

Resolution 2012-13: 153
Change Order #5 to Manning Squires Hennig – School 58

By Board Chair Giess

WHEREAS, the Rochester School Facilities Modernization Program Act (“the Act”) established the Rochester Joint Schools Construction Board (“RJSCB”), 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 Act authorized up to 13 projects in Phase I of the Rochester Schools Modernization Program (“RSMP”) including a District Wide Technology program which involves technology upgrades and infrastructure work at each of the 12 school projects identified in Phase 1; and

WHEREAS, the RJSCB’s Program Manager, with the advice of JCJ Architecture (the “Architect”), LeChase Construction (the “Construction Manager”), the RJSCB’s general counsel, and the RJSCB’s Independent Compliance Officer, prepared a request for bids (“Request for Bids”) package for the School 58 project; and

WHEREAS, the RJSCB approved the award of the general contractor contract to Manning Squires Hennig Co., Inc. (“Manning Squires”) for the School 58 project in Phase I (Resolution 2012-13: 35); and

WHEREAS, at the time of award, the RJSCB decided that it would not include the Alternate 58-1 “Exterior Masonry Restoration” in the general contractor’s contract due to the delay of the three other prime contract awards (mechanical, electrical, and plumbing) while the Project Manager sought to finalize the overall cost of the project and determine if the project could afford to include the additional work of Alternate 58-1; and

WHEREAS, the RJSCB subsequently entered into a contract with Manning Squires (Resolution 2012-13: 35) dated September 10, 2012 (the “Contract”), to perform the scope of services defined in the contract documents as the general contractor’s scope of work without Alternate 58-1; and

WHEREAS, the bids for the other three prime contracts (mechanical, electrical, and plumbing) were received on February 25, 2013; and

WHEREAS, the RJSCB subsequently entered into contracts for the mechanical, electrical, and plumbing scopes of work associated with the School 58 project (Resolution 2012-13: 120); and

WHEREAS, the Program Manager and the Construction Manager have determined that the project budget can afford to add the additional work associated with Alternate 58-1 “Exterior Masonry Restoration” and the general contractor has agreed to hold their original bid day pricing in the amount of \$439,000; and

WHEREAS, the Program Manager has evaluated the original bids and determined that the award of this alternate would not have changed Manning Squires Hennig’s award as the low bidder for the general construction scope of work associated with the School 58 project and has therefore recommended to the RJSCB that a Change Order to Manning Squires Hennig be approved in the amount of \$439,000; and

WHEREAS, the MWBE and Services Procurement Committee considered and discussed the Program Manager's recommendation at its March 28, 2013 meeting and after due deliberation, it approved the Change Order request for these additional services;

THEREFORE, BE IT RESOLVED:

1. The proposed Change Order to Manning Squires Hennig 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 a Change Order 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 Member Brown

Approved 6-0 with Member Roulin away