

Resolution 2017-18: 53

Contract Awards - Demolition, Site Work and Roof Rebids – School 50 Project (Phase 1)

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 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 Phase 1 Program Manager worked with the School 50 Architect to prepare request for bids (“Request for Bids”) package for the School 50 project, which included a roof replacement project (the “Roof project”) and School 50 field expansion and Maynard’s Building abatement and demolition project (the Site/Demo project”); and

WHEREAS, the RJSCB authorized the release of the Phase 1 School 50 project at its meeting on March 6, 2017 (Resolution 2016-17: 150); and

WHEREAS, the RJSCB received bids on July 12, 2017 per the deadline stipulated in the Request for Bids, and those bids were publicly opened and read aloud on July 12, 2017 at the location stated in the Request for Bids; and

WHEREAS, the RJSCB received single bids for both projects, which bids were substantially in excess of the construction budget for each project; and

WHEREAS, the RJSCB, at its regular monthly meeting on July 17, 2017, rejected the bids received for the Roof project and the Site/Demo project and authorized the Program Manager to prepare documents and conduct a re-bid of the Phase 1 School 50 project (Resolutions 2017-2018: 13 and 2017-18: 14); and

WHEREAS, the Program Manager advertised and released the revised bid documents for the School 50 project on August 3, 2017, which included contracts for Demolition (#1), Site Work (#2) and Roof Work (#3); and

WHEREAS, the Program Manager received bids for the Demolition, Site and Roof scopes on August 31, 2017 per the deadline stipulated in the revised Request for Bids, and those bids were publicly opened and read aloud on that dated at the located stated in the Request for Bids; and

WHEREAS, the Program Manager and Construction Manager have reviewed the Demolition, Site and Roof bids for the School 50 project, conducted de-scoping meetings, and concluded that the apparent low bidders are also qualified and responsible bidders; and

WHEREAS, the Independent Compliance Officer (“ICO”) has conducted an initial review of the apparent low bidders’ compliance with the MWBE/DBE/SBE Utilization and Workforce Diversity requirements of the Contract Documents (Specifications Section 004331) and continues to work with the apparent low bidders to the extent that such bidders have not demonstrated full compliance with the requirements of Specifications Section 004331; and

WHEREAS, on September 7, 2017, the Program Manager, ICO and Construction Manager provided their award recommendations regarding the Demolition, Site and Roof work contracts for the School 50 project to the RJSCB; and

WHEREAS, at the M/WBE and Services Procurement Committee (“Committee”) meeting held on September 7, 2017, following the review and consideration of the recommendations from the Program Manager, Construction Manager and ICO, and after due deliberation by the Committee, the Committee approved the contract awards to the following contractors contingent on the ICO’s determination of each contractor’s compliance with Specifications Section 004331 or its decision to grant a waiver of such requirements based upon the contractor’s good faith efforts undertaken in attempting to meet the RSMP diversity goals and any other relevant factors:

<u>Scope of Work</u>	<u>Name of Contractor</u>	<u>Address</u>	<u>Bid Amount</u>
Demolition (Contract #1)	Total Wrecking & Environmental, LLC	70 Pearce Ave Tonawanda, NY 14150	\$424,420.00
Site Work (Contract #2)	Mark Cerrone, Inc.	2368 Maryland Ave. Niagara Falls, NY 14305	\$1,025,347.00 (including Alternates 1, 2 and 3)
Roof Work (Contract #3)	Elmer W. Davis, Inc.	1217 Clifford Ave. Rochester, NY 14621	\$1,038,477.00 (including Alternate 4)

THEREFORE, BE IT RESOLVED:

1. The RJSCB hereby approves the above-stated recommendations that the 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 Demolition, Site and Roof scopes of work associated with the School 50 project contingent on the ICO’s determination of each contractor’s compliance with Specifications Section 004331 or its decision to grant a waiver of such requirements based upon the contractor’s good faith efforts undertaken in attempting to meet the RSMP diversity goals and any other relevant factors; and
2. The RJSCB Chair is hereby authorized, in the name and on behalf of the RJSCB, to execute and deliver an Agreement to the firms named above in substantially the form included in the Request for Bids for the School 50 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.

Second by Board Member Jones
Approved 6-0 with Member Cruz away