



Meeting Date: 5/18/2016 - 7:00 PM

Category: SCHOOL FACILITIES MANAGEMENT

Type: Action

Subject: 19.9 AWARD OF A CAPITAL FUND CONSTRUCTION CONTRACT for ITB6024A "Balance Work of Upgrades to Emergency Utilities & Replacement of Exterior Doors & Windows at Montessori School 31" Project No. 10467-GC, General Construction Contract to the lowest responsible bidder; AFL CONSTRUCTION CO., INC. for the amount of \$442,915.00. Contract term is for 365 calendar days.

District Goals:

Enclosure:

- File Attachment:**
- BOCS Sheet AFL Constr PS31.xlsx
 - ITB-6024A ABSTRACT page.pdf
 - PS31 - AFL Constr - Proposal Page.pdf

This resolution is to grant the administration the authority to enter into the above contract which is the GC work required to complete unfinished work left by the original GC who abandoned the project in 2014. The balance of the GC work had to be let twice. The first letting on March 4th resulted in unacceptably high numbers. The second letting on April 5th had more reasonable prices and is being offered for award herein.

Five bidders responded to the second letting with AFL being the lowest responsive and responsible bidder at \$442,915.00. The engineer's estimate is at \$550,000.00. AFL has demonstrated satisfactory knowledge of the scope, value and schedule entailed in the contract and has successfully performed work of similar size and scope at School 16 Annex and at School 25.

Rationale: Despite all due attempts by the District and the City Corporation Counsel to have the work entailed in this contract completed, the District was left with no choice but to have the unfinished work re-packaged and let for bid to permit substantial completion by school opening in September. Outstanding work includes but is not limited to classroom & gym windows, siding, select exterior doors, the building security system, final electrical work and the gym floor. The Architectural/Engineering (A/E) work was designed by the Eisenbach & Ruhnke Engineering P.C. (E&R). All of the additional contractor caused costs will be included in legal proceedings for recovery from the contractor and/or the bonding company.

CONTRACT DURATION: May 20, 2016 through March 31, 2017. It is anticipated that the substantial completion for all construction work, excluding closeout documents to be on or about October 1, 2016. All major work will be completed for school opening in September.

FOCUS POPULATION: The stakeholders of the Montessori School 31.

ASSESSMENT PROCESS: The School Facilities Management and Architect Eisenbach & Ruhnke will be inspecting the contractor's work and monitoring the construction schedule through on-site inspections, biweekly progress meetings and record keeping.

Funding: 10467 1620 1438 2200 LCBF \$442,915.00

Sponsored By:

Resolution Ladies and Gentlemen:

WHEREAS: The District has terminated the prime contractor for general construction work, Dimitri Enterprises, Inc., on project 10467 "Upgrades to Emergency Utilities and Replacement of Exterior Doors & Windows at Montessori School 31" and

WHEREAS: the District has filed a legal claim against said contractor and their insurance company, and

WHEREAS: it is determined that the original contractor will not be completing this work and that its completion is best accomplished by packaging for bid, all outstanding work, and

WHEREAS bids were publicly advertised, duly solicited and opened on April 20, 2016, in compliance with General Municipal Law for the above referenced contract and as a result of an examination of the bids submitted, the administration recommends the award to the lowest responsive and responsible bidder.

NOW THEREFORE BE IT RESOLVED: that the Superintendent of School is authorized to award the above contract for the ITB6024A RE-BID of Balance Work of Upgrades to Emergency Utilities and Replacement of Exterior Doors & Windows at Montessori School 31, Project No. 10467 to AFL Construction Co., Inc. 33-06 106th Street, Corona, New York 11368 for the amount not to exceed \$442,915.00.

Recommended By:

Signed By: 
John Carr - Executive Director

Signed By: 
Tom Collich - Purchasing Director

Signed By: 
Finance Department - Finance Reviewer

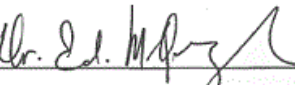
Signed By: 
Elizabeth Janocha - Deputy Commissioner

Approvals:

Signed By: 
John Liszewski - Commissioner

Signed By: 
Christine Montero - Assistant Superintendent

Signed By: 
Michael Curti - Corporation Counsel

Signed By: 
Dr. Edwin M. Quezada - Superintendent of Schools

Vote Results:

Original Motion

Member **John Jacono** Moved, Member **Judith Ramos Meier** seconded to approve the **Original** motion 'Ladies and Gentlemen:

WHEREAS: The District has terminated the prime contractor for

general construction work, Dimitri Enterprises, Inc., on project 10467 "Upgrades to Emergency Utilities and Replacement of Exterior Doors & Windows at Montessori School 31" and

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The motion **(XXXXXX)** 8 - 0

Andrea Brown	Yes
John Jacono	Yes
Dr. Nader J. Sayegh	Yes
Steve Lopez	Yes
Judith Ramos Meier	Yes
Curtis Kendrick	Yes
Pasquale Mondesando	Yes
James Cavanaugh	Yes
Edgar Santana	Abstain