

**Resolution 2020-21: 60
Change Order #37 to J.W. Danforth Contract (East Campus 2a)**

By Board Member Mike Schmidt

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 East Campus Modernization Project (“East”) is one of the projects included in Phase 2 of the RSMP as provided in the Phase 2 Master Plan; and

WHEREAS, the RJSCB approved the award of the mechanical contract to John W. Danforth Co. (“JWD”) for the East project in Phase 2 (Resolution 2018-19: 51); and

WHEREAS, the RJSCB entered into a contract with JWD (Resolution 2018-19: 51) dated September 10, 2018 (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, JWD, 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 #37 includes the following items:

Per IB 028 and 028R1, in C-Wing, room C-125, there was a lack of coordination between the trades and the dryer vents were not picked up in the Contract Documents. In order for the dryers to function properly, ductwork needed to be added and terminate outside the building. The window fan in the room is to be removed in order to make room for the dryer ducts (design inconsistency).	\$4,061.00
Per IB 249, in the D-Wing, suite D-242, the Owner requested to replace the existing metal walls with new stud walls. As a result, new transfer grilles and ducts were required. (Latent Condition)	\$1,913.00
Per IB 260, in the D-Wing, room D-334A and D-346, the existing chase wall had grilles that were used to pull exhaust air to exhaust ductwork. The chase wall was demolished in order to access the plumbing fixtures; therefore the grilles were removed. To better serve the exhaust needs for the bathrooms, additional ductwork and grilles are provided (Latent Condition)	\$1,988.00
Per IB 264 and RFI-591, in D-Wing, room D-130B, an existing split unit was discovered in the room. This unit was not operational and was in the way of the new split unit to be installed in that room. The existing split unit, condenser and all refrigerant piping is to be removed.	\$4,161.00
Per IB 278 and RFI-603, in the C-Wing, room C-133, the existing unit heater in the garage was not operational. There were spare existing units that are on site, functional, and meet the needs for the garage. The Owner requested the existing unit heater be removed and a spare installed to meet the needs of the garage, which was outside of the original scope of work.	\$10,911.00
Per RFI 638, in the F-Wing, room F-116, it was determined that a piece of 5" flex duct was ripped and in disrepair above the ceiling. The duct was replaced in kind.(Latent Condition)	\$1,981.00
Per IB 297, in the F-Wing, rooms F-203A and F-207A, the existing ceiling was removed, but existing grilles were left to remain. New grilles are required, resulting in the existing being demolished and new provided (document inconsistency).	\$2,205.00
Per IB 300 and RFI-643, on the roof of F-Wing, an existing exhaust fan is not operational. A new fan will be provided to provide proper exhaust to the first floor of the F-Wing.	\$5,328.00
Per RFI 654, in the B-Wing, room B-125, during the demolition and planning of the Collaboratorium construction, it was discovered that additional exhaust ductwork was present that was not shown on the mechanical record documents. It was determined to cut and cap the exhaust ductwork.	\$1,014.00

The total amount of Change Order #37 is **\$33,562.00**; 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 not be increased by the foregoing changes; and

WHEREAS, the Program Manager thereafter recommended to the RJSCB that JWD's Contract should be amended to add these scope items for an increase in the Contract Sum of **\$33,562.00**; and

WHEREAS, the RJSCB Board considered, discussed and deliberated the Program Manager's recommendation at its March 8, 2021 regular meeting.

THEREFORE, BE IT RESOLVED:

1. The Rochester Joint Schools Construction Board hereby approves the proposed Change Order to JWD's Contract between the Board and Contractor dated September 10, 2018 as set forth above; and
2. The RJSCB 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 Jesse Dudley

Adopted 5-0