

Resolution 2020-21: 21

Change Order #10 to Steve General Contractor Inc. Contract (Edison Phase 2b)

By Board Member Jesse Dudley

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 is undertaking 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, Edison Technology Campus (“Edison”) 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 general contractor contract to Steve General Contractor Inc. (“SGC”) for the Edison project in Phase 2b (Resolution 2019-20: 10); and

WHEREAS, the RJSCB entered into a contract with SGC (Resolution 2019-20:10) dated August 5, 2019 (the “Contract”), to perform the scope of services defined in the contract documents as the general contractor’s scope of work; and

WHEREAS, following the execution of the Contract, SGC, along with Buffalo Construction Consultants, 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 #10 includes the following item:

1. 2020 Contaminated Soil Disposal \$222,320.00

The total amount of Change Order #10 is **\$222,320.00**; 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 this additional work; and

WHEREAS, the Program Manager thereafter recommended to the RJSCB's M/WBE and Services Procurement Committee (the "Committee") that SGC's Contract should be amended to add these scope items for a total increase in the Contract Sum of **\$222,320.00**; and

WHEREAS, the RJSCB Board considered, discussed and deliberated the Program Manager's recommendation at its September 14, 2020 regular meeting.

THEREFORE, BE IT RESOLVED:

1. The Rochester Joint Schools Construction Board hereby approves the proposed Change Order to SGC's Contract between the Board and Contractor dated August 5, 2019 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 Thomas Richards
Adopted 6-0