

**Resolution 2012-13: 194
Edison Contract Awards - General Contractor, Mechanical Contractor, and Plumbing Contractor;
Rejection of Electrical bids and Authorization to Re-bid**

By Board Chair Giess

WHEREAS, the Rochester School Facilities Modernization Program Act ("the Act") established the Rochester Joint Schools Construction Board ("RJSCB"), 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 Act authorized up to 13 projects in Phase I of the Rochester Schools Modernization Program ("RSMP") including a District Wide Technology program which involves technology upgrades and infrastructure work at each of the 12 school projects identified in Phase 1; and

WHEREAS, the RJSCB's Program Manager, with the advice of LaBella Associates P.C. (the "Architect"), LPCiminelli Inc. (the "Construction Manager"), the RJSCB's general counsel, and the RJSCB's Independent Compliance Officer, prepared a request for bids ("Request for Bids") package for the Edison High School project; and

WHEREAS, the RJSCB received approval of the Edison High School project by the BOE at their monthly meeting on December 13, 2012 (BOE Resolution 2012-13: 365) and by SED on March 25, 2013; and

WHEREAS, the RJSCB's Executive Director received bids on May 21, 2013 per the deadline stipulated in the Request for Bids, and those bids were subsequently publicly opened and read aloud at the location stated in the Request for Bids; and

WHEREAS, the Program Manager, Architect, Construction Manager, and Independent Compliance Officer have reviewed the bids, conducted de-scoping meetings, and concluded that the apparent low bidders for the scope of work packages General Contractor, Mechanical Contractor, and Plumbing Contractor are also qualified and responsible bidders; and

WHEREAS, the Program Manager, Architect, Construction Manager, and Independent Compliance Officer have reviewed the bids for the Electrical Contractor scope of work package, and concluded that all bids should be rejected under the RJSCB's contractual right to do so, and the package should be re-bid as it is in the best interest of the public, the project, and the RJSCB; and

WHEREAS, at the MWBE and Services Procurement Committee meeting held on June 6, 2013, following the review and consideration of recommendations provided by the RJSCB's Program Manager and after due deliberation by the Committee, the following contract awards were approved:

<u>Scope of Work</u>	<u>Name of Contractor</u>	<u>Address</u>	<u>Bid Amount (Incl. accepted alternates)</u>
General Contractor	The Pike Company	One Circle Street Rochester, NY 14607	\$14,229,000
Mechanical Contractor	Landry Mechanical Contractors	164 Flint Hill Road Le Roy, NY 14482	\$3,400,100
Plumbing Contractor	M.A. Ferrauilo Plumbing and Heating Inc.	1600 Jay Street Rochester NY 14611	\$690,000

THEREFORE, BE IT RESOLVED:

1. The RJSCB hereby approves the recommendation of the Program Manager that contract awards shall be made to the above named firms and bid amounts to provide all equipment, labor, materials, and plant necessary to execute the scope of work associated with the Edison High School project in Phase 1 of the RSMP; and

2. The Chair is hereby authorized, in the name and on behalf of the RJSCB, to execute and deliver an Agreement (the "Agreement") to each firm named above in substantially the form included in the Request for Bids for the Edison High School 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; and

3. The RJSCB hereby approves the recommendation of the Program Manager that all bids received for the Electrical Contractor scope of work package associated with the Edison High School Project shall be rejected under the RJSCB's contractual right to do so and hereby directs the Program Manager to re-bid the Electrical Contractor scope of work at the earliest possible date.

Second by Member Pifer

Approved 6-0 with Member McCormick away