

**Resolution 2015-16: 37**

**Change Order #7, #8, and #9 to Mark Cerrone Inc. (School 12 Demo and Abatement)**

**By Board Member B. 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 RJSCB approved the award of the demo and abatement contractor contract to Mark Cerrone Inc., (“Cerrone”) for the School 12 project in Phase I (Resolution 2014-15: 107); and

WHEREAS, the RJSCB entered into a contract with Cerrone (Resolution 2014-15: 107) dated November 3, 2014 (the “Contract”), to perform the scope of services defined in the contract documents as the demo and abatement contractor’s scope of work; and

WHEREAS, following the execution of the Contract, Cerrone, along with the Pike Company (the Construction Manager), and the Program Manager, identified reductions in the scope of work, and cost proposals were then obtained for these reductions in scope items and provided to the Construction Manager and the Program Manager for review; and

WHEREAS, Change Order #7 includes the following item:

1. Salvage and transport acoustical ceiling tile for the amount of \$4,738

The Total amount of Change Order #7 is \$4,738; and

WHEREAS, Change Order #8 includes the following item:

1. Remove flooring and mastic in room 225 for the amount of \$856.80

The Total amount of Change Order #8 is \$856.80; and

WHEREAS, Change Order #9 includes the following item:

1. Credit for deletion of cafeteria floor, provide protection instead for a deduct of -\$963.41

The Total amount of Change Order #9 is a credit of -\$963.41; 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 the addition and deletion of this work; and

WHEREAS, the Program Manager thereafter recommended to the RJSCB’s MWBE and Services Procurement Committee (the “Committee”) that Mark Cerrone Inc.’s Contract should be amended to add and delete these scope items for a total of \$4,631.39; and

WHEREAS, the Committee considered and discussed the Program Manager’s recommendation at its September 10, 2015 meeting and after due deliberation, it approved the request to amend the Contract;

THEREFORE, BE IT RESOLVED:

1. The proposed Change Orders to Mark Cerrone Inc.'s Contract between the Board and Contractor dated November 3, 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 7-0**