

Resolution 2017-18: 163

Rejection of Bids and Authorization to Rebid – Dr. Walter Cooper Academy School 10 (Phase 2c)

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 (“DWT”) 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, Dr. Walter Cooper Academy School 10 (“School 10”) is one of the projects included in Phase 2c of the RSMP as provided in the Phase 2 Master Plan; and

WHEREAS, the Program Manager worked with the School 10 Architect and Construction Manager to prepare the bidding documents package for the multiple prime contract project (i.e., the general construction, HVAC, electrical and plumbing); and

WHEREAS, the RJSCB authorized the release of the documents for the School 10 multiple prime contract project work in Phase 2c at its regular meeting on February 6, 2018 (Resolution 2017-18: 135); and

WHEREAS, the Program Manager received bids on March 19, 2018 per the deadline stipulated in the general construction, HVAC, electrical and plumbing bidding documents for the Phase 2c School 10 project bid documents, and those bids were subsequently publicly opened and read aloud at the location stated in the bid documents; and

WHEREAS, the Program Manager reviewed the bids that were submitted and determined that the bids received were all collectively over budget and that it was in the best interest of the RJSCB to reject all of the bids, adjust the scope of the project and then re-bid the general construction, HVAC, electrical and plumbing contracts for the Phase 2c School 10 project as soon as possible in the interest of keeping the project on schedule; and

WHEREAS, the Program Manager recommended to the M/WBE and Services Procurement Committee (the “Committee”) that the RJSCB authorize the rebid of the general construction, HVAC, electrical and plumbing bidding documents for the Phase 2c School 10 project; and

WHEREAS, the Committee considered and discussed the Program Manager's recommendation at its April 5, 2018 meeting, and after due deliberation, the Committee approved the request to rebid the general construction, HVAC, electrical and plumbing bidding documents for the Phase 2c School 10 project.

THEREFORE, BE IT RESOLVED:

1. The RJSCB, through its Program Manager, shall proceed with the rebid and issuance of a Request for Bids for the School 10 general construction, HVAC, electrical and plumbing prime contracts in order to maintain the overall project schedule; and
2. Prior to issuance of the Request for Bids, the Program Manager shall work with the RJSCB's general counsel to further develop and finalize the Request for Bid packages, including the General Conditions of the Contract and the form of Contract; and
3. The M/WBE and Services Procurement Committee, with the advice and recommendations of the Program Manager, is authorized on behalf of the RJSCB to review the bid responses and recommend to the RJSCB the lowest responsible bidders.

Second by Board Member Cruz

Approved 5-0 with Member Richards away and Member Jones not yet arrived