

**Resolution 2016-17: 100**

**School 7 – Demolition and Abatement Project – Rejection of Bids and Authorization to Re-Bid**

**By Board Member Richards**

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 RJSCB 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 a demolition and abatement (“Early Start”) package for the School 7 project; and

WHEREAS, the RJSCB authorized the release of the Early Start 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 Early Start 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 Early Start 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 8, 2016, the Program Manager recommended that it was in the best interest of the public, the project and the RJSCB that the RJSCB reject the bids received in connection with the Early Start package and re-bid the project as soon as possible; and

WHEREAS, at the M/WBE and Services Procurement Committee ("Committee") meeting held on December 8, 2016, following the review and consideration of the above recommendation from the Program Manager and after due deliberation by the Committee, the Committee accepted the Program Manager's recommendation in full finding that rejection of the bids and re-bidding was in the best interest of the public, the project and the RJSCB;

THEREFORE, BE IT RESOLVED:

1. The RJSCB hereby approves the above recommendation of the Program Manager and all bids received for the Early Start project at School 7 are hereby rejected; and
2. The RJSCB hereby directs the Program Manager, in conjunction with the Architect of Record and Construction Manager for the School 7 project, to re-bid the Early Start project at School 7 as soon as possible.

**Second by Member Brown**

**Approved 5-0 with Member Jones not yet arrived and Member Cruz absent**