

**Resolution 2016-17: 109**

**Contract Award – Asbestos Abatement and Demolition Rebid – School 7 (Phase 2a Project)**

**By Board Member Cruz**

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 District’s Board of Education (“BOE”) has approved the comprehensive Master Plan for Phase 2 (BOE Resolution 2015-16: 630); and

WHEREAS, the Superintendent has identified and confirmed the projects for Phase 2 of the RSMP for which the RSJCB has started design and planning work in advance of the New York State Education Department and New York State Comptroller’s approval of the comprehensive Master Plan for Phase 2; and

WHEREAS, Phase 2a of the RSMP includes demolition, abatement, HVAC, plumbing and electrical work at School 7;

WHEREAS, the Program Manager determined that the success of the School 7 project would be greatly improved by beginning the construction as soon as possible; 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 an asbestos abatement and demolition package for the School 7 project; and

WHEREAS, the RJSCB authorized the release of the asbestos abatement and demolition package at its regular meeting on October 17, 2016 (Resolution 2016-17: 72); and

WHEREAS, the Program Manager received New York State Education Department approval of the asbestos abatement and demolition package for School 7 on November 14, 2016; and

WHEREAS, the Program Manager received bids on November 28, 2016 per the deadline stipulated in the Request for Bids for the asbestos abatement and demolition package for School 7, and those bids were subsequently publicly opened and read aloud at the location stated in the Request for Bids; and

WHEREAS, the Program Manager and the Independent Compliance Officer reviewed the bids submitted

by the presumptive low and second low bidders and determined that neither bid was responsive to the Request for Bids; and

WHEREAS, at the RJSCB monthly meeting on December 13, 2016, upon the recommendation of the Program Manager, the RJSCB rejected the bids received in connection with the asbestos abatement and demolition package and authorized the re-bid of the project; and

WHEREAS, the Program Manager, with the advice of SEI Design Group (the "Architect"), LeChase Construction (the "Construction Manager"), the RJSCB's general counsel, and the Independent Compliance Officer ("ICO"), prepared a revised request for bids ("Request for Bids") package for the asbestos abatement and demolition scope for the Phase 2a School 7 project; and

WHEREAS, the Program Manager received bids on January 5, 2017 per the deadline stipulated in the Request for Bids for the asbestos abatement and demolition package for School 7, and those bids were subsequently publicly opened and read aloud at the location stated in the Request for Bids; and

WHEREAS, the Program Manager, the Architect, Construction Manager and ICO have reviewed the bids, conducted de-scoping meetings of the two lowest bidders and determined that Fibertech Environmental Services is the lowest responsive and responsible bidder that is qualified and capable to perform the scope of work package for the Phase 2a School 7 asbestos abatement and demolition project; and

WHEREAS, at the M/WBE and Services Procurement Committee ("Committee") meeting held on January 12, 2017, following the review and consideration of the recommendations from the Program Manager, Construction Manager and ICO, and after due deliberation by the Committee, the Committee approved the contract award to:

<u>Scope of Work</u>	<u>Name of Contractor</u>	<u>Address</u>	<u>Bid Amount</u>
Abatement and Demolition	Fibertech Environmental Services	2035 Clinton Street Buffalo, NY 14206	\$1,974,200.00

THEREFORE, BE IT RESOLVED:

1. The RJSCB hereby approves the above-stated recommendations and awards the contract to Fibertech Environmental Services in the amount of \$1,974,200.00 to provide all equipment, labor, materials, and plant necessary to execute the Asbestos Abatement and Demolition scope of work associated with the Phase 2a School 7 project.
2. The RJSCB Chair is hereby authorized, in the name and on behalf of the RJSCB, to execute and deliver an Agreement to Fibertech Environmental Services in substantially the form included in the Request for Bids for the Phase 2a School 7 project, with such changes as the Chair may approve (his/her signature thereon being conclusive evidence of such approval) on the advice of the Program Manager and the RJSCB's general counsel.

**Second by Board Member Brown**  
**Approved 7-0**