

Resolution 2016-17: 233
Change Order #1 to M.A. Ferraiulo Contract (School 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, the RJSCB approved the award of the plumbing contractor contract to Michael A. Ferraiulo Plumbing & Heating, Inc. (“Ferraiulo”) for the School 7 project in Phase 2a (Resolution 2016-17: 205); and

WHEREAS, the RJSCB entered into a contract with Ferraiulo (Resolution 2016-17: 205) dated May 16, 2017 (the “Contract”), to perform the scope of services defined in the contract documents as the plumbing contractor’s scope of work; and

WHEREAS, following the execution of the Contract, 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, Ferrauilo's bid included prices for the applicable Alternates, and the Program Manager, along with the District's Department of Educational Facilities, identified and recommended acceptance of the Alternates to the RJSCB for the School 7 project; and

WHEREAS, Change Order #1 includes the following alternates:

1. Alternate #4 – Elevator Modernization \$4,000.00

The Total amount of Change Order #1 is \$4,000.00; and

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

WHEREAS, the Program Manager thereafter recommended to the Board that Ferrauilo's Contract should be amended to add this scope item for an increase in the Contract Sum of \$4,000.00; and

WHEREAS, the Board considered and discussed the Program Manager's recommendation at its June 16, 2017 special meeting and, after due deliberation, it approved the request to amend the Contract.

THEREFORE, BE IT RESOLVED:

1. The proposed Change Order to Ferrauilo's Contract between the Board and Contractor dated May 16, 2017 in the amount of \$4,000.00 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 a Change Order 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 Brown

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