

**Resolution 2020-21: 76**

**Change Order #104 to Holdsworth Klimowski Construction Contract (East Campus – Phase 2a)**

**By Board Member Thomas Richards**

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 East Campus Modernization Project (“East”) is one of the projects included in Phase 2 of the RSMP as provided in the Phase 2 Master Plan; and

WHEREAS, the RJSCB approved the award of the general construction contract to Holdsworth Klimowski Construction (“HKC”) for the East project in Phase 2 (Resolution 2018-19: 51); and

WHEREAS, the RJSCB entered into a contract with HKC (Resolution 2018-19: 51) dated September 10, 2018 (the “Contract”), to perform the scope of services defined in the contract documents as the general construction contractor’s scope of work; and

WHEREAS, following the execution of the Contract, HKC, 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 #104 includes the following items:

1.	Per IB 124R2, in the D-Wing East 3rd floor, the Owner requested solid surface trim to be added to the alcove which houses a display case added as part of a previous change order.	\$	4,321.00
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2.	Per IB 270, additional wall patching was required in the D-Wing, Room D-141.	\$	390.00
3.	Per IB 270, in the D-Wing, room D-134, millwork edge panels were installed to conceal the existing plaster, adjacent to new millwork, which was in poor condition.	\$	833.00
4.	Per IB 325, in the F-Wing, stair FS-1, the existing stair handrail was missing a segment between level 01 and 02 which required it to be infilled for compliance with current codes and to match the existing railing.	\$	4,209.00
5.	Per IB 329, in the D-Wing East, a scribed substrate was installed to level the wall base and eliminate the unsightly gap in the new millwork.	\$	438.00
6.	Per IB 328, in the D-Wing, stair towers DS-5 and DS-6, terrazzo base was required at the location of new walls. They were not included in the original Contract Documents.	\$	2,308.00
7.	Per RFI 683, on the exterior wall in the F-Wing, existing refrigerant lines were demolished and the holes were infilled by toothing in new brick to match the existing. (design inconsistency)	\$	630.00
8.	Per IB 331, in the D-Wing, Suite D-131, the owner requested removal of the existing lockers in the office suite. The walls were required to be patched and finishes provided. The existing toilet room was cleaned and refurbished. This work is outside of the base scope of work on the project.	\$	18,251.00
9.	Per IB 332, in the F-Wing, Room F-111, existing ceilings were required to be removed and reinstalled to accommodate the new ventilation system.	\$	3,270.00
10.	Per RFI 690, in the D-Wing, during demolition of stair tower DS-5 and janitors closet D-329, asbestos containing pipe insulation was found and removed.	\$	316.00
11.	Per RFI 693, in the D-Wing, room D-131, ACM flooring was discovered under existing lockers and was abated.	\$	3,961.00

The total amount of Change Order #104 is **\$38,927.00**; 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 the foregoing changes; and

WHEREAS, the Program Manager thereafter recommended to the RJSCB that HKC's Contract should be amended to add these scope items for an increase in the Contract Sum of **\$38,927.00**; and

WHEREAS, the RJSCB Board considered, discussed and deliberated the Program Manager's recommendation at its July 12, 2021 regular meeting.

THEREFORE, BE IT RESOLVED:

1. The Rochester Joint Schools Construction Board hereby approves the proposed Change Orders to HKC's Contract between the Board and Contractor dated September 10, 2018 as set forth above; and
2. The RJSCB 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 I. Geena Cruz**