

Resolution 2016-17: 231

Adjustment of Scope to Phase 2b Project at Dr. Freddie Thomas Learning Center and Transfer of \$850,000 to Phase 2a Project at School No. 7

By Board Member Richards

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 amended Act authorized up to 26 projects in Phase 2 of the RSMP including a District Wide Technology program which involves technology upgrades and infrastructure work at several of the possible projects; and

WHEREAS, for Phase 2 of the RSMP, the RJSCB intends to undertake 14 projects for the design, reconstruction, or rehabilitation of existing school buildings for their continued use by the District (collectively, the “Phase 2 Projects”), which have been further defined as Phase 2a, Phase 2b, Phase 2c and Phase 2d, plus a DWT project at each of the Phase 2 school buildings; and

WHEREAS, the Virgil I. Grissom School No. 7 (“School 7”) is one of the projects included in Phase 2a of the RSMP as provided in the Phase 2 Master Plan; and

WHEREAS, the Dr. Freddie Thomas Learning Center (“DFTLC”) is one of the projects included in Phase 2b of the RSMP as provided in the Phase 2 Master Plan; and

WHEREAS, Phase 2a of the RSMP includes general construction, mechanical, plumbing and electrical work at School 7; and

WHEREAS, the Program Manager worked with the Architect of Record and Construction Manager for the School 7 project to prepare a Request for Bids for general construction, mechanical, plumbing and electrical work for the School 7 project; and

WHEREAS, the RJSCB authorized the release of the general construction, mechanical, plumbing and electrical work package at its regular meeting on April 10, 2017 (Resolution 2016-17: 173), which bid documents contained certain alternates; and

WHEREAS, the Program Manager received bids on May 4, 2017 per the deadline stipulated in the Request for Bids for the School 7 project, which included bids for the specified alternates, as applicable, and those bids were subsequently publicly opened and read aloud at the location stated in the Request for Bids; and

WHEREAS, the RJSCB approved the award of the mechanical contract to John W. Danforth Company (“Danforth”), the electrical contract to Eastcoast Electric, LLC (“Eastcoast”) and the plumbing contract to Michael A. Ferrauilo Plumbing & Heating, Inc. (“Ferrauilo”) for the School 7 project in Phase 2a (Resolution 2016-17: 205); and

WHEREAS, the RJSCB approved the award of the general contractor contract to DiPasquale Construction, Inc. (“DCI”) for the School 7 project in Phase 2a (Resolution 2016-17: 212); and

WHEREAS, the RJSCB thereafter entered into a contracts with DCI, Danforth, Eastcoast and Ferrauilo to perform the scope of services defined in the contract documents as the scope of work of the general contractor, mechanical contractor, electrical contractor and plumbing contractor, respectively (collectively, the “Contracts”); and

WHEREAS, following the execution of the Contracts, the District’s Department of Educational Facilities and the RSMP Program Manager identified various additional high priority alternates for the Phase 2a project work at School 7 – i.e., Alternates #1, #2, #3, #4, #8, #9 and #10 (the “Alternates”); and

WHEREAS, the District’s Board of Education approved the transfer of \$850,000 from the Phase 2b project at DFTLC to the Phase 2a project at School 7 to fund the cost of the Alternates (Board of Education Resolution 2016-17: 833); and

WHEREAS, the School 7 Construction Manager and the Program Manager believe that the pricing of the Alternates is appropriate and the Contract Time will not be increased by this additional work; and

WHEREAS, the Program Manager thereafter recommended to the RJSCB that the Contracts should be amended to add the Alternates for a total increase to the Contracts of \$844,860.00; and

WHEREAS, the RJSCB considered and discussed the District’s Board of Education Resolution 2016-17: 883 and the Program Manager’s recommendation at its June 16, 2017 special meeting and, after due deliberation, it approved the recommendation to transfer the sum of \$850,000 from the Phase 2b DFTLC project to the Phase 2a project at School 7 to fund the cost of the Alternates.

THEREFORE, BE IT RESOLVED:

1. The RJSCB hereby approves the transfer of the sum of \$850,000 from the Phase 2b DFTLC project to the Phase 2a project at School 7 to fund the cost of the Alternates;
2. The RJSCB’s Chair is hereby authorized, in the name and on behalf of the RJSCB, to execute Change Orders to the Contracts 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; and
3. The Program Manager is hereby authorized to work with the DFTLC consultants to recommend to the Board reductions in scope of the DFTLC project to account for the reduction of the DFTLC project budget as provided for herein.

Second by Board Member Brown

Approved 5-0 with Vice Chair Schmidt and Member Jones away