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 Brooks-Harris
Approved 5-0 with Member Jones away