

**Resolution 2013-14: 303**  
**Contract Awards – School 5 Mezzanine Seating**

**By Board Member Brown**

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 worked with Vargas Associates, the Move Manager / FF&E Coordinator, to prepare a request for mezzanine seating bids (“Request for Bids”) in conjunction with the School 5 project; and

WHEREAS, the RJSCB approved the issuance of a Request for Bids for mezzanine seating at its monthly meeting on April 7, 2014 (Resolution 2013-14: 232); and

WHEREAS, the RJSCB’s Executive Director received no bids for mezzanine seating on the deadline stipulated in the Request for Bids; and

WHEREAS, subsequent feedback received by the Move Manager / FF&E Coordinator indicated that the type of seating being requested by the District is limited to a only few manufacturers in the country; and

WHEREAS, the Executive Director requested that the Move Manager / FF&E Coordinator contact individual suppliers directly to obtain price quotes for the mezzanine seating; and

WHEREAS, the Move Manager / FF&E Coordinator determined that the primary manufacturer of the type of seating requested by the District is located in Michigan, with a local supplier in Depew, NY; and

WHEREAS, a second supplier, located in New Jersey, expressed some interest in providing a price quote however the supplier concluded that it could not be competitive with the Depew supplier’s pricing based on proximity to Rochester and experience installing this type of seating; and

WHEREAS, the Depew supplier has provided the District with this type of seating on previous capital improvement projects and is currently under contract to provide similar seating at other District projects this summer; and

WHEREAS, the Move Manager / FF&E Coordinator has determined that the Depew supplier can provide State Contract pricing for the product specified and also meet the schedule demands of the project; and

WHEREAS, the Move Manager / FF&E Coordinator and the Program Manager have reviewed the price quote received from the supplier "Professional Furniture and Equipment" and concluded that the supplier is a qualified and responsible supplier of the seating required; and

WHEREAS, based on the advice from the Move Manager / FF&E Coordinator, a further request for bids or further attempt to secure alternative proposals would not result in any new supplier interest or pricing and there is no possibility of competition given the significant reduction in the market for wood seating; and

WHEREAS, at the MWBE and Services Procurement Committee meeting held on May 29, 2014, following the review and consideration of recommendations provided by the RJSCB's Move Manager / FF&E Coordinator and the Program Manager and after due deliberation by the Committee, Professional Furniture and Equipment was approved as a qualified and responsible supplier of the seating required;

THEREFORE, BE IT RESOLVED:

1. The RJSCB hereby awards the mezzanine seating procurement associated with the School 5 project to the supplier Professional Furniture and Equipment in the total amount of \$20,420.75; and
2. The RJSCB Chair is hereby authorized, to execute and deliver a Purchase Order to the firm named above, in substantially the form included in the Request for Bids with such changes as the Chair may approve (the Chair's signature thereon being conclusive evidence of such approval) on the advice of the Program Manager and the RJSCB's general counsel.

**Second by Vice Chair Brown**  
**Approved 6-0 with Member Thomas away**