

Resolution 2014-15: 58

Change Order #1 and #2 to Steve General Contractor – Roofing General Contractor (School 5)

By Vice Chair Brown

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 School 5 project in Phase 1 is approaching its completion and the Program Manager has recently identified a portion of the School 5 project contingency budget which is currently unallocated; and

WHEREAS, these unallocated project contingency funds are available for additional scopes of work at the School 5 project or they will be re-allocated to one of the other projects in Phase 1; and

WHEREAS, the District has expressed a desire to have several areas of the existing School 5 building exterior masonry and concrete repaired; and

WHEREAS, this work was identified in the original School 5 project bid as alternates, but at the time of the award the budget could not afford this work, and the Program Manager recommended not to accept these alternates; and

WHEREAS, the remaining contingency funds available will not be enough to provide for the entire building exterior restoration, and therefore the Program Manager worked with District representatives to identify the most critical areas of restoration that would have the most benefit to the building; and

WHEREAS, having defined the areas of work necessary, the Program Manager and the Construction Manager worked to negotiate pricing with the School 5 General Contractor and were not able to reach an agreement; and

WHEREAS, the Program Manager, along with the Architect of record and the Construction Manager, then prepared a set of bid documents for the Masonry and Concrete Restoration Package, and

WHEREAS, on the date specified in the bid documents, the RJSCB received no bids for the “Masonry and Concrete Restoration” package; and

WHEREAS, in July 2014, the RJSCB approved the award of the roofing general contractor contract to Steve General Contractor Inc, for the School 5 project in Phase I (Resolution 2014-15: 8); and

WHEREAS, the RJSCB entered into a contract with Steve General Contractor Inc., (Resolution 2014-15: 8) dated July 7, 2014 (the “Contract”), to perform the scope of services defined in the contract documents as the roofing general contractor’s scope of work; and

WHEREAS, the Program Manager and the Construction Manager then worked to negotiate pricing for the masonry and concrete restoration with Steve General Contractor Inc.; and

WHEREAS, Steve General Contractor Inc. secured pricing from two other subcontractors, both of which exceeded the budget for the masonry and concrete work identified; and

WHEREAS, Steve General Contractor Inc. then submitted a price to self-perform the work to the Program Manager; and

WHEREAS, the pricing provided by Steve General Contractor Inc. is within the budget for the scope of work; and

WHEREAS, the District desires to have this work completed in a short timeframe so as to not impact the start of school or the safety of the building occupants; and

WHEREAS, the Program Manager reviewed the proposal for accuracy, completeness, and fairness and found it to be acceptable; and

WHEREAS, Change Order #1 includes the following item:

1. Provide concrete restoration for the amount of \$34,626.96

The total amount of Change Order #1 is \$34,626.96; and

WHEREAS, Change Order #2 includes the following item:

1. Provide masonry restoration for the amount of \$30,709.14

The total amount of Change Order #2 is \$30,709.14; and

WHEREAS, the Construction Manager and the Program Manager believe that the change order work was 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 MWBE and Services Procurement Committee (the "Committee") that Steve General Contractors' Contract should be amended to add these additional scope items in the total amount of \$65,336.10; and

WHEREAS, the Committee considered and discussed the Program Manager's recommendation at its September 4, 2014 meeting and after due deliberation, it approved the request to amend the Contract;

THEREFORE, BE IT RESOLVED:

1. The proposed Change Orders to Steve General Contractors' Contract between the Board and Contractor dated July 7, 2014 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 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 Benincasa
Approved 6-0 with Member Thomas away**