

**Resolution 2015-16: 9**  
**Change Order #11, #13 and #14 to Leo J. Roth – (Mechanical - School 58)**

**By Board Member Benincasa**

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 approved the award of the mechanical contractor contract to Leo J. Roth Corporation (“Leo J. Roth”) for the School 58 project in Phase I (Resolution 2012-13: 120); and

WHEREAS, the RJSCB subsequently entered into a contract with Leo J. Roth (Resolution 2012-13: 120) dated March 4, 2013 (the “Contract”), to perform the scope of services defined in the contract documents as the mechanical contractor’s scope of work; and

WHEREAS, following the execution of the Contract, Leo J. Roth, along with LeChase Construction, the Construction Manager, and the Program Manager, identified the need for additional scopes of work, and cost proposals were then obtained for these additional scope items and provided to the Construction Manager and the Program Manager for review; and

WHEREAS, Change Order #11 includes the following item:  
1. Reroute ductwork due to conflicts for the amount of \$15,288  
The total amount of Change Order #11 is \$15,288; and

WHEREAS, Change Order #13 includes the following items:  
1. Provide fire-stopping at ductwork for the amount of \$6,600  
2. Reroute exhaust ductwork for the amount of \$4,002  
The total amount of Change Order #13 is \$10,602; and

WHEREAS, Change Order #14 includes the following item:  
1. Credit for duplicate previous change order (11 & 12) in the amount of -\$15,288  
The total amount of Change Order #14 is a credit of -\$15,288; 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 this additional work; and

WHEREAS, the Program Manager thereafter recommended to the RJSCB’s MWBE and Services Procurement Committee (the “Committee”) that Leo J. Roth’s Contract should be amended to add and delete these additional scope items in the total amount of \$10,602; and

WHEREAS, the Committee considered and discussed the Program Manager's recommendation at its July 9, 2015 meeting and after due deliberation, it approved the request to amend the Contract;

THEREFORE, BE IT RESOLVED:

1. The proposed Change Orders to Leo J. Roth's Contract between the Board and Contractor dated March 4, 2013 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 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 B. Brown**  
**Approved 7-0**