

Rochester Schools Modernization Program



Compliance Audit of the Independent Compliance Officer

Prepared By:



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December 13th, 2013

Thomas Renauto, Executive Director
Rochester Joint Schools Construction Board
1776 North Clinton Avenue
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Re: Compliance Audit of the Independent Compliance Officer

December 12th, 2013

Dear Mr. Renauto:

At your direction and by the approval of the Rochester Joint Schools Construction board (RJSCB), we began an audit of the Independent Compliance Officer's (ICO) records for Phase 1 of the Rochester Schools Modernization Program (RSMP) on November 4th, 2013. Our audit focused on the completeness of records kept and maintained by the ICO, the effectiveness of the ICO's internal controls, and the subsequent diversity reporting by the ICO to the RJSCB.

The ICO has been retained by the RJSCB to develop, implement, advertise, promote, and monitor the business and workforce goals of the RSMP Diversity Plan. These goals include meeting participation requirements for Eligible Business Enterprises (EBE) as well as workforce diversity participation requirements for all contracts awarded by the RJSCB over \$20,000.

Our audit focused on the nine projects currently under construction as part of Phases 1A and 1B, and all professional service contracts as outlined by the RJSCB and yourself. We focused on reviewing the completeness and accuracy of randomly selected documentation from all projects and professional service contractors. Furthermore, our efforts were tailored to identify and exploit any deficient areas in the ICO's controls and reporting.

As explained herein, our audit has revealed several material weaknesses in the ICO's controls; these deficiencies have affected the accuracy of monthly reports provided to the RJSCB by the ICO. Noted deficiencies include missing and incomplete documentation, participation of uncertified Eligible Business Enterprise (EBE) contractors, lack of clear communication between relevant parties, and a failure to implement effective procedures to reduce the risk of deficiencies.

Our report contains numerous recommendations for eliminating the risk and reoccurrence of these deficiencies. For each compliance document, we provide suggested measures that can be immediately implemented for more accurate reporting. Most importantly, we outline a process to better define the role and responsibilities of the ICO and separate the promotion and implementation of the diversity goals from the reporting and monitoring.

We thank you and the RJSCB for this opportunity and hope that our report and recommendations assist you in your future endeavors.

Sincerely,

Joseph F. Burkart IV, PE

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1.0 - Background Information

1.1 - Rochester Schools Modernization Program - Project Information

On January 31st, 2011 the Rochester Joint Schools Construction Board (RJSCB) published the Rochester City School District (RCSD) Comprehensive School Facilities Modernization Program Phase 1 as part of the Rochester Schools Modernization Program (RSMP). Phase 1 has subsequently been divided into two parts, Phase 1A and Phase 1B. Both phases consist of capital improvement projects aimed at optimizing and modernizing existing schools within the Rochester City School District.

Phase 1A contains construction work related to four schools: Charlotte High School, Helen Barrett School #50, Enrico Fermi School #17, and Franklin Education Campus. These four projects began shortly after the award issued on June 4th, 2012 and are currently nearing completion. Phase 1B contains construction work related to five additional schools: World of Inquiry School #58, Henry Hudson School #28, John Williams School #5, Edison Technology Campus, and East High School. These five projects began construction in late 2012 and early 2013 and are currently underway.

The nine combined projects have resulted in approximately two hundred million dollars of combined committed contracts. Of these two hundred million dollars, approximately forty million relates to the cost of professional service contracts. These professional service contracts include: Architects, Engineers, Program Manager, Construction Managers, Special Inspections and Testing, Commissioning Agents, Moving Services, Security Services, and Environmental Monitoring.

1.2 - Rochester Schools Modernization Program - Diversity Plan

According to New York State Legislation, the RJSCB is required to develop, implement, and monitor a Diversity Plan for the RSMP. The Comprehensive School Facilities Modernization Program Phase 1 contains a Diversity Plan that outlines the objectives of the RJSCB. These objectives were designed to increase participation from traditionally socially or economically disadvantaged persons. To meet the objectives of the Diversity Plan, two major goals were created: Workforce Development and Business Development.

In an effort to achieve the Workforce Development goals, each firm providing goods or services to the RSMP is required to show a good faith effort in maintaining predetermined minimum rates of diversity participation of its workforce. Minority participation should account for 20% of the project personnel hours and female participation should account for 6.9% of the project personnel hours. In addition, each firm must strive to maximize the use of Rochester-based labor and subcontractors.

The Business Development goals require that each firm providing goods or services in excess of \$20,000 shall put forth a good faith effort to engage disadvantaged and women-owned businesses. The following participation is intended of each firm:

- 15% - New York State certified Minority Business Enterprise
- 5% - New York State certified Women Business Enterprise

- 2% - United States Department of Transportation certified Disadvantaged Business Enterprise
- 5% - RSMP certified Small Business Enterprise

This percentage of participation shown above is calculated as the percentage of the total Prime contract value of engagements with the corresponding Eligible Business Enterprise (EBE) classification. EBE suppliers only receive 50% participation of their contract value, and EBE brokers only receive 25% participation of their contract value.

1.3 - Independent Compliance Officer's Responsibilities

The Independent Compliance Officer (ICO) was engaged in August of 2010 to develop, implement, advertise, promote, and monitor the RSMP Diversity Plan. The primary duty of the ICO is to ensure that policies and procedures are being designed and utilized to efficiently provide EBE contractors the opportunity to become involved with the RSMP. This includes managing the fulfillment of the collective vision of the RJSCB, the RCSD Superintendent, and the community for meaningful representation and involvement of disadvantaged and women-owned businesses. In addition, the ICO shall strive to expand the opportunities available to women and minorities at all levels of the Rochester Schools Modernization Program.

When required, the ICO is to provide communications, marketing, and public relation components of the diversity plan to the community. The ICO is the primary participant in community outreach and minority and women employment outreach meetings. In addition, the ICO shall provide support to EBE organizations as requested in an effort to encourage participation. Presentations are developed by the ICO to all necessary entities requiring reporting or managing approvals.

The ICO is required to act as an agent of the RJSCB to establish participation-maximizing programs that increase workforce development and business development involvement. Furthermore, the ICO is to monitor and report on the RSMP's progress toward meeting its Diversity Plan goals. This includes obtaining documents and maintaining records to confirm that the diversity goals are being accomplished.

2.0 - Purpose and Scope of ICO Audit

Northeast PreConstruction Ventures (NPV) was engaged by the RJCSB to perform a compliance audit of the Independent Compliance Officer, Landon & Rian Enterprises. The scope of our audit was to review the completeness of records verified and maintained by the ICO. These records consist of compliance documents that outline the realization of business and workforce participation goals of the Phase 1 projects provided by consultants, vendors, suppliers, Prime Contractors, and all lower tier subcontractors. Furthermore, a statistically significant review of DP-1, DP-2, DP-3, DP-3a, certified payrolls, Rochester Careers in Construction, and Rochester Residence Reporting is completed. As requested, the audit procedures included a detailed assessment of all DP-1 submissions and verification of sample DP-3's against certified payroll reports.

NPV conducted this compliance audit in accordance with auditing standards generally accepted in the State of New York and the United States. Those standards require that the Audit Team plan and perform the audit to obtain reasonable assurances about whether the records maintained by the ICO are free of material misstatement. This audit includes examining, on a sampling basis, evidence supporting the magnitude of deficiencies reported to the Rochester Joint Schools Construction Board. Throughout this audit, and at the request of the RJCSB, the Audit Team assessed the principles used by the personnel of the ICO staff, as well as evaluating the overall presentation of board reporting. NPV believes that the activities and findings of this audit provide a reasonable basis for our conclusions and opinions.

The opinions expressed in this report and recommendations are made at the request of the RJCSB pursuant to the agreement between the RJCSB and NPV, dated November 4, 2013. The opinions expressed herein are based upon the documents and information made available to NPV. This report is not meant to act as a critique of any particular entity, but rather a means to create a more complete set of records in order to promote efficiency in the construction process.

3.0 - Assessment of ICO Internal Controls

Internal controls are defined as a process affected by an organization's structure, work, authority flows, people, and management information systems. Internal controls are designed to help the organization accomplish specific goals or objectives. Our assessment of the ICO's internal control is based on our compliance audit. Landon & Rian's management is responsible for preparation and fair presentation of their monthly reports to the RJSCB. This includes the design, implementation, and maintenance of internal controls relevant to the preparation of these reports.

As auditors, we consider internal controls relevant to the entity's preparation of these reports in order to design appropriate audit procedures for the circumstance, but not for the purpose of expressing an opinion on the effectiveness of the entity's internal control. Accordingly, we express no such opinion. We believe the controls in place support the objectives; therefore, the audit evidence we have obtained is sufficient and appropriate to provide a basis for our audit opinion.

4.0 - DP-1 EBE Utilization Plan

4.1 - DP-1 Audit Process

4.1.1 - Purpose of Document

The DP-1 form (i.e. EBE Utilization Plan) is completed by contractors, suppliers, and service providers to provide a general outline of their proposed approach to meet the requirements of the Business Development and Diversification Rules of the RSMP Diversity Plan (See Appendix A). This form requires the Prime Contractor to list the EBE firms that it is proposing to engage as subcontractors, suppliers, and consultants. In addition, the Prime is required to provide a brief description of the service the proposed EBE will provide along with the proposed dollar amount of these services.

4.1.2 – Independent Compliance Officer’s Process

The DP-1 form must be completed and provided with each bid and proposal for all services greater than \$20,000. Upon acceptance and opening of the bid packages and proposals, it is the ICO’s responsibility to review the DP-1 for the low bidder, or otherwise selected preferred Prime, and provide a recommendation to the RJSCB (See Appendix B). The ICO is responsible for confirming that the DP-1 provided with the bid or proposal is correct and accurate.

After a Prime Contractor is selected, the DP-1 is maintained and revised as necessary throughout the course of the contract. If changes are made to the DP-1, then said changes must be reviewed and accepted by the ICO. Reasons for changes must be legitimate and non-discriminatory. The Audit Team receives a list, provided by the ICO, of acceptable reasons for requesting changes to the DP-1 (See Appendix C). When a change order is issued, the Prime Contractor is still required to meet the goals of the Business Development and Diversification Rules. Thus, where not specifically excluded, a revised DP-1 should be provided for all change orders.

4.1.3 - Audit Procedures

The Audit Team, with direction from the RJSCB and Executive Director, developed the following procedures for reviewing the accuracy and completeness of DP-1 forms by the ICO:

- Verify that the bid day DP-1, Board approved DP-1, and most current DP-1 forms are present
- Verify that revised DP-1 forms are clearly identified
 - Confirm that reasons and justifications for changes to the previously accepted DP-1 form are provided
 - Confirm that these changes have been reviewed by the ICO and rationale meets the acceptable criteria provided (See Appendix C)
- As outlined in MWBE/DBE/Small Business Enterprise (SBE) Utilization and Workforce Diversity Policy Statement section IV subsection 8: Verify that changes to the bid day DP-1 were completed by the Prime Contractor within five days after the Prime is contacted by the ICO and made aware of omissions in the Utilization Plan
- Verify that the EBE’s scope of work matches the type of work they are certified to perform by their certification, or typically perform in the marketplace

- Confirm that the proposed value of EBE participation is correct
 - Verify that Suppliers and Brokers are receiving 50% and 25% participation, respectively
 - Verify that participation is not counted twice for EBE firms that qualify for more than one diversity category
- Where a Joint Venture was proposed and accepted, confirm that a Joint Venture Agreement was provided and reviewed by the ICO
- Confirm that project goals are met for the most current DP-1. Where project goals are not met, verify that reasoning is provided to the ICO, and documented
- Confirm that proposed EBE firms were contacted by the ICO to verify whether they were aware that they had been proposed for EBE participation for the Prime

DP-1 Audit Results

4.2.1 - Overview

DP-1 forms are sorted by project and maintained in project binders. Each binder contains all DP-1, DP-2, and DP-3A forms for each Prime Contractor. These job binders were easily accessible and clearly segregated forms by Prime Contractor. Professional Service contractors' documentation is kept in individual hanging file folders separated by Prime contract. All documentation provided to the Audit Team was organized and accessible.

4.2.2 - Major Control Weakness

Major control weaknesses include:

- Many current DP-1 forms accurately representing the Prime Contractor's current EBE utilization plan are missing or have not been provided to the ICO (See Appendix D). This deficiency is further outlined in the DP-3A Monthly Utilization Report audit results.
- No certification documentation or verification is available for some EBE firms listed on DP-1 forms. This is further investigated in the Eligible Business Enterprise Certification section of this report.
- At least five Professional Service contracts could not be provided to the Audit Team by the ICO in a timely manner. These documents were not readily accessible and therefore were not reviewed for accuracy.

4.2.3 - Minor Control Weakness

Minor control weaknesses include:

- Revised DP-1 forms are clearly identified; however, multiple instances occur in which no reasoning or documented justification by the Prime Contractor for the changes is provided. Furthermore, documentation indicating that the revised DP-1 forms were reviewed and approved by the ICO is limited.
- The ICO had indicated (but did not provide any supporting documentation) that many changes to the DP-1 form were discussed and confirmed via telephone. The Independent Compliance Officers Procedures developed by Landon & Rian explicitly state, "Request written explanation to changes on DP-1 from Primes" (See Appendix E). This control is not being maintained. Many DP-1 forms are incorrectly completed or

contain errors. Many DP-1 forms are handwritten, leaving certain information illegible.

4.2.4 - Exceptions

Exceptions include:

- The DP-1 form which correlates to the ICO's recommendation and consequently approved by the RJSCB is not clearly identified. It is difficult to identify which DP-1 form was presented to the board, by the ICO, for approval.
- Many DP-1 forms do not clearly identify whether the value shown on the document for a supplier or broker is the contract value or participation value making it difficult to track the current participation rate at any given point
- The Audit Team noted at least two different versions of this form; this has been noted as inconsistency

4.3 - DP-1 Auditor Recommendations

There is clear indication that most Prime Contractors have, at one time or another, provided a DP-1 form to the ICO. However, there is not a clear indication of when or for what reason each form was provided. When an approved DP-1 form is revised, for any reason, there should be written justification attached to the new DP-1 explaining the adjustments. In addition, there are various instances where the most recent DP-1 form on file is not current. The most current DP-1 form should be reviewed each month when a DP-3A form is received. It does not appear that the ICO is performing this review. Multiple instances are evident in which a contractor's actual utilization is not reflective of their Utilization Plan. Any contractor providing utilization different from the approved plan must submit a new DP-1 for approval. The ICO must more strictly enforce this procedure.

It may be advantageous to require that DP-1 forms are resubmitted along with DP-3A forms, which are submitted monthly to the ICO. In most cases the DP-1 form should duplicate the previous month's submission, but it may also provide a reminder to the contractors that revisions must be approved by the ICO. Furthermore, every change order that is issued to contractors that changes their utilization should first require them to submit a revised DP-1 form outlining how the additional costs will be allocated. The ICO's office does not hold a number of revised DP-1 forms that is equivalent to the number of change orders issued by the RJSCB.

During the course of the audit, the Audit Team found at least five Professional Service contracts that had no documentation available in the filing cabinet where these documents are stored. After informing the ICO and the staff of this discrepancy, they were unable to produce these documents in a timely manner. As of this report, the Audit Team still has not received some of this documentation from the ICO. There should be an EBE Utilization Plan form available for all contractors that have provided EBE participation as part of the RSMP. These files should be maintained in a manner that facilitates easy access upon request.

Various instances are evident in which Prime Contractors have not met the requirements of the business development diversity goals. In all of these situations, the ICO's documentation should contain evidence showing that the contractor made a good faith effort to meet the goals but was unable to comply. Furthermore, if a change order or other RSMP directive causes the

contractor to drop below participation goals, or the contractor was not required to meet participation goals, such a circumstance must be adequately documented. It is unclear to the Audit Team why contractors have been awarded projects while their original DP-1 has not met the business development diversity goals.

The Audit Team believes that it may be advantageous to allow a substantially greater review period before bid opening and award. Currently, for phase 1A and 1B projects, the time between bid openings and award has ranged anywhere between five days and one month. Extending this time could enable the ICO to perform a more detailed assessment of each contractor's Utilization Plan and give the RJSCB an opportunity to make a more informed selection.

5.0 - DP-2 EBE Letter of Intent to Perform

5.1 - DP-2 Audit Process

5.1.1 - Purpose

The DP-2 form (i.e. EBE Letter of Intent to Perform), is completed by all EBE firms listed on any DP-1, EBE Utilization Plan (See Appendix F). The intent of this form is to both confirm that the EBE firms listed on the DP-1 forms are aware that they have been selected to participate, and to confirm the value of their contract listed on the DP-1 form. The DP-2 form requires the EBE contractor to indicate under which EBE categories the contractor is certified. Furthermore, it requests that the EBE firm provide a certification letter from the appropriate certifying authority confirming its current EBE status. On the second page of the DP-2 form, the Prime Contractor and Proposed EBE are required to sign the document confirming their intention to enter a written agreement. Below this, there is a signature area for the Owner and ICO to approve the DP-2 form.

5.1.2 - Independent Compliance Officer's Process

The selected Prime Contractors are required to submit The DP-2 forms to the ICO contractor within ten days following a notice of award. When received by the ICO, the forms are reviewed for completeness and signed by both the ICO and a representative of the RJSCB. If errors or omissions are present, then it is the Prime Contractor's responsibility to remediate the situation after notification by the ICO. If revisions or additions are made to the DP-1 form at any time, then (per the form) revised forms must be submitted to the ICO for review.

5.1.3 - Audit Procedures

The Audit Team, with direction from the RJSCB and Executive Director, developed the following procedures for reviewing the accuracy and completeness of DP-2 forms by the ICO:

- Confirm that each EBE firm listed on the DP-1 form has provided a DP-2 form to the ICO for review and approval
- Verify that the description of work and the price for the proposed services matches the corresponding values indicated on the DP-1 form
- Confirm that the form is completed correctly, including signatures from the Prime Contractor and the contractor, and ICO approval
- Verify that the form was submitted within ten business days following the notice of award to the Prime Contractor
- Review attached letters of validation from the certifying authority confirming that the proposed certification is valid

5.2 - DP-2 Audit Results

5.2.1 - Overview

DP-2 forms are sorted by project and maintained in project binders. Each binder contains all DP-1, DP-2, and DP-3A forms for each Prime Contractor. These job binders were easily

accessible and forms clearly segregated by Prime Contractor. Professional Service Contractors' documentation is kept in individual hanging file folders separated by Prime contract. All documentation provided to the Audit Team was organized and accessible.

5.2.2 - Major Control Weakness

Major control weaknesses include:

- Multiple DP-2 forms are missing in relation to the EBE contactors listed on Prime Contractor's DP-1 forms
- When DP-2 forms are compared to EBE contractors ultimately utilized, as determined by DP-3A forms, it is evident that multiple forms are missing
- Some DP-2 forms contained inaccurate information in relation to contract value proposed on the DP-1 form (See Appendix G)
- Some completed DP-2 forms indicate that contractors are certified as EBEs; however, there was no evidence found validating these assertions (See Appendix H)

5.2.3 - Minor Control Weakness

Minor control weaknesses include:

- Many DP-2 forms are completed by the contractor but not signed and approved by the ICO (See Appendix I)
- Many DP-2 forms have been submitted later than the ten days after notification of award of contract

5.2.4 - Exceptions

Exceptions include:

- There is not an opportunity on the DP-2 form for the contractor to state the participation value for each EBE. These circumstances exist where Prime Contractors are utilizing EBE suppliers and brokers. In addition, instances occur in which the participation value had been substituted for the contract value.
- Some contractors had selected that they were certified and performing as an EBE in a capacity other than what was indicated on the DP-1 form. In many cases, the contractor has multiple certifications, but it cannot be determined from the DP-2 form under which certification they are performing.

5.3 - DP-2 Recommendations

Based on the documentation reviewed by the Audit Team, it does not appear that the ICO is reviewing the names of the EBE participants on DP-1 forms and DP-3A forms to confirm that they have submitted a completed DP-2 form. There are clear examples of the controls provided to the Audit Team not being followed. These controls need to be more stringently enforced to ensure adequate documentation monitoring.

On the DP-2 form it clearly states that, "...a certification letter from the appropriate certifying authority confirming the current MBE, WBE, DBE or SBE status," should be provided with the completed DP-2 form. The Audit Team could only confirm a few cases in which this

requirement was completed. As outlined in the EBE Audit section of this report, where an EBE contractor's certification has expired, the ICO has no evidence that this EBE was previously certified at the time of award. This requirement must also be more stringently enforced to provide adequate supporting documentation.

The DP-2 form states terms such as "Women-Owned Business Enterprise" (WBE) and "Minority-Owned Business Enterprise" (MBE). On numerous occasions, firms have selected these criteria, but are not New York State certified WBE or MBE contractors. To most EBE contractors, it is clear that the form is implying that you must be a certified MBE or WBE. However, some firms that are Woman or Minority owned selected these criteria but are not certified. The DP-2 form should be revised to clearly state "New York State Certified MBE and WBE".

The ten day completion period for the DP-2 forms is rarely attained by the EBE contractors. It is difficult for most contractors to enter into a written agreement with each EBE, have them complete and return the DP-2 form, and subsequently return the form to the ICO within ten days. This period should be extended to allow time for each Prime Contractor to have their EBE participants complete the DP-2 forms. This may also lead to forms being completed more diligently.

The DP-2 forms are not dated when they are received by the ICO's office; the only dates available are those provided next to each signature. If the contractor will be held responsible for returning the forms within a designated period, then the ICO should take precautions to accurately document when these forms are received.

6.0 - DP-3A Monthly EBE Utilization Report

6.1 - DP-3A Audit Process

6.1.1 - Purpose

The DP-3A form (i.e. MBE/WBE/DBE/SBE Monthly Utilization Report) is completed monthly by the contractors, suppliers, and service providers to provide a monthly status update of their progress payments to EBE firms (See Appendix J). This form requires the Prime Contractor to list each EBE firm that has participated on the project as well as declare their original contract value, adjustments to the contract value, and the amount paid to the contractor to date. One segment of this form requests the Prime Contractor to calculate the percentage of participation currently utilized by each classification of EBE firm. This form also requests that the Prime Contractor attach the EBE contractor's invoices and cancelled checks. Furthermore, it requests that the Prime Contractor attach a revised DP-1 and DP-2 form if there are revisions, other than payments made to EBE firms, from the previous month.

6.1.2 - Independent Compliance Officer's Process

Most contracts between the Prime Contractors and the RJSCB stipulate that invoices must be submitted on a monthly basis. Each Prime Contractor is required to submit a DP-3A form with their monthly application for payment. These documents are received by Gilbane, the Program Manager, and then the various diversity program documentation, including all DP-3A forms, are forwarded to the ICO for review.

Upon receipt, the DP-3A forms are reviewed for accuracy and completion. The DP-3A forms should match the current DP-1 form and each EBE should have a DP-2 form on file. When change orders have been issued to the Prime Contractor, the corresponding change in contract price to the EBE firms should be correctly identified. The DP-3A can then be reviewed against the current DP-1 for accuracy. The data collected from the DP-3A forms is then summarized in the Business Participation Utilization Matrix shown in the ICO's monthly report to the RJSCB (See Appendix K).

6.1.3 - Audit Procedures

The Audit Team, with direction from the RJSCB and Executive Director, developed the following procedures for reviewing the accuracy and completeness of DP-3A forms by the ICO:

- Verify that DP-3A forms have been submitted monthly and are properly filed
- Confirm that DP-3A forms are complete, accurate, and signed by the Prime Contractor's Representative
- Verify that the contract sum and revised contract sum are correct and accurately reflect change orders issued to the Prime Contractor
- Recompute each EBE percentage of the current contract value stated on the form
- Verify that the form was reviewed by the ICO
- Confirm that the EBE contractors listed as participating on the DP-3A form and their corresponding contract amounts match the current DP-1 form

- Verify that the total value of invoices and canceled checks are accurately reflected in the DP-3A form
- Confirm that the participation percentages calculated from the information provided on the DP-3A form matches the percentages reported on the Business Participation utilization Matrix provided in the ICO's monthly report to the RJSCB

6.2 - DP-3A Audit Results

6.2.1 - Overview

DP-3A forms are sorted by project and maintained in project binders. Each binder contains all DP-1, DP-2, and DP-3A forms for each Prime Contractor. These job binders were easily accessible and clearly segregated forms by Prime Contractor. Professional Service Contractors' documentation is kept in individual hanging file folders separated by Prime contract. All documentation provided to the Audit Team was organized and accessible.

6.2.2 - Major Control Weakness

Major control weaknesses include:

- Many DP-3A forms participating contractors differ from those listed on the current DP-1 forms (See Appendix L)
- There are missing DP-3A forms for months in which the Prime Contractor was performing services
- Many DP-3A forms contain errors including: inaccurately calculated value of participation by suppliers and brokers, non-certified EBE participation (See EBE Certification Audit), and incorrect Prime Contractor contract values
- Discrepancies exist between the contract values provided on the DP-1 forms and DP-3A forms with no written justification of changes provided (See Appendix M)
- The ICO has not required the Prime Contractors to submit EBE invoices and cancelled checks
- Inaccurate or unconfirmed information provided in DP-3A forms has been reported in the ICO's monthly reports to the RJSCB (See Appendix N)

6.2.3 - Minor Control Weakness

Minor control weaknesses include:

- Many of the Prime Contractors calculated percentages of participation are incorrect and not noted as such on the DP-3A forms but the ICO did not send these documents back to the contractors for correction
- There is no evidence that many DP-3A forms were ever reviewed by the ICO
- In some cases, change orders were issued to EBE contractors that reduced their contract value; there was no justification provided as to why the EBE received these deductions or how the change impacted the overall participation

6.2.4 - Exceptions

A noted exception is that at least two different versions of the DP-3A forms are being utilized by Prime Contractors; both require the same information.

6.3 - DP-3A Recommendations

Many major concerns were discovered during the review of the DP-3A forms. Primarily, the ICO has apparently failed to properly review these forms and require the Prime Contracts to make corrections where necessary. A thorough review of these documents is absolutely necessary to ensure that the information being presented to the RJSCB through the ICO's monthly reports is accurate. The ICO should mark each DP-3A as reviewed and make any notes of inaccuracy on the forms before they are filed. If a form needs to be revised by a contractor, then the incorrect form should be noted as such.

The ICO stated that it has not been the policy to request EBE invoices and canceled checks from the Prime Contractors. The ICO is taking the Prime Contractors at their word for values provided on the DP-3A form. There is currently no process being followed that provides confirmation that payments listed on the DP-3A form are accurate. The ICO should be requesting invoices and canceled checks and reviewing them to ensure data provided on the DP-3A forms is accurate.

The values that are portrayed on the ICO's monthly reports to the RJSCB should not be taken from the DP-3A form. The DP-3A form should be used only as a monthly check of the Prime Contractor's progress in meeting the goals that were previously outlined in the DP-1 forms. Projections used on the monthly reports should be taken from the DP-1 forms only. This would also provide the RJSCB with a simple method to review if the data provided to them is accurate.

Overall, the number of inaccuracies in the DP-3A reports should be addressed, perhaps by employing more staff to review these documents. In addition, management should make an effort in reviewing the work of the compliance officers to ensure that the procedures are strictly followed. Due to the significant number of unique issues that were discovered by the Audit Team, the review of the DP-3A forms should only be completed by qualified professionals with comprehensive construction experience.

7.0 - Eligible Business Enterprise Certification Audit

7.1 - Eligible Business Enterprise Process

7.1.1 - Purpose

The DP-1, DP-2, and DP-3A forms each contain EBE firms that the Prime Contractor is proposing to engage or has engaged to meet the RSMP diversity requirements. Each proposed EBE firm must have received certification by the appropriate certifying authority prior to being considered an EBE. MBEs and WBEs are certified by the Empire State Development Division of Minority and Women's Business Development. Disadvantaged Business Enterprises are certified by the United States Department of Transportation and this certification can be administered through the New York State Department of Transportation. There are currently no administering bodies of the Small Business Enterprise certification being utilized by the RSMP.

To determine whether a business meets the RSMP requirements for an SBE, set guidelines require each eligible business to have less than fifteen employees and average annual receipts under two million dollars for the past three years. To confirm that a business is eligible, they must complete the RSMP Certification of Small Business Enterprise Status form (See Appendix O). This form was implemented in the early summer of 2013, and was done so retroactively. All businesses previously documented were required to complete and return the form to the ICO or they would be ineligible for SBE status in future work.

7.1.2 - Independent Compliance Officer's Process

The ICO is required to review each DP-1, DP-2, and DP-3A for compliance with the appropriate certification requirements of each EBE classification. Furthermore, the ICO is required to issue the RSMP Certification of Small Business Enterprise Status form to all proposed SBE firms. It is the sole responsibility of the ICO to process and maintain all completed SBE documentation.

7.1.3 - Eligible Business Enterprise Certification Audit Procedures

It was the Audit Team's original intention to only sample a statistically significant number of EBE firms with a predetermined deficiency rate of less than five percent. As the audit progressed, and due to a greater number of deficiencies than originally anticipated, it was determined that further evaluation of the various EBE certifications was necessary. All EBEs listed on the most recent DP-3A forms for each of the construction projects and professional service contracts were reviewed. The following procedures were implemented:

- Confirm that all MBE and WBE firms are certified per the Empire State Development directory
- Confirm that all DBE firms are certified per the New York State Department of Transportation directory
- Verify that EBE contractors are not listed on the New York State debarred contractor directory
- Confirm that SBE firms have completed and returned the RSMP Certification of Small Business Enterprise Status form

- Verify that the firm has clearly indicated that they meet the RSMP SBE requirements
- Verify that the firm has completed the form and that the form was notarized as requested

7.2 - Eligible Business Enterprise Certification Audit Results

7.2.1 - Overview

As a requirement of the DP-2 form, EBEs are required to submit a letter of certification from the appropriate certifying authority confirming their current status. These are only provided in rare cases and kept with the corresponding DP-2 form. However, without certification letters it is still possible to confirm an EBE's status using the certifying authority's database. All SBE firms' RSMP Certification of Small Business Enterprise Status forms are maintained in an individual binder dedicated to these forms. The ICO has also developed a master list of contractors that the SBE form has been issued to and the SBE's eligibility Status (See Appendix P).

Upon initial review of the master list, it was discovered that nine contractors were noted as having returned a completed SBE form, but the forms were not contained in the binder. Three of those missing forms were produced within a timely manner. Over the next two weeks the remaining six forms were never provided to the Audit Team after numerous requests.

7.2.2 - Major Control Weakness

Major control weaknesses include:

- Many firms that had been considered SBEs, and were subsequently reported as SBEs by the ICO in the monthly diversity reports, have responded to the request to complete the SBE Certification form stating that they are not SBEs because their firms do not meet the requirements. These adjustments have not been reflected in the current ICO monthly reports.
- There is no indication that all SBE firms receiving participation have been issued RSMP Certification of Small Business Enterprise Status forms. When firms not listed on the ICO's SBE master list were contacted by the Audit Team, many firms stated that they had never received a form and were unaware of the requirements. More specifically, there was no indication that SBE firms utilized by Professional Service contractors were issued these forms.
- The ICO has not been required to have the EBE contractors produce a letter of certification from the appropriate certifying authority confirming their current status. This presents the opportunity for an EBE to lose their status; there is no documentation stating that the EBE was certified when the project commenced.
- No evidence exists indicating that multiple firms are or were certified as EBEs. A table showing these deficiencies was constructed by the Audit Team (See Appendixes Q, R, and S).

7.2.3 - Minor Control Weakness

Minor control weaknesses include:

- Accurate and organized documentation and summary lists are not maintained by the ICO
- The ICO stated that a Monroe County approved MBE/WBE list of contractors was used to validate certifications, rather than the certifying agencies appropriate directories

7.2.4 - Exceptions

There is neither process nor controls created to address SBE firms that can no longer be considered an SBE firm due to receiving RSMP opportunities.

7.3 - Eligible Business Enterprise Certification Audit Recommendations

Based upon the Audit Team's review, the controls published by the ICO are not being maintained to the level of quality which produces accurate reporting of participation. It is the Audit Team's belief that multiple firms currently participating as EBE firms are not certified or do not qualify. A comprehensive review of all firms participating should be completed and missing documentation should be requested. Where applicable, the Prime Contractors should be notified and required to provide revised Utilization Plans outlining an effort to remediate the discrepancies.

The review of potential EBEs should include a check of the certifying agency's directory. The use of any other secondary document is not a confirmation that a contractor is currently certified. If certifying letters are not requested from EBE firms, then it is difficult to confirm whether they were certified at the time of award. All EBE firms currently working on the RSMP should be asked to immediately provide these forms. Significant potential exists for firms to lose their certification in the future, and the ICO will have no documentation confirming their previous certification.

All SBE contractors proposed on Prime Contractors DP-1 forms should be required to submit an RSMP Certification of Small Business Enterprise Status form as part of the DP-2 completion process. The DP-2 form should be changed to include verbiage explaining this new requirement. Without a completed form (before work begins), a potential SBE firm should not be considered an SBE, and it should be the responsibility of the Prime Contractor to remediate the situation.

Additional requirements of the SBE certification should be considered to reduce the opportunity for gaming. There is currently no requirement for the SBE organization having been in business for a minimum duration. Any Prime Contractor could potentially open a new company and use that to meet the requirements. The ICO should ensure that all EBE contractors are legitimate contractors and not shell companies. There was no evidence that a comprehensive review of the EBE's organization, to confirm that the general business requirements outlined in the MWBE/DBE/SBE Utilization and Workforce Diversity Policy Statement, was completed.

8.0 - DP-3 Monthly Employment Utilization

8.1 - DP-3 Process

8.1.1 - Purpose

The DP-3 form (i.e. Monthly Employment Utilization) is completed monthly by all contractors and subcontractors providing on site labor engaged in work associated with the prime contract (See Appendix T). This form provides a monthly status report of the total number of employees and their corresponding working hours. On site labor is considered labor hours only consumed on the project site in the production of physical work and direct supervision of such on site work. Hours reported on the DP-3 shall include all hours on the first day of the month through and including the last day of the applicable month. One section of this form requires the Prime Contractor to calculate the percentage of minority and female participation. In an effort to confirm that the data provided is correct, each Prime Contractor and lower tier Contactor is required to provide certified payroll to substantiate the hours listed.

The contractor must submit these documents to the ICO during the project at the time of each payment application or at other intervals as the ICO may direct. The ICO should receive the DP-3 form and its corresponding certified payroll no later than the fifth day of the following month. If no work is performed in the month under consideration, the DP-3 form, or “No-Labor” notice, still must be forwarded to the ICO. Contractors performing labor and services for RSMP projects may not count female or minority home office staff toward the goals stated and may only count participation of field staff. However, those performing professional services on RSMP projects may count minority and female office staff who perform the relevant professional services, as opposed to administrative or support service, whether performed in the field or in their home office, toward the workforce diversity goals stated.

8.1.2 - Independent Compliance Officer’s Process

DP-3 forms and certified payroll reports are delivered to Gilbane as part of the application for payment from Prime Contractors. Gilbane separates the diversity paperwork, including DP-3 forms and certified payroll, and provides those to the ICO for review. Upon receipt, the DP-3 forms and certified payroll reports are reviewed for accuracy and completion. The DP-3 forms should match the corresponding certified payroll on a monthly basis. After their review, the ICO will report the total percentage of women and minority workforce hours to the RJSCB as part of their monthly report.

8.1.3 - DP-3 Audit Procedures

The Audit Team, with direction from the RJSCB and Executive Director, developed the following procedures for reviewing the accuracy and completeness of DP-3 forms by the ICO:

- Verify that the DP-3 forms and certified payroll reports have been submitted monthly and are properly filed
- Confirm that the DP-3 form is complete and accurate, and that the corresponding certified payroll substantiates the DP-3

- Verify that only employees that meet the workforce requirements are counted on the DP-3 forms
- Recompute the total hours listed and corresponding minority and women percentages
- Select two employees at random and verify that the hours reported on the DP-3 form match the hours provided in the certified payroll report
- Verify that the form was reviewed by ICO
- Confirm that the participation percentages calculated from the information provided on the DP-3 form match the percentages reported on the EEO utilization Matrix provided in the ICO's monthly report to the RJSCB

8.2 - DP-3 Audit Results

8.2.1 - Overview

DP-3 forms are sorted by project and Prime Contractor and maintained in hanging folders stored in filing cabinets in the ICO's office. Each folder contains all DP-3 forms and the corresponding certified payroll for each Prime Contractor and lower tier contractor. These folders were easily accessible and clearly segregated forms by each contractor. All documentation provided to the Audit Team was organized and accessible.

8.2.2 - Major Control Weakness

Major control weaknesses include:

- DP-3 forms are missing for months in which the Prime Contractor or subcontractor was performing services (See Appendix U)
- Some of the DP-3 form are not completed on a monthly basis, but at different time intervals across projects
- Some DP-3 forms contain miscalculations of the percentage for minority and women workforce participation
- Missing certified payroll reports for the corresponding DP-3 forms
- Contractor has wrongful counts of a female or home office staff as a member of the workforce on the DP-3 form (See Appendix V)
- Inaccurate or unconfirmed information provided in DP-3 forms reported in the ICO's monthly reports to the RJSCB

8.2.3 - Minor Control Weakness

Minor control weaknesses include:

- Many of the contractors calculated percentages of workforce participation are incorrect, but recalculated by the ICO and accurately recorded in the monthly reports
- Multiple instances in which the contractors are not meeting diversity requirements
- Evidence does not support that all DP-3 forms were reviewed by the ICO; many were apparently never reviewed
- Many of the DP-3 forms were not signed by the contractor

8.2.4 - Exceptions

The contractors are using at least two versions of the DP-3 form.

8.3 - DP-3 Audit Recommendations

Most of the DP-3 forms reviewed by the Audit Team held no indication that said forms were ever reviewed by the ICO. Where discrepancies existed between the certified payroll reports and DP-3 forms provided, the submitting contractor must be required to correct and resubmit the DP-3 form. If the form is not signed or not completed, it should immediately be sent back to the contractor for completion. The ICO should request that the Prime Contractors do a more thorough review of the documentation attached to their payment applications.

Multiple instances arose wherein documentation that should have been submitted to the ICO was missing. These cases were brought to the attention of the ICO by the Audit Team. The ICO stated that it is the current policy to accept some missing paperwork until the end of the project, at which time retainage will not be released to contractors until the missing documentation is submitted. As described in the general recommendations section of this report, some contractors have received partial retainage payments and are still missing paperwork.

Because the workforce participation goals span the entire course of the project, it is difficult for the ICO to project if the contractor will actually meet the goals. The project could have substantial women and minority workforce participation at the beginning, but in later months lose participation and subsequently not meet the goals. Rather than having cumulative goals for the entire Prime Contract, it may be beneficial to request monthly goals. In some instances, a contractor is complete with their contract work, but has not met the workforce diversity goals. There was no indication provided by these contractors as to why they were unable to meet the requirements.

9.0 - Rochester Careers in Construction (RCC)

9.1 - Rochester Careers in Construction Process

9.1.1 - Purpose

The RSMP Diversity Plan goals include active participation in community outreach efforts for each Contractor by requiring a contribution of \$0.15 per each man-hour worked on the project to Rochester Careers in Construction, a not-for-profit community development corporation. Using the hours provided on the DP-3 form and its corresponding certified payroll reports as a reference, each Contractor must submit a monthly check to Rochester Careers in Construction along with a completed RCC form (See Appendix W).

9.1.2 - Independent Compliance Officer's Process

Upon receipt of the Rochester Careers in Construction forms, the ICO reviews this form for accuracy and completion. The ICO should check the total number of hours match the certified payroll and DP-3 forms. A copy of a check made out to the RCC should be attached to the forms. This check should have a value equal to the number of man-hours worked multiplied by \$0.15.

9.1.3 - Rochester Careers in Construction Audit Procedures

The Audit Team, with direction from the RJSCB and Executive Director, developed the following procedures for reviewing the accuracy and completeness of Rochester Career and Construction forms by the ICO:

- Verify that a monthly reconciliation report is present and hours are footed
- Recompute total hours and multiply by \$0.15
- Confirm that there is a copy of the check and the amount is matched
- Align the hours reported on the Rochester Career Report with the corresponding certified payroll for at least three employees
- Confirm that the ICO reviewed the documents

9.2 - Rochester Careers in Construction Audit Results

9.2.1 - Overview

The RCC forms are sorted by each project and Prime Contractor and maintained in hanging folders stored in filing cabinets at the ICO's office. Each folder contains all the DP-3 forms, RCC forms, and its corresponding certified payroll for each Prime Contractor and lower tier contractors. These folders were easily accessible and clearly segregated forms by each contractor. All documentation provided to the audit team was organized and accessible.

9.2.2 - Major Control Weakness

Major control weaknesses include:

- Missing RCC reports for months in which the Prime Contractor or subcontractor was performing services
- Some RCC reports contain errors including miscalculation of total hours and errors in the total amount paid to Rochester Careers in Construction

9.2.3 - Minor Control Weakness

Some of the RCC reports are not provided on a monthly basis, but rather different time intervals.

9.2.4 - Exceptions

There was no indication that many of the forms were reviewed by the ICO, and that hours were verified.

9.3 - Rochester Careers in Construction Audit Recommendations

The greatest concern discovered during the review of the RCC forms were the inaccuracies contained within these reports. Policies must be in place to review these documents and ensure the accuracy of the information provided. There also needs to be more accountability on behalf of the Prime Contractors and Construction Managers to review the payment applications to confirm that all required documentation is provided when payment applications are submitted.

There are many situations where a contractor has worked only a couple of hours but has still been required to write checks for under one dollar to the RCC. It seems that it would be most beneficial to make it a requirement of the Prime Contractor to provide checks, and that checks from lower tier contractors will not be accepted. This will significantly reduce the amount of paperwork received by the ICO but accomplish the same objectives. The ICO could also allow the Prime Contractors to pay only a few times during the course of the project rather than each month. However, more complete documentation would need to be maintained by the ICO for this process to work effectively.

10.0 - Rochester Resident Reporting (RRR)

10.1 - Rochester Resident Reporting Process

10.1.1 - Purpose

Pursuant to the terms of the agreement between the County of Monroe Industrial Development Agency (COMIDA) and the Board, COMIDA requires that the RSMP use only local labor, subject to certain permitted exceptions and waivers. Local labor is defined as laborers residing in Monroe, Genesee, Livingston, Orleans, Ontario, Seneca, Wayne, Wyoming, and Yates counties. The RJSCB understands the importance of involvement from the residents of the City of Rochester and have taken steps to track Rochester residents' workforce participation.

10.1.2 - Independent Compliance Officer's Process

After receiving the DP-3 forms and the corresponding certified payroll reports, the ICO must count the total number of employees and total number rochester residency participants for each contractor and subcontractor. Rochester residency is determined by matching the addresses of workers to a database of Rochester addresses. The ICO then reports the findings in a monthly report presented to the RJSCB.

10.1.3 - Rochester Resident Reporting Audit Procedures

The Audit Team, with direction from the RJSCB and Executive Director, developed the following procedures for reviewing the accuracy and completeness of Rochester Residency Participation Reporting by the ICO:

- Verify that Rochester Residency Reporting is calculated on a monthly basis
- For randomly selected projects and Prime Contractors, recalculate the number of Rochester residents in the workforce using the DP-3A forms and certified payroll
- Review the ICO's procedures for completeness

10.2 - Rochester Resident Reporting Audit Results

10.2.1 - Overview

The ICO submits monthly Rochester Residency Participation Reports, which align with the employee database on certified payroll. These certified payrolls are sorted by project and maintained in project binders. Each binder contains all DP-3 forms, the RCIC report and the corresponding certified payroll for each Prime Contractor and subcontractor. These job binders were easily accessible and clearly segregated forms by each contractor. Professional Service contractors' documentation is kept in individual hanging file folders separated by Prime contract. All documentation provided to the Audit Team was organized and accessible.

10.2.2 - Major Control Weakness

Major control weaknesses include:

- The Rochester Resident Report was not completed for every month since its inception

- The ICO does not implement a working paper for the review of the employees
- Some of the certified payroll reports did not include employee addresses; some addresses were post office boxes, which do not indicate residency
- The Audit team discovered a street that was in the City of Rochester but was not listed on the ICO's directory

10.2.3 - Minor Control Weakness

Some reports contain errors in calculating total number of trade employee and Rochester resident

10.2.4 - Exceptions

Most certified payroll is completed on a weekly basis, and these submitted weekly reports cover the entire month. In some situations, the number of employees listed on the certified payroll may vary depending on whether the ICO is reviewing only the days in the reporting month.

10.3 - Rochester Resident Reporting Audit Recommendations

The greatest concern for accuracy in the Rochester Resident Reporting is the lack of a working document used by the ICO's office. At minimum, a hand-written document should be available, which outlines which employees are considered Rochester Residents and which employees are not. In addition, multiple situations are evident in which a lack of information prevents the ICO from determining whether the employee is a Rochester resident. In these situations, the ICO has determined that these employees will *not* be counted, and then, on multiple occasions, a further investigation into the worker's residency is never completed. Because of these deficiencies, the reports provide nothing more than an estimate of what percentage of the workforce is Rochester Residents.

Currently, contractors are not officially required to meet any set goal for Rochester resident workforce participation. This might impede the ICO from acquiring all the information necessary to make an accurate report to the RJSCB. Furthermore, if the current Rochester Resident Reporting is in an effort to set a baseline for future goals, then, possibly, there is no need for precise reporting at this time.

11.0 - General Recommendations

The following is a list of recommendations in response to areas of risk that the Audit Team observed throughout the audit. These general recommendations do not apply to any single document or process, but rather holistically relate to the processes and controls for the maintenance of the RSMP Diversity Plan.

11.1 - Detailed ICO Controls Document

In the process of developing the audit procedures outlined above, the Audit Team reviewed the ICO's contract scope of work along with the RSMP Diversity Plan and MWBE/DBE/SBE Utilization and Workforce Diversity Policy Statement. Furthermore, additional procedures were developed based on our conversations with members of the RJSCB and the Executive Director. Some of the expectations of the RJSCB and Executive Director have not been documented in enough detail to clearly provide a source of expectations.

Through conversations between the Audit Team and the ICO, it became evident that there are discrepancies between the ICO's understanding and interpretation of the role, and the understanding held by the RJSCB and Executive Director. Many of these misinterpretations can be attributed to the lack of controls. As per the ICO's contract, a set of controls for the Landon & Rian process was developed by the ICO. However, it is our professional opinion that these controls do not adequately outline the process that the ICO should be following nor provide direction for all scenarios that may be encountered.

Although it may have been the ICO's responsibility to develop a more detailed set of controls for associated procedures, there is no incentive for the ICO to create a detailed document outlining the process. Furthermore, it is our belief that there is a clear conflict of interest for the ICO to develop and publish a set of controls that will be self-monitored.

We believe that the design and publication of one single document developed independently of the ICO, and subject to change as necessary, will be a key initiative in the improvement of the Diversity Plan. This document should include the requirements contained within the multiple documents already available and further outline the expectations of the RJSCB and Executive Director. This document should be detailed enough to provide thorough operating procedures and a comprehensive plan for document control and deliverables.

11.2 - Division of ICO's Responsibilities

Currently, it is the ICO's responsibility to implement, promote, and monitor the business and workforce development goals of the RSMP Diversity Plan. Advertising and promoting the RSMP construction opportunities to EBE companies is undoubtedly one of the most important aspects in achieving the Diversity goals. Although the effectiveness of Landon & Rian's pursuits of advertisement and promotion were not part of this audit, there is clearly significant interest from EBE contractors.

By implementing a single source of promotion to both advertise and then subsequently monitor the results of the promotion, the RJSCB has disincentivized the ICO to accurately monitor

the diversity requirements. The current reports provided to the RJSCB have shown that the diversity goals have been achieved. However, if this were not the case, then the board could argue that the ICO was not successfully promoting and advertising the opportunities of the RSMP. Furthermore, if the goals are easily obtained without promotions or advertisement, then it is not clear whether these activities are required.

Separating the responsibility of promotion and advertising from monitoring would eliminate the disincentive and the possibility of gaming by the ICO. The Audit Team believes that an ICO with the sole responsibility of promoting the opportunities to EBEs and the community would be more effective than the combined role currently established. A separate Diversity Document Officer position could be established to provide document control services and deliverables. Both roles would be independent of each other and provide a more autonomous and judicious review for the RJSCB.

11.3 - Electronic Document Reporting

Currently, all diversity compliance reporting is done through a hard copy format. Many forms are completed by hand and then submitted monthly with the Prime Contractor's monthly invoice. There are many instances of missing paperwork and a great number of instances in which documentation is not complete or is incorrect.

The current process involves notification of the recording and paperwork deficiencies to the Construction Manager in an attempt to have the Prime or Subcontractor remediate the issues. Depending on the severity of the issues, further action may be required.

Historically, similar processes have been successful; however, Internet-based programming solutions for document control and management are available and have been successfully implemented in similar programs. Given the size of the overall program, and the RJSCB's monetary commitment to meeting the goals of the Diversity Plan, it seems that further investigation into development of electronic or Internet based reporting could result in both an economical and constructive platform.

For example, New York State Homes and Community Renewal has been using a similar platform for receipt of certified payroll for the past few years. This platform allows both Prime Contractors and subcontractors to enter payroll in a streamlined format. If information is entered incorrectly, it immediately issues notifications to all relevant parties alerting them to the errors. We believe a similar platform could be easily developed to maintain the multiple documents that are currently being manually maintained by the ICO.

11.4 - More Frequent Review of ICO Records

A combined nine individual school construction projects from both phase 1A and 1B were subject to review under this audit. Four of those projects are at or near completion. Four of the sixteen Prime Contractors on these four nearly complete projects have already received partial retention payments. Within the records of these four contractors, we have identified several deficiencies which include missing and incorrect paperwork.

At this point, it will be extremely difficult for the Prime Contractors and Construction Managers to remediate the various deficiencies. Many subcontractors will already be completed with their work and may never respond to requests. Furthermore, if goals have not been satisfied and work is completed there is no longer an opportunity to meet the diversity goals.

If the intent of the Diversity Plan is to absolutely ensure that the diversity goals are met and accurately reported, then there must be more frequent reviews of the ICO's records. Furthermore, there is a need for an extensive review of documentation for each project nearing completion before retainage is released to ensure that documentation is correct. Once a project is complete there is no opportunity for the goals of the diversity plan to be realized.

11.5 - Increased Involvement of the Construction Managers

To determine the completion status of the nine individual school projects the Audit Team spoke with various Project Managers of the Construction Management companies. During these conversations, the Project Managers expressed both their concerns about areas of risk and opportunities for process improvement. Since the Construction Managers are responsible for the day to day activities of the Prime Contractors, their involvement in the pursuit of meeting the diversity requirements is critical and currently underutilized.

The most important area of concern was the lack of awareness by Construction Managers of errors and missing documentation identified by the ICO. There are various instances in which the ICO has noted that documentation is missing or incorrect and has not received revised documentation. The ICO provided the Audit Team with communications between the ICO's office and Construction Managers, however there are still numerous deficiencies. The Construction Managers stated that they would like to see a progressing monthly report of deficiencies that is regularly updated and clearly identifies issues that are resolved. Furthermore, the Construction Managers stated that their last interaction with the ICO dated anywhere from one to two months previous. A regularly scheduled meeting with the ICO to identify areas of concern with the Construction Managers would be extremely beneficial to all parties.

The Project Managers also noted that another area of concern was the poor performance by a few of the EBE companies. They believed that there are instances where the Prime Contractor offered an opportunity to a small EBE firm that is incapable of completing such large scopes of work. The EBE firm then struggles throughout the project which consequently results in negative benefits for both the project and the firm. The Construction Managers should have the opportunity to review all DP-1 forms and provide objections where necessary based on scope or capability of the EBE firms. In these circumstances the Construction Managers could assume some responsibility and work with the Prime Contractors to develop an EBE Utilization Plan that both meets the diversity requirements and provides better value to the school district.

11.6 - Implementation of Digital Record Keeping

Because many documents are provided to the ICO in hard copy, files are managed and organized in the same format. Unfortunately, this system limits the redundancy, accessibility, and sustainability of the ICO's records. If any other party wants to view records they have to visit the ICO's office or personally request what they need. Furthermore, if a catastrophic event occurs that leads to the destruction of these documents, they would be lost.

Implementing a File Transfer Program (FTP) or cloud (i.e. Internet-based) system to electronically manage and store all diversity paperwork would enable various parties to inspect the documents on a regular basis. Many contractors, especially the Construction Managers, are familiar with the use of FTP sites. The ability to review their documents as well as those of the lower tier subcontractors provides an additional level of document control and compliance awareness.

Recently, the ICO has uploaded and retained some documents in a cloud format. However, the current effort is dwarfed by the vast amount of paperwork maintained by the ICO. A more stringent effort should be made to create a greater level of redundancy as well as provide a platform where documents can be made available to certain parties.

11.7 - More Frequent Interaction with Gilbane

An interview with a Gilbane representative revealed that both parties, ICO and Gilbane, would benefit from more frequent communication. Gilbane staff noted that communication from the ICO office is extremely infrequent. We recommend that at least one ICO staff member take advantage of the designated office that has been assigned to them at the RJSCB offices. According to Gilbane, this would “help immediately address items that require action and make the entire process easier”. As both parties become more comfortable working together, the frequency of onsite ICO visits can be modified.

11.8 - Improve Independent Compliance Officers Management and Workforce

Due to the large number of deficiencies outlined in this report, the Audit Team believes that changes to the ICO’s team may be required. Increasing the number of staff available to review documentation could reduce some of the deficiencies discovered. A more thorough review by management of the Compliance Officer’s and Administrative Assistant’s work could help reduce events where the controls are not being followed. It may also be beneficial to increase the amount of training and workforce development opportunities the employees may pursue.

11.9 - Collect Contracts and Change Orders between Primes and EBE’s

There are various opportunities on the diversity paperwork for a Prime Contractor to fabricate the participation values of contractors. Also there are multiple opportunities where gaming can occur. To reduce the occurrences of these events, the ICO should request that contracts and change orders between the Prime Contractors and EBE Contractors be submitted. These documents could be reviewed and kept on file at the ICO’s office. These documents may also prove beneficial if the EBE needed assistance from the ICO or had inquiries on processes and procedures.

Appendix A

Appendix A contains a blank copy of the DP-1 Form.

EBE UTILIZATION PLAN (DP-1)

Rochester Schools Modernization Program

1. Project : _____ **2. Bidding on Contract No./Contract Name:** _____

3. Bidding contractor Name / Address / Phone No. / Fax No. / FEIN _____

4. Bid Submittal Date (MM/DD/YYYY) _____

Original DP-1 Revised DP-1 **Rev. Date:** _____, 20__

Project Goals: MBE - 15% WBE - 5% DBE - 2% SBE - 5%

6. Name/Address/Phone No. and FEIN of Proposed M/WBE, DBE or SBE	7. Certified as EBE	8. Performance Category	9. Scope of Services to be provided	10. Proposed Dollar Amount

The undersigned, being an authorized representative of the bidding company, hereby certifies that the above information is accurate, and the bidder has received a proposal from, or discussed with, each of the M/WBE, SBE or DBE firms listed herein prior to the submission of the _____ accompanying bid.

[Bidding Company's Official Printed Name and Title]: _____

Authorized Signature: _____ Print Name: _____ Title: _____

The ICO may follow up with the EBE firms listed herein to verify that each either submitted a proposal to, or discussed with, the bidder submitti this form the amounts indicated above.

Appendix B

Appendix B contains an example of a recommendation report provided to the RJSCB by the ICO before a Prime Contractor is selected.

Rochester Joint School Construction Board Franklin Educational Auditorium Center

MBE,WBE,SBE,DBE Firms
 Project Goal Requirements: 15% MBE 5% WBE 5% SBE 2% DBE
 Prime Contractors

WORK DESCRIPTION	CONTRACT AMOUNT	M/WBE Subcontractors/Suppliers		Dollar Amount			Original DP-1	Revised DP-1
		MBE (15%)	WBE (5%)	DBE (2%)	SBE (5%)	Dollar Amount		
Steve General Contractor, Inc.	\$1,832,000.00						X	No Revised
Steve General Contractor, Inc.								
R. Long Consulting Group				\$32,000.00				
Upstate Interiors					\$45,600.00			
Pro Carpet					\$45,000.00			
Structural Remediation Services								
Steve General Contractor, Inc.		\$1,620,000.00						
Steve General Service Total EBE Dollar Amount		\$1,620,000.00						
Total Percentage		88.43	4.95	1.75		\$90,000.00		
Steve General Service Total EBE Dollar Amount								\$90,000.00
Total Percentage								4.91
Kaplan Schmidt								
Journee Construction	\$871,900.00					\$95,000.00	X	X
Oso Incorporated				\$18,000.00				
Deborah Jean Electric				\$90,000.00				
BSV Enterprises		\$135,000.00						
Kaplan Schmidt Total EBE Dollar Amount		\$135,000.00						
Total Percentage		15.48	10.32	2.06		\$95,000.00		
Kaplan Schmidt Total EBE Dollar Amount								\$95,000.00
Total Percentage								10.90
MA Ferrauillo								
Unified Electric	\$1,333,000.00	\$6,000.00					X	No Revised
JHP Industrial (Supplier 50% of \$414,000.00)		\$207,000.00						
JC Smith (Supplier 50% of \$100,000.00)			\$50,000.00					
JC Insulation								
Lakeview Construction								
Brooks Brother Painting				\$36,000.00				
MA Ferrauillo Total EBE Dollar Amount		\$213,000.00	\$50,000.00	\$36,000.00				
Total Percentage		15.98	3.75	2.70		\$130,000.00		
MA Ferrauillo Total EBE Dollar Amount								\$130,000.00
Total Percentage								9.75

Franklin Educational Auditorium Center– Phase 1B

M/W/D/SBE Utilization Plan Recommendation

Utilization Goals: MBE (15%) - WBE (5%) - DBE (2%) - SBE (5%)

<u>Prime GC</u>	<u>MBE %</u>	<u>WBE %</u>	<u>DBE %</u>	<u>SBE %</u>
Steve General Contractors	88.43	4.95	1.75	4.91

M/ W/S/DBE Subcontractors

R. Long Consultant Group (DBE) \$32,000.00

Upstate Interiors (SBE) -\$90,000.00

Pro Carpet (WBE)- \$45,600.00

SRS (WBE) - \$45,000.00

Steve General Contractors, Inc. (MBE) - \$1,620,000.00

Overall EBE - 100%

* Windell Gray, ICO has reviewed the DP-1 Utilization Plan for Franklin Educational Auditorium Center and hereby recommends Steve General Contractor, Inc. as the Prime Contractor.

Franklin Educational Auditorium Center– Phase 1B

M/W/D/SBE Utilization Plan Recommendation

Utilization Goals: MBE (15%) - WBE (5%) - DBE (2%) - SBE (5%)

<u>Electrical</u>	<u>MBE %</u>	<u>WBE %</u>	<u>DBE %</u>	<u>SBE %</u>
Kaplan Schmidt	15.48	10.32	2.06	10.90

M/ W/S/DBE Subcontractors

Journee Construction (MBE) - \$95,000.00

Oso, Inc. (DBE) - \$ 18,000.00

Deborah Jean Electric (WBE) - \$90,000.00

BSV Enterprises (SBE) - \$135,000.00

Overall EBE – 38.76%

* Windell Gray, ICO has reviewed the DP-1 Utilization Plan for Franklin Educational Auditorium Center and hereby recommends Kaplan Schmidt as the Electrical Contractor.

Franklin Educational Auditorium Center– Phase 1B

M/W/D/SBE Utilization Plan Recommendation

Utilization Goals: MBE (15%) - WBE (5%) - DBE (2%) - SBE (5%)

<u>Mechanical</u>	<u>MBE %</u>	<u>WBE %</u>	<u>DBE %</u>	<u>SBE %</u>
M.A. Ferrauillo	15.98	3.75	2.70	9.75

M/ W/S/DBE Subcontractors

Unified Electric (MBE) - \$6,000.00

JHP Industrial-Supplier(MBE) - \$ 207,000.00 (50% of \$414,000.00)

JC Smith-Supplier (WBE) - \$50,000.00 (50% of \$100,000.00)

JC Insulation (SBE) -\$60,000.00

Lakeview Construction (SBE) \$70,000.00

Brooks Brother Painting (DBE) \$36,000.00

Overall EBE – 32.18%

* Windell Gray, ICO has reviewed the DP-1 Utilization Plan for Franklin Educational Auditorium Center and hereby recommends M.A Ferrauillo as the Mechanical Contractor.

Appendix C

Appendix C contains the ICO's list of acceptable reasons for a Prime Contractor to make changes to the approved DP-1 form.

INDEPENDENT COMPLIANCE OFFICER PROCEDURES

ICO DP-1 BID SUMITTAL REVIEW AND APPROVAL

- **ICO reviews DP-1 plans to ensure a Good faith effort is made.**
- **Initial DP-1 submitted at bid date are rejected if not correct and primes are called by phone and required to resubmit because of following problems:**
 - Firm on DP-1 not certified as NYS MBE/WBE/DBE or SBE - RSMP certification.
 - EBE percentages not meeting Diversity Plan goals (15% MBE; 5%WBE; 5%SBE; 2%DBE).
 - 25% Broker, 50% Supplier are calculated incorrectly on DP-1.
 - EBE listed on the NYS debarred list.
 - Alternate Change (Change plan because of addition or subtraction by board).
 - EBE firm not aware they are on DP-1.
 - EBE firm too busy to do the work.
 - Creating Pass-through.
- **DP-1 Plans are submitted to Board after items are corrected for final approval and DP-2 forms have been signed.**

-
- **Revision to DP-1 Plan after Board approval from Primes.**
 - Primes and EBE's are unable to come to contractual terms and resolve issues.
 - Primes are requested to replace EBE in same classification if possible to continue to meet Diversity Plan goals.
 - **Examples of issues Primes and EBE firms may encounter:**
 - EBE not honoring bid number after submitting bid.
 - Discovering missing scopes of work in Bid at descoping meeting.
 - Unable to meet the RJSCB Insurance requirements.
 - Unable to finance the job.
 - No response from EBE after bid date to prime.

INDEPENDENT COMPLIANCE OFFICER PROCEDURES

- Continually providing poor quality of work that will not pass codes or owners standards.
- Unable to meet job schedule that will delay school openings.
- NYS DOL problems (Not paying employee's. proper labor wages, benefits and union dues that may cause leans on the project).
- EBE too busy to preform work
- Major OSHA violations.
- Not paying subs and suppliers which may cause leans on the projects.
- EBE listed on the NYS debarred list.
- Approved change orders by RJSCB (add or deduct to EBE DP-1).
- Bankruptcy.
- Fraud.

Appendix D

Appendix D contains an example of a DP-1 form on file that is not current. The attached DP-3A form shows that SJB Services, Inc. is not utilizing the approved plan. The Audit Team contacted SJB Services, Inc. and they stated that they were unable to use the contractors outlined on the original plan for various reasons and will not be able to meet the diversity goals. They stated that they have not been asked to provide a revised DP-1.

EBE UTILIZATION PLAN (DP-1)

Rochester Schools Modernization Program

1. Project :
Materials Testing & Special Inspection Services for RSMP Phase 1B

2. Bidding on Contract No./Contract Description
Material Testing & Special Inspections

3. Bidding Contractor Name / Address / Phone No. / Fax No. / FEIN
SJB Services, Inc.
One East Avenue, Suite B100
Rochester, NY 14638
585.359.2730 / F: 585.359.9668

4. Submittal Date (MM / DD / YY)
6/10/2013

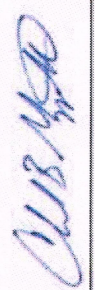
5. Original Form
 Revised Form

Project Goals: MBE - 15% WBE - 5% DBE - 2% SBE - 5%

6. Name/Address/Phone No. and FEIN of Proposed M/WBE, DBE or SBE	7. Certified as EBE	8. Performance Category	9. Scope of Services to be provided	10. Proposed Dollar Amount
Larsen Engineers / (585) 272.7310 / Rochester, NY	SBE		ARCHITECTURAL/ENG/SURVEYING	\$12,500.00
FM Office Express / (585) 238-2880 / Rochester, NY	MBE		OFFICE PRODUCTS	\$7,500.00
Popli Design Group / 585.388.2060 / Rochester, NY	DBE <input checked="" type="checkbox"/>		ARCHITECTURAL / ENG / SURVEYING	\$5,000.00
edr Companies / 585.271.0040 / Rochester, NY	WBE <input checked="" type="checkbox"/>		Land Planning, Design, Environmental Consulting	\$12,500.00
Popli Design Group / 585.388.2060 / Rochester, NY	MBE <input checked="" type="checkbox"/>		Architectural / Eng / Surveying	\$30,000

Certification Statement - the below signed, being an authorized representative of the bidding company, hereby certifies that the above information is accurate and has been discussed with the proposed M/WBE, SBE or DBE prior to the submission of the accompanying bid proposal.

11. Bidding Company Official's Name and Title (Print):
Charles B. Guzzetta Rochester District Manager
(Name) (Title)

12. Bidding Company Official's Signature
By: 

13. Date Signed
6 / 10 / 13

14. Page
1 of 1

DDP-3A
 MBE/WBE/DBE/SBE MONTHLY UTILIZATION REPORT
 Rochester Schools Modernization Program

_____ / _____ / 2013
 Month Year

Project Name: RSMP PHASE 1B – EDDISON TECH
EAST HIGH, HENRY HUDSON
 Contract No.: PHASE 1B
 Contractor Name: SJB SERVICES, INC.
 Address: 535 SUMMIT POINT DRIVE
HENRIETTA, NY 14467
 Phone No.: 585-359-2730
 Fax No.: 585-395-9668

Change Orders to Date: _____
 Original Contract \$225,000.00
 Current Contract: \$11,501.00
 MBE % of Current Contract: 2 %
 WBE % of Current Contract: _____
 DBE % of Current Contract: _____
 SBE % of Current Contract: _____

Subcontractor Name	MWBE DBE/ SBE	Original Subcontract	Change Orders to Date	Total Current Subcontract to MWBE/DBE/ SBE	Amount Paid to Date to MWBE/DBE/ SBE	Total Amnt of Invoices Submitted to Date	Cancelled Checks Submitted to Date
FM PRODUCTS	MBE/ DBE			\$258.06	\$552.28	\$552.28	


 Contractor Representative Signature

- DDP-3A is to be submitted monthly.
- List all M/WBE/DBE/SBE subcontractors, even after their work is substantially complete.
- When adding a subcontractor, attach a revised DDP-1 and DDP-2 to this form.
- Attach invoices and cancelled checks to this form.

Appendix E

Appendix E contains the Independent Compliance Officers Procedures provided to the Audit Team by the ICO.

INDEPENDENT COMPLIANCE OFFICER PROCEDURES

OUTREACH TO EBE FIRMS AND MINORITY / WOMEN WORKERS

- M/W/D/SBE Matchmakers (Meet & Greets).
- One on one meeting with EBE firms to explain bidding process and certification.
- Workshops
 - Project Labor Agreement (PLA) Information Workshop.
 - Insurance Workshop.
 - Equal Employment Opportunity (EEO) Union / Nonunion workshops (English and Spanish groups).
- Refer primes and EBE firms to website for bid information.
- Work with community partners to send information to EBE firms about bid opportunities or upcoming outreach events.
- Attend community group forums (Urban League, etc.).
- Attend YCIP meetings at Bob Brown School (when requested).
- Attend PLA meetings and work with primes and union to increase EEO participation.
- Attend Career Fairs.
- Meetings with RCSD ICO.

BID PROCESS (Pre-Bid)

- Notify EBE's and community partners of bidding opportunities.
- Invite EBE's to attend pre-bid and walk-through meetings.
- Present EBE & EEO goals at pre-bid/walk-through and introduce EBE's that are present.
- Send copies of bids and spec's to Urban League for free viewing and provide additional locations that bid documents can be purchased or viewed for free.
- Contact bidding primes to request scopes that will be bid out and provide EBE list (if needed).

INDEPENDENT COMPLIANCE OFFICER PROCEDURES

- Provide EBE firms contact information of primes that are looking to bid out work in their trade.
- Provide list of primes that purchased plans and specs to EBE firms.
- If requested, attend one on one meeting with prime bidders to explain diversity plan.

BID DATE OPENINGS

- Attend Bid Opening(s).
- Receive copy of DP-1 from winning bidder for review.
- Review DP-1 for the following:
 - Check for NYS EBE (M/W/DBE) certification; SBE to be confirmed separately.
 - Check EBE trade commodity matches scope of work to be performed.
 - Check supplier and broker status.
 - Check for NYS debarred firms.
 - Ensure percentage amounts are correct.
 - Ensure DP-1 forms are signed.
 - Check for pass through.
 - Review RSMP bid alternates that may change the DP-1 form.

If DP-1 is found to contain errors, the ICO will work with the prime contractor to ensure the DP-1 is revised correctly prior to the monthly MWBE Procurement meeting. (Thursday prior to the RSMP Board Meeting)

APPROVAL PROCESS (Prior To Board Meeting)

- Notify the Prime(s) by phone that the preliminary DP-1 looks ok and will bring before the board for approval.
- ICO calls EBE firms to notify them they are aware they are on the prime contractors DP- 1 form.

INDEPENDENT COMPLIANCE OFFICER PROCEDURES

- When DP-1 is correct and meets all the Diversity Plan goals, ICO will provide approval documentation and bid breakdown to the RSMP Board for approval.
- ICO will give verbal approval of DP-1 at board meeting and provide approved EBE list and ICO approval documentation to RSMP Board. (Board Meeting Notes)

PRIMES DESCOPING MEETING (with PM/CM)

- Review DP-1 forms
- Review and discuss changes in DP-1 and request a written explanation.
- Request signed DP-2 forms be sent to ICO within the allotted time frame.
- Provide PLA key components sheet to primes which indicates goals and tag along.
- Explain monthly EBE and EEO reporting forms. (DP-3 & DP-3A)
- Explain Union CCR payments.
- Explain 48 Hour notice in specifications.
- Explain Roar student programs as resource and supply list (if requested).
- Request copies of certified payroll be sent to ICO.

MONITOR EBE CONTRACT CHANGES

- Request revised DP-1 form.
- Request written explanation to changes on DP-1 from Primes.
- Review explanation of EBE change to ensure of valid reason.
- Contact EBE to ensure fairness.
- Notify prime of approval or non-approval.
- Inform primes at weekly OACM meetings and primes weekly meetings that the ICO must be notified when changes are made to the DP-1.

INDEPENDENT COMPLIANCE OFFICER PROCEDURES

- Inform primes at weekly OACM meetings and prime meetings that EBE goals apply to change orders.
- Monitor changes to EBE contract in monthly DP-3A forms.
- Review DP-2 forms and ensure forms are complete.
- Review monthly board meeting documents for approved change orders and update monthly report.

EEO PROCESS

- Check monthly DP-3 against certified payroll to ensure hours match.
- Request contractor to correct DP-3 or certified payroll.
- Ensure certified payroll has male, female and race classifications.
- Contact CM's or primes if missing DP-3A, DP-3 and certified payrolls.
- Attend monthly PLA meeting to discuss EEO shortfalls.
- Check certified payroll against Rochester Career in Construction union payments.
- Request from Primes at OACM weekly meetings and contractors meetings which have EEO shortfalls to send 48 Hour Notice to Unions.
- Provide Roar students list to unions and primes with shortfalls when requested.
- Provide resumes from the community to interested firms and unions.
- Provide monthly residential report for RSMP Board report.
- Provide monthly EBE Business and EEO Participation report
- File DP-3, DP-3a, & certified payroll.

INDEPENDENT COMPLIANCE OFFICER PROCEDURES

NON-PAYMENT PROCEDURES TO EBE FIRM

- EBE contacts ICO by Phone of non-payment.
- Obtain information from EBE which includes school, prime name, date submitted and amount of PO submitted.
- Review DP-3a if submitted.
- Contact Program Manger's project accountant and request a review of the payment application to see if prime listed that EBE has been paid or PO was in pay application.
- If prime was paid, must send check to EBE 5 days after receiving payment as per spec's. (RSMP checks are paid the 13th to 15th of each month.)
- If prime has been paid and EBE invoice was paid within application notify prime and request reason EBE was not paid. Request payment to be made to EBE.
- If no reasonable explanation of nonpayment notify prime and explain that next payment may be delayed if EBE is not paid in a timely manner.
- Contact Executive Director to ensure payment is delayed to prime until EBE is paid.
- Track non-payment until EBE is paid.

INDEPENDENT COMPLIANCE OFFICER PROCEDURES

ICO WEEKLY SITE VISIT DUTIES

- Site visit one time per week.
- Check with Primes to get manpower count on site.
- Make note of EBE firms on site.
- Count total man power on site and count minority/women to note EEO % for that visit.
- Get names of Minority/Women and spot check numbers with certified payroll when submitted.
- Introduce yourself as ICO and hand out cards for assistance if needed to firms and workers.
- Take photos of minority and women workers on site. (occasionally)
- Record site visit data to Cloud Data System.

Appendix F

Appendix F contains a blank copy of the DP-2, EBE Letter of Intent to Perform, form.

EBE LETTER OF INTENT TO PERFORM / RSMP DP-2 FORM

This form is to be completed and submitted to the ICO by the apparent successful bidder by the end of the tenth day following notice of award of contract.

RSMP PROJECT: _____
PARTICIPANT: _____

The undersigned has agreed to perform work in connection with the above project as:
____ sole proprietorship (individual)
____ a partnership
____ a corporation
____ a joint venture

Detailed description of work items to be performed by EBE: _____ (indicate labor, supplier, broker, etc.) at the following price: \$ _____.

Please note all categories of the subcontractor/joint venture that apply:

____ Disadvantaged Business Enterprise
____ Minority-Owned Business Enterprise
____ Small Business Enterprise
____ Women-Owned Business Enterprise

The total value of EBE participation under this Joint Venture Agreement is \$ _____; which is _____% of the total Proposal.

(Type or Print Name of subcontractor/Joint Venture) _____
By: _____
Printed Name: _____
Title: _____
Date: _____

This EBE is currently certified as a MBE, WBE, DBE or SBE in the above-indicated performance category. **As evidence of this fact, attached is a certification letter from the appropriate certifying authority confirming the current MBE, WBE, DBE or SBE status and the applicable performance category. Failure to include said certification letter(s) to the satisfaction of the ICO is grounds for rejection of the proposed EBE.**

Should any revisions to this pending agreement be necessary after the submission of this form, the bidding contractor shall immediately resubmit the necessary revised forms to the attention of the ICO for consideration.

DP-2 Form continued on the following page...

DP-2 Form, page 2:

The undersigned will enter into a written agreement for the work described upon the approval of the ICO and award and execution of a contract with RJSCB to the bidder.

Bidding contractor Company Name

Proposed EBE Company Name

Address

Address

Phone Number

Phone Number

Company Officer Name & Title (Print)

Company Officer Name & Title (Print)

_____/____/____
Company Officer Signature Date

_____/____/____
Company Officer Signature Date

For RJSCB Use Only

Owner Signature Date

ICO Signature Date

Appendix G

Appendix G contains a DP-2 form which was approved by the ICO but has conflicting data shown on the corresponding approved DP-1 form. Drew's Boiler Removals shows a contract value of \$22,326 on the DP-1 form and a contract value of \$18,450 on the DP-2.

RCSD Charlotte High School
S.E.D.# 26-16-00-01-0102-031
S.E.D. EPC # 26-16-00-01-0102-032
S.E.D. Distr. Tech. # 26-16-00-01-799-012

Chaintruil | Jensen | Stark Architects
Project # 1106
Bid Documents
April 9, 2012

EBE LETTER OF INTENT TO PERFORM / RSMP DE-7 FORM

This form is to be completed and submitted to the ICO by the apparent successful bidder by the end of the second business day following notice of award of contract.

RSMP PROJECT: Charlotte High School
PARTICIPANT: Drews Boiler Removals

The undersigned has agreed to perform work in connection with the above project as:
 sole proprietorship (individual)
 a partnership
 a corporation
 a joint venture

Detailed description of work items to be performed by EBE.
Demolition (indicate labor, supplier, broker, etc.) at the following price: \$ 18,450.00

Please note all categories of the subcontractor/joint venture that apply:

- Disadvantaged Business Enterprise
- Minority-Owned Business Enterprise
- Small Business Enterprise
- Women-Owned Business Enterprise

The total value of EBE participation under this Joint Venture Agreement is \$ 18,450.00, which is ___% of the total Proposal.

(Type or Print Name of Subcontractor/Joint Venture) _____
By: Drews Boiler Removals
Printed Name: MARIE E. DREW
Title: OWNER
Date: 6-20-2012

This EBE is currently certified as a MBE, WBE, DBE or SBE in the above-indicated performance category. As evidence of this fact, attached is a certification letter from the appropriate certifying authority confirming the current MBE, WBE, DBE or SBE status and the applicable performance category. Failure to include said certification letter(s) to the satisfaction of the ICO is grounds for rejection of the proposed EBE.

Should any revisions to this pending agreement be necessary after the submission of this form, the bidding contractor shall immediately resubmit the necessary revised forms to the attention of the ICO for consideration.

The undersigned will enter into a written agreement for the work described upon the approval of the ICO and award and execution of a contract with RUSCB to the bidder.

RCSD Charlotte High School
S.E.D.# 28-18-00-01-0102-031
S.E.D. EPC # 28-18-00-01-0102-032
S.E.D. Distr. Tech. # 28-18-00-01-799-012

Chaint euit | Jensen | Stark Architects
Project # 1108
Bid Documents
April 9, 2012

Michael A Ferraulo Plumbing & Heating
Bidding Contractor Company Name

1600 Jay Street, Rock, 14611
Address

585-328-8910
Phone Number

Joseph D. Ferraulo, V.P.
Company Officer Name & Title (Print)

[Signature] 6/20/12
Company Officer Signature Date

DRCWS Boiler Removal
Proposed SBE Company Name

36 Wyand Crescent E
Address

585-654-8435
Phone Number

MARIE E. DREW OWNER
Company Officer Name & Title (Print)

[Signature] 6/29/2012
Company Officer Signature Date

For RJSCB Use Only

Owner Signature

Date

[Signature]
ICO Signature

7/12/12
Date

SCHEDULE OF MBE/WBE PARTICIPATION (MWP-1)

ROCHESTER SCHOOLS MODERNIZATION PROGRAM

1. Project : Charlotte High School

2. Bidding on Contract No./Contract Description: Mechanic

Mechanical - HVAC

3. Bidding Contractor Name / Address / Phone No. / Fax No.

Michael A, Ferraulio Plumbing & Heating
1600 Jay Street, Rochester, New York 14611

4. Submittal Date 10/9/12

5. Original Form

Revised Form 04/15/13

6. Name/Address/Phone No. of Proposed MBE/WBE/DBE/SBE	7. Certified as M/W/D/SBE	8. Performance Category	9. Scope of Services to be provided	10. Proposed Dollar Amount
JHP Industrial Supply (Supplier) ✓ 321 West Taylor Street Syracuse, New York 13202 16-1161590	MBE ✓		HVAC Equipment & Material Supplier	\$520,100.00 <i>265,000</i>
Unified Electric ✓ 2562 Culver Road Rochester, NY 14609	MBE ✓		Electrical Control Wiring ✓	\$50,000.00 ✓
Scott Construction ✓ 25 Wells Street Rochester, New York 14611 16-1460841	MBE ✓		Core Drill, Fire Caulk Labor	\$24,000.00 ✓
OSO, Inc. ✓ 145 Lake Avenue Rochester, New York 14608 16-1398207	DBE ✓		Cut & Patch	\$40,000.00 ✓
Coldwater Insulation ✓ 408 Coldwater Road Rochester, New York 14624 16-1401334	WBE ✓		Insulation ✓	\$70,000.00 ✓

Certification Statement - the below signed, being an authorized representative of the bidding company, hereby certifies that the above information and has been discussed with the proposed MBE or WBE prior to the submission of the accompanying bid proposal.

11. Bidding Company Official's Printed Name and Title

12. Bidding Company Official's Signature

13. Date Signed

14. Page

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SCHEDULE OF MBE/WBE PARTICIPATION (MWP-1)

ROCHESTER SCHOOLS MODERNIZATION PROGRAM

1. Project: Charlotte High School

2. Bidding on Contract No./Contract Description: Mechanic

Mechanical - HVAC

3. Bidding Contractor Name / Address / Phone No. / Fax No.

Michael A, Ferraulo Plumbing & Heating
1600 Jay Street, Rochester, New York 14611

4. Submittal Date 10/9/12

5. Original Form
 Revised Form 04/15/13

6. Name/Address/Phone No.	7. Certified as MW/D/SBE	8. Performance Category	9. Scope of Services to be provided	10. Proposed Dollar Amount
Structural Remediation Services ✓ 1115 East Main Street Rochester, New York 14609 26-4609014	DBE ✓		Concrete Pads	\$4,645.00 ✓
Drew's Boiler Removal X P.O. Box 90757 Rochester, New York 14609 45-5082125	SBE ?		Demolition	\$22,326.00 18 yrs
Air Systems Balancing X 339 East Avenue Rochester, New York 14604 16-1218716	SBE ?		Balancing	\$17,760.00 ✓
Cannon & Noto Enterprises ✓ 2680 West Ridge Road Rochester, New York 14626 45-4474471	SBE ✓		HVAC Labor	\$51,900.00 ✓

Certification Statement - the below signed, being an authorized representative of the bidding company, hereby certifies that the above information is accurate and has been

11. Bidding Company Official's Printed Name and Title
Signature on 1st page

12. Bidding Company Official's Signature
Signature on 1st page

13. Date Signed
____/____/____

14. Page
2 of 4

SCHEDULE OF MBE/WBE PARTICIPATION (MWP-1) **ROCHESTER SCHOOLS MODERNIZATION PROGRAM**

1. Project: Charlotte High School Mechanical - HVAC

2. Bidding on Contract No./Contract Description: Mechank

3. Bidding Contractor Name / Address / Phone No. / Fax No.
 Michael A. Ferraulio Plumbing & Heating
 1600 Jay Street, Rochester, New York 14611

4. Submittal Date 10/9/12

5. Original Form Revised Form 04/15/13

6. Name/Address/Phone No. of Proposed MBE/WBE/DBE/SBE	7. Certified as M/W/D/SBE	8. Performance Category	9. Scope of Services to be provided	10. Proposed Dollar Amount
Seneca Water Treatment Services X 7035 Van Buren Road Syracuse, New York 13209 16-1363984	SBE ✓		Water Treatment	\$1,200.00 ✓
Merline Technologies (Supplier) ✓ 3517 Thomas Drive, Suite 7 Lakeville, New York 14480 16-1441359	WBE ✓		Steam Specialties, Supplier	\$14,407.20 7,086.00 (50%) ✓
WYCO Mechanical ✓ 81 Shumway Road Brockport, New York 14420 16-1414458	WBE ✓		Pipe Fitting	\$34,264.00 ✓
Herman HVAC Products (Supplier) X 1819 East Main Street Rochester, New York 14609 45-4853410	SBE ✓		Equipment, Supplier	\$41,000.00 ✓
J C Smith (Supplier) ✓ 905 Buffalo Road Rochester, New York 14624	DBE		Materials	\$2,742.71

11. Bidding Company Official's Printed Name and Title Signature on 1st page

12. Certification Statement - the below signed, being an authorized representative of the bidding company, hereby certifies that the above information and has be is accurate

13. Bidding Company Official's Signature Signature on 1st page

14. Date Signed 3 of 4

SCHEDULE OF MBE/WBE PARTICIPATION (MWP-1)

ROCHESTER SCHOOLS MODERNIZATION PROGRAM

1. Project: Charlotte High School
 2. Bidding on Contract No./Contract Description: Mechanical - HVAC
 3. Bidding Contractor Name / Address / Phone No. / Fax No.
 Michael A, Ferraulo Plumbing & Heating
 1600 Jay Street, Rochester, New York 14611
 4. Submittal Date 10/9/12
 5. Original Form
 Revised Form 04/15/13

6. Name/Address/Phone No. of Proposed MBE/WBE/DBE/SBE	7. Certified as M/W/D/SBE	8. Performance Category	9. Scope of Services to be provided	10. Proposed Dollar Amount
Jackson Welding (Supplier) ✓ 4 Pitkey Industrial Parkway Rochester, NY 14624	WBE ✓		Supplier	\$1,000.00 <i>10 only.</i>

Certification Statement - the below signed, being an authorized representative of the bidding company, hereby certifies that the above information is accurate and has been

11. Bidding Company Official's Printed Name and Title
 Signature on 1st page

12. Bidding Company Official's Signature
 Signature on 1st page

13. Date Signed
 ___/___/___

14. Page
 4 of 4

Appendix H

Appendix H contains a DP-2 form that was submitted by Jaclyn Building Services, who was not found to be a certified WBE firm. When contacted by the Audit Team, Jaclyn Building Services stated that their certification was pending. The RSMP does not acknowledge pending certifications. This DP-2 form was approved by the ICO.

EBE LETTER OF INTENT TO PERFORM / RSMP DP-2 FORM

This form is to be completed and submitted to the ICO by the apparent successful bidder by the end of the second business day following notice of award of contract.

RSMP PROJECT: 26-16-00-01-0-017-023

PARTICIPANT: Jaclyn Services

The undersigned has agreed to perform work in connection with the above project as:

sole proprietorship (individual)

a partnership

a corporation

a joint venture

Detailed description of work items to be performed by EBE:

Fire Alarm, Submittals, coordination, storage, shipping (indicate labor, supplier, broker, etc.) at the following price: \$ 144,300.

Please note all categories of the subcontractor/joint venture that apply:

Disadvantaged Business Enterprise

Minority-Owned Business Enterprise

Small Business Enterprise

Women-Owned Business Enterprise

The total value of EBE participation under this Joint Venture Agreement is \$ 144,300 which is 5.4% of the total Proposal.

(Type or Print Name of Subcontractor/Joint Venture) _____

By: Jaclyn Build Services

Printed Name: Amadeo Battisti

Title: Secretary

Date: 5/25/12

This EBE is currently certified as a MBE, ~~WBE~~ DBE or SBE in the above-indicated performance category. As evidence of this fact, attached is a certification letter from the appropriate certifying authority confirming the current MBE, ~~WBE~~ DBE or SBE status and the applicable performance category. Failure to include said certification letter(s) to the satisfaction of the ICO is grounds for rejection of the proposed EBE.

Should any revisions to this pending agreement be necessary after the submission of this form, the bidding contractor shall immediately resubmit the necessary revised forms to the attention of the ICO for consideration.

The undersigned will enter into a written agreement for the work described upon the approval

of the ICO and award and execution of a contract with RJSCB to the bidder.

Eastcoast Electric LLC
Bidding Contractor Company Name
546 Lyell Ave Roch NY 14606
Address
647-0110
Phone Number

Louis Mayer Pres
Company Officer Name & Title (Print)
[Signature] 5/7/12
Company Officer Signature Date

Jacylyn Build Services
Proposed EBE Company Name
4914 W Ridge Rd Spencerport NY 14606
Address
349-2779
Phone Number

Amadeo Battisti/Sec
Company Officer Name & Title (Print)
[Signature] (sec.) 10/17/12
Company Officer Signature Date

For RJSCB Use Only

Owner Signature Date
[Signature] 10.25.12
ICO Signature Date

Appendix I

Appendix I contains a DP-2 form completed by Steve General Contractor, Inc. This form appeared to be completed correctly and accurately but was not signed by the ICO.

Rochester Schools Modernization Program - Phase 1b
School No. East High School #261
SED # 26-16-00-01-0-103-031

EBE LETTER OF INTENT TO PERFORM / RSMP DP-2 FORM

This form is to be completed and submitted to the ICO by the apparent successful bidder by the end of the tenth day following notice of award of contract.

RSMP PROJECT: East High School #261
PARTICIPANT: Steve General Contractor, Inc.

The undersigned has agreed to perform work in connection with the above project as:
 sole proprietorship (individual)
 a partnership
 a corporation
 a joint venture

Detailed description of work items to be performed by EBE:
Demolition, Asb Removal, Lead Removal, Temp Enclosure (indicate labor, supplier, broker, etc.) at the following price: \$ 1,598,625⁰⁰. ✓

Please note all categories of the subcontractor/joint venture that apply:

Disadvantaged Business Enterprise
 Minority-Owned Business Enterprise
 Small Business Enterprise
 Women-Owned Business Enterprise

The total value of EBE participation under this Joint Venture Agreement is \$ _____; which is _____ % of the total Proposal.

(Type or Print Name of subcontractor/Joint Venture) _____
By: _____
Printed Name: _____
Title: _____
Date: _____

This EBE is currently certified as a MBE, WBE, DBE or SBE in the above-indicated performance category. **As evidence of this fact, attached is a certification letter from the appropriate certifying authority confirming the current MBE, WBE, DBE or SBE status and the applicable performance category. Failure to include said certification letter(s) to the satisfaction of the ICO is grounds for rejection of the proposed EBE.**

Should any revisions to this pending agreement be necessary after the submission of this form, the bidding contractor shall immediately resubmit the necessary revised forms to the attention of the ICO for consideration.

Rochester Schools Modernization Program - Phase 1b
School No. East High School #261
SED # 26-16-00-01-0-103-031

The undersigned will enter into a written agreement for the work described upon the approval of the ICO and award and execution of a contract with RJSCB to the bidder.

The Pike Company, Inc.

Bidding contractor Company Name

One Circle Street

Rochester, NY 14607

Address

585-271-5256

Phone Number

Joseph P Snyder

Director Of Purchasing

Company Officer Name & Title (Print)

JPS

Company Officer Signature Date

Steve General Contractor, Inc
Proposed EBE Company Name

3774 Telephone Rd.
Caledonia, NY 14423
Address

525-226-2724

Phone Number

David Vasciannie Pres.

Company Officer Name & Title (Print)

4/30/13 David Vasciannie 4/19/2013

Company Officer Signature Date

For RJSCB Use Only

Owner Signature

Date

ICO Signature

Date

Appendix J

Appendix J contains a blank DP-3A, Monthly Utilization Report, form.

**INSTRUCTIONS FOR COMPLETING
MONTHLY EBE UTILIZATION REPORT (DP-3a/RSMP) FORM**

This form must be submitted on a monthly basis. For the month under consideration, this form must be completed by every contractor/entity providing on-site labor engaged in work associated with the 1st tier contract scope.

For the purposes of completing this form, "on-site labor" is considered to include only labor hours consumed on the Project site in the production of physical work and direct supervision of such on-site work. This would specifically exclude any hours involved in hauling material/equipment deliveries to/from the Project site. The hours involved in the off/on loading of said deliveries would be included only if the personnel involved were not employees of the trucking company.

Example – ABC Contracting is receiving an on-site material delivery from Acme Trucking. Acme's truck driver's hours would not be included on this form, but ABC's personnel who are responsible to unload this delivery would be included. If Acme personnel were responsible to unload this delivery, these hours would be excluded.

For the month under consideration, each 1st tier contractor must submit a completed DP-3/RSMP form for each entity that has provided on-site labor engaged in work associated with the scope of the 1st tier contract. This submission shall be made as part of the monthly payment requisition package and to the ICO. If after the start and prior to the completion of the 1st tier contractor's scope, the 1st tier contractor does not submit a monthly payment requisition package, the 1st tier contractor shall either 1) forward a ("No-Labor") notice advising that there was no on-site labor utilized under its contract scope for the month under consideration or 2) shall forward completed DP-3/RSMP forms for the month under consideration. Whether submitting a monthly payment requisition package or not, DP-3/RSMP forms or "No-Labor" notice must be forwarded to the ICO.

In addition to required submissions noted above, the same submissions must be made by the 1st tier contractor directly to the ICO no later than the 5th day of the following month. (i.e. October 2012 DP-3's/RSMP or No-Labor Notice(s) must be received by November 5, 2012.)

DP-3A
MBE/WBE/DBE/SBE MONTHLY UTILIZATION REPORT
Rochester Schools Modernization Program

_____/_____/_____
 Month / Year

Project Name: _____ Original Contract: _____
 Contract No.: _____ Current Contract: _____
 Contractor Name: _____ MBE % of Current Contract: _____
 Address: _____ WBE % of Current Contract: _____
 Phone No.: _____ DBE % of Current Contract: _____
 Fax No.: _____ SBE % of Current Contract: _____

Change Orders to Date: _____

Subcontractor Name	I. M WBE/ DBE/ SBE	Original Subcontract	Change Orders to Date	Total Current Subcontract to MWBE/DBE/ SBE	Amount Paid to Date to MWBE/DBE/ SBE	Total Amnt of Invoices Submitted to Date	Cancelled Checks Submitted to Date

1. DP-3A is to be submitted monthly.
 2. List all M/WBE/DBE/SBE subcontractors, even after their work is substantially complete.
 3. When adding a subcontractor, attach a revised DP-1 and DP-2 to this form.
 4. Attach invoices and cancelled checks to this form.

By: _____
Contractor Representative Signature

Print: _____

Appendix K

Appendix K contains the September 2013 Monthly Diversity Report provided to the RJSCB by the ICO. This was the most recent report provided to the Audit Team.



Rochester Schools Modernization Program

September 2013 Report

Minority and Women Workforce
&
M/W/S/DBE Business Participation



Submitted by:

Landon & Rian Enterprises, Inc.

November 4, 2013

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Matrix.....Pages 5-16

September 2013 - Total M/W/D/SBE Business Participation Utilization Matrix
(Professional and Construction Services).....Pages 17-20

MINORITY & WOMEN WORKFORCE & M/W/D/SBE BUSINESS PARTICIPATION

SUMMARY - TOTAL HOURS TO DATE

(Includes Professional and Construction Service's Hours)

TOTAL WORKFORCE PARTICIPATION GOALS

- 20% Minority
- 6.9 % Women

TOTAL WORKFORCE PARTICIPATION

- Number of Hours Worked (All Workers): 787,580.44
- Number of Hours Worked (All Minorities): 188,268.68 (Includes Male & Female Minorities)
- Number of Hours Worked (All Women): 92,137.69 (Caucasian Only)

SUMMARY

Total participation for the workforce is at 787,580.44 hours. As of September 2013, the breakdown of total hours for the Minority and Women workforce participation is as follows:

- Minority participation is at 188,268.68 hours (23.90%) reflecting a plus 3.90% over the 20% goal.
- Women participation is at 92,137.69 hours (11.70%) reflecting a plus 4.80% over the 6.9% goal.*

* *Minority Female hours are tracked under the Minority category.*

When Minority Females hours are calculated as part of the female category (Women), the total hours worked reflect the following workforce participation.

- Number of hours worked (All Women): 93,826.19 hrs.
- Women % of Total hours: 11.91% reflecting a plus 5.01% over the 6.9% goal.

MINORITY & WOMEN WORKFORCE & M/W/D/SBE BUSINESS PARTICIPATION

SUMMARY – SEPTEMBER 2013

(Includes Professional and Construction Services Hours)

TOTAL WORKFORCE PARTICIPATION GOALS

- 20% Minority
- 6.9 % Women

TOTAL WORKFORCE PARTICIPATION SUMMARY

- Number of Hours Worked (All Workers): 47,422.24
- Number of Hours Worked (All Minorities): 13,386.22 (Includes Male & Female Minorities)
- Number of Hours Worked (All Women): 4,789.45 (Caucasian Only)

SUMMARY

Total participation for the workforce is at 47,422.24 hours. During the month of September 2013, the breakdown of total hours for the Minority and Women workforce participation is as follows:

- Minority participation is at 13,386.22 hours (28.23%) reflecting a plus of 8.23% over the 20% goal.
- Women participation is at 4,789.45 hours (10.10%) reflecting a plus of 3.20% over the 6.9% goal.*

* *Minority Female hours are tracked under the Minority category.*

When Minority Females hours are calculated as part of the female category (Women) the total hours worked would reflect the following workforce participation.

- Number of Hours Worked (All Women): 6,477.95 hrs.
- Women % of Total hours: 13.66% reflecting a plus 6.76% over the 6.9% goal.

BREAKDOWN OF THE ETHNICITY

The breakdown of the ethnicity of the Minority and Women workforce hours on the Rochester City School Modernization Project for the month of September 2013 are as follows:

HOURS	PERCENTAGE	ETHNICITY
4,789.45	10.10%	Female Participation (<u>Caucasian</u>)
8,671.00	18.28%	Black Male
881.50	1.86%	Black Female
2,120.72	4.47%	Hispanic Male
564.80	1.06%	Hispanic Female
373.50	.79%	Asian/Pacific Male
210.50	.44%	Asian/Pacific Female
532.50	1.12%	American Indian/Alaskan Male
92.00	.19%	American Indian/Alaskan Female

MINORITY & WOMEN WORKFORCE & M/W/D/SBE BUSINESS PARTICIPATION

SUMMARY – SEPTEMBER 2013 (Includes Construction Only Services Hours)

TOTAL WORKFORCE PARTICIPATION GOALS

- 20% Minority
- 6.9 % Women

TOTAL WORKFORCE PARTICIPATION SUMMARY

- Number of Hours Worked (All Workers): 38,161.84
- Number of Hours Worked (All Minorities): 11,379.22 (Includes Male & Female Minorities)
- Number of Hours Worked (All Women): 1,769.00 (Caucasian Only)

SUMMARY

Total participation for the workforce is at 38,161.84 hours. During the month of September 2013, the breakdown of total hours for the Minority and Women workforce participation is as follows:

- Minority participation is at 11,379.22 hours (29.82%) reflecting a plus of 9.82% over the 20% goal.
- Women participation is at 1,769.00 hours (4.64%) reflecting a shortage of 2.26% under the 6.9% goal.*

* *Minority Female hours are tracked under the Minority category.*

When Minority Females hours are calculated as part of the female category (Women) the total hours worked would reflect the following workforce participation.

- Number of Hours Worked (All Women): 2,571.00 hrs.
- Women % of Total hours: 6.73% reflecting a shortage of .16% under the 6.9% goal.

BREAKDOWN OF THE ETHNICITY

The breakdown of the ethnicity of the Minority and Women workforce hours on the Rochester City School Modernization Project for the month of September 2013 (Construction Only) are as follows:

HOURS	PERCENTAGE	ETHNICITY
1,769.00	4.64%	Female Participation (<u>Caucasian</u>)
7,680.50	20.13%	Black Male
516.50	1.35%	Black Female
2,071.72	5.43%	Hispanic Male
193.50	.51%	Hispanic Female
292.50	.77%	Asian/Pacific Male
0.00	0.00%	Asian/Pacific Female
532.50	1.40%	American Indian/Alaskan Male
92.00	.24%	American Indian/Alaskan Female

MINORITY & WOMEN WORKFORCE & M/W/D/SBE BUSINESS PARTICIPATION

SUMMARY – SEPTEMBER 2013

M/W/D/SBE BUSINESS PARTICIPATION UTILIZATION

The Rochester City School Modernization business participation goals for Minority, Women, Disadvantage and Small Business Enterprise's (M/W/D/SBE) totals 27% and is apportioned as follows:

- 15% Minority Business Enterprise (MBE)
- 5% Women Business Enterprise (WBE)
- 2% Disadvantage Business Enterprise (DBE)
- 5% Small Business Enterprise (SBE)

OVERALL BUSINESS PARTICIPATION SUMMARY

The total project construction value as of September 2013, including both Professional and Construction Services is \$215,463,948.

The breakdown of M/W/D/SBE contracts on the overall Rochester City School Modernization project as of September 2013 is as follows:

CERTIFICATION	PERCENTAGE	CONTRACT VALUE
MBE	16.92%	\$36,447,948
WBE	7.83%	\$16,872,856
DBE	1.71%	\$3,681,113
SBE	4.05%	\$8,719,238

SUMMARY

The overall M/W/D/SBE business participation utilization project goal stands at \$65,721,155 (30.50%) reflecting a plus of 3.50% over the 27% goal.



Rochester Schools Modernization Program

September 2013
Professional and Construction Services
EEO Utilization Matrix

Rochester Schools Modernization Program

September 2013

Professional and Construction Services - EEO Utilization Matrix

Contractor	Description of Services	Male Hours	Female Hours	Total Hours Worked	Black Male Hours	Black Female Hours	Hispanic Male Hours	Hispanic Female Hours	Asian or Pacific Male Hours	Asian or Pacific Female Hours	American Indian or Alaskan Male Hours	American Indian or Alaskan Female Hours
District Wide (DW)												
Clark Patterson Lee	SEQRA Consulting Service	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A
Gilbane/Savin (MBE)	Program Manager	665.00	160.00	825.00	-	-	45.00	-	-	-	-	-
Savin Engineers	Subcontractor	452.00	281.50	733.50	300.00	-	-	-	-	138.00	-	-
	Total	1,117.00	441.50	1,558.50	300.00	-	45.00	-	-	138.00	-	-
Kaizen Food Services	Food Service Consulting	4.00	12.50	16.50	-	-	-	-	-	-	-	-
	Total	4.00	12.50	16.50	-	-	-	-	-	-	-	-
Millennium	District-wide Technology	No Submittal	-	-	-	-	-	-	-	-	-	-
SWBR	Architecture Master Planning	Project Complete	-	-	-	-	-	-	-	-	-	-
IMA Architects	Subcontractor	-	-	-	-	-	-	-	-	-	-	-
ArchStetics Architecture	Subcontractor	-	-	-	-	-	-	-	-	-	-	-
Watts Engineering	Subcontractor	-	-	-	-	-	-	-	-	-	-	-
	Total	-	-	-	-	-	-	-	-	-	-	-
Wendel Energy Services	Energy Consultant	41.50	33.50	75.00	-	-	-	-	-	33.50	-	-
	Total	41.50	33.50	75.00	-	-	-	-	-	33.50	-	-
Phase 1A Projects (Architects)												
CJS Architects	Architect - Charlotte	270.00	20.00	290.00	-	-	-	-	-	-	-	-
Ravi Engineering	Subcontractor	-	-	-	-	-	-	-	-	-	-	-
Fisher Associates	Subcontractor	-	-	-	-	-	-	-	-	-	-	-
Watts Arch. & Eng.	Subcontractor	9.50	-	9.50	-	-	-	-	-	-	-	-
IBC Engineering	Subcontractor	13.50	1.00	14.50	-	-	-	-	-	-	-	-
Roche & Co.	Subcontractor	-	-	-	-	-	-	-	-	-	-	-
	Total	293.00	21.00	314.00	-	-	-	-	-	-	-	-
Clark Patterson Lee	Architect - School 50	65.00	5.50	70.50	6.00	-	-	5.00	-	-	-	-
	Total	65.00	65.00	130.00	6.00	-	-	5.00	-	-	-	-
JCJ Architecture	Architect - School 58	538.50	65.50	604.00	-	13.50	-	-	-	-	-	-

Rochester Schools Modernization Program

September 2013

Professional and Construction Services - EEO Utilization Matrix

Contractor	Description of Services	Male Hours	Female Hours	Total Hours Worked	Black Male Hours	Black Female Hours	Hispanic Male Hours	Hispanic Female Hours	Asian or Pacific Male Hours	Asian or Pacific Female Hours	American Indian or Alaskan Male Hours	American Indian or Alaskan Female Hours
Fisher Associates	Subcontractor	-	-	-	-	-	-	-	-	-	-	-
Ravi Engineering	Subcontractor	-	-	-	-	-	-	-	-	-	-	-
ArchStetics Architect	Subcontractor	-	-	-	-	-	-	-	-	-	-	-
M/E Engineering, PC	Subcontractor	40.00	4.00	44.00	-	-	-	-	-	-	-	-
Joy Kuebler Arch,	Subcontractor	2.50	2.50	5.00	-	-	-	-	-	-	-	-
Total		581.00	72.00	653.00	-	13.50	-	-	-	-	-	-
Labella Associates	Architect - School 28	134.50	14.00	48.00	43.50	-	-	-	-	-	-	-
Heather DeMoras	Subcontractor	-	-	-	-	-	-	-	-	-	-	-
Razak Associates	Subcontractor	-	-	-	-	-	-	-	-	-	-	-
Total		134.50	14.00	48.00	43.50	-	-	-	-	-	-	-
SWBR	Architect - School 17	148.70	138.30	287.00	-	43.00	-	-	-	-	-	-
M/E Engineering	Subcontractor	44.50	6.00	50.50	4.50	-	-	-	11.00	-	-	-
Watt Engineering	Subcontractor	-	-	-	-	-	-	-	-	-	-	-
Popli Architecture	Subcontractor	-	-	-	-	-	-	-	-	-	-	-
MA Architects	Subcontractor	1.50	-	1.50	-	-	-	-	-	-	-	-
Herrick-Saylor Engineers	Subcontractor	-	-	-	-	-	-	-	-	-	-	-
Environmental Design	Subcontractor	19.25	-	19.25	-	-	-	-	-	-	-	-
Total		213.95	144.30	358.25	4.50	43.00	-	-	11.00	-	-	-
Young & Wright Archtital	Architect - Franklin	97.00	64.75	161.75	40.50	-	-	-	-	-	-	-
LDKEngineering	Subcontractor	-	-	-	-	-	-	-	-	-	-	-
Sienna Envir. Tech	Subcontractor	7.00	10.00	17.00	-	-	-	2.00	-	-	-	-
Watts Architecture	Subcontractor	3.00	-	3.00	-	-	-	-	-	-	-	-
Joy Huebler Arch,	Subcontractor	-	-	-	-	-	-	-	-	-	-	-
Total		107.00	74.75	181.75	40.50	-	-	2.00	-	-	-	-
Phase 1B Projects (Architects)												
CJS Architects	Architect - Monroe	335.00	10.00	345.00	-	-	-	-	-	-	-	-
Watts Arch. & Eng.	Subcontractor	101.00	13.50	114.50	-	-	-	-	-	-	-	-
Ravi Engineering	Subcontractor	116.00	110.00	226.00	-	-	-	-	6.00	-	-	-
Roche & Co.	Subcontractor	-	-	-	-	-	-	-	-	-	-	-
Environmental Design	Subcontractor	84.50	24.50	109.00	-	-	-	-	-	-	-	-
Sienna Envir. Tech	Subcontractor	37.00	3.00	40.00	-	-	-	3.00	-	-	-	-

Rochester Schools Modernization Program

September 2013

Professional and Construction Services - EEO Utilization Matrix

Contractor	Description of Services	Male Hours	Female Hours	Total Hours Worked	Black Male Hours	Black Female Hours	Hispanic Male Hours	Hispanic Female Hours	Asian or Pacific Male Hours	Asian or Pacific Female Hours	American Indian or Alaskan Male Hours	American Indian or Alaskan Female Hours
M/E Engineering, PC	Subcontractor	292.50	22.00	314.50	61.50	-	-	-	64.00	-	-	-
Baer Associates	Subcontractor	-	-	-	-	-	-	-	-	-	-	-
	Total	966.00	183.00	1,149.00	61.50	-	-	3.00	70.00	-	-	-
Young & Wright Archtital	Architect - School 5	72.50	167.25	239.75	72.50	-	-	-	-	-	-	-
Toscano Clements Taylor	Subcontractor	-	-	-	-	-	-	-	-	-	-	-
Watts Engineering	Subcontractor	21.25	18.00	39.25	-	-	-	-	-	-	-	-
Foundation Design	Subcontractor	4.00	-	4.00	-	-	-	-	-	-	-	-
Dwyer Architectural, LLC	Subcontractor	-	-	-	-	-	-	-	-	-	-	-
Sienna Envir. Tech	Subcontractor	6.00	-	6.00	-	-	-	-	-	-	-	-
	Total	103.75	185.25	289.00	72.50	-	-	-	-	-	-	-
Labella Associates	Architect - Edison	176.00	4.50	180.50	36.00	-	-	-	-	-	-	-
Design Services	Subcontractor	-	-	-	-	-	-	-	-	-	-	-
Heather DeMoras Design	Subcontractor	-	-	-	-	-	-	-	-	-	-	-
Ravi Engineering	Subcontractor	-	-	-	-	-	-	-	-	-	-	-
	Total	176.00	4.50	180.50	36.00	-	-	-	-	-	-	-
SEI Design Group	Architect - School 12	50.50	55.50	106.00	-	-	-	-	-	-	-	-
Environmental Design	Subcontractor	38.25	26.00	64.25	-	-	-	-	-	-	-	-
Dataflow Reprographics	Subcontractor	-	12.50	12.50	-	12.50	-	-	-	-	-	-
Kenel Ant. Arch.	Subcontractor	20.00	-	20.00	20.00	-	-	-	-	-	-	-
IBC Engineering	Subcontractor	83.50	2.50	86.00	51.00	-	-	-	-	-	-	-
Popli Architecture	Subcontractor	39.50	-	39.50	-	-	-	-	-	-	-	-
NPV, Inc.	Subcontractor	-	-	-	-	-	-	-	-	-	-	-
Vargus Associates	Subcontractor	-	72.25	72.25	-	-	-	-	-	-	-	-
ArchStetics Architecture	Subcontractor	-	-	-	-	-	-	-	-	-	-	-
Building Energy Solutions	Subcontractor	-	68.00	68.00	-	-	-	-	-	-	-	-
	Total	231.75	236.75	468.50	71.00	12.50	-	-	-	-	-	-
Cannon Design	Architect - East	66.50	25.40	91.90	-	-	-	-	-	-	-	-
Architectural PC	Subcontractor	-	-	-	-	-	-	-	-	-	-	-
Fisher Associates	Subcontractor	-	-	-	-	-	-	-	-	-	-	-
Singleton Construction	Subcontractor	-	-	-	-	-	-	-	-	-	-	-
Watt Engineering	Subcontractor	4.00	-	4.00	-	-	-	-	-	-	-	-
	Total	70.50	25.40	95.90	-	-	-	-	-	-	-	-

Rochester Schools Modernization Program

September 2013

Professional and Construction Services - EEO Utilization Matrix

Contractor	Description of Services	Male Hours	Female Hours	Total Hours Worked	Black Male Hours	Black Female Hours	Hispanic Male Hours	Hispanic Female Hours	Asian or Pacific Male Hours	Asian or Pacific Female Hours	American Indian or Alaskan Male Hours	American Indian or Alaskan Female Hours
SEI Design Group	Architect - Jefferson	No Submittal	- On Hold	-	-	-	-	-	-	-	-	-
Phase 1A Projects (Construction Managers)												
LeChase Construction	CM (28 and 58)	No Submittal	-	-	-	-	-	-	-	-	-	-
Roger Enterprises	Subcontractor	-	-	-	-	-	-	-	-	-	-	-
Cummings Construction	Subcontractor	-	-	-	-	-	-	-	-	-	-	-
Fisher Associates	Subcontractor	-	-	-	-	-	-	-	-	-	-	-
Total		-	-	-	-	-	-	-	-	-	-	-
Pike Construction	CM (17 and 50)	192.00	268.00	460.00	-	-	-	96.00	-	-	-	-
Total		192.00	268.00	460.00	-	-	-	96.00	-	-	-	-
Campus Construction	CM (Charlotte & Franklin)	473.00	164.00	637.00	200.00	-	-	-	-	-	-	-
OSO, Inc	Subcontractor	-	105.00	105.00	-	-	-	-	-	-	-	-
JAI	Subcontractor	-	-	-	-	-	-	-	-	-	-	-
Total		473.00	269.00	742.00	200.00	-	-	-	-	-	-	-
Phase 1B Projects (Construction Managers)												
LP Cimminelli	CM (East and Edison)	651.00	362.50	1,013.50	-	152.00	-	152.00	-	39.00	-	-
Total		651.00	362.50	1,013.50	-	152.00	-	152.00	-	39.00	-	-
Pike Construction	CM (5 and 12)	528.00	170.00	698.00	-	-	-	-	-	-	-	-
Total		528.00	170.00	698.00	-	-	-	-	-	-	-	-
Campus Construction	CM (Monroe)	28.00	4.00	32.00	-	-	-	-	-	-	-	-
Total		28.00	4.00	32.00	-	-	-	-	-	-	-	-
Construction Contracts												
Hewitt Young Electric	DWT 1a	665.00	-	665.00	429.00	-	-	-	-	-	-	-
Hewitt Young Electric	DWT 1b	94.00	-	94.00	19.00	-	-	-	-	-	-	-
Total		759.00	-	759.00	448.00	-	-	-	-	-	-	-
Manning Squires Henning	School 50 GC	759.50	-	759.50	125.00	-	-	-	-	-	-	-
Jason Mfg.	Subcontractor	11.00	-	11.00	-	-	-	-	-	-	-	-
Killian Construction	Subcontractor	-	-	-	-	-	-	-	-	-	-	-
Sheen & shine	Subcontractor	56.00	10.00	66.00	56.00	10.00	-	-	-	-	-	-

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Professional and Construction Services - EEO Utilization Matrix

Contractor	Description of Services	Male Hours	Female Hours	Total Hours Worked	Black Male Hours	Black Female Hours	Hispanic Male Hours	Hispanic Female Hours	Asian or Pacific Male Hours	Asian or Pacific Female Hours	American Indian or Alaskan Male Hours	American Indian or Alaskan Female Hours
SSM & RC	Subcontractor	-	-	-	-	-	-	-	-	-	-	-
Shades of Color	Subcontractor	103.00	-	103.00	-	-	-	-	-	-	-	-
Accurate Acoustical	Subcontractor	168.00	-	168.00	-	-	48.00	-	-	-	-	-
Airways Door Service	Subcontractor	-	-	-	-	-	-	-	-	-	-	-
NYS Fence	Subcontractor	21.00	-	21.00	-	-	-	-	-	-	-	-
BRG Corporation	Subcontractor	28.00	-	28.00	-	-	-	-	-	-	-	-
Eugene G. Sackett Co., Inc.	Subcontractor	-	-	-	-	-	-	-	-	-	-	-
Houtenbrinks, Inc.	Subcontractor	20.00	-	20.00	-	-	-	-	-	-	-	-
Lakeview Enterprises	Subcontractor	24.59	-	24.59	-	-	10.97	-	-	-	-	-
Suscuehanna Sheel Metal	Subcontractor	-	-	-	-	-	-	-	-	-	-	-
Sport Surface Special	Subcontractor	-	-	-	-	-	-	-	-	-	-	-
Pittsburgh Stage	Subcontractor	-	-	-	-	-	-	-	-	-	-	-
Thyssen krupp Elevator	Subcontractor	-	-	-	-	-	-	-	-	-	-	-
Primalyn Enterprises	Subcontractor	-	-	-	-	-	-	-	-	-	-	-
Firestop Solutions	Subcontractor	-	-	-	-	-	-	-	-	-	-	-
Steel Tech	Subcontractor	-	-	-	-	-	-	-	-	-	-	-
DeClerk Flooring	Subcontractor	8.00	-	8.00	-	-	-	-	-	-	-	-
Scott Construction	Subcontractor	-	-	-	-	-	-	-	-	-	-	-
Spectrum Window	Subcontractor	-	-	-	-	-	-	-	-	-	-	-
Total		1,199.09	10.00	1,209.09	181.00	10.00	58.97	-	-	-	-	-
B & B Mechanical	School 50 Mech.	36.00	-	36.00	8.00	-	-	-	-	-	-	-
Coldwater Insulation	Subcontractor	-	-	-	-	-	-	-	-	-	-	-
Kimmel Com.	Subcontractor	-	-	-	-	-	-	-	-	-	-	-
Total		36.00	-	36.00	8.00	-	-	-	-	-	-	-
East Coast Electric	School 50 Electrical	153.00	-	153.00	-	-	-	-	-	-	-	-
Total		153.00	-	153.00	-	-	-	-	-	-	-	-
Thurston Dudek	School 50 Plumbing	-	-	-	-	-	-	-	-	-	-	-
Coldwater	Subcontractor	-	-	-	-	-	-	-	-	-	-	-
Total		-	-	-	-	-	-	-	-	-	-	-

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Professional and Construction Services - EEO Utilization Matrix

Contractor	Description of Services	Male Hours	Female Hours	Total Hours Worked	Black Male Hours	Black Female Hours	Hispanic Male Hours	Hispanic Female Hours	Asian or Pacific Male Hours	Asian or Pacific Female Hours	American Indian or Alaskan Male Hours	American Indian or Alaskan Female Hours
Manning Squires Henning	School 17 GC	438.50	-	438.50	57.00	-	-	-	-	-	-	-
Van Putte	Subcontractor	-	-	-	-	-	-	-	-	-	-	-
Alliance Door	Subcontractor	-	-	-	-	-	-	-	-	-	-	-
A&B Heritage, Inc.	Subcontractor	-	-	-	-	-	-	-	-	-	-	-
Casler Masonry	Subcontractor	-	-	-	-	-	-	-	-	-	-	-
Schindler Elevator	Subcontractor	-	-	-	-	-	-	-	-	-	-	-
Mader Construction	Subcontractor	62.50	-	62.50	-	-	-	-	-	-	-	-
Genesee Building Rest.	Subcontractor	-	-	-	-	-	-	-	-	-	-	-
Scott Construction	Subcontractor	-	-	-	-	-	-	-	-	-	-	-
Pro Carpet	Subcontractor	-	-	-	-	-	-	-	-	-	-	-
Pittsburgh Stage	Subcontractor	-	-	-	-	-	-	-	-	-	-	-
Builders Hardware	Subcontractor	-	-	-	-	-	-	-	-	-	-	-
Killian Construction	Subcontractor	402.00	-	402.00	-	-	5.00	-	-	-	-	-
Firestop Solutions	Subcontractor	-	-	-	-	-	-	-	-	-	-	-
Elmer Davis	Subcontractor	97.50	-	97.50	21.00	-	-	-	-	-	-	-
Arrow Fence Company	Subcontractor	-	-	-	-	-	-	-	-	-	-	-
Imperial Door	Subcontractor	-	-	-	-	-	-	-	-	-	-	-
CID Coatings	Subcontractor	-	-	-	-	-	-	-	-	-	-	-
North East Interior	Subcontractor	142.00	-	142.00	-	-	-	-	-	-	-	-
Houtenbrinks	Subcontractor	34.00	-	34.00	-	-	-	-	-	-	-	-
Eugene Sackett	Subcontractor	25.00	-	25.00	-	-	-	-	-	-	-	-
Sport Surface Specialities	Subcontractor	-	-	-	-	-	-	-	-	-	-	-
Susquehanna Sheet Metal	Subcontractor	-	-	-	-	-	-	-	-	-	-	-
Envir Services	Subcontractor	-	-	-	-	-	-	-	-	-	-	-
DeClerk Flooring	Subcontractor	2.00	-	2.00	-	-	-	-	-	-	-	-
J & S Drapery	Subcontractor	-	-	-	-	-	-	-	-	-	-	-
Maxam Athletic	Subcontractor	48.50	-	48.50	-	-	-	-	-	-	-	-
OCM Construction	Subcontractor	104.00	25.00	129.00	-	-	-	-	-	-	-	-
Van Putte Landscape	Subcontractor	211.50	-	211.50	-	-	45.00	-	-	-	-	-
Total		1,567.50	25.00	1,592.50	78.00	-	50.00	-	-	-	-	-
M. A Ferraiulo (HVAC)	School 17 Mech.	287.00	24.00	311.00	-	24.00	-	-	-	-	-	-
Hewitt Young	Subcontractor	-	-	-	-	-	-	-	-	-	-	-
Scott Construction	Subcontractor	-	-	-	-	-	-	-	-	-	-	-

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Professional and Construction Services - EEO Utilization Matrix

Contractor	Description of Services	Male Hours	Female Hours	Total Hours Worked	Black Male Hours	Black Female Hours	Hispanic Male Hours	Hispanic Female Hours	Asian or Pacific Male Hours	Asian or Pacific Female Hours	American Indian or Alaskan Male Hours	American Indian or Alaskan Female Hours
Kimmel Group	Subcontractor	-	-	-	-	-	-	-	-	-	-	-
Elmer Davis	Subcontractor	-	-	-	-	-	-	-	-	-	-	-
Day Automation	Subcontractor	-	-	-	-	-	-	-	-	-	-	-
Air Systems	Subcontractor	286.50	-	286.50	-	-	-	-	116.50	-	-	-
Coldwater Insulation	Subcontractor	-	-	-	-	-	-	-	-	-	-	-
Total		573.50	24.00	597.50	-	24.00	-	-	116.50	-	-	-
East Coast Electric	School 17 Electrical	1,913.50	58.50	1,972.00	97.00	-	82.50	-	-	-	-	-
Total		1,913.50	58.50	1,972.00	97.00	-	82.50	-	-	-	-	-
M. A Ferraulio	School 17 Plumbing	174.00	-	174.00	-	-	-	-	-	-	-	-
Coldwater Insulation	Subcontractor	-	-	-	-	-	-	-	-	-	-	-
Total		174.00	-	174.00	-	-	-	-	-	-	-	-
Testa Construction	School 17 - GC	Project Complete										
The Pike Company	Charlotte GC	1,438.00	92.00	1,530.00	162.00	-	-	-	-	-	-	92.00
Homeguard Envir.	Subcontractor	-	-	-	-	-	-	-	-	-	-	-
Killian Construction	Subcontractor	-	-	-	-	-	-	-	-	-	-	-
Total		1,438.00	92.00	1,530.00	162.00	-	-	-	-	-	-	92.00
M. A Ferraulio	Charlotte Mech.	576.00	114.00	690.00	-	114.00	-	-	-	-	-	-
Kimmel Group	Subcontractor	11.00	-	11.00	11.00	-	-	-	-	-	-	-
OSO	Subcontractor	-	-	-	-	-	-	-	-	-	-	-
Air Systems	Subcontractor	3.00	-	3.00	-	-	-	-	-	-	-	-
Hewitt	Subcontractor	-	-	-	-	-	-	-	-	-	-	-
Scott Construction	Subcontractor	149.00	-	149.00	-	-	-	-	-	-	-	-
Killian Construction	Subcontractor	-	-	-	-	-	-	-	-	-	-	-
Coldwater Insulation	Subcontractor	259.00	-	259.00	12.00	-	-	-	-	-	-	-
Day Automation	Subcontractor	-	-	-	-	-	-	-	-	-	-	-
Jemco Water Treatment	Subcontractor	-	-	-	-	-	-	-	-	-	-	-
Total		998.00	114.00	1,112.00	23.00	114.00	-	-	-	-	-	-
Concord Electric	Charlotte Electrical	No Submittal	-	-	-	-	-	-	-	-	-	-
Invicts Electric	Subcontractor	-	-	-	-	-	-	-	-	-	-	-
Scott Construction	Subcontractor	-	-	-	-	-	-	-	-	-	-	-
Total		-	-	-	-	-	-	-	-	-	-	-

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Contractor	Description of Services	Male Hours	Female Hours	Total Hours Worked	Black Male Hours	Black Female Hours	Hispanic Male Hours	Hispanic Female Hours	Asian or Pacific Male Hours	Asian or Pacific Female Hours	American Indian or Alaskan Male Hours	American Indian or Alaskan Female Hours
Thurston Dudek	Charlotte Plumbing	54.00	-	54.00	-	-	-	-	-	-	-	-
Steve General	Subcontractor	-	-	-	-	-	-	-	-	-	-	-
Total		54.00		54.00								
Cucchiara	Franklin GC	No Submittal	-	-	-	-	-	-	-	-	-	-
Steve General	Subcontractor	-	-	-	-	-	-	-	-	-	-	-
Brooks Brother	Subcontractor	-	-	-	-	-	-	-	-	-	-	-
Total		-	-	-	-	-	-	-	-	-	-	-
Leo J. Roth	Franklin Mechanical	-	-	-	-	-	-	-	-	-	-	-
Total		-	-	-	-	-	-	-	-	-	-	-
Kaplan Schmidt	Franklin Electrical	31.00	20.00	51.00	-	-	-	-	-	-	-	-
OSO	Subcontractor	72.50	-	72.50	72.00	-	-	-	-	-	-	-
Total		31.00	20.00	51.00	72.00							
Thurston Dudek	Franklin Plumbing	-	-	-	-	-	-	-	-	-	-	-
Total		-	-	-	-	-	-	-	-	-	-	-
Manning Squires Hennig	School #58 - GC	4,136.00	143.00	4,279.00	405.00	-	112.00	-	-	-	-	-
Steve General Const.	Subcontractor	187.00	-	187.00	134.00	-	-	-	-	-	-	-
Hewitt Young	Subcontractor	-	-	-	-	-	-	-	-	-	-	-
G & J Contracting	Subcontractor	24.00	-	24.00	-	-	-	-	-	-	-	-
Garden Grove	Subcontractor	-	-	-	-	-	-	-	-	-	-	-
Environmental Constr.	Subcontractor	119.00	-	119.00	-	-	-	-	-	-	-	-
US Ceiling	Subcontractor	422.50	-	422.50	173.00	-	40.00	-	-	-	-	-
Fisher	Subcontractor	19.00	-	19.00	-	-	-	-	-	-	-	-
OSO, Inc.	Subcontractor	191.00	-	191.00	-	-	-	-	-	-	-	-
Elmer Davis	Subcontractor	-	-	-	-	-	-	-	-	-	-	-
Highland Masonry	Subcontractor	244.00	-	244.00	88.00	-	4.00	-	-	-	-	-
Lupini	Subcontractor	10.00	-	10.00	-	-	-	-	-	-	-	-
Total		5,352.50	143.00	5,495.50	800.00		156.00					
Leo J. Roth	School #58	1,032.00	304.00	1,336.00	168.00	152.00	-	-	-	-	-	-
OSO	Subcontractor	218.00	20.00	238.00	-	-	-	-	-	-	-	-

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Professional and Construction Services - EEO Utilization Matrix

Contractor	Description of Services	Male Hours	Female Hours	Total Hours Worked	Black Male Hours	Black Female Hours	Hispanic Male Hours	Hispanic Female Hours	Asian or Pacific Male Hours	Asian or Pacific Female Hours	American Indian or Alaskan Male Hours	American Indian or Alaskan Female Hours
Hewitt Young	Subcontractor	170.00	-	170.00	-	-	-	-	-	-	-	-
Superior Thermal	Subcontractor	160.00	-	160.00	-	-	-	-	-	-	-	-
	Total	1,580.00	324.00	1,904.00	168.00	152.00	-	-	-	-	-	-
East Coast Electric	School #58 - Elec.	968.50	80.00	1,048.50	333.00	-	-	-	-	-	-	-
		968.50	80.00	1,048.50	333.00	-	-	-	-	-	-	-
MA Ferraulo	School #58 - Plum.	1,088.00	72.00	FALSE	299.00	-	132.00	-	-	-	-	-
SRI Fire	Subcontractor	-	-	-	-	-	-	-	-	-	-	-
Lakeview	Subcontractor	-	-	-	-	-	-	-	-	-	-	-
Coldwater	Subcontractor	-	-	-	-	-	-	-	-	-	-	-
	Total	1,088.00	72.00	1,160.00	299.00	-	132.00	-	-	-	-	-
Pike Construction	East High - GC	568.50	-	568.50	-	-	-	-	-	-	-	-
AJ Glass	Subcontractor	882.50	-	882.50	64.00	-	-	-	-	-	-	-
ASA Contractors	Subcontractor	31.50	-	31.50	4.50	-	-	-	-	-	-	-
DiFore Construction	Subcontractor	200.50	-	200.50	4.50	-	75.50	-	-	-	-	-
Fibertech	Subcontractor	616.25	-	616.25	215.00	-	120.00	-	-	-	-	-
G & J Contracting	Subcontractor	16.00	-	16.00	-	-	-	-	-	-	6.00	-
Genesee Restoration	Subcontractor	1,100.00	-	1,100.00	-	-	149.50	-	-	-	111.00	-
OCM Construction	Subcontractor	32.00	-	32.00	-	-	-	-	-	-	16.00	-
Red-Hawk Equip.	Subcontractor	15.00	-	15.00	-	-	-	-	-	-	-	-
Mark Cerrone	Subcontractor	-	-	-	-	-	-	-	-	-	-	-
Houtenbrinks	Subcontractor	10.00	-	10.00	-	-	-	-	-	-	-	-
Scott Construction	Subcontractor	130.00	-	130.00	104.00	-	-	-	-	-	-	-
Shades of Color	Subcontractor	14.00	-	14.00	-	-	-	-	-	-	-	-
Steve General	Subcontractor	-	-	-	-	-	-	-	-	-	-	-
Tiede-Zoeller	Subcontractor	584.00	-	584.00	240.00	-	80.00	-	-	-	-	-
	Total	4,200.25	-	4,200.25	632.00	-	425.00	-	-	-	133.00	-
LeChase Construction	School #5 - GC	-	-	-	-	-	-	-	-	-	-	-
Mark Cerrone	Subcontractor	167.00	49.00	216.00	32.00	49.00	51.00	-	-	-	-	-
Home Guard	Subcontractor	1,190.50	56.00	1,246.50	347.00	-	392.00	56.00	-	-	-	-
Cummings Construction	Subcontractor	365.00	-	365.00	72.00	-	-	-	-	-	-	-

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Professional and Construction Services - EEO Utilization Matrix

Contractor	Description of Services	Male Hours	Female Hours	Total Hours Worked	Black Male Hours	Black Female Hours	Hispanic Male Hours	Hispanic Female Hours	Asian or Pacific Male Hours	Asian or Pacific Female Hours	American Indian or Alaskan Male Hours	American Indian or Alaskan Female Hours
	Total	1,722.50	105.00	1,827.50	451.00	49.00	443.00	56.00	-	-	-	-
B ell Mechanical	School #5 Mech.	256.00	-	256.00	64.00	-	-	-	-	-	-	-
	Journee Tech, Subcontractor	424.00	36.50	460.50	144.00	36.50	-	-	-	-	-	-
	Total	680.00	36.50	716.50	208.00	36.50	-	-	-	-	-	-
Kaplan -Schmidt	School #5 Electrical	144.00	8.00	152.00	-	-	-	-	-	-	-	-
	Total	144.00	8.00	152.00	-	-	-	-	-	-	-	-
Thurston Dudek	School #5 - Plum.	232.00	-	232.00	-	-	-	-	-	-	-	-
	OSO, Inc. Subcontractor	126.00	14.00	140.00	80.00	-	-	-	-	-	-	-
	DDT Construction Subcontractor	144.00	-	144.00	96.00	-	-	-	-	-	-	-
	Total	232.00	14.00	232.00	176.00	-	-	-	-	-	-	-
Manning Squires	School #28 - GC	456.00	-	456.00	-	-	-	-	-	-	-	-
	Elmer Davis Subcontractor	208.50	-	208.50	24.50	-	41.75	-	-	-	-	-
	Mark Cerrone Subcontractor	6,511.00	460.50	6,971.50	3,253.00	131.00	682.50	137.50	-	-	399.50	-
	Total	7,175.50	460.50	7,636.00	3,277.50	131.00	724.25	137.50	-	-	399.50	-
Nairy Mechanical	School #28 Mech.	41.00	-	41.00	-	-	-	-	-	-	-	-
	Total	41.00	-	41.00	-	-	-	-	-	-	-	-
Kaplan -Schmidt	School #28 Electrical	25.00	8.00	33.00	-	-	-	-	-	-	-	-
	Total	25.00	8.00	33.00	-	-	-	-	-	-	-	-
Bell Mech.	School #28	-	-	-	-	-	-	-	-	-	-	-
	Total	-	-	-	-	-	-	-	-	-	-	-
Pike Construction	Edison - GC	3,507.00	152.00	3,659.00	-	-	-	-	-	-	-	-
	Grayco Subcontractor	64.00	32.00	96.00	-	-	-	-	-	-	-	-
	Cummings Const. Subcontractor	1,609.00	-	1,609.00	152.00	-	-	-	176.00	-	-	-
	Firestop Subcontractor	5.50	-	5.50	-	-	-	-	-	-	-	-
	Total	3,507.00	174.50	3,659.00	152.00	-	-	-	176.00	-	-	-
Landry Mechanical	Edison - Mech.	-	-	-	-	-	-	-	-	-	-	-
	Total	-	-	-	-	-	-	-	-	-	-	-
MA Ferraullo	Edison - plumb	No Submittal	-	-	-	-	-	-	-	-	-	-
	Total	-	-	-	-	-	-	-	-	-	-	-
Hewitt Young	Edison - Electric	816.50	-	816.50	115.00	-	-	-	-	-	-	-
	Total	816.50	-	816.50	115.00	-	-	-	-	-	-	-
Other Professional Services												
Seeler Engineering	PLA Study	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A

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Contractor	Description of Services	Male Hours	Female Hours	Total Hours Worked	Black Male Hours	Black Female Hours	Hispanic Male Hours	Hispanic Female Hours	Asian or Pacific Male Hours	Asian or Pacific Female Hours	American Indian or Alaskan Male Hours	American Indian or Alaskan Female Hours
Landon & Rian Enterprises (MBE)	ICO (Stage 2)	315.00	144.00	459.00	155.00	144.00	-	-	-	-	-	-
	Total	315.00	144.00	459.00	155.00	144.00	-	-	-	-	-	-
SJB Services	Special Inspections and Testing -1A	No Submittal										
SJB Services	Special Inspections and Testing -1B	-										
	Total	-	-	-	-	-	-	-	-	-	-	-
Main Ford General Supply	Kitchen Equip.	No Submittal										
OSO, Inc.	Environmental Monitoring - 1A	No Submittal										
Safety Zone Environmental	Subcontractor	-										
OSO, Inc.	Environmental Monitoring - 1B	No Submittal										
Envoy Envir. Consultants	Subcontractor	-										
Safety Zone Environmental	Subcontractor	-										
Ravi	Subcontractor	-										
Tetra Tech	Subcontractor	-										
	Total	-	-	-	-	-	-	-	-	-	-	-
Lawley Construction Sol.	Ins. & Bond Review	-	5.00	5.00	-	-	-	-	-	-	-	-
Compl. & Admin. Services	Subcontractor	-	1.00	1.00	-	-	-	-	-	-	-	-
	Total	-	6.00	6.00	-	-	-	-	-	-	-	-
MIDI	Moving Services	No Submittal										
CCP (WBE)	Pre-Apprenticeship Program	No Submittal										
Vargas Associates, Inc. (WBE)	Move Manager	4.00	257.50	261.50	-	-	4.00	53.00	-	-	-	-
Employment Store	Subcontractor	-										
	Total	4.00	257.50	261.50	-	-	4.00	53.00	-	-	-	-
Lafayette Storage	Moving Services	No Submittal										
	Subcontractor	-										
	Total	-	-	-	-	-	-	-	-	-	-	-

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September 2013

Professional and Construction Services - EEO Utilization Matrix

Contractor	Description of Services	Male Hours	Female Hours	Total Hours Worked	Black Male Hours	Black Female Hours	Hispanic Male Hours	Hispanic Female Hours	Asian or Pacific Male Hours	Asian or Pacific Female Hours	American Indian or Alaskan Male Hours	American Indian or Alaskan Female Hours
Corrigan Moving	Moving Services	No Submittal	-	-	-	-	-	-	-	-	-	-
	Journey Subcontractor	-	-	-	-	-	-	-	-	-	-	-
	Total											
School Specialty	Moving Services	No Submittal	-	-	-	-	-	-	-	-	-	-
	Subcontractor	-	-	-	-	-	-	-	-	-	-	-
	Total											
Facilities Equip. & Services	Moving Services	No Submittal	-	-	-	-	-	-	-	-	-	-
	Subcontractor	-	-	-	-	-	-	-	-	-	-	-
	Total											
Hunt Engineers	Commissioning	34.00	-	34.00	-	-	-	-	-	-	-	-
	Total	34.00		34.00								
Erdman Anthony	Commissioning	10.50	26.00	36.50	-	-	-	-	-	-	-	-
	Total	10.50	26.00	36.50								
Hertz Furniture	Moving Services	No Submittal	-	-	-	-	-	-	-	-	-	-
	Akwesasne Subcontractor	-	-	-	-	-	-	-	-	-	-	-
Journey	Subcontractor	-	-	-	-	-	-	-	-	-	-	-
	Total											
MDC Assembly	Subcontractor	-	-	-	-	-	-	-	-	-	-	-
	Total											
	TOTAL	42,769.79	4,789.45	47,422.24	8,671.00	881.50	2,120.72	504.50	373.50	210.50	532.50	92.00



Rochester Schools Modernization Program

September 2013

**Total M/W/D/SBE Business Participation
Utilization Matrix - Professional and
Construction Services**

Rochester Schools Modernization Program

September 2013

Total M/W/D/SBE Business Participation Utilization Matrix - Professional and Construction Services

Contractor	Description of Services	Contract Amount	Change Order	Revised Contract	MBE Amount	%	WBE Amount	%	SBE Amount	%	DBE Amount	%
District Wide (DW)												
Clark Patterson Lee	SEQRA Consulting Service	\$42,750	\$48,500	\$91,250	\$0	0.00%	\$0	0.00%	\$0	0.00%	\$0	0.00%
Gilbane/Savin (MBE)	Program Manager	\$11,590,668	\$554,229	\$12,144,897	\$4,037,590	33.25%	\$12,265	0.10%	\$0	0.00%	\$0	0.00%
Kaizen Food Services	Food Service Consulting	\$221,196	\$9,000	\$230,196	\$0	0.00%	\$52,920	22.99%	\$0	0.00%	\$0	0.00%
Millennium	District-wide Technology	\$489,000	\$11,983	\$500,983	\$75,623	15.09%	\$0	0.00%	\$44,000	8.78%	\$10,450	2.09%
SWBR	Architecture Master Planning	\$330,000	\$409,855	\$739,855	\$56,000	7.57%	\$0	0.00%	\$16,280	2.20%	\$0	0.00%
Wendel Energy Services	Energy Consultant	\$232,848	\$130,248	\$363,095	\$7,985	2.20%	\$6,000	1.65%	\$0	0.00%	\$0	0.00%
Phase 1A Projects (Architects)												
CJS Architects	Architect - Charlotte	\$1,086,342	\$139,077	\$1,225,419	\$121,447	9.91%	\$53,017	4.33%	\$53,017	4.33%	\$95,431	7.79%
Clark Patterson Lee	Architect - School 50	\$1,331,000	\$301,566	\$1,632,566	\$207,900	12.73%	\$64,844	3.97%	\$102,490	6.28%	\$34,580	2.12%
JCJ Architecture	Architect - School 58	\$2,220,700	\$691,760	\$2,912,460	\$310,522	10.66%	\$169,500	5.82%	\$104,500	3.59%	\$0	0.00%
Labella Associates	Architect - School 28	\$1,367,775	\$128,237	\$1,496,012	\$233,440	15.60%	\$72,216	4.83%	\$56,517	3.78%	\$28,007	1.87%
SWBR	Architect - School 17	\$1,344,924	\$552,389	\$1,897,313	\$228,723	12.06%	\$107,420	5.66%	\$86,800	4.57%	\$18,365	0.97%
Young & Wright Archtital	Architect - Franklin	\$361,500	\$318,670	\$680,170	\$134,280	19.74%	\$20,300	2.98%	\$17,800	2.62%	\$32,190	4.73%
Phase 1B Projects (Architects)												
CJS Architects	Architect - Monroe	\$1,481,931	\$252,154	\$1,734,085	\$129,250	7.45%	\$71,445	4.12%	\$0	0.00%	\$90,475	5.22%
Young & Wright Archtital	Architect - School 5	\$1,152,750	\$152,723	\$1,305,473	\$147,372	11.29%	\$52,700	4.04%	\$10,750	0.82%	\$35,740	2.74%
Labella Associates	Architect - Edison	\$1,322,935	\$213,190	\$1,536,125	\$279,520	18.20%	\$65,940	4.29%	\$72,940	4.75%	\$23,976	1.56%
SEI Design Group	Architect - School 12	\$961,900	\$4,992	\$966,892	\$148,000	15.31%	\$49,000	5.07%	\$49,000	5.07%	\$28,000	2.90%
Cannon Design	Architect - East	\$1,187,200	\$55,260	\$1,242,460	\$151,925	12.23%	\$119,162	9.59%	\$0	0.00%	\$0	0.00%
SEI Design Group	Architect - Jefferson	Hold	\$0	\$0	\$0	0.00%	\$0	0.00%	\$0	0.00%	\$0	0.00%
Phase 1A Projects (Construction Managers)												
LeChase Construction	CM (28 and 58)	\$2,628,776	\$140,612	\$2,769,388	\$399,978	14.44%	\$115,329	4.16%	\$86,590	3.13%	\$0	0.00%
Pike Construction	CM (17 and 50)	\$1,348,000	\$459,586	\$1,807,586	\$144,551	8.00%	\$67,760	3.75%	\$12,000	0.66%	\$20,500	1.13%
Campus Construction	CM (Charlotte & Franklin)	\$995,224	\$339,140	\$1,334,364	\$205,500	15.40%	\$90,000	6.74%	\$0	0.00%	\$0	0.00%

Rochester Schools Modernization Program

September 2013

Total M/W/D/SBE Business Participation Utilization Matrix - Professional and Construction Services

Contractor	Description of Services	Contract Amount	Change Order	Revised Contract	MBE Amount	%	WBE Amount	%	SBE Amount	%	DBE Amount	%
Phase 1B Projects (Construction Managers)												
LP Ciminelli	CM (East & Edison)	\$2,047,055	\$60,790	\$2,107,845	\$369,870	17.55%	\$12,894	0.61%	\$138,000	6.55%	\$41,000	1.95%
Pike Construction	CM (5 and 12)	\$1,562,990	\$40,000	\$1,602,990	\$228,000	14.22%	\$97,000	6.05%	\$10,000	0.62%	\$0	0.00%
Campus Construction	CM (Monroe)	\$1,131,500	\$0	\$1,131,500	\$170,000	15.02%	\$57,000	5.04%	\$0	0.00%	\$0	0.00%
Construction Contracts												
Hewitt Young Electric	DWT 1a	\$2,776,558	\$59,583	\$2,836,141	\$372,000	13.12%	\$111,000	3.91%	\$0	0.00%	\$0	0.00%
Hewitt Young Electric	DWT 1b	\$1,793,335	\$0	\$1,793,335	\$300,000	16.73%	\$90,000	5.02%	\$90,000	5.02%	\$36,000	2.01%
Manning Squires Henning	School 58 GC	\$17,807,000	\$854,221	\$18,661,221	\$2,756,057	14.77%	\$1,152,756	6.18%	\$1,132,451	6.07%	\$83,960	0.45%
Leo Roth	School 58 Plumb	\$5,906,800	\$3,337	\$5,910,137	\$1,689,870	28.59%	\$1,307,499	22.12%	\$299,970	5.08%	\$209,656	3.55%
East Coast Electric	School 58 Electric	\$3,183,680	\$0	\$3,183,680	\$465,000	14.61%	\$167,369	5.26%	\$168,000	5.28%	\$32,000	1.01%
M.A. Ferraulo	School 58 HVAC	\$2,033,000	\$90,926	\$2,123,926	\$366,463	17.25%	\$113,300	5.33%	\$115,150	5.42%	\$40,660.00	1.91%
Manning Squires Henning	School 50 GC	\$10,442,000	\$444,270	\$10,886,270	\$1,672,515	15.36%	\$739,485	6.79%	\$551,195	5.06%	\$367,505	3.38%
B & B Mechanical	School 50 Mechanical	\$2,740,000	\$1,506,970	\$4,248,447	\$444,512	10.46%	\$125,000	2.94%	\$114,500	2.70%	\$15,000	0.35%
East Coast Electric	School 50 Electrical	2,222,300.00	335,388	\$2,557,688	343,490.00	13.43%	147,950.00	5.78%	97,850.00	3.83%	42,105.00	1.65%
Thurston Dudek	School 50 Plumbing	\$791,300	\$36,540	\$827,840	\$166,000	20.05%	\$45,100	5.45%	\$38,500	4.65%	\$15,000	1.81%
Manning Squires Henning	School 17 GC	\$14,375,000	\$997,093	\$15,372,093	\$1,883,169	12.25%	\$1,731,839	11.27%	\$189,550	1.23%	\$557,707	3.63%
M. A Ferraulo	School 17 Mechanical	\$2,853,400	\$133,802	\$2,987,202	\$497,682	16.66%	\$146,344	4.90%	\$184,820	6.19%	\$21,617	0.72%
EastCoast Electric	School 17 Electrical	\$2,674,295	\$43,197	\$2,717,492	\$396,673	14.60%	\$144,300	5.31%	\$125,145	4.61%	\$56,610	2.08%
M. A Ferraulo	School 17 Plumbing	\$1,260,000	\$73,684	\$1,333,684	\$194,236	14.56%	\$55,000	4.12%	\$91,055	6.83%	\$67,749	5.08%
Testa Construction	School 17 Clinic GC	\$123,900	\$1,677	\$125,577	\$22,600	18.00%	\$42,000	33.45%	\$17,000	13.54%	\$2,800	2.23%
The Pike Company	Charlotte GC	\$14,536,000	\$1,136,159	\$15,672,159	\$2,655,789	16.95%	\$933,511	5.96%	\$830,404	5.30%	\$400,474	2.56%
M. A Ferraulo	Charlotte Mechanical	\$2,227,000	\$407,098	\$2,634,098	\$500,289	18.99%	\$162,371	6.16%	\$62,873	2.39%	\$53,124	2.02%
Concord Electric	Charlotte Electrical	\$2,205,000	\$155,400	\$2,360,400	\$330,000	13.98%	\$232,658	9.86%	\$182,570	7.73%	\$0	0.00%
Thurston Dudek	Charlotte Plumbing	\$1,690,300	\$56,342	\$1,746,642	\$225,333	12.90%	\$84,515	4.84%	\$112,734	6.45%	\$37,075	2.12%
Cucchiara	Franklin GC	\$3,659,000	-\$22,146	\$3,636,854	\$1,300,000	35.75%	\$187,750	5.16%	\$204,000	5.61%	\$84,000	2.31%

Rochester Schools Modernization Program

September 2013

Total M/W/D/SBE Business Participation Utilization Matrix - Professional and Construction Services

Contractor	Description of Services	Contract Amount	Change Order	Revised Contract	MBE Amount	%	WBE Amount	%	SBE Amount	%	DBE Amount	%
Leo J. Roth	Franklin Mechanical	\$355,990	\$11,485	\$367,475	\$70,994	19.32%	\$51,816	14.1%	\$17,800	4.84%	\$7,200	1.96%
Kaplan Schmidt	Franklin Electrical	\$378,600	\$12,956	\$391,556	\$45,000	11.49%	\$33,510	8.56%	\$43,417	11.09%	\$6,000	1.53%
Thurston Dudek	Franklin Plumbing	\$131,050	\$12,442	\$143,492	\$13,270	9.25%	\$6,090	4.24%	\$13,100	9.13%	\$8,600	5.99%
Manning Squires Henning	School 28 GC	\$11,222,000	\$69,675	\$11,291,675	\$1,588,501	14.07%	\$2,381,470	21.09%	\$565,000	5.00%	\$54,000	0.48%
Bell Mechanical	School 28 Mech.	\$3,233,500	\$31,245	\$3,264,745	\$485,263	14.86%	\$162,750	4.99%	\$162,500	4.98%	\$64,700	1.98%
Kaplan Schmidt	School 28 Electric	\$1,638,200	\$22,450	\$1,660,650	\$343,000	20.65%	\$165,000	9.94%	\$160,000	9.63%	\$32,000	1.93%
Nairy Mechanical	School 28 Plumb	\$1,212,400	\$104,536	\$1,316,936	\$181,155	13.76%	\$60,385	4.59%	\$60,385	4.59%	\$24,154.00	1.83%
LeChase Construction	School 5 GC	\$7,187,000	\$0	\$7,187,000	\$941,000	13.09%	\$506,977	7.05%	\$50,500	0.70%	\$58,900	0.82%
Bell Mechanical	School 5	\$5,044,000	\$0	\$5,044,000	\$759,950	15.07%	\$252,200	5.00%	\$252,200	5.00%	\$101,000	2.00%
Kaplan Schmidt	School 5	\$2,149,000	\$0	\$2,149,000	\$325,000	15.12%	\$215,000	10.00%	\$220,000	10.24%	\$43,000	2.00%
Thurston Dudek	School 5	\$1,148,300	\$0	\$1,148,300	\$172,245	15.00%	\$57,415	5.00%	\$57,415	5.00%	\$22,966.00	2.00%
Pike Construction	Edison GC	\$14,229,000	\$0	\$14,229,000	\$2,000,000	14.06%	\$626,900	4.41%	\$631,000	4.43%	\$250,000	1.76%
Landry Mechanical	Edison	\$3,400,100	\$0	\$3,400,100	\$510,000	15.00%	\$170,000	5.00%	\$170,000	5.00%	\$67,000	1.97%
MA Ferraulo	Edison	\$690,000	\$0	\$690,000	\$97,500	14.13%	\$32,500	4.71%	\$32,500	4.71%	\$13,000	1.88%
Hewitt Young	Edison	\$1,588,000	\$0	\$1,588,000	\$250,000	15.74%	\$81,000	5.10%	\$81,000	5.10%	\$35,000	2.20%
Pike Construction	East GC	\$10,601,900	\$35,841	\$10,637,741	\$1,598,625	15.03%	\$546,990	5.14%	\$544,080	5.11%	\$209,000	1.96%
TBD	East		\$0	\$0		0.00%		0.00%		0.00%		0.00%
TBD	East		\$0	\$0		0.00%		0.00%		0.00%		0.00%
TBD	East		\$0	\$0		0.00%		0.00%		0.00%		0.00%

Other Professional Services

Rochester Schools Modernization Program

September 2013

Total M/W/D/SBE Business Participation Utilization Matrix - Professional and Construction Services

Contractor	Description of Services	Contract Amount	Change Order	Revised Contract	MBE Amount	%	WBE Amount	%	SBE Amount	%	DBE Amount	%
Seeler Engineering	PLA Study	\$15,800	\$4,135	\$19,935	N/A	0.00%	N/A	0.00%	N/A	0.00%	N/A	0.00%
LaBella Associates	Commissioning	\$247,800	\$0	\$247,800	\$36,750	14.83%	\$12,250	4.94%	\$4,900	1.98%	\$12,250	4.94%
Hunt Engineers	Commissioning	\$199,241	\$0	\$199,241	\$29,157.00	14.63%	\$9,719.00	4.88%	\$3,388.00	1.70%	\$9,719.00	4.88%
Erdman Anthony	Commissioning	\$130,580	\$0	\$130,580	\$19,587.00	15.00%	\$6,529.00	5.00%	\$2,612.00	2.00%	\$6,529.00	5.00%
Landon & Rian Enterprises (MBE)	ICO (Stage 2)	\$180,000	\$863,687	\$1,043,687	\$1,043,687	100%	\$0	0.00%	\$0	0.00%	\$0	0.00%
OSO Inc. (MBE)	Env. Monitoring - 1A	\$185,000	\$366,249	\$551,249	\$372,250	67.53%	\$27,000	4.90%	\$29,250	5.31%	\$21,000	3.81%
OSO Inc. (MBE)	Env. Monitoring - 1B	\$380,000	\$0	\$380,000	\$334,800	88.11%	\$19,000	5.00%	\$19,000	5.00%	\$7,600	2.00%
Lawley Services	Ins. & Bond Review	\$30,000	\$0	\$30,000	\$4,500	N/A	N/A	N/A	N/A	N/A	N/A	N/A
Main-Ford General Sup.	Kitchen Equipment	\$960,444	\$25,594	\$986,038	\$142,500	14.45%	\$47,500	4.82%	\$47,500	4.82%	\$19,000	1.93%
School Specialty	FF&E (17/50 - Charlotte)	\$195,572	\$71,878	\$267,450	\$16,177	6.05%	\$0	0.00%	\$5,392	2.02%	\$0	0.00%
Facilities Equip. & Services	FF&E (17/50 - Charlotte)	\$219,482	\$10,124	\$229,606	\$5,750	2.50%	\$0	0.00%	\$2,250	0.98%	\$0	0.00%
FM Resources	FF&E (17/50 - Charlotte)	\$510,168	\$0	\$510,168	\$448,947	88.00%	\$2,508	0.49%	\$25,508	5.00%	\$10,203	2.00%
Hertz Furniture	FF&E (17/50 - Charlotte)	\$294,466	\$32,958	\$327,424	\$3,000	0.92%	\$0	0.00%	\$3,000	0.92%	\$0	0.00%
SJB Services	Special Insp. and Testing - 1A	\$225,000	\$0	\$225,000	\$34,000	15.11%	\$5,275	2.34%	\$2,500	0.00%	\$3,500	1.56%
SJB Services	Special Insp. and Testing - 1B	\$250,000	\$0	\$250,000	\$38,250	15.30%	\$12,500	5.00%	\$12,500	5.00%	\$5,000	2.00%
Lafayette Storage	Moving Services	\$100,464	\$10,000	\$110,464	\$16,719	15.14%	\$5,573	5.05%	\$5,573	5.05%	\$2,229	1.56%
FM Office Express	Moving Services	\$98,138	\$0	\$98,138	\$86,384	88.02%	\$4,906	5.00%	\$4,906	5.00%	\$1,963	2.00%
Corrigan Moving	Moving Services	\$192,226	\$25,175	\$217,401	\$28,833	13.26%	\$9,611	4.42%	\$9,611	4.42%	\$3,844	1.77%
MDI	Moving Services	\$244,600	\$27,107	\$271,707	\$36,000	13.25%	\$12,000	4.42%	\$12,000	4.42%	\$0	0.00%
CCP (WBE)	Pre-Apprenticeship Program	\$300,000	\$262,070	\$562,070	\$0	0.00%	\$562,070	100.00%	\$0	0.00%	\$0	0.00%
Vargas Asso., Inc. (WBE)	Move Manager	\$319,892	\$909,046	\$1,228,938	\$0	0.00%	\$1,112,353	90.51%	\$0	0.00%	\$0	0.00%
TOTAL		\$201,226,921	\$14,236,155	\$215,463,076	\$36,447,948	16.92%	\$16,872,856	7.83%	\$8,719,238	4.05%	\$3,681,113	1.71%

Appendix L

Appendix L contains the most recent DP-3 form from Manning Squires Hennig for World of Inquiry School #58. This form contains multiple discrepancies from the current DP-1 (also attached) provided to the Audit Team. In addition to contract value changes, multiple companies such as Fred's Flags, JHP Industrial Supply Co., Tiede Zoeller, Western NY Flooring, AR Pierrepont, Robert Huff Inc., GES, Professional Furnishings & Equipment, Killian Construction, Premier Signs, and Lakeview Lawn are listed on the DP-1 but not utilized on the DP-3 form. There was no documentation filed providing reasoning for these changes.

DDP-3A
MBE/WBE/DBE/SBE MONTHLY UTILIZATION REPORT
Rochester Schools Modernization Program

Month August, 2013
 Year

Project Name: World of Inquiry School 58
 Contract No.: 1 General Construction
 Contractor Name: Manning Squires Hennig
 Address: 8426 Seven Springs Rd., PO Box 685, Batavia, NY 14021
 Phone No.: (585) 343-5365
 Fax No.: (585) 343-7452
 Change Orders to Date: \$0.00
 Original Contract:
 Current Contract:
 MBE % of Current Contract:
 WBE % of Current Contract:
 DBE % of Current Contract:
 SBE % of Current Contract:

\$ 854,221.00
 \$ 17,807,000.00
 \$ 18,661,221.00
 14.87%
 6.05%
 0.45%
 6.07%

\$ 2,775,057.44
 \$ 1,129,850.00
 \$ 83,960.00
 \$ 1,132,451.04

Subcontractor Name	MBE/DBE/SBE	Original Subcontract	Change Orders to Date	Total Current Subcontract to MBE/WBE/DBE/SBE	Amount Paid to Date to MBE/WBE/DBE/SBE	Total Amount of Invoices Submitted to Date	Cancelled Checks Submitted to Date
Steve General Contractor	MBE	\$ 1,075,000.00	\$ 35,819.44	\$ 1,110,819.44	\$ 810,160.00	\$ 852,800.00	\$ 810,160.00
G&J Contracting	MBE	\$ 480,000.00	\$ -	\$ 480,000.00	\$ 61,950.00	\$ 61,950.00	\$ 61,950.00
US Ceiling	MBE	\$ 85,000.00	\$ 18,691.00	\$ 103,691.00	\$ 63,205.40	\$ 66,532.00	\$ 63,205.40
OCM Construction	MBE	\$ 406,500.00	\$ -	\$ 406,500.00	\$ -	\$ -	\$ -
UZO 1 International	MBE	\$ 124,995.00	\$ -	\$ 124,995.00	\$ -	\$ -	\$ -
Scott Construction	MBE	\$ 45,237.00	\$ -	\$ 45,237.00	\$ -	\$ -	\$ -
Clinton Downing	MBE	\$ 455,000.00	\$ (1,185.00)	\$ 453,815.00	\$ -	\$ -	\$ -
Pavilion Drainage (Supplier of Lupini Construction)	MBE	\$ 50,000.00	\$ -	\$ 50,000.00	\$ 28,706.45	\$ 28,706.45	\$ 28,706.45
Kraftwerks	WBE	\$ 46,000.00	\$ -	\$ 46,000.00	\$ -	\$ -	\$ -
Susquehanna Sheet Metal	WBE	\$ 58,000.00	\$ -	\$ 58,000.00	\$ -	\$ -	\$ -
Spectrums Windows & Walls	WBE	\$ 23,250.00	\$ -	\$ 23,250.00	\$ -	\$ -	\$ -
Fisher Associates	WBE	\$ 7,600.00	\$ -	\$ 7,600.00	\$ 18,156.50	\$ 18,156.50	\$ 18,156.50
US Ceiling	WBE	\$ 920,000.00	\$ -	\$ 920,000.00	\$ 54,672.15	\$ 57,497.00	\$ 54,672.15
PDS Construction (Sub of Garden Grove)	WBE	\$ 75,000.00	\$ -	\$ 75,000.00	\$ 84,054.42	\$ 84,054.42	\$ 84,054.42
DeClerck Flooring	SBE	\$ 83,000.00	\$ -	\$ 83,000.00	\$ -	\$ -	\$ -
Moss Architectural Products	SBE	\$ 26,500.00	\$ -	\$ 26,500.00	\$ -	\$ -	\$ -
Firestop Technologies	SBE	\$ 35,500.00	\$ -	\$ 35,500.00	\$ -	\$ -	\$ -
Garden Grove	SBE	\$ 877,500.00	\$ 109,951.04	\$ 987,451.04	\$ 530,100.00	\$ 589,000.00	\$ 530,100.00
Kraftwerks	DBE	\$ 83,960.00	\$ -	\$ 83,960.00	\$ -	\$ -	\$ -

- DDP-3A is to be submitted monthly.
- List all MBE/WBE/DBE/SBE subcontractors, even after their work is substantially complete.
- When adding a subcontractor, attach a revised DDP-1 and DDP-2 to this form.
- Attach invoices and cancelled checks to this form.

[Signature]
 Contractor Representative

Rochester Schools Modernization Program - Phase 1a
 World of Inquiry School # 58
 200 University Avenue, Rochester, NY
 SED # 26-16-00-01-0-014-025

JCJ Architecture

Issued for Bid
 July 19, 2012

DRAFT - 09/05/12


EBE UTILIZATION PLAN (DP-1)

Rochester Schools Modernization Program

1. Project : World of Inquiry School #58		2. Bidding on Contract No./Contract Description 1-58-GC / General Construction	
3. Bidding Contractor Name / Address / Phone No. / Fax No. / FEIN Manning Squires Hennig Co. Inc. 8426 Seven Springs Rd Batavia NY 14021 Phone: (585) 343-5365 Fax: (585) 343-7452 Tax ID: 16-0851503		4. Submittal Date (MM / DD / YY) 5. <input type="checkbox"/> Original Form <input type="checkbox"/> Revised Form	

6. Name/Address/Phone No. and FEIN of Proposed M/WBE, DBE or SBE	7. Certified as EBE	8. Performance Category	9. Scope of Services to be provided	10. Proposed Dollar Amount
MH General Contracting or Steve General Contracting <i>Not Working</i> G&J Contracting	MBE	Subcontractor	Demolition & asbestos abatement	\$1,100,000
Firestop Solutions	MBE	Subcontractor	Furnish & install concrete reinforcing	\$425,000
	SBE	Subcontractor	Penetration firestopping	\$50,000

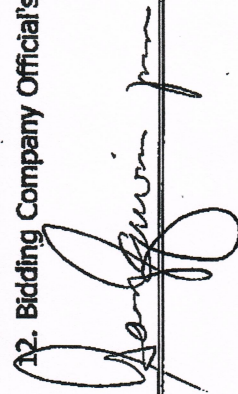
Certification Statement - the below signed, being an authorized representative of the bidding company, hereby certifies that the above information is accurate and has been discussed with the proposed M/WBE, SBE or DBE prior to the submission of the accompanying bid proposal.

11. Bidding Company Official's Printed Name and Title Gary Squires President	12. Bidding Company Official's Signature 	13. Date Signed 9/6/2012	14. Page ___ of ___
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Rochester Schools Modernization Program - Phase 1a
 World of Inquiry School # 58
 200 University Avenue, Rochester, NY
 SED # 26-16-00-01-0-014-025

JCJ Architecture
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EBE UTILIZATION PLAN (DP-1)		Rochester Schools Modernization Program	
1. Project: World of Inquiry School #58		2. Bidding on Contract No./Contract Description 1-58-GC / General Construction	
3. Bidding Contractor Name / Address / Phone No. / Fax No. / FEIN Manning Squires Hennig Co. Inc. 8426 Seven Springs Rd Batavia NY 14021 Phone: (585) 343-5365 Fax: (585) 343-7452 Tax ID: 16-0851503		4. Submittal Date (MM / DD / YY) 5. <input type="checkbox"/> Original Form <input type="checkbox"/> Revised Form	
6. Name/Address/Phone No. and FEIN of Proposed M/WBE, DBE or SBE Upstate Interiors <u>for US Ceilings</u> Moss Architectural Products Fred's Flags		7. Performance Certified as EBE Subcontractor Subcontractor Supplier	
8. Performance Category		9. Scope of Services to be provided Metal studs, drywall, and acoustical ceilings Operable partitions Flag poles	
10. Proposed Dollar Amount		\$1,000,000 \$25,000 \$2,000 (50% = 1,000)	
Certification Statement - the below signed, being an authorized representative of the bidding company, hereby certifies that the above information is accurate and has been discussed with the proposed M/WBE, SBE or DBE prior to the submission of the accompanying bid proposal.			
11. Bidding Company Official's Printed Name and Title Gary Squires President		12. Bidding Company Official's Signature 	
		13. Date Signed 9/10/2012	
		14. Page ___ of ___	

Project Goals: MBE 15% SBE 5% DBE 10% SBE

Rochester Schools Modernization Program - Phase 1a
 World of Inquiry School # 58
 200 University Avenue, Rochester, NY
 SED # 26-16-00-01-0-014-025

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EBE UTILIZATION PLAN (DP-1)

1. Project : Rochester Schools Modernization Program
 World of Inquiry School #58

2. Bidding on Contract No./Contract Description 1-58-GC / General Construction

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 Manning Squires Hennig Co. Inc.
 8426 Seven Springs Rd
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 Tax ID: 16-0851503

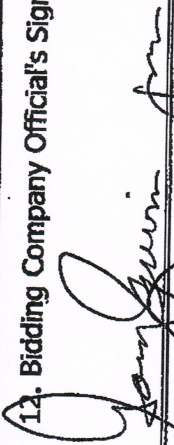
4. Submittal Date (MM / DD / YY)

5. Original Form
 Revised Form

6. Name/Address/Phone No. and FEIN of Proposed M/WBE, DBE or SBE	7. Certified as EBE	8. Performance Category	9. Scope of Services to be provided	10. Proposed Dollar Amount
JHP Industrial Supply Co.	SBE	Supplier	Builders hardware	\$240,000
Tiede Zoeller	WBE	Subcontractor	Ceramic Tile & terrazzo flooring	50% = 120,000 \$400,000
Western NY Flooring	SBE	Subcontractor	Wood flooring	\$80,000

Certification Statement - the below signed, being an authorized representative of the bidding company, hereby certifies that the above information is accurate and has been discussed with the proposed M/WBE, SBE or DBE prior to the submission of the accompanying bid proposal.

11. Bidding Company Official's Printed Name and Title
 Gary Squires President

12. Bidding Company Official's Signature


13. Date Signed
 9/6/2012

14. Page
 of

N10010.00

M/WBE/DBE/SBE Utilization and Workforce Diversity

Rochester Schools Modernization Program - Phase 1a
 World of Inquiry School # 58
 200 University Avenue, Rochester, NY
 SED # 26-16-00-01-0-014-025

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EBE UTILIZATION PLAN (DP-1)

1. Project :
 World of Inquiry School #58

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 Manning Squires Hennig Co. Inc.
 8426 Seven Springs Rd
 Batavia NY: 14021
 Phone: (585) 343-5365
 Fax: (585) 343-7452
 Tax ID: 16-0851503

4. Submittal Date (MM / DD / YY)

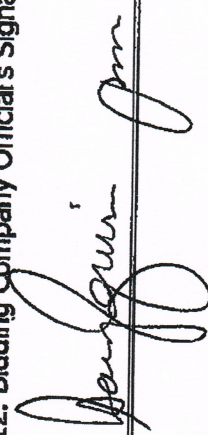
5. Original Form Revised Form

Project Goals: MBE 5% WBE 5% DBE 5% SBE 5%

6. Name/Address/Phone No. and FEIN of Proposed M/WBE, DBE or SBE	7. Certified as EBE	8. Performance Category	9. Scope of Services to be provided	10. Proposed Dollar Amount
AR Pierrepont	SBE	Subcontractor	Painting	\$300,000
Kraftwerks	WBE	Subcontractor	Metal lockers & visual display surfaces	\$135,000
Robert Huff Inc.	SBE	Subcontractor	Display cases	\$20,000

Certification Statement - the below signed, being an authorized representative of the bidding company, hereby certifies that the above information is accurate and has been discussed with the proposed M/WBE, SBE or DBE prior to the submission of the accompanying bid proposal.

11. Bidding Company Official's Printed Name and Title
 Gary Squires President

12. Bidding Company Official's Signature


13. Date Signed
 9/6/2012

14. Page
 ___ of ___

Rochester Schools Modernization Program - Phase 1a
 World of Inquiry School # 58
 200 University Avenue, Rochester, NY
 SED # 26-16-00-01-0-014-025

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 July 19, 2012

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EBE UTILIZATION PLAN (DP-1)

Rochester Schools Modernization Program

1. Project :
 World of Inquiry School #58

2. Bidding on Contract No./Contract Description 1-58-GC / General Construction

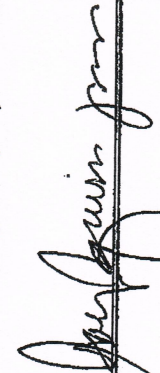
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 Manning Squires Hennig Co. Inc.
 8426 Seven Springs Rd
 Batavia NY 14021
 Phone: (585) 343-5365
 Fax: (585) 343-7452
 Tax ID: 16-0851503

4. Submittal Date (MM / DD / YY)
 Original Form
 Revised Form

6. Name/Address/Phone No. and FEIN of Proposed M/WBE, DBE or SBE	7. Certified as EBE	8. Performance Category	9. Scope of Services to be provided	10. Proposed Dollar Amount
GES	SBE	Subcontractor	Dividers / gym equipment	\$65,000
Professional Furnishings & Equipment	SBE	Subcontractor	Telescoping stands	\$25,000
Killian Construction	WBE	Subcontractor	Building excavation & paving	\$400,000

Certification Statement - the below signed, being an authorized representative of the bidding company, hereby certifies that the above information is accurate and has been discussed with the proposed M/WBE, SBE or DBE prior to the submission of the accompanying bid proposal.

11. Bidding Company Official's Printed Name and Title
 Gary Squires President

12. Bidding Company Official's Signature


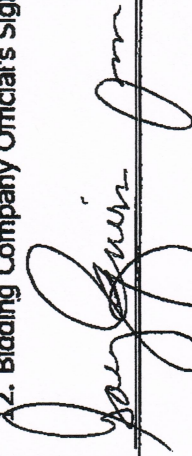
13. Date Signed 9/6/2012

14. Page ___ of ___

Rochester Schools Modernization Program - Phase 1a
 World of Inquiry School # 58
 200 University Avenue, Rochester, NY
 SED # 26-16-00-01-0-014-025

ICJ Architecture
 Issued for Bid
 July 19, 2012

DRAFT

EBE UTILIZATION PLAN (DP-1)		Rochester Schools Modernization Program	
1. Project : World of Inquiry School #58		2. Bidding on Contract No./Contract Description 1-58-GC / General Construction	
3. Bidding Contractor Name / Address / Phone No. / Fax No. / FEIN Manning Squires Hennig Co. Inc. 8426 Seven Springs Rd Batavia NY 14021 Phone: (585) 343-5365 Fax: (585) 343-7452 Tax ID: 16-0851503		4. Submittal Date (MM / DD / YY) 5. <input type="checkbox"/> Original Form <input type="checkbox"/> Revised Form	
6. Name/Address/Phone No. and FEIN of Proposed M/WBE, DBE or SBE		9. Scope of Services to be provided	
Scott Construction	7. Certified as EBE MBE	Playground equipment	
Premier Signs	SBE	Signage	
Lakeview Lawn	SBE	Landscaping	
10. Proposed Dollar Amount		10. Proposed Dollar Amount	
		\$50,000	
		\$25,000	
		\$40,000	
Certification Statement - the below signed, being an authorized representative of the bidding company, hereby certifies that the above information is accurate and has been discussed with the proposed M/WBE, SBE or DBE prior to the submission of the accompanying bid proposal.			
11. Bidding Company Official's Printed Name and Title Gary Squires President		12. Bidding Company Official's Signature 	
		13. Date Signed 9/6/2012	
		14. Page ___ of ___	

Project Goals: MBE 50% WBE 50% DBE 50% SBE 50%

Rochester Schools Modernization Program - Phase 1a
 World of Inquiry School # 58
 200 University Avenue, Rochester, NY
 SED # 26-16-00-01-0-014-025

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 July 19, 2012

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EBE UTILIZATION PLAN (DP-1)

1. Project: World of Inquiry School #58 Rochester Schools Modernization Program

2. Bidding on Contract No./Contract Description: 1-58-GC / General Construction

3. Bidding Contractor Name / Address / Phone No. / Fax No. / FEIN

Manning Squires Hennig Co. Inc.
 8426 Seven Springs Rd
 Batavia NY 14021
 Phone: (585) 343-5365
 Fax: (585) 343-7452
 Tax ID: 16-0851503

4. Submittal Date (MM / DD / YY)

5. Original Form
 Revised Form

Project Goals: MBE _____ WBE _____ SBE _____

6. Name/Address/Phone No. and FEIN of Proposed M/WBE, DBE or SBE	7. Certified as EBE	8. Performance Category	9. Scope of Services to be provided	10. Proposed Dollar Amount
Susquehanna Sheet Metal	SBE	Subcontractor	Toilet compartments	\$60,000
Clinton Downing	MBE	Subcontractor	Sidewalk paving	\$250,000
Killian Construction	DBE	Subcontractor	Site utilities	\$500,000

Certification Statement - the below signed, being an authorized representative of the bidding company, hereby certifies that the above information is accurate and has been discussed with the proposed M/WBE, SBE or DBE prior to the submission of the accompanying bid proposal.

11. Bidding Company Official's Printed Name and Title: Gary Squires, President

12. Bidding Company Official's Signature: *Gary Squires*

13. Date Signed: 7/6/2012

14. Page: ___ of ___

Appendix M

Appendix M contains a table showing some of the discrepancies between DP-1 forms and DP-3 forms found by the Audit Team.

Project	Prime	Period	EBE	DP-3A	Dp-1	
Edison	Landry Mechanical	Sep-13	Pipitone Enterprise	\$ 124,865	\$ 124,530	
		MA Ferraullo	Sep-13	Drews Boiler Removal	\$ -	\$ 75,000
			JC Smith	\$ 27,600	\$ 320,000	
			Cannon & Noto Enterprise	\$ 40,000	\$ 495,000	
			OSO Inc	\$ -	\$ 15,000	
			Lakeview Construction	\$ 22,000	\$ 90,000	
			Structural Remediation	\$ -	\$ 50,000	
			Coldwater Insulation	\$ 34,500	\$ -	
			JHP Industrial	\$ 126,000	\$ -	
		Kris Kimmel Drafting	\$ 12,500	\$ -		
School #50	Manning Squires Hennig	Aug-13	JHP Industrial Supply	\$ 124,025	\$ 248,050	
School #17	MA Ferraullo - Plumbing	Jul-13	Coldwater Insulation	\$ 55,000	\$ 63,500	
			JHP Industrial	\$ 131,304	\$ 95,500	
			JC Smith	\$ 135,499	\$ 25,400	
		OSO	\$ 2,432	\$ -		
	MA Ferraullo - HVAC	Apr-13	Cannon & Noto	\$ 107,885	\$ 82,885	
School #5	Le Chase Construction		Homeguard Environmental	\$ 290,000	\$ 425,000	
			Dukes Property Mgmt	\$ -	\$ 238,000	
			Cummings Construction, LLC	\$ 527,000	\$ 417,000	
			Downey Goodlein Elevator Corp	\$ 161,977	\$ 140,000	
			Victory Lifts	\$ 39,500	\$ 39,800	
			Pro Carpet	\$ -	\$ 180,000	
			E&M Star Painting	\$ -	\$ 300,000	
			Susquahanna Sheet Metal	\$ -	\$ 60,000	
			Mark Cerrone	\$ 345,000	\$ -	
			G&J Contracting	\$ 58,900	\$ -	
			IC Construction Services	\$ 322,000	\$ -	
			UZO 1 / Main ford	\$ 92,000	\$ -	
			Spencer Virnoche/Upstate Interiors	\$ 11,000	\$ -	
		Thurston Dudek		JHP Industrial	\$ 244,490	\$ 122,245
		Bell Mechanical		Journee Construction	\$ 101,000	\$ 52,000
				Journee Construction	\$ 699,950	\$ 707,000
				Journee Construction	\$ -	\$ 75,000
				Indoor Air Technologies	\$ 5,400	\$ 5,400
				Unified Electric	\$ 60,000	\$ 60,000
				Klug Crane	\$ 6,000	\$ 6,000
	RF Peck Co			\$ -	\$ 146,100	
	Mechanical Testing			\$ -	\$ 47,995	
			MS Unlimited	\$ 493,600	\$ 198,805	
			Herman HVAC	\$ 362,400	\$ -	
			Massive Testing	\$ 65,000	\$ -	
Charlotte	The Pike Company	Aug-13	Scott Contruccion	\$ 880,016	\$ 846,000	
			Scott Contruccion	\$ 329,852	\$ 304,788	
			Victory Lifts	\$ 46,300	\$ 46,000	
			Gym Equipment & Specialties	\$ 319,005	\$ 310,660	
		Concord Electric	Aug-13	BSV Metal Finishers	\$ 410,000	\$ 205,000
				BSV Metal Finishers	\$ 89,000	\$ 45,000
			City Electric Company	\$ 100,000	\$ 115,000	

Appendix N

Appendix N contains a DP-1 form provided by Bell Mechanical that was approved by the ICO but contains errors. These participation values have since been carried on the DP-3A forms provided by Bell Mechanical.

Slater Equipment is a material supplier and does not provide on-site labor. Their participation value of \$150,000 subsequently should only be \$75,000 because supplier's participation is counted as one half of their contract value. The Audit Team spoke with Slater Equipment and they stated that they also do not qualify as an SBE.

The total value of SBE participation on this form should only be \$12,000 as provided by Klug Crane. However, the September Monthly Report provided to the RJSCB incorrectly projects a participation value of \$162,500.

EBE UTILIZATION PLAN (DP-1)		Rochester School Modernization Program	
1. Project	2. Bidding on Contract No./ Contract Description		
Henry Hudson School NO. 28	HVAC Contract		
3. Bidding Contractor Name/Address/Phone No./ Fax No./FEIN	4. Submittal Date:		10. Proposed Dollar Amount
Bell Mechanical Contractor Inc. / 105 Lincoln Parkway/ East Rochester/ 585-586-1380/ 585-586-0739 26-0288452	1/30/2013		
	<input type="checkbox"/> Original Form <input checked="" type="checkbox"/> Revised Form		
6. Name/Address/Phone No. and FEIN of Proposed M/WBE, DBE or SBE	7. Certified EBE	8. Performance Category	9. Scope of Services to be provided
Project Goals: MBE - 15% WBE - 5% DBE - 2% SBE - 5%			
MIS of America/ 4391 Walden Ave./Lancaster/716-681-3758/716-681-3979	DBE	Supplier	Equipment \$ 12,000
MIS of America/ 4391 Walden Ave./Lancaster/716-681-3758/716-681-3979	DBE	Subcontractor	H2O treatment \$ 11,900
OSO Inc. / 145 Lake Ave. / Rochester / 585-340-9200/ 585-340-9210	DBE	Subcontractor	Concrete pads, cutting & patching, coring \$ 40,800
Unified Electric	MBE	Subcontractor	Controls Wiring \$ 70,000
JHP Industrial	MBE	Supplier	Material & Equipment \$ 415,263
Klug Crane/ 2305 Freshour Rd./Canandaigua/394-2474/396-2164/ 16-1247272	SBE	Subcontractor	Crane Service \$ 12,000
Slater/ 768 Clinton Ave. South/Rochester/473-5310/ 473-9546	SBE	Supplier	Material & Equipment \$ 150,500
Empire Air Balance/ PO Box 469/ Canandaigua/ 472-1875/ 394-9433/ 16-1578330	WBE	Subcontractor	Testing & Air Balancing \$ 32,500
Pipitone Enterprises / 140 Stottle Rd. / Churchville / 585-889-0960	WBE	Subcontractor	Insulation \$ 130,250
Certification Statement - the below signed, being an authorized representative of the bidding company, hereby certifies that the above informatin is accurate and has been discussed with the proposed M/WBE, SBE or DBE prior to the submission of the accompany bid proposal.			
11. Bidding Company Official's Printed Name and Title			13. Date Signed
Lawrence Bell, Jr. President			1/4/2013
			14. Page of

Appendix O

Appendix O contains a blank Certification of Small Business Enterprise Financial Status form.



Rochester Joint Schools Construction Board

Bob Brown, Vice Chair
Jose Coronas
Lois Giess, Chair
Ann McCormick
Richard Pifer
Brian Roulin, Treasurer
Everton Sewell
Windell Gray, ICO
Tom Renauto, Executive Director

Rochester Schools Modernization Program Certification of Small Business Enterprise (SBE) Financial Status

This Certification must be completed in full by any business intending to qualify as a certified "Small Business Enterprise" or "SBE" to provide labor, services and/or materials for any contract awarded under the Rochester Schools Modernization Program ("RSMP"), and submitted with the bid or at such other time as permitted by the contract documents. Failure to timely provide a complete Certification, or to provide any back-up documentation as the Rochester Joint Schools Construction Board ("RJSCB") may reasonably require, may be grounds for disqualification from award of RSMP contracts.

I hereby certify that _____ ("Company")
Company Name and Address (print)

meets the requirements of the Rochester Schools Modernization Program (RSMP) definition of Small Business Enterprise (SBE) as listed below (please check the box):

- "Small Business Enterprise (SBE)" shall mean a business concern which, together with its affiliates, has no more than fifteen (15) employees and average annual receipts that do not exceed \$2 million. Annual receipts shall be calculated in accord with the standard established under 13 CFR 121.104. Number of employees shall be calculated in accord with the standards established under 13 CFR 121.106. Affiliates shall be determined in accord with the standards set forth under 13 CFR' 121.103.

I further certify as follows as to the Company, including affiliates (please check one of the boxes below):

- Annual receipts over the last three (3) years were under \$1,000,000.00.
- Annual receipts over the last three (3) years were \$1,000,000.00 or greater, but not exceeding \$2,000,000.00.

I further certify as follows (please check the appropriate boxes below. If Company has been in business for three years or more, leave the following blank):

- Company has been in business less than three (3) complete fiscal years and total receipts for the period Company has been in business divided by the number of weeks Company has been in business, multiplied by 52, yields the following amount of total receipts (check one box):

- Less than \$1,000,000.000; or
- Between \$1,000,000.000 and \$2,000,000.00.

By signing below, I certify that I am an owner, principal, or other authorized agent of Company. I further certify that, if the Company is awarded any RSMP contract, it will adhere to the hiring practices set forth in the Project Labor Agreement ("PLA") covering the RSMP, as well as the "Side Letter of Agreement" to the PLA entered into on or about April 26, 2012, each of which I have had the opportunity to review.

I hereby agree to notify Rochester Schools Modernization Program's Independent Compliance Officer (ICO), Landon and Rian Enterprises, if there are any changes to the Company that would alter the content of this Certification, within thirty (30) days of such change, and submit such documentation as may be reasonably required by Owner to evaluate the same.

By: _____
(Sign)

Name: _____
(Print)

Title: _____
(Print)

Sworn to before me this _____ day of _____, 20__

Notary Public: _____
State: _____
Registration Number: _____
My commission expires: _____

Appendix P

Appendix P contains the master list maintained by the ICO of SBE contractors that have been issued the Certification of Small Business Enterprise forms. There were various discrepancies on this form including missing documentation. Also this form is not comprehensive of all proposed SBE contractors participating in the RSMP.

The Audit Team requested an electronic copy of this master list from the ICO's staff. It was never provided. Attached is the working copy used by the Audit Team, with the Audit Teams remarks in blue.

RSMP Eligible Business Enterprises (EBE) Financial Status

Company Name	Contact Name	Mailed/Emailed	Returned Completed	Notes
Syrstone Inc.	Chris Schneider	X	X	→ Not SBE - over 2,000,000
Steve General Contractors Inc.	David Vasciannie	X		Left message with receptionist twice never received a call back
M J Dreher Trucking Inc.	Mary Jane Dreher	X		Never received Letter/Confirmed address was correct-Requested document be sent through email
Structural Remediation Services	Mary Ellen Belding	X	X	
Brooks Brothers Painting	Chauncy Brooks	X	X	
Environmental Services Unlimited	Leta Griffin	X	X	
EKP Mechanical LLC	Elisabeth Howard	X		
MGM Insulation Inc.	Mel Brooks	X	X	Not SBE - over 2,000,000
OSO Inc.	Martha Gomez	X	X	
City Electric Co. Inc.	Sandra Rosecrans	X	X	Not an SBE
5 Star Cleaning & Restoration	Jim King	X	X	
Sun Ray Environmental Co.	Willie Goins	X		Spoke with Willie, He would send the doc./have not received
A-M Electric	Joseph Herbert	X		
MH General Contracting	Marcus Haygood	X		No Answer/Also sent email/Removed from Project
Shades of Color	Lisa Doucet	X		Will complete document/Have not received document Not SBE over 2M
Steel Tech Fabricators	Terrance Brown	X		No Longer Considered SBE due to project and amount of worked received
G&J Contracting Inc.	Gerret Geartz	X	X	Not an SBE - 2M
Downing Construction	Clinton Downing	X	X	
Killian Construction Inc.	Victoria Damon	X	X	
106 Enterprises LTD	Courtney Smidt	X	X	
Coldwater Insulation Inc.	Marjorie Russer	X	X	Husband was in bad accident/ Will complete document
Adonis Construction	Adonis Jones	X	X	Not an SBE - 2M
Scott Construction	Michael Scott	X	X	
MS Unlimited Inc.	Mary Beth Sbaraglia	X		Has not returned call/called Twice
JHP Industrial Supply	Emmanuel Henderson	X	X	Not SBE over 2 mill
Home Guard Environmental Services Inc.	Clyde Williams	X	X	
Uzo 1 International, LTD	Dr.UZO E. ihenko	X	X	
English Trucking	Alvin English	X	X	
Sheen & Shine, Inc.	Israel Cuyler	X	X	
Jackson Welding Supply Co., Inc.	Carol Rae Jackson	X		No Answer/Letter has been returned to L&R/Not deliverable unable to forward address
J.C Smith, Inc.	Josephine C. Smith	X	X	
I C Construction Services Inc.	Inta Inluxay	X	X	
Genesee Building Restoration	Renee Bianco Moran	X	X	Not an SBE → over \$2 mill
Cumming Construction	Charles Cumming	X	X	Not an SBE → over 2,000,000
Herline Technologies	Barbara Herl	X	X	
WYCO Mechanical LLC	Michele Johnson	X	X	
B.S.V Metal Finishers	Benjamin Vasquez	X	X	
Re-Entry Data	Nellwy Rosenberg	X		Not Currently working on RSMP/Will send document though-Have not received
Pipetone Enterprises LLC	Stacey Pipetone	X	X	Not SBE → over 2,000,000
Empire Air Balance	Katherine Howell	X	X	
Cannon & Noto Enterprises	Robert Cannon Jr.	X	X	
Nairy Mechanical	Tim Nairy	X	X	
Invictus Electrical LLC	Christine Hand Dertinger	X	X	
B & H Piping Systems	Mark Kukla	X	X	
Air Systems Balancing	Beth Howard	X		Have not returned called
OID Associates	Dale A. Clegg	X	X	
DDT Construction, LLC	Byran Dunham	X	X	
Drew's Boiler Removal	Marie E. Drew	X	X	
Firstop Solutions	Randy Reiss	X	X	Not SBE over 2 mill
Gym Equipment & Specialties	Tony Makasiw	X		Left Voicemail
Herman HVAC	Tom Herman	X		No Longer Considered SBE →
Jaelyn Building Services	Amedeo Battisti	X	X	
Jemco Water Treatment Services	Karl Schilke	X	X	
Jim White Metal Products, Inc.	Rick Mucher	X	X	
Klug Crane	Bernard Klug	X	X	
Lakeview Construction	David Fanero	X		
MIS America	Jerry L Meyer	X	X	
Susquehanna Sheet Metal Erection	Susan Sessanna	X	X	
Superior Insulation	JeffreyStrecker	X		
Victory Lifts, Inc.	Steve Metras	X		
Westwood Specialties, Inc.	Bruce Sherwood	X		No Longer Considered SBE
Kris B. Kimmel Construction Drafting, Inc.	Kris B. Kimmel	X	X	
Rochester Rigging & Erectors	Kelly Gilligan	X	X	Not an SBE
Journee Construction	Orville Dixon	X	X	
ASA Contractors	Laura Arenalias	X	X	
OCM Construction Inc.	Konrad Ortega	X	X	
Williamstown Construction	James Hotten	X	X	

→ recipients over 2 million

Appendix Q

Appendix Q contains a table developed by the Audit Team that shows all EBE Contractors participating that could not be verified due to lack of certification data available. It is believed that some of these contractors could have been certified at the time of award, but there was no documentation available to confirm this assumption. There is also a document attached noting the corresponding discoveries of the Audit Team.

Project	Prime	Ineligible EBE	Proposed Classification				Note	Value of Participation
			MBE	WBE	SBE	DBE		
Charlotte High School	Pike Company	Victory Lifts, Inc			SBE		1	\$47,620
		Gym Equipment & Specialties			SBE		1	\$348,669
	MA Ferrauillo	Drew's Broiler Removal			SBE		1	\$22,326
		Herman HVAC Products			SBE		1	\$41,000
Helen Barrett School #50	Manning Squires	Killian Construction				DBE	6	\$350,000
		JHP Industrial Supply			SBE		2	\$254,757
		Firestop Solutions			SBE		2	\$36,000
		C. Downing Enterprises LLC	MBE				7	\$138,903
		A/C Insulation Services			SBE		1	\$51,524
		Superior Insulation			SBE		1	\$12,640
	B&B Mechanical	TH Herman HVAC Product			SBE		2	\$84,000
		WaterWise			SBE		1	\$15,000
Eastcoast Electric	Jaclyn Building Services		WBE			9	\$147,950	
	JHP Industrial Supply			SBE		2	\$97,850	
Enrico Fermi School #17	Manning Squires	Clinton Downing Construction	MBE				7	\$139,347
		Killian Construction Inc				DBE	6	\$363,732
		Weswood Specialties Inc			SBE		2	\$3,800
		Firestop Solutions			SBE		2	\$25,750
	Michael A Ferraulo	Herman HVAC			SBE		2	\$66,941
	Eastcoast Electric	Jaclyn Building Services		WBE			9	\$144,300
	JHP Industrial Supply			SBE		2	\$125,145	
Franklin Educational Campus	Cucchiara Construction	KA & S Construction			SBE		1	\$85,000
		Steel Tech fabricators			SBE		2	\$79,000
		C. Downing Enterprises		WBE			10	\$44,300
World of Inquiry #58	Manning Squires	Clinton Downing	MBE				7	\$455,000
		DeClerk Flooring			SBE		1	\$83,000
		Moss Architectural Products			SBE		1	\$26,500
		Firestop Technologies			SBE		2	\$35,500
		Garden Grove			SBE		3	\$987,000
		Kraftwerks				DBE	6	\$83,960
	Leo J Roth	PS Supply			SBE		1	\$469,872
		Massive Testing & Balancing			SBE		1	\$65,000
M.A. Ferraulo	Lakeview Construction			SBE		1	\$101,650	
Henry Hudson #28	Manning Squires	Mark Cerrone Inc	MBE				8	\$100,000
		Rochester Davis Fetch	MBE				8	\$400,000
		Apollo Steel	MBE				8	\$75,000
		GP Land & Carpet	MBE				8	\$173,501
		Keeler Construction		WBE			10	\$53,000
		KSP Painting			SBE		1	\$140,000
		Northeast Interior Systems Inc.			SBE		1	\$200,000
		Elmer W. Davis			SBE		2	\$35,000
		RE Krug Corp.			SBE		1	\$7,000
		Firestop Technologies			SBE		2	\$139,000
		"To Be Determined"			SBE		4	\$73,000
		Bell Mechanical	MIS of America				DBE	6
		Slater Equipment			SBE		5	\$150,500
	Empire Air Balance		WBE			10	\$32,500	
John Williams School #5	LeChase Construction	Victory Lifts			SBE		1	\$39,500
		Spencer Virnoche/Upstate Interiors			SBE		1	\$11,000
	Bell Mechanical	Klug Crane			SBE		1	\$6,000
		Massive Testing			SBE		1	\$65,000
Edison Technolog Campus	Pike Company	Gym Equipment & Specialties			SBE		1	54000
		Firestop Technologies Inc			SBE		2	134685
		Grayco Corp of Upstate New York			SBE		1	523000
		Redhawk Equipment			SBE		1	14300
		Spencer Virnoche Inc			SBE		1	357500
	Landry Mechanical	JC Insulation			SBE		1	170000
East High School	Pike Company	Scott Unlimited			SBE		1	\$205,000
		ASA Contractor			SBE		1	\$35,000
		Firestop Technologies			SBE		2	\$44,800
		Red Hawk Equipment			SBE		1	\$87,770
		Minority Material Haulers, Inc			SBE		1	\$35,000
		Wayside Contractors			SBE		11	\$25,860
Professional Services District Wide	Gilbane Building Company	Career Compliance Placement		WBE			10	\$12,265
	Millenium Strategies	Foxwise (formerly DA Smith)				DBE	6	\$10,450
		Sigma Psi Conulting			SBE		1	\$44,000

Professional Services Phase 1A Projects	CJS Architects	Roche & Co. LTD		SBE		1	\$53,017
	Clark Patterson Lee	Architectura, PC		SBE		1	\$56,847
		Foundation Design, P.C.		SBE		1	\$15,791
		Sykes Consulting	MBE			8	\$89,084
	JCJ Architecture	ArchStetics Architecture, P.C.		SBE		1	\$104,500
	SWBR	ArchStetics Architecture, P.C.		SBE		1	\$31,100
		MA Architects		SBE		1	\$25,700
		Chait Studios		SBE		1	\$30,000
	Young & Wright Architects	Foundation Design, P.C.		SBE		1	\$7,050
		Bolton Surveying		SBE		1	\$10,750
	LeChase Construction	Rodgers Construction		SBE		1	\$38,920
	The Pike Company	Kisan Engineering		SBE		1	\$12,000
Mid City Signs			WBE		10	\$410	
Professional Services Other	OSO, Inc (1A)	Cornerstone		SBE		1	\$9,250
		Safety Zone Environmental		SBE		1	\$20,000
	OSO, Inc (1B)	Cornerstone		SBE		1	\$15,200
		CanAm		SBE		1	\$3,800
	FM Resources	Installrite Systems		SBE		1	\$4,012
	Hertz Furniture	Installrite Systems		SBE		1	\$6,773
		Mocassembly		SBE		1	\$10,045
	Lafayette Storage & Moving	MD Office Works	MBE			8	\$15,070
CCP - Pre Apprentice Program			WBE		10	\$562,070	
Professional Services Phase 1B Projects	Young & Wright Architects	Bolton Surveying		SBE		1	\$6,500
		Foundation Design		SBE		1	\$4,250
	LaBella Associates	ArchStetics Architecture, PC		SBE		1	\$72,940
	SEI Design Group (School #12)	ArchStetics Architecture, PC		SBE		1	\$10,000
		EDR Companies		SBE		1	\$39,000
	Pike	Scott Construction, Inc.		SBE		1	\$10,000
LP Ciminelli	Rogers Enterprise		SBE		1	\$138,000	
Total:							\$9,912,646

1. No SBE form was available within the ICO's binder of returned SBE Financial Status forms.
2. These firms returned the SBE Financial Status form but indicated that they had either a staff of greater than fifteen employees or receipts over \$2,000,000 in the past three years, subsequently disqualifying them from participating as an SBE.
3. Manning Squires has claimed Garden Grove as an SBE with a total contract value of \$987,000. Garden Grove has not completed and returned an SBE Financial Status form; they stated over the phone that they had not received a form from the ICO. They noted that there are times when they employ more than 15 people. Some of this additional employment could be contributed to the RSMP. There are currently no guidelines for SBE certification status changes due to RSMP work.
4. Manning Squires has listed \$73,000 of SBE participation as "TBD" on their most recent DP-3A form. These dollars have been credited toward the overall SBE participation within the RSMP and shown on the September ICO Report. Since these dollars have not been realized, and are merely projected, they should not be reported as realized SBE participation dollars.
5. The audit team contacted Slater Equipment via telephone on December 2nd. We inquired as to their SBE status and they stated that they were not an SBE, as they have average receivables over \$2,000,000 during the past three years. They also stated that they are strictly a supplier providing a total contract value of \$150,500 in products to Bell Mechanical. Since they are strictly a supplier their participation value should be one half of their total contract value. However, their total contract value has been carried as full participation in the ICO's monthly report to the board.
6. These proposed DBE firms could not be located in the New York State DBE database, <http://nysucp.net/>, and no documentation was provided indicating that they were previously DBE organizations. Therefore, it must be assumed that these are not certified DBE organizations.
7. C. Downing or Charlie Downing Enterprises was not found in the New York State M/WBE database, <https://ny.newnycontracts.com/FrontEnd/VendorSearchPublic.asp?XID=6298&TN=ny>. When contacted by the audit team Charlie Downing, President, claimed that his organization was an MBE. Upon further investigation it was found that this contractor also had a strike placed against his firm for violations against DOL standards.
8. No certification for this firm could be found on the state database for the proposed MBE certification.
9. Jaclyn Building Services could not be found on the New York State M/WBE database. In response the audit team contacted Jacqueline Padula, President of Jaclyn Building Services. She stated that her company is not currently a WBE but her certification is pending. Pending certifications are not accepted as qualifying EBE participation.
10. No certification for this firm could be found on the state database for the proposed WBE certification.

Appendix R

Appendix R contains a DP-3A form submitted by Manning Squires Hennig for Henry Hudson School #28. This form contains various deficiencies including: listing multiple Contractors that are not certified (See Appendix Q), listing differing Contractors from approved DP-1 form, and listing "TBD" contractors.

MBE/WBE/DBE/SBE MONTHLY UTILIZATION REPORT
Rochester Schools Modernization Program

August / 2013
Year

Month

Project Name: Henry Hudson School No. 28
Contract No.: I General Construction
Contractor Name: Manning Squires Hennig
Address: 8426 Seven Springs Rd., PO Box 685, Batavia, NY 14021
Phone No.: (585) 343-5365
Fax No.: (585) 343-7452

Change Orders to Date: \$0.00
Original Contract:
Current Contract:
MBE % of Current Contract: 14.16%
WBE % of Current Contract: 21.22%
DBE % of Current Contract: 0.48%
SBE % of Current Contract: 5.29%

\$ 1,588,501.00
\$ 2,381,470.00
\$ 54,000.00
\$ 594,000.00

Subcontractor Name	MBE/DBE/SBE	Original Subcontract	Change Orders to Date	Total Current Subcontract to MBE/DBE/SBE	Amount Paid to Date to MBE/DBE/SBE	Total Amount of Invoices Submitted to Date	Cancelled Checks Submitted to Date
Mark Carrone Inc.	MBE	\$ 100,000.00	\$ -	\$ 100,000.00	\$ -	\$ -	\$ -
Rochester Davis Fetch	MBE	\$ 400,000.00	\$ -	\$ 400,000.00	\$ -	\$ -	\$ -
Apollo steel	MBE	\$ 75,000.00	\$ -	\$ 75,000.00	\$ -	\$ -	\$ -
OCM Construction	MBE	\$ 530,000.00	\$ -	\$ 530,000.00	\$ -	\$ -	\$ -
GP Land & Carpet Corp	MBE	\$ 173,501.00	\$ -	\$ 173,501.00	\$ -	\$ -	\$ -
OCM Construction	MBE	\$ 268,000.00	\$ -	\$ 268,000.00	\$ -	\$ -	\$ -
Environmental Services Unlimited	MBE	\$ 42,000.00	\$ -	\$ 42,000.00	\$ -	\$ -	\$ -
Mark Carrone Inc.	WBE	\$ 2,328,470.00	\$ -	\$ 2,328,470.00	\$ -	\$ -	\$ -
Keeler Construction	WBE	\$ 53,000.00	\$ -	\$ 53,000.00	\$ -	\$ -	\$ -
KSP Painting	SBE	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
Northeast Interior Systems Inc.	SBE	\$ 140,000.00	\$ -	\$ 140,000.00	\$ -	\$ -	\$ -
Elmer W. Davis	SBE	\$ 200,000.00	\$ -	\$ 200,000.00	\$ -	\$ -	\$ -
RE Krug Corp.	SBE	\$ 35,000.00	\$ -	\$ 35,000.00	\$ -	\$ -	\$ -
Firestop Technologies	SBE	\$ 7,000.00	\$ -	\$ 7,000.00	\$ -	\$ -	\$ -
TBD-Interior Signage	SBE	\$ 139,000.00	\$ -	\$ 139,000.00	\$ -	\$ -	\$ -
TBD-Stage Equipment	SBE	\$ 10,000.00	\$ -	\$ 10,000.00	\$ -	\$ -	\$ -
TBD-Window Treatments	SBE	\$ 6,000.00	\$ -	\$ 6,000.00	\$ -	\$ -	\$ -
TBD-Elevators/Lifts/Conveying	SBE	\$ 15,000.00	\$ -	\$ 15,000.00	\$ -	\$ -	\$ -
TBD-Toilet Accessories	SBE	\$ 12,000.00	\$ -	\$ 12,000.00	\$ -	\$ -	\$ -
G & J Contracting	DBE	\$ 30,000.00	\$ -	\$ 30,000.00	\$ -	\$ -	\$ -
		\$ 54,000.00	\$ -	\$ 54,000.00	\$ -	\$ -	\$ -

1. DDP-3A is to be submitted monthly.
2. List all MBE/WBE/DBE/SBE subcontractors, even after their work is substantially complete.
3. When adding a subcontractor, attach a revised DDP-1 and DDP-2 to this form.
4. Attach invoices and cancelled checks to this form.

Julio Yagan
Contractor Representative Signature

Appendix S

Appendix S contains a DP-3A form and DP-1 form which both contain an uncertified EBE, Jaclyn Building Services. The participation for this contractor has been carried in monthly diversity reports provided to the RJSCB.

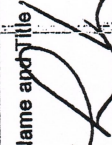
REC


JAN 24 2013

The Pike Company, Inc.

Bid Documents
April 16, 2012

Rochester Schools Modernization Program - Phase 1a
Enrico Fermi School # 17
SED # 26-16-00-01-0-017-023

EBE UTILIZATION PLAN (DP-1)		Rochester Schools Modernization Program	
1. Project: RCSO Enrico Fermi School 17		2. Bidding on Contract No./Contract Description Electrical	
3. Bidding Contractor Name / Address / Phone No. / Fax No. / FEIN Eastcoast Electric 16-1570744 546 Lyell Ave phone/ Roch NY 14606 647-0110/647-0142		4. Submittal Date (MM/DD/YY) 10/15/12 5. <input type="checkbox"/> Original Form <input checked="" type="checkbox"/> Revised Form	
Project Goals: MBE - 15% WBE - 5% DBE - 2% SBE - 5%			
6. Name/Address/Phone No. and FEIN of Proposed MWBE, DBE or SBE	7. Certified as EBE	8. Performance Category	9. Scope of Services to be provided
Adonis Construction LLC 20-2132027 518 Colvin St Rochester NY 14606	MBE	Sub Contractor	excavation, sitework, demo lighting, pole base bollard pad vault
Jacyln Build Services 32-0352665 4914 W Ridge Rd Spencerport NY 14558	WBE	Sub Contractor	Fire Alarm, Submittals, coordination, storage, shipping
MS Unlimited 16-128119 PO Box 577 Syracuse NY 13206	DBE	Sub Contractor	Access control, test, train submittal, coordination
10. Proposed Dollar Amount		\$396,673.30	
10. Proposed Dollar Amount		\$144,300	
10. Proposed Dollar Amount		\$56,610.53	
11. Certification Statement - the below signed, being an authorized representative of the bidding company, hereby certifies that the above information is accurate and has been discussed with the proposed MWBE, SBE or DBE prior to the submission of the accompanying bid proposal.			
11. Bidding Company Official's Printed Name and Title Louis Miaer/Pres		12. Bidding Company Official's Signature 	
		13. Date Signed 10/15/12	
		14. Page 1 of 2	

EBE UTILIZATION PLAN (DP-1)		Rochester Schools Modernization Program	
1. Project: RCSD Enrico Fermi School		2. Bidding on Contract No./Contract Description Electrical	
3. Bidding Contractor Name / Address / Phone No. / Fax No. / FEIN Eastcoast Electric 16-1570744 546 Lyell Ave phone / fax Roch NY 14606 647-0110 / 647-0112		4. Submittal Date (MM / DD / YY) 10/15/12	
		5. <input type="checkbox"/> Original Form <input checked="" type="checkbox"/> Revised Form	
Project Goals: MBE - 15% WBE - 5% DBE - 2% SBE - 5%			
6. Name/Address/Phone No. and FEIN of Proposed MWBE, DBE or SBE	7. Certified as EBE	8. Performance Category	9. Scope of Services to be provided
JHP Industrial Supply Co 16-1161590 321 W Taylor St Syracuse NY 13202	SBE	Sub Contractor	Provide gear, submittals test, train, storage, set in place
			10. Proposed Dollar Amount \$125,145.00
11. Certification Statement - the below signed, being an authorized representative of the bidding company, hereby certifies that the above information is accurate and has been discussed with the proposed MWBE, SBE or DBE prior to the submission of the accompanying bid proposal.			
11. Bidding Company Official's Printed Name and Title Louis Maier/ Pres	12. Bidding Company Official's Signature 		13. Date Signed 10/15/12
			14. Page 2 of 2

FORM DP 3a
MONTHLY EBE UTILIZATION REPORT

Month Sept / Year 2013
Project Name: RCSD Enrico Fermi School 17
Contract No.: SED # 26-16-00-01-0-017-023
Contractor Name: Eastcoast Electric LLC
Address: 546 Lyell Ave, Rochester, NY 14606
Phone No.: (585) 647-0110
Fax No.: (585) 647-0142
Original Contract: \$2,674,295.00
Change Orders to Date: 85,388.38
Current Contract: 2,759,683.38
MBE % of Current Contract: 14.8%
WBE % of Current Contract: 5.4%

(Form DP-3a continued on next page...)

Rochester Schools Modernization Plan - Phase 1a
 Enrico Fermi School # 17
 SED # 26-16-00-01-0-017-023

Bid Documents
 April 16, 2012

Subcontractor Name	EBE	Original Sub-contract	Change Orders to Date	Total Current EBE Sub-contract	Amount Paid to Date to EBE	Total Amt of Invoices Submitted to Date	Cancelled Checks Submitted to Date
Adonis Construction	MBE	396,673.30 ✓	0	396,673.30	147,841	214,625.71	0
Jaclyn Building Svcs	WBE	144,300 ✓	0	144,300	102,354.77	120,955.31	0
MS Unlimited	DBE	56,610.53 ✓	0	56,610.53	41,669.16	43,798.95	0
JHP Industrial Supply Co.	SBE	125,145 ✓	0	125,145	106,637.33	112,520.06	0

1. DP-3A is to be submitted monthly.
2. List all EBE subcontractors, even after their work is substantially complete.
3. When adding a subcontractor, attach a revised DP-1 and DP-2 to this form.
4. Attach invoices and cancelled checks to this form.

Renee Lynn Klavis
 Contractor Representative Signature

Dated: 9/20/13

Appendix T

Appendix T contains a blank DP-3, Monthly Employment Utilization, form.

Instructions on Completion of the Monthly Employment Utilization Form (DP-3)

1. *Project:* - name of Project that this form submission is applicable to.
2. *Reporting Period (MMM/YYYY) ____/____/____:* indicate the monthly period reporting on, i.e. JUL 2012. Hours reported on this report shall include all hours on the first day of the month through and including the last day of the applicable month.
3. *Reporting contractor Name/Address/Phone No./Fax No.* – name/address/phone/fax of reporting entity.
- 4a. *Reporting contractor is a () 1st Tier -or- () Lower Tier contractor:* the reporting entity is to either.
- 4b. *Only if a lower tier contractor, indicate to whom you are a subcontractor:* only if the reporting entity is other than a first tier contractor, indicate what company/firm you have a direct contractual agreement with relative to this 1st tier Project contract. If you are a first tier contractor leave blank or indicate N/A.
5. *Construction Trade Class.* – indicate in the space(s) provided below this title, the applicable trade classification group, i.e. Electrician, Carpenter, Mason, Laborer, etc, which the reporting entity utilized during this reporting period.
6. *(a) Total All Hours by Trade M (Male) F (Female)* – under the 6a. M - column, infill the total number of
male hours for each trade/grade classification listed, subtotaling at after each trade, for this reporting period. Under the 6a. F - column, infill the total number of female hours for each trade/grade classification listed, subtotaling at after each trade, for this reporting period.

(b – e) Minority Hours by Trade M (Male) F (Female) – under each M – column, infill the total number of male hours for each trade/grade classification and each minority category listed, subtotaling at after each trade, for this reporting period. Under each F – column, infill the total number of female hours for each trade/grade classification and each minority category listed, subtotaling at after each trade, for this reporting period.
7. *Minority % of Total Hours* – the percentage of total minority hours of all hours worked, the sum of columns 6b.- 6e. divided by the sum of column 6a. Only one figure for each trade classification. ie $((6b.M + 6b.F + 6c.M + 6c.F + 6d.M + 6d.F + 6e.M + 6e.F) / (6a.M + 6a.F))$.
8. *Female % of Total Hours* – the percentage of total female hours of all hours worked, the total number reported in 6a.F divided by the sum of total numbers reported in 6a. M and 6a.F. Only one figure for each trade classification. ie $(6a.F / (6a.M + 6a.F))$

DP-3 Instructions continued on the following page...

DP-3 Instructions, page 2:

Individuals that qualify in both a minority category and the female category should not be counted in both the minority and female percentage figures, as the above percentage calculation will generate (items 9. & 10.)

9. *Total Number of Employees* – total number of male and total number of female employees utilized in each trade and grade classification, subtotalling at after each trade, for this reporting period.
10. *Total Number of Minority Employees* – total number of male minority and total number of female minority employees utilized in each trade and grade classification, subtotalling at after each trade, for this reporting period.
11. *Reporting Company Official's Printed Name and Title* - reporting company official's printed name/ title.
12. *Reporting Company Official's Signature* – reporting company official's original signature. By signing this form, this individual is certifying that the information provided on the MWP-3 has been reviewed prior to its submission and is accurate to the best of his/her knowledge.
13. *Date Signed:* - indicate date signed by reporting company official.
14. *Page:* - indicate page number and total number of pages submitted. Attached as many pages as necessary.

**End of Instructions on Completion of the
Monthly Employment Utilization Form (DP-3)**

Rochester Schools Modernization Program

MONTHLY EMPLOYMENT UTILIZATION REPORT - DP-3/RSMP	ROCHESTER SCHOOLS MODERNIZATION PROGRAM																				
1. Project : _____																					
2. Reporting Period (MMM / YYYY) _____ / _____																					
3. Reporting contractor Name / Address / Phone No. / Fax No. _____																					
4a. Reporting contractor is a () 1st - or - () Lower Tier contractor																					
4b. If lower tier, indicate hiring contractor: _____																					
Project Goals : Minority - 20% Women - 6.9 %																					
5.	POSITION	6a. Total All Hours by Service		6b. Black not of Hispanic Origin (Hours)		6c. Hispanic (Hours)		6d. Asian or Pacific Islander (Hours)		6e. American Indian or Alaskan Native (Hours)		7. Minority % of Total Hours		8. Female % of Total Hours		9. Total Number of Employees		10. Total Number of Minority Employees			
		M	F	M	F	M	F	M	F	M	F	M	F	M	F	M	F	M	F		
	Grand Total																				

Certification Statement - the below signed, being an authorized representative of the reporting company, hereby certifies that the above information above represents all the hours worked by the reporting company's employees on the above noted Project site during the above noted month.

11. Reporting Company Official's Printed Name and Title Name: _____ Title: _____	12. Reporting Company Official's Signature _____ By: _____, 20____ of _____
	13. Date Signed _____ 14. Page _____ of _____

Appendix U

Appendix U contains a table constructed by the ICO which tabulates the DP-3 hours and corresponding Certified Payroll hours submitted. Orange boxes indicate missing paperwork. Red numbers indicate variations between the documents. The Audit Team requested this form electronically. It was never provided by the ICO's staff.

Appendix V

Appendix V contains an example of clerical staff being counted as workforce participation. This employee had been listed on the DP-3 form in three consecutive months, and her hours have been inaccurately reflected in the overall workforce diversity report provided to the RJSCB.

RCSD Charlotte High School
 S.E.D.# 28-16-00-01-0102-031
 S.E.D. EPC # 26-16-00-01-0102-032
 S.E.D. Distr. Tech. # 28-16-00-01-799-012

Chaintreuil | Jensen | Stark Architects
 Project # 1108
 Bid Documents
 April 9, 2012

MONTHLY EMPLOYMENT UTILIZATION REPORT - DP-3/MSNP

ROCHESTER SCHOOLS MODERNIZATION PROGRAM

1. Project: Modernization Phase 1A
 2. Reporting Period (MMM/YYYY) JUN / 2012
 3. Reporting Contractor Name / Address / Phone No. / Fax No.
 Thurston Dudek LLC 265-4620 / 265-4628 (F)
 291 David Pkwy - Ontario, NY 14519
 4a. Reporting Contractor is a (X) 1st Tier - or - () Lower Tier Contractor
 4b. Only if a lower tier contractor, indicate to whom you are a subcontractor.

Project Goals: Minority - 20% Women - 6.9%

5. POSITION	EMPLOYEE	8a. Total All Hours by Service		8b. Black not of Hispanic Origin (Hours)		8c. Hispanic (Hours)		8d. Asian or Pacific Islander (Hours)		8e. American Indian or Alaskan Native (Hours)		7. Minority % of Total Hours	8. Female % of Total Hours	9. Total Number of Employees		10. Total Number of Minority Employees	
		M	F	M	F	M	F	M	F	M	F			M	F	M	F
Clerical	* Gail Brockman	21											100		1		
Plumber:	Thurston Dudek																
Laborer:	Adonis Construct.																
Labor:	Steve General																
	DSO Inc.																
	SRS																
Insulation:	MGM																
Grand Total		0	21										100	0	1		

Certification Statement - the below signed, being an authorized representative of the reporting company, hereby certifies that the above information represents all the hours worked by the reporting company's employees on the above noted Project site during the above noted month.

11. Reporting Company Official's Printed Name and Title: Gail Brockman Office Manager
 12. Reporting Company Official's Signature: *Gail Brockman*
 13. Date Signed: 7/10/12
 14. Page: ___ of ___

RCSO Charlotte High School
 SED # 26-16-00-01-0102-031
 SED EPC# 26-16-00-01-0102-032
 SED Distr. Tech.# 26-16-00-01-799-012

Chaintreuil/Jensen/Start Architects
 Project # 1106
 Bid Documents
 April 9, 2012

MONTHLY EMPLOYMENT UTILIZATION REPORT - DP-3/RSNP

ROCHESTER SCHOOLS MODERNIZATION PROGRAM

1. Project: Modernization Phase 1a
 2. Reporting Period (MMM / YYY) AUG / 2012
 3. Reporting Contractor Name / Address / Phone No. / Fax No.
 Thurston Dudek LLC 585-265-4620/4628 (F)
 291 David Parkway - Ontario, NY 14519

4a. Reporting Contractor is a (X) 1st Tier - or - () Lower Tier Contractor.
 4b. Only if a lower tier contractor, indicate to whom you are a subcontractor.

Project Goals: Minority - 20% Women - 6.9%

5. POSITION	6a. Total All Hours by Service		6b. Black not of Hispanic Origin (Hours)		6c. Hispanic (Hours)		6d. Asian or Pacific Islander (Hours)		6e. American Indian or Alaskan Native (Hours)		7. Minority % of Total Hours	8. Female % of Total Hours	9. Total Number of Employees		10. Total Number of Minority Employees		
	M	F	M	F	M	F	M	F	M	F			M	F	M	F	M
EMPLOYEE																	
Clerical:		35										100%		1			
Plumbers:																	
Laborers:																	
Insulation:																	
Suppliers:																	
Grand Total		35										100%		1			

Certification Statement - the below signed, being an authorized representative of the reporting company, hereby certifies that the above information represents all the hours worked by the reporting company's employees on the above noted Project site during the above noted month.

11. Reporting Company Official's Printed Name and Title
 Gail Brockman Office Manager

12. Reporting Company Official's Signature
Gail Brockman

13. Date Signed
 9/4/12

14. Page
 1 of 1

RCSD Charlotte High School
 S.E.D. # 26-16-00-01-0102-031
 S.E.D. EPC # 26-16-00-01-0102-032
 S.E.D. Distr. Tech. # 26-16-00-01-799-012

Chaitreuil | Jensen | Stark Architects
 Project # 1108
 Bid Documents
 April 9, 2012

MONTHLY EMPLOYMENT UTILIZATION REPORT - DP-3/RMHP

ROCHESTER SCHOOLS MODERNIZATION PROGRAM

1. Project: Modernization Phase 1a
 2. Reporting Period (MM/YY) SEP / 2012
 3. Reporting Contractor Name / Address / Phone No. / Fax No.
 Thurston Dudek LLC 585-265-4620
 291 Davide Pkwy-Ont. NY 14519 595-265-4628

4a. Reporting Contractor is a (X) 1st Tier - or - (X) Lower Tier Contractor
 4b. Only if a lower tier contractor, indicate to whom you are a subcontractor.

Project Goals: Minority - 20% Women - 6.9%

5. POSITION	EMPLOYEE	6a. Total All Hours by Service		6b. Black or Hispanic Origin (Hours)		6c. Hispanic (Hours)		6d. Asian or Pacific Islander (Hours)		6e. American Indian or Alaskan Native (Hours)		7. Minority % of Total Hours	8. Female % of Total Hours	9. Total Number of Employees		10. Total Number of Minority Employees	
		M	F	M	F	M	F	M	F	M	F			M	F	M	F
Clerical	Gail Brockman		35												1		
Thurston Dudek Plumbers:	Mike Sims		112											3			
	Bill Thurston		40														
	Don Wade		8														
Adonis Construct. Laborers	Rajuntis Tisdale		16		16									3			3
	Adonis Jones		10.5		10.5												
	William Pitts		13.5		13.5												
	Grand Total		200		35		40							6	1		3

Certification Statement - the below signed, being an authorized representative of the reporting company, hereby certifies that the above information represents all the hours worked by the reporting company's employees on the above noted Project site during the above noted month.

11. Reporting Company Official's Printed Name and Title: Gail Brockman Office Manager
 12. Reporting Company Official's Signature: Gail Brockman
 13. Date Signed: 10/11/12
 14. Page: 1 of 12

Thurston
160
Adonis
40

Appendix W

Appendix W contains a blank Rochester Careers in Construction (RCC) monthly report form.

Monthly Report to the Administrator of the Rochester Careers in Construction, Inc. Education and Training Fund

Forward to: Administrator
 Rochester Careers in Construction, Inc.
 16 W. Main Street, Suite 204
 Rochester, NY 14614
 Federal ID #: 84-1684210

Employer _____ Phone Number _____

Address _____

City _____ State _____ Zip Code _____

Period Covered: From / / to / /
Month Day Month Day Year

Completed by: _____ Date: _____

If there is not sufficient space for all employees concerned, please use supplementary forms and bring the totals forward to this report.

Last Name	First Name	In.	Hours	Employment Date of New Employee	Termination Date of Employee

Total Hours

Total Remittance: Total Hours X \$0.15 \$ _____

Per the Project Labor Agreement covering the Rochester Joint Schools Construction Board and the Rochester Schools Modernization Program – Phase One, effective April 26, 2012, Article 4, Section 4. Minority and Female Referrals.

Make check payable to – Rochester Careers in Construction, Inc.

Please provide a copy of this form and copy of your payment check with your monthly payment requisition.

YOUR NAME
YOUR ADDRESS
YOUR PHONE NUMBER

Date: 2/2

165

00-4475
770

PAY TO THE ORDER OF Nineteen and 75/100 19.75

Coffee Mart

FINANCIAL INSTITUTION
Your City, State, Zip Code

Money coffee maker

Your signature

:00000000:0000 00000 000000:

WESTERN MONEY UNION ORDER

WESTERN UNION FINANCIAL SERVICES 'V' 1987
E.O. 12812

A 71-8877 0 001270
T194204
14227-8832067 1 000007

14-327480295
02-201021

PAY EXACTLY NINE HUNDRED AND NO/100 AND ZERO CENTS
NOT GOOD OVER 5' 00'

PAY TO THE ORDER OF Soft Play Company Pre Paid Order

5300 20 Sonoma Ca 95476 Carol Wilson

⑈:102100400⑈: 40140374802958⑈