

Resolution 2017-18: 114

Change Order #1 to Javen Construction, Inc. – (School Without Walls Phase 2b)

By Board Member Benincasa

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, the RJSCB approved the award of the contract for the general construction scope of work to Javen Construction, Inc. (“Javen”) for the School Without Walls project in Phase 2b (Resolution 2016-17: 239); and

WHEREAS, the RJSCB entered into a contract with Javen (Resolution 2016-17: 239) dated June 29, 2017 (the “Contract”), to perform the scope of services defined in the contract documents as the general construction contractor’s scope of work; and

WHEREAS, following the execution of the Contract, Javen, along with The Pike Company, Inc. (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 items:

- | | | |
|----|------------------------------------------------|------------|
| 1. | Removal of Discovered Concrete Pad 20’x60’x12” | \$5,750.31 |
| 2. | Creation of Temporary Bus Loop | \$7,634.02 |
| 3. | Excavation of Unsuitable Soils, Addition | \$6,280.00 |

The total amount of Change Order #1 is \$19,664.33; 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 M/WBE and Services Procurement Committee (the “Committee”) that Javen’s Contract should be amended to add these scope items for a total increase in the Contract Sum of \$19,664.33; and

WHEREAS, the Committee considered and discussed the Program Manager’s recommendation at its December 7, 2017 meeting and after due deliberation, it approved the request to amend the Contract.

THEREFORE, BE IT RESOLVED:

1. The proposed Change Order to Javen's Contract between the Board and Contractor dated June 29, 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 the 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 Members Cruz and Richards away