

Resolution 2012-13: 34
Change Order #1 to B&B Mechanical Contractors Inc. – School 50

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 Clark Patterson Lee (the “Architect”), The Pike Company (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 50 project; and

WHEREAS, the RJSCB previously had authorized the release of the Request for Bids at its monthly meeting on March 12, 2012 (Resolution 2011-12: 83) pending approval of the Board of Education (“BOE”) and the State Education Department of New York (“SED”); and

WHEREAS, the RJSCB received approval of the School 50 project by the BOE at their monthly meeting on December 15, 2011 (BOE Resolution 2011-12: 413) and by SED on March 23, 2012; and

WHEREAS, the RJSCB’s Executive Director received bids on May 1, 2012 per the deadline stipulated in the Request for Bids, and those bids were subsequently publicly opened and read aloud at the location stated in the Request for Bids; and

WHEREAS, the Program Manager, Architect, Construction Manager, and Independent Compliance Officer reviewed the bids, conducted de-scoping meetings, and concluded that the apparent low bidders for each scope of work package were also qualified and responsible bidders; and

WHEREAS, the RJSCB subsequently entered into a contract (“the Contract”) with B&B Mechanical Contractors Inc. (“B&B Mechanical”) for the mechanical scope of work associated with the School 50 Project (Resolution 2011-12: 101); and

WHEREAS, the District has now requested that full building air conditioning be incorporated in the scope of work for the School 50 project; and

WHEREAS, the Chiller equipment upgrade necessary to accomplish the District’s request to add full building air conditioning to the School 50 project had been bid as an alternate to the mechanical contractor’s scope of work in the original bid documents (Alternate 50-7), but at the time of award, this alternate was declined; and

WHEREAS, the contractor, B&B Mechanical, has agreed to hold their original bid price for Alternate 50-7 in the amount of \$236,000; and

WHEREAS, the Program Manager has evaluated the original bids and determined that the award of this alternate would not have changed B&B Mechanical's award as the low bidder for the mechanical scope of work associated with the School 50 project and has therefore recommended to the RJSCB that a Change Order to B&B Mechanical be approved in the amount of \$236,000; and

WHEREAS, the Committee considered and discussed the Program Manager's recommendation at its September 6, 2012 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 B&B Mechanical Contractors Inc. 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 Underwood
Approved 5-0 with Member Castro away