

**Resolution 2012-13: 198**

**Franklin Auditorium - Single Prime GC Bid Rejection 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 District has requested that the full renovation of the Franklin High School Auditorium, including air conditioning within the space, be added to the scope of the original Franklin High School project; and

WHEREAS, the RJSCB received approval of the Franklin High School Auditorium project by the Board of Education (“BOE”) at their monthly meeting on January 24, 2013 (BOE Resolution 2012-13: 425) and subsequently received approval from the State Education Department as an amendment to the original submission for the main Franklin High School project; and

WHEREAS, the RJSCB’s Program Manager, with the advice of Young+Wright Architects (the “Architect”), Campus Construction Manangement (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 Franklin High School Auditorium project as a single prime general contractor package (“Single Prime GC”); and

WHEREAS, the RJSCB’s Executive Director received one bid on April 29, 2013 per the deadline stipulated in the Request for Bids, and that bid was 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 bid, conducted a de-scoping meeting with the bidder, and concluded that the total base bid for the scope of work is substantially higher than the allowable project budget; and

WHEREAS, at the MWBE and Services Procurement Committee (“Committee”) meeting held on June 6, 2013, following the review and consideration of recommendation provided by the RJSCB’s Program Manager to reject the one bid received and after due deliberation the Committee agreed that the bid exceeds the project budget and it is not in the best interest to the project to award this contract; and

WHEREAS, The Committee agreed that the project should be redesigned by the Architect, re-estimated and re-packaged by the Construction Manager into individual prime contract scopes of work, and re-bid as quickly as possible;

THEREFORE, BE IT RESOLVED:

1. The RJSCB hereby approves the recommendation of the Program Manager that the bid received for the Single Prime GC package associated with the Franklin Auditorium project shall be rejected based on the bid amount exceeding the project funds available; and
2. The RJSCB hereby directs the Program Manager to proceed with re-design and re-packaging of the Franklin Auditorium project into 4 prime contracts and to re-bid the project at such time as the documents have been completed.

**Second by Member Brown**

**Approved 6-0 with Member McCormick away**