

**Resolution 2016-17: 187**

**Change Orders #1 through #4 to Fibertech Environmental - School 7 Abatement/Demolition (Phase 2a)**

**By Board Member Jones**

WHEREAS, the Rochester School Facilities Modernization Program Act (“the Act”) established the Rochester Joint Schools Construction Board (“RJSCB” or “Board”), 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 authorizing legislation for Phase 2 of the Rochester Schools Modernization Program (“RSMP”) was signed into law by the Governor of the State of New York on December 17, 2014; and

WHEREAS, the RJSCB approved the award of the Asbestos Abatement and Demolition contract to Fibertech Environmental Services (“Fibertech”) for the Virgil I. Grissom School No. 7 (“School 7”) project at its regular meeting on January 17, 2017 (Resolution 2016-17: 109); and

WHEREAS, the RJSCB subsequently entered into a contract with Fibertech (Resolution 2016-17: 109) dated January 17, 2017 (the “Contract”), to perform the scope of services defined in the contract documents as the Asbestos Abatement and Demolition Contractor’s scope of work; and

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

WHEREAS, Change Order #1 includes the following item:

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| 1. Time extension as a result of the weather       | \$0.00 |
| The total amount of Change Order #1 is \$0.00; and |        |

WHEREAS, Change Order #2 includes the following item:

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| 1. Additional abatement and demolition of walls systems containing asbestos (including credit for tile removal) - RFI #14 | \$4,129.00 |
| The total amount of Change Order #2 is \$4,129.00; and  |            |

WHEREAS, Change Order #3 includes the following item:

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| 1. Additional abatement and demolition of walls systems containing asbestos (including credit for tile removal) - RFI #13 | \$12,450.00 |
| The total amount of Change Order #3 is \$12,450.00; and   |             |

WHEREAS, Change Order #4 includes the following item:

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|---|--------------|
| 1. Additional abatement and demolition of walls systems containing asbestos (including credit for tile removal) - RFI #15 | \$103,053.00 |
| The total amount of Change Order #4 is \$103,053.00; 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 be increased by ten (10) work days for this additional work; and

WHEREAS, the Program Manager thereafter recommended to the RJSCB that Fibertech’s Contract should be amended to add these scope items for a total net increase in the Contract Sum of \$123,000.00 and an extension of the Contract Time of ten (10) work days; and

WHEREAS, the Board considered and discussed the Program Manager's recommendation at its April 10, 2017 meeting and after due deliberation, it approved the request to amend the Contract.

THEREFORE, BE IT RESOLVED:

1. The proposed Change Order to Fibertech Environmental Services' Contract between the Board and Contractor dated January 17, 2017 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 Change Orders to the Contract 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 Board Member Cruz**

**Approved 6-0 with Member Richards away**