

Rochester Joint Schools Construction Board
Monthly Meeting Minutes
January 7, 2019
4:30 PM

Present

Chairman Allen Williams, Vice Chair Michael Schmidt, Rosiland Brooks-Harris, Norman Jones (arrived at 4:42 p.m.), Thomas Richards and ICO Jeff Wild. Also present: General Counsel Greg McDonald; Ed Hourihan, Melissa Mahler, and Savin Program Directors Pépin Accilien and Roland Coleman.

Chairman Williams convened the meeting at 4:36 pm.

Approval of Minutes

Monthly Meeting held on December 10, 2019

Motion by Board Vice-Chair Michael Schmidt

Second by Board Member Tom Richards

Approved 4-0

Consent Agenda Items

Resolution 2018-19: 91

Additional Robotics Equipment Purchase (X-Cats)

By Board Member Schmidt

WHEREAS, the Rochester School Facilities Modernization Program Act ("the Act") established the Rochester Joint Schools Construction Board ("RJSCB" or "Board"), a seven voting member board consisting of equal representation by the City of Rochester ("City") and the Rochester City School District ("District"), as well as a member jointly selected by the City and the District; and

WHEREAS, under the Act, the RJSCB has certain enumerated powers to act as agent for the District, the City, or both; and

WHEREAS, the authorizing legislation for Phase 2 of the Rochester Schools Modernization Program ("RSMP") was signed into law by the Governor of the State of New York on December 17, 2014; and

WHEREAS, the amended Act authorized up to 26 projects in Phase 2 of the RSMP including a District Wide Technology program, which involves technology upgrades and infrastructure work at several of the possible projects; and

WHEREAS, the mission of the RJSCB, City and the District as part of the RSMP includes creating labs for computers and other technologies; and

WHEREAS, pursuant to the Act, the RJSCB has the power to do all things necessary, convenient or desirable to carry out its purposes and for the exercise of the powers granted to it in the Act; and

WHEREAS, the Wilson X-Cats Robotics Team ("X-Cats") is a co-curricular robotics club of the District open to students that attend Joseph C. Wilson Magnet High School; and

WHEREAS, the RJSCB Chair has recommended that the RJSCB purchase up to \$5,000.00 of robotics-related equipment (“Robotics Equipment”) for the District that will be utilized by the District and X-Cats.

WHEREAS, the RJSCB’s M/WBE and Services Procurement Committee (the “Committee”) considered and discussed the Chair’s recommendation at its January 3, 2019 meeting and after due deliberation, it approved the request to purchase the Robotics Equipment as set forth herein.

THEREFORE, BE IT RESOLVED:

1. The RJSCB hereby approves the recommendation of the Chair to purchase the Robotics Equipment as set forth above.
2. The RJSCB’s Chair is hereby authorized, in the name and on behalf of the RJSCB, to execute purchase orders and to take whatever additional actions are necessary to implement the foregoing resolutions that are consistent with this approval, and in an acceptable form to the Chair upon the advice of the Program Manager and the RJSCB’s general counsel.

Second by Board Member Rosiland Brooks-Harris
Approved 5-0

Resolution 2018-19: 92
Additional Robotics Equipment Purchases (Robotix)

By Board Member Michael Schmidt

WHEREAS, the Rochester School Facilities Modernization Program Act (“the Act”) established the Rochester Joint Schools Construction Board (“RJSCB” or “Board”), a seven voting member board consisting of equal representation by the City of Rochester (“City”) and the Rochester City School District (“District”), as well as a member jointly selected by the City and the District; and

WHEREAS, under the Act, the RJSCB has certain enumerated powers to act as agent for the District, the City, or both; and

WHEREAS, the authorizing legislation for Phase 2 of the Rochester Schools Modernization Program (“RSMP”) was signed into law by the Governor of the State of New York on December 17, 2014; and

WHEREAS, the amended Act authorized up to 26 projects in Phase 2 of the RSMP including a District Wide Technology program, which involves technology upgrades and infrastructure work at several of the possible projects; and

WHEREAS, the mission of the RJSCB, City and the District as part of the RSMP includes creating labs for computers and other technologies; and

WHEREAS, pursuant to the Act, the RJSCB has the power to do all things necessary, convenient or desirable to carry out its purposes and for the exercise of the powers granted to it in the Act; and

WHEREAS, the Roc City Robotix Team 3838 (“Robotix Team”) is a co-curricular robotics club of the District open to high school students that live in the City and attend a District school; and

WHEREAS, the RJSCB Chair has recommended that the RJSCB purchase up to \$5,000.00 of robotics-related equipment (“Robotics Equipment”) for the District that will be utilized by the District and Robotix Team.

WHEREAS, the RJSCB's M/WBE and Services Procurement Committee (the "Committee") considered and discussed the Chair's recommendation at its January 3, 2019 meeting and after due deliberation, it approved the requests to purchase the Robotics Equipment as set forth herein.

THEREFORE, BE IT RESOLVED:

1. The RJSCB hereby approves the recommendation of the Chair to purchase the Robotics Equipment as set forth above.
2. The RJSCB's Chair is hereby authorized, in the name and on behalf of the RJSCB, to execute purchase orders and to take whatever additional actions are necessary to implement the foregoing resolutions that are consistent with this approval, and in an acceptable form to the Chair upon the advice of the Program Manager and the RJSCB's general counsel.

**Second by Board Member Rosiland Brooks-Harris
Approved 5-0**

Resolution 2018-19: 93

**Authorization to Bid Summer 2019 FF&E – School 22, School 54, School 2, School 4, School 10 and East High School
(Phase 2c/d)**

By Board Member Michael Schmidt

WHEREAS, the Rochester School Facilities Modernization Program Act ("the Act") established the Rochester Joint Schools Construction Board ("RJSCB" or "Board"), a seven voting member board consisting of equal representation by the City of Rochester ("City") and the Rochester City School District ("District"), as well as a member jointly selected by the City and the District; and

WHEREAS, under the Act, the RJSCB has certain enumerated powers to act as agent for the District, the City, or both; and

WHEREAS, the authorizing legislation for Phase 2 of the Rochester Schools Modernization Program ("RSMP") was signed into law by the Governor of the State of New York on December 17, 2014; and

WHEREAS, the amended Act authorized up to 26 projects in Phase 2 of the RSMP including a District Wide Technology ("DWT") program, which involves technology upgrades and infrastructure work at several of the possible projects; and

WHEREAS, for Phase 2 of the RSMP, the RJSCB intends to undertake 14 projects for the design, reconstruction, or rehabilitation of existing school buildings for their continued use by the District (collectively, the "Phase 2 Projects"), which have been further defined as Phase 2a, Phase 2b, Phase 2c and Phase 2d, plus a DWT project at each of the Phase 2 school buildings; and

WHEREAS, the RJSCB's Move Management Consultant (Vargas Associates) has prepared bid documents for the Furniture, Fixtures and Equipment ("FF&E") bid associated with the following Phase 2c and Phase 2d projects: School 22, School 54, School 2, School 4, School 10 and East High School; and

WHEREAS, through this process, the RJSCB will obtain competitive pricing from furniture distributor firms using an open public bidding process; and

WHEREAS, the above-identified projects are expected to begin February 12, 2019 and conclude by August 31, 2019, and the RJSCB needs to procure the FF&E for these projects as soon as possible in order to maximize 2019 pricing as well as secure production and delivery schedules that align with the completion of the projects; and

WHEREAS, the M/WBE and Services Procurement Committee has reviewed the Summer 2019 FF&E bid documents and approved them at its meeting on January 3, 2019, for forwarding to the full Board.

THEREFORE, BE IT RESOLVED:

1. The Summer 2019 FF&E bidding documents are approved for use by the RJSCB to obtain bids from furniture distributor firms using an open public bidding process; and
2. The M/WBE and Services Procurement Committee, with the advice and recommendations of the Move Management Consultant and the Program Manager, is authorized on behalf of the RJSCB to review the bids from the furniture distributor firms and recommend one or more firms to the RJSCB for award.

Second by Board Member Rosiland Brooks-Harris
Approved 5-0

Resolution 2018-19: 94

Authorization to Bid Summer 2019 Move Services – School 22, School 54, East High School and Edison Career & Technology High School

By Board Member Michael Schmidt

WHEREAS, the Rochester School Facilities Modernization Program Act (“the Act”) established the Rochester Joint Schools Construction Board (“RJSCB” or “Board”), a seven voting member board consisting of equal representation by the City of Rochester (“City”) and the Rochester City School District (“District”), as well as a member jointly selected by the City and the District; and

WHEREAS, under the Act, the RJSCB has certain enumerated powers to act as agent for the District, the City, or both; and

WHEREAS, the authorizing legislation for Phase 2 of the Rochester Schools Modernization Program (“RSMP”) was signed into law by the Governor of the State of New York on December 17, 2014; and

WHEREAS, the amended Act authorized up to 26 projects in Phase 2 of the RSMP including a District Wide Technology (“DWT”) program, which involves technology upgrades and infrastructure work at several of the possible projects; and

WHEREAS, for Phase 2 of the RSMP, the RJSCB intends to undertake 14 projects for the design, reconstruction, or rehabilitation of existing school buildings for their continued use by the District (collectively, the “Phase 2 Projects”), which have been further defined as Phase 2a, Phase 2b, Phase 2c and Phase 2d, plus a DWT project at each of the Phase 2 school buildings; and

WHEREAS, the RJSCB’s Move Management Consultant (Vargas Associates) has prepared bid documents for the move services (“Move Services”) bid associated with the following Phase 2c and Phase 2d projects: School 22, School 54, Edison Tech and East High School; and

WHEREAS, through this process, the RJSCB will obtain competitive pricing from moving services firms using an open public bidding process; and

WHEREAS, the above-identified projects are expected to begin January 9, 2019 and conclude by August 31, 2019, and the RJSCB needs to procure the Move Services for these projects as soon as possible in order to maximize 2019 pricing as well as secure production and delivery schedules that align with the completion of the projects; and

WHEREAS, the M/WBE and Services Procurement Committee has reviewed the Summer 2019 Move Services bid documents and approved them at its meeting on January 3, 2019, for forwarding to the full Board.

THEREFORE, BE IT RESOLVED:

1. The Summer 2019 Move Services bidding documents are approved for use by the RJSCB to obtain bids from moving firms using an open public bidding process; and
2. The M/WBE and Services Procurement Committee, with the advice and recommendations of the Move Management Consultant and the Program Manager, is authorized on behalf of the RJSCB to review the bids from the move services firms and recommend one or more firms to the RJSCB for award.

Second by Board Member Rosiland Brooks-Harris
Approved 5-0

Resolution 2018-19: 95

Authorization to Bid Summer 2019 Cleaning Services – School 22, School 54, Edison Tech and East High School (Phase 2c/d)

By Board Member Michael Schmidt

WHEREAS, the Rochester School Facilities Modernization Program Act (“the Act”) established the Rochester Joint Schools Construction Board (“RJSCB” or “Board”), a seven voting member board consisting of equal representation by the City of Rochester (“City”) and the Rochester City School District (“District”), as well as a member jointly selected by the City and the District; and

WHEREAS, under the Act, the RJSCB has certain enumerated powers to act as agent for the District, the City, or both; and

WHEREAS, the authorizing legislation for Phase 2 of the Rochester Schools Modernization Program (“RSMP”) was signed into law by the Governor of the State of New York on December 17, 2014; and

WHEREAS, the amended Act authorized up to 26 projects in Phase 2 of the RSMP including a District Wide Technology (“DWT”) program, which involves technology upgrades and infrastructure work at several of the possible projects; and

WHEREAS, for Phase 2 of the RSMP, the RJSCB intends to undertake 14 projects for the design, reconstruction, or rehabilitation of existing school buildings for their continued use by the District (collectively, the “Phase 2 Projects”), which have been further defined as Phase 2a, Phase 2b, Phase 2c and Phase 2d, plus a DWT project at each of the Phase 2 school buildings; and

WHEREAS, the RJSCB’s Move Management Consultant (Vargas Associates) has prepared bid documents for the cleaning services (“Cleaning Services”) bid associated with the following Phase 2c and Phase 2d projects: School 22, School 54, Edison Tech and East High School; and

WHEREAS, through this process, the RJSCB will obtain competitive pricing from cleaning service firms using an open public bidding process; and

WHEREAS, the above-identified projects are expected to begin February 6, 2019 and conclude by August 31, 2019, and the RJSCB needs to procure the Cleaning Services for these projects as soon as possible in order to maximize 2019 pricing as well as secure production and delivery schedules that align with the completion of the projects; and

WHEREAS, the M/WBE and Services Procurement Committee has reviewed the Summer 2019 Cleaning Services bid documents and approved them at its meeting on January 3, 2019, for forwarding to the full Board.

THEREFORE, BE IT RESOLVED:

1. The Summer 2019 Cleaning Services bidding documents are approved for use by the RJSCB to obtain bids from cleaning service firms using an open public bidding process; and
2. The M/WBE and Services Procurement Committee, with the advice and recommendations of the Move Management Consultant and the Program Manager, is authorized on behalf of the RJSCB to review the bids from the cleaning services firms and recommend one or more firms to the RJSCB for award.

Second by Board Member Rosiland Brooks-Harris
Approved 5-0

Resolution 2018-19: 96

Authorization to Release DWT Mini-Bid Package #7 Interactive Flat Panels, Ergotron Arms, Video Surveillance and Wireless Network Equipment (Phase 2a/b/c)

By Board Member Michael Schmidt

WHEREAS, the Rochester School Facilities Modernization Program Act (“the Act”) established the Rochester Joint Schools Construction Board (“RJSCB” or “Board”), a seven voting member board consisting of equal representation by the City of Rochester (“City”) and the Rochester City School District (“District”), as well as a member jointly selected by the City and the District; and

WHEREAS, under the Act, the RJSCB has certain enumerated powers to act as agent for the District, the City, or both; and

WHEREAS, the authorizing legislation for Phase 2 of the Rochester Schools Modernization Program (“RSMP”) was signed into law by the Governor of the State of New York on December 17, 2014; and

WHEREAS, the amended Act authorized up to 26 projects in Phase 2 of the RSMP including a District Wide Technology (“DWT-2”) program which involves technology upgrades and infrastructure work at several of the possible projects; and

WHEREAS, the RJSCB’s Program Manager has been working with the Technology Consultant, Millennium Strategies (“Millennium”), to prepare a request for bid package for the DWT-2 project associated with the Phase 2a/b/c schools. Schools include Edison, School 22, School 4 and those classrooms at East that will be turned over before September 2019 to be known as the “DWT-2 Mini-Bid Package #7”; and

WHEREAS, the commodities procured as a part of the Phase 2 DWT Mini-Bid Package #7 will be bid off of a New York State Office of General Services contract (“State Contract”); and

WHEREAS, the DWT-2 Mini-Bid Package #7 is proposed to be released for bid beginning January 8, 2019; and

WHEREAS, the categories of items included in the DWT-2 Mini-Bid Package #7 are Interactive Flat Panels, Large Screen Monitors, Adjustable Mounting Brackets, Classroom Amplification Systems, Ergotron Arms, Video Surveillance and Wireless Network Equipment for Phase 2 Schools; and

WHEREAS, the Program Manager received State Education Department approval of the designs for the DWT-2 projects on July 12, 2016; and

WHEREAS, on December 18, 2018, Millennium requested authorization from the RJSCB to release the DWT-2 Mini-Bid Package #7; and

WHEREAS, the RJSCB's M/WBE and Services Procurement Committee considered and discussed Millennium's request at its January 3, 2019 meeting, and after due deliberation, it approved the request to release the DWT-2 Mini-Bid Package #7.

THEREFORE, BE IT RESOLVED:

1. The RJSCB, through its Program Manager, shall proceed with the issuance of a DWT-2 Mini-Bid Package #7 in order to maintain the overall project schedule;
2. Also, prior to issuance, the Program Manager and Millennium will work with the RJSCB's general counsel to further develop and finalize the DWT-2 Min-Bid Package #7, including the General Conditions of the Contract and the Purchase Order forms; and
3. The M/WBE and Services Procurement Committee, with the advice and recommendations of the Program Manager, is authorized on behalf of the RJSCB to review the bid responses and recommend to the RJSCB the lowest responsible bidders.

Second by Board Member Rosiland Brooks-Harris
Approved 5-0

Resolution 2018-19: 97

Change Order #14 to Javen Construction, Inc. – (School Without Walls Phase 2b)

By Board Member Michael Schmidt

WHEREAS, the Rochester School Facilities Modernization Program Act (the "Act") established the Rochester Joint Schools Construction Board ("RJSCB" or "Board"), a seven voting member board consisting of equal representation by the City of Rochester ("City") and the Rochester City School District ("District"), as well as a member jointly selected by the City and the District; and

WHEREAS, under the Act, the RJSCB has certain enumerated powers to act as agent for the District, the City, or both; and

WHEREAS, the authorizing legislation for Phase 2 of the Rochester Schools Modernization Program ("RSMP") was signed into law by the Governor of the State of New York on December 17, 2014; and

WHEREAS, the amended Act authorized up to 26 projects in Phase 2 of the RSMP including a District Wide Technology program, which involves technology upgrades and infrastructure work at several of the possible projects; and

WHEREAS, the RJSCB approved the award of the contract for the general construction scope of work to Javen Construction, Inc. ("Javen") for the School Without Walls project in Phase 2b (Resolution 2016-17: 239); and

WHEREAS, the RJSCB entered into a contract with Javen (Resolution 2016-17: 239) dated June 29, 2017 (the "Contract"), to perform the scope of services defined in the contract documents as the general construction contractor's scope of work; and

WHEREAS, following the execution of the Contract, Javen, along with The Pike Company, Inc. (the "Construction Manager"), and the Program Manager, identified changes in the scope of work, and cost proposals were then obtained for these changes in scope items and provided to the Construction Manager and the Program Manager for review; and

WHEREAS, Change Order #14 includes the following items:

IB-022_R2- Finsen Unit Replacement \$17,320.00
RFI #106- Range Hood Exhaust from Room 104 \$2,156.00
IB-057 3" Vent Through Roof Change \$1,975.00
RFI #126 - Room 130 Flooring & Base \$1,298.05
IB-066 Threshold at Door 104B-1 \$227.56 IB-
068 Shower Curtain and Rods \$220.00
Break metal @ Exterior Doors \$1,626,00

The total amount of Change Order #14 is **\$24,822.61**; and

WHEREAS, the Construction Manager and the Program Manager believe that the change order work is necessary, the pricing is appropriate and the Contract Time will not be increased by this additional work; and

WHEREAS, the Program Manager thereafter recommended to the RJSCB's M/WBE and Services Procurement Committee (the "Committee") that Javen's Contract should be amended to add these scope items for a total increase in the Contract Sum of \$24,822.61; and

WHEREAS, the Committee considered and discussed the Program Manager's recommendation at its January 3, 2018 meeting and after due deliberation, it approved the request to amend the Contract.

THEREFORE, BE IT RESOLVED:

1. The proposed Change Order to Javen's Contract between the Board and Contractor dated June 29, 2017 as set forth above is hereby approved; and
2. The RJSCB's Chair is hereby authorized, in the name and on behalf of the RJSCB, to execute the Change Order to the Contract that is consistent with this approval and in an acceptable form to the Chair upon the advice of the Program Manager and the RJSCB's general counsel.

Second by Board Member Rosiland Brooks-Harris
Approved 5-0

Resolution 2018-19: 98
Change Orders #39, #40, #41, #42, #43, #44 & #45 to Manning Squires Henning Contract (Monroe 2b)

By Board Member Michael Schmidt

WHEREAS, the Rochester School Facilities Modernization Program Act ("the Act") established the Rochester Joint Schools Construction Board ("RJSCB" or "Board"), a seven voting member board consisting of equal representation by the City of Rochester ("City") and the Rochester City School District ("District"), as well as a member jointly selected by the City and the District; and

WHEREAS, under the Act, the RJSCB has certain enumerated powers to act as agent for the District, the City, or both; and

WHEREAS, the authorizing legislation for Phase 2 of the Rochester Schools Modernization Program (“RSMP”) was signed into law by the Governor of the State of New York on December 17, 2014; and

WHEREAS, the amended Act authorized up to 26 projects in Phase 2 of the RSMP including a District Wide Technology program which involves technology upgrades and infrastructure work at several of the possible projects; and

WHEREAS, for Phase 2 of the RSMP, the RJSCB intends to undertake 14 projects for the design, reconstruction, or rehabilitation of existing school buildings for their continued use by the District (collectively, the “Phase 2 Projects”), which have been further defined as Phase 2a, Phase 2b, Phase 2c and Phase 2d, plus a DWT project at each of the Phase 2 school buildings; and

WHEREAS, the James Monroe High School (“Monroe 2b”) is one of the projects included in Phase 2b of the RSMP as provided in the Phase 2 Master Plan; and

WHEREAS, the RJSCB approved the award of the general construction contract to Manning Squires Henning (“MSH”) for the Monroe 2b project (Resolution 2017-18: 52); and

WHEREAS, the RJSCB entered into a contract with MSH (Resolution 2017-18: 52) dated September 11, 2017 (the “Contract”), to perform the scope of services defined in the contract documents as the general contractor’s scope of work; and

WHEREAS, following the execution of the Contract, MSH, along with The Pike Company (the Construction Manager), and the Program Manager, identified changes in the scope of work, and cost proposals were then obtained for these changes in scope items and provided to the Construction Manager and the Program Manager for review; and

WHEREAS, Change Order #39 includes the following item:

1. Winter Heat Cost @ Foundations	\$54,000.00
The total amount of Change Order #39 is	\$54,000.00

WHEREAS, Change Order #40 includes the following items:

1. Anchor Bolt Coverage/Bridge Ledge - G Line	\$3,536.00
2. Site Transite Pipe Removal - Part 2	\$734.00
3. Bedrock @ Scoreboards - Part 2	\$1,227.00
4. Move showers out	\$267.00
5. Discovered Concrete @ Old Playground	\$7,718.00
6. ASI#089 - Furring Corr 1C-5A, 1C-6	\$1,987.00
7. Unforeseen Foundations @ Monroe Ave	\$9,667.00
8. ASI#111 - Existing Site Light	\$4,974.00
9. ASI#115 Galvanized Stair to Loading - Manhole	\$772.00
10. ASI#121 Miscellaneous Repairs	\$3,861.00
11. ASI#119 Base outside Kitchen Walk-I	\$1,271.00
12. Sidewalk Demo - Pearl & Averill	\$9,915.00
13. RGE Gas Service Conflict	\$832.00

The total amount of Change Order #40 is **\$46,761.00**; and

WHEREAS, Change Order #41 includes the following items:

1. ASI#031-C Basement Flr. Underlayment	\$34,212.17
2. ASI#107-Bsmnt Underlay for VCT Floor	\$11,180.00
The total amount of Change Order #41 is	\$45,392.17 ; and

WHEREAS, Change Order #42 includes the following items:

1.	RFI#0080 - CMU Walls @ Exist Gyms	\$12,347.00
2.	RFI#0152 - W16 & W89 Beams	\$8,172.00
3.	RFI#0169 - Windows at First Floor	\$13,134.00
The total amount of Change Order #42 is		\$33,653.00; and

WHEREAS, Change Order #43 includes the following items:

1.	ASI#052 - Applied Fireproof Lintels / RFI#0068 - Dimension for new opening	\$15,025.00
2.	ASI#057 - Mechanical Penthouse	\$5,579.00
3.	Additional Demo Door BC-7-1	\$3,805.00
4.	RFI#0199 - Door Frame 1C-1B-1	\$7,058.00
5.	Dura Rock @ Washroom	\$1,503.26
6.	ASI#106 - Opening 1C-6-1	\$4,119.79
7.	Area B Water Damage - Credit	(\$7,928.13)
8.	Gym A100 Duct Damaged by Lift - Credit	(\$2,895.97)
The total amount of Change Order #43 is		\$26,256.95; and

WHEREAS, Change Order #44 includes the following item:

1.	ASI#080 - Area B Exterior Paving	\$20,857.00
The total amount of Change Order #44 is		\$20,875.00; and

WHEREAS, Change Order #45 includes the following items:

1.	ASI#078 - Door 107-3 / East Exterior Stair Extension Demo	\$1,528.50
2.	ASI#051 - Lintels	\$4,589.00
3.	Speaker Pole Revisions	\$9,252.00
The total amount of Change Order #45 is		\$15,360.50; and

WHEREAS, the Construction Manager and the Program Manager believe that the change orders work is necessary, the pricing is appropriate and the Contract Time will not be increased by the foregoing changes; and

WHEREAS, the Program Manager thereafter recommended to the RJSCB's M/WBE and Services Procurement Committee (the "Committee") that MSH's Contract should be amended to add the scope items described in the above-referenced change orders for an increase in the Contract Sum of \$242,298.62; and

WHEREAS, the Committee considered and discussed the Program Manager's recommendation at its January 3, 2019 meeting and after due deliberation, it approved the request to amend the Contract as set forth herein.

THEREFORE, BE IT RESOLVED:

1. The proposed Change Orders to MSH's Contract between the Board and Contractor dated September 11, 2017 as set forth above are hereby approved; and
2. The RJSCB's Chair is hereby authorized, in the name and on behalf of the RJSCB, to execute Change Orders to the Contract that are consistent with this approval and in an acceptable form to the Chair upon the advice of the Program Manager and the RJSCB's general counsel.

Second by Board Member Rosiland Brooks-Harris
Approved 5-0

Resolution 2018-19: 99

Change Order #23 to Concord Electric Corporation Contract (Monroe H.S - Phase 2b)

By Board Member Michael Schmidt

WHEREAS, the Rochester School Facilities Modernization Program Act (“the Act”) established the Rochester Joint Schools Construction Board (“RJSCB” or “Board”), a seven voting member board consisting of equal representation by the City of Rochester (“City”) and the Rochester City School District (“District”), as well as a member jointly selected by the City and the District; and

WHEREAS, under the Act, the RJSCB has certain enumerated powers to act as agent for the District, the City, or both; and

WHEREAS, the authorizing legislation for Phase 2 of the Rochester Schools Modernization Program (“RSMP”) was signed into law by the Governor of the State of New York on December 17, 2014; and

WHEREAS, the amended Act authorized up to 26 projects in Phase 2 of the RSMP including a District Wide Technology program which involves technology upgrades and infrastructure work at several of the possible projects; and

WHEREAS, for Phase 2 of the RSMP, the RJSCB intends to undertake 14 projects for the design, reconstruction, or rehabilitation of existing school buildings for their continued use by the District (collectively, the “Phase 2 Projects”), which have been further defined as Phase 2a, Phase 2b, Phase 2c and Phase 2d, plus a DWT project at each of the Phase 2 school buildings; and

WHEREAS, the James Monroe High School Phase 2b is one of the projects included in Phase 2b of the RSMP as provided in the Phase 2 Master Plan; and

WHEREAS, the RJSCB approved the award of the electrical contractor contract to Concord Electric Corp. (“Concord”) for the Monroe High School project in Phase 2b (Resolution 2016-17: 52); and

WHEREAS, the RJSCB entered into a contract with Concord (Resolution 2016-17: 52) dated September 11, 2017 (the “Contract”), to perform the scope of services defined in the contract documents as the electrical contractor’s scope of work; and

WHEREAS, following the execution of the Contract, Concord, along with The Pike Company, Inc. (the Construction Manager), and the Program Manager, identified changes in the scope of work, and cost proposals were then obtained for these changes in scope items and provided to the Construction Manager and the Program Manager for review; and

WHEREAS, Change Order #23 includes the following item:

1. ASI-146 - Added Elevator Security Features to Restrict Use \$18,146.00

The total amount of Change Order #23 is **\$18,146.00**; and

WHEREAS, the Construction Manager and the Program Manager believe that the change order work is necessary, the pricing is appropriate and the Contract Time will not be increased by the foregoing changes; and

WHEREAS, the Program Manager thereafter recommended to the RJSCB’s M/WBE and Services Procurement Committee (the “Committee”) that Concord’s Contract should be amended to add these scope items for an increase in the Contract Sum of \$18,146.00; and

WHEREAS, the Committee considered and discussed the Program Manager's recommendation at its January 3, 2019 meeting and after due deliberation, it approved the request to amend the Contract.

THEREFORE, BE IT RESOLVED:

1. The proposed Change Order to Concord's Contract between the Board and Contractor dated September 11, 2018 as set forth above is hereby approved; and
2. The RJSCB's Chair is hereby authorized, in the name and on behalf of the RJSCB, to execute a Change Order to the Contract that is consistent with this approval and in an acceptable form to the Chair upon the advice of the Program Manager and the RJSCB's general counsel.

Second by Board Member Rosiland Brooks-Harris
Approved 5-0

Resolution 2018-19: 100

Change Orders #3 & #4 to DiPasquale Construction, Inc. Contract (Clara Barton School 2 - Phase 2c)

By Board Member Michael Schmidt

WHEREAS, the Rochester School Facilities Modernization Program Act (the "Act") established the Rochester Joint Schools Construction Board ("RJSCB" or "Board"), a seven voting member board consisting of equal representation by the City of Rochester ("City") and the Rochester City School District ("District"), as well as a member jointly selected by the City and the District; and

WHEREAS, under the Act, the RJSCB has certain enumerated powers to act as agent for the District, the City, or both; and

WHEREAS, the authorizing legislation for Phase 2 of the Rochester Schools Modernization Program ("RSMP") was signed into law by the Governor of the State of New York on December 17, 2014; and

WHEREAS, the amended Act authorized up to 26 projects in Phase 2 of the RSMP including a District Wide Technology program, which involves technology upgrades and infrastructure work at several of the possible projects; and

WHEREAS, for Phase 2 of the RSMP, the RJSCB intends to undertake 14 projects for the design, reconstruction, or rehabilitation of existing school buildings for their continued use by the District (collectively, the "Phase 2 Projects"), which have been further defined as Phase 2a, Phase 2b, Phase 2c and Phase 2d, plus a DWT project at each of the Phase 2 school buildings; and

WHEREAS, the Clara Barton School No. 2 ("School 2") is one of the projects included in Phase 2c of the RSMP as provided in the Phase 2 Master Plan; and

WHEREAS, Phase 2c of the RSMP includes general construction, mechanical, plumbing and electrical work at School 2; and

WHEREAS, the RJSCB approved the award of the general contractor contract to DiPasquale Construction, Inc. ("DCI") for the School 2 project in Phase 2c (Resolution 2017-18: 181); and

WHEREAS, the RJSCB entered into a contract with DCI (Resolution 2017-18: 181) dated May 7, 2018 (the "Contract"), to perform the scope of services defined in the contract documents as the general contractor's scope of work; and

WHEREAS, following the execution of the Contract, DCI, along with The Pike Company (the Construction Manager), and the Program Manager, identified changes in the scope of work, and cost proposals were then obtained for these changes in scope items and provided to the Construction Manager and the Program Manager for review; and

WHEREAS, Change Order #6 includes the following items:

- | | |
|---|--------------|
| 1. IB-15 - Maker Space Column Removal (Structural) | \$1,451.00 |
| 2. IB-18 - Tree Demolition Revisions | (\$2,504.00) |
| 3. IB-16- Grading At Gas Meter, Provide Granite Curbing | \$1,934.00 |
| 4. Per Unit Price #1 : Removal of unsatisfactory soils and replacement with satisfactory material under the Classroom Additional Area "E" | \$23,867.00 |
- The total amount of Change Order #6 is **\$24,748.00**; and

WHEREAS, Change Order #7 includes the following items:

- | | |
|--|------------|
| 1. IB-12 EWC Removals in Corridor (RFI008) | \$1,638.00 |
| 2. IB-25 - Piping Relocation & Chases - Area E | \$2,854.00 |
| 3. RFI044: F1 & F2 and 134A- Toilet Rooms walls, Demolish existing chase wall, Construct New Chase wall and Re-Tile to match | \$4,997.00 |
| 4. RFI063: Remove Existing Flooring & Ceiling in Room 209 - Provide Flooring & Ceiling | \$2,994.00 |
| 5. RFI083 - Resource Room 228 Wall Finishes | \$2,298.00 |
| 6. RFI087-Storm Pipe in in room 156 | \$362.00 |
- The total amount of Change Order #7 is **\$15,134.00**; and

WHEREAS, Change Order #8 includes the following item:

- | | |
|---|-------------|
| 1. IB-22 - Existing Column Locations and Surround | \$18,670.00 |
|---|-------------|
- The total amount of Change Order #8 is **\$18,670.00**; and

WHEREAS, the Construction Manager and the Program Manager believe that the change orders work is necessary, the pricing is appropriate and the Contract Time will not be increased by the foregoing changes; and

WHEREAS, the Program Manager thereafter recommended to the RJSCB's M/WBE and Services Procurement Committee (the "Committee") that DCI's Contract should be amended to add the scope items for an increase in the Contract Sum of \$58,552.00; and

WHEREAS, the Committee considered and discussed the Program Manager's recommendation at its January 3, 2019 meeting and after due deliberation, it approved the request to amend the Contract.

THEREFORE, BE IT RESOLVED:

1. The proposed Change Orders to DCI's Contract between the Board and Contractor dated May 7, 2018 as set forth above are hereby approved; and
2. The RJSCB's Chair is hereby authorized, in the name and on behalf of the RJSCB, to execute the Change Orders to the Contract that are consistent with this approval and in an acceptable form to the Chair upon the advice of the Program Manager and the RJSCB's general counsel.

Second by Board Member Rosiland Brooks-Harris
Approved 5-0

Resolution 2018-19: 101

Change Order #3 to Concord Electric Contract (School 4)

By Board Member: Michael Schmidt

WHEREAS, the Rochester School Facilities Modernization Program Act (“the Act”) established the Rochester Joint Schools Construction Board (“RJSCB” or “Board”), a seven voting member board consisting of equal representation by the City of Rochester (“City”) and the Rochester City School District (“District”), as well as a member jointly selected by the City and the District; and

WHEREAS, under the Act, the RJSCB has certain enumerated powers to act as agent for the District, the City, or both; and

WHEREAS, the authorizing legislation for Phase 2 of the Rochester Schools Modernization Program (“RSMP”) was signed into law by the Governor of the State of New York on December 17, 2014; and

WHEREAS, the amended Act authorized up to 26 projects in Phase 2 of the RSMP including a District Wide Technology program which involves technology upgrades and infrastructure work at several of the possible projects; and

WHEREAS, for Phase 2 of the RSMP, the RJSCB intends to undertake 14 projects for the design, reconstruction, or rehabilitation of existing school buildings for their continued use by the District (collectively, the “Phase 2 Projects”), which have been further defined as Phase 2a, Phase 2b, Phase 2c and Phase 2d, plus a DWT project at each of the Phase 2 school buildings; and

WHEREAS, George Mather Forbes School 4 (“School 4”) is one of the projects included in Phase 2c of the RSMP, as provided in the Phase 2 Master Plan; and

WHEREAS, the RJSCB approved the award of the electrical contractor contract to Concord Electric Corp. (“Concord”) for the School 4 project in Phase 2c (Resolution 2018-19: 24); and

WHEREAS, the RJSCB entered into a contract with Concord (Resolution 2018-19: 24) dated July 13, 2018 (the “Contract”), to perform the scope of services defined in the contract documents as the electrical contractor’s scope of work; and

WHEREAS, following the execution of the Contract, Concord, along with DiMarco Constructors (the Construction Manager), and the Program Manager, identified changes in the scope of work, and cost proposals were then obtained for these changes in scope items and provided to the Construction Manager and the Program Manager for review; and

WHEREAS, Change Order #3 includes the following items:

1. Provide branch circuiting, relocate clocks \$23,371.00

The total amount of Change Order #3 is **\$23,371.00**; and

WHEREAS, the Construction Manager and the Program Manager believe that the change order work is necessary, the pricing is appropriate and the Contract time will not be increased by the foregoing changes; and

WHEREAS, the Program Manager thereafter recommended to the RJSCB’s M/WBE and Services Procurement Committee (the “Committee”) that Danforth’s Contract should be amended to add the scope items for an increase in the Contract Sum of \$23,371.00; and

WHEREAS, the Committee considered and discussed the Program Manager's recommendation at its January 3, 2019 meeting and after due deliberation, it approved the request to amend the Contract.

THEREFORE, BE IT RESOLVED:

1. The proposed Change Order to Danforth's Contract between the Board and Contractor dated July 13, 2018 as set forth above is hereby approved; and
2. The RJSCB's Chair is hereby authorized, in the name and on behalf of the RJSCB, to execute the Change Order to the Contract that are consistent with this approval and in an acceptable form to the Chair upon the advice of the Program Manager and the RJSCB's general counsel.

Second by Board Member Rosiland Brooks-Harris
Approved 5-0

Resolution 2018-19: 102
Change Orders #3 and #11 through #25 to Manning Squires Hennig Contract (John Walton Spencer School 16)

By Board Member Michael Schmidt

WHEREAS, the Rochester School Facilities Modernization Program Act ("the Act") established the Rochester Joint Schools Construction Board ("RJSCB" or "Board"), a seven voting member board consisting of equal representation by the City of Rochester ("City") and the Rochester City School District ("District"), as well as a member jointly selected by the City and the District; and

WHEREAS, under the Act, the RJSCB has certain enumerated powers to act as agent for the District, the City, or both; and

WHEREAS, the authorizing legislation for Phase 2 of the Rochester Schools Modernization Program ("RSMP") was signed into law by the Governor of the State of New York on December 17, 2014; and

WHEREAS, the RJSCB approved the award of the general contractor contract to Manning Squires Hennig, Inc. ("MSH") for the John Walton Spencer School 16 project in Phase 2a (Resolution 2017-18: 27); and

WHEREAS, the RJSCB entered into a contract with MSH (Resolution 2017-18: 27) dated August 21, 2017 (the "Contract"), to perform the scope of services defined in the contract documents as the general contractor's scope of work; and

WHEREAS, following the execution of the Contract, MSH, along with Buffalo Construction Consultants, Inc. (the "Construction Manager"), and the Program Manager, identified changes in the scope of work, and cost proposals were then obtained for these changes in scope items and provided to the Construction Manager and the Program Manager for review; and

WHEREAS, Change Order #3 includes the following item:

1. Helical Piles Classrooms Added Steel/ Shoring \$39,598.00

The total amount of Change Order #3 is **\$39,598.00**; and

WHEREAS, Change Order #11 includes the following item:

1. Area C Existing Chase Demo \$4,944.00
2. TR 117 & 118 Wall Furring and Layout \$1,690.00
3. S100 Ceiling Termination Detail \$563.00

4. North Edge of 1920 Area C Roof \$2,096.00
5. Room 208 Wall Furring \$718.00
6. Room 131 GWB Chase \$515.00
7. Revised RCP Drawings - BIM Coordination \$3,270.00
8. Room 211 & 212 Wall Furring \$1,053.00
9. 2nd Fl. Balcony Rooms Wall Laminating \$7,231.00

The total amount of Change Order #11 is **\$22,410.00**; and

WHEREAS, Change Order #12 includes the following items:

1. Soffit Removal @ New Library \$2,295.00
2. Additional Wood blocking \$2,080.00
3. Area A Existing Concrete Band Demo \$1,054.00
4. Second Fl Corridor W30 Window Detail \$1,280.00
5. Second Fl GWB Soffits Rev RCP \$3,872.00
6. Balcony Rooms Wall Furring \$2,733.00
7. Clean Up/Remove Debris \$2,117.00
8. Second Fl Corridor Soffit & Skylight \$6,869.00
9. Room 211 & 212 Window Soffit Rework \$2,901.00
10. IC4 Vestibule Ceiling Height \$2,553.00

The total amount of Change Order #12 is **\$22,410.00**; and

WHEREAS, Change Order #13 includes the following items:

1. S102 & S202 Tile, Cement Board & Plaster Removal \$13,548.00
2. Cafeteria Window Details \$13,916.00
3. Area A & Attic Smoke Seal Walls \$5,258.00
4. 1st Fl Sprinkler Layout Change \$1,120.00
5. Damaged Ceiling Grid \$1,102.00

The total amount of Change Order #13 is **\$34,944.00**; and

WHEREAS, Change Order #14 includes the following items:

1. Laminate 1ST Fl Office Closets \$6,313.00
2. Frame Type F4 Revisions \$5,050.00
3. Exit 6 Room Cap \$1,457.00
4. Gym/Commons Sprinkler Pipe Paint \$2,932.00
5. Mechanical Room Cleaning \$5,060.00
6. Commons Lighting Drywall \$3,857.00
7. Electrical Penetrations Patching \$4,344.00
8. Damaged to Hardware Floors \$3,577.00
9. Kitchen Equipment \$1,103.00

The total amount of Change Order #14 is **\$33,693.00**; and

WHEREAS, Change Order #15 includes the following items:

1. Housekeeping Pad Rem & Patch Boiler Rm Brick Walls \$16,482.00
2. Area A Expansion Joint Detail \$1,199.00
3. Roof Termination @ Insulation Metals Panels \$1,647.00
4. Patch Existing Concrete Ceiling 1C2 \$8,087.00

5. Rm 114 Tall Cabinet Wardrobe \$101.00
6. OT/PT Ramp Dimensions \$1,125.00
7. Additional Support @ Café Deteriorated Brick \$1,498.00
8. OT/PT Swing Spec \$860.00
9. Commons Clerestory Modifications \$3,232.00

The total amount of Change Order #15 is **\$34,231.00**; and

WHEREAS, Change Order #16 includes the following items:

1. Library Corbel Replacement & Wood Column Fastening \$4,913.00
2. Wall Tile Revisions \$1,175.00
3. Plaster Capital Reproduction \$3,540.00
4. Agency Office 1551 Shaft Enclosure \$949.00
5. Corridor Hardware FI Replacement \$7,395.00
6. Exit 1 Subfloor \$2,032.00
7. Millwork Finishes \$6,320.00
8. Commons Window Trim \$7,688.00

The total amount of Change Order #16 is **\$34,012.00**; and

WHEREAS, Change Order #17 includes the following items:

1. Corridor 1C3 Structural Issue \$7,973.00
2. All in One Table Computer Assembly \$5,188.00
3. Door 5 Soffit \$3,184.00
4. Overhead Door Conflict \$3,900.00
5. Add Corner Guards \$4,447.00
6. Mag Hold Extenders \$1,852.00
7. ECE Door Mag Locations Back Charge \$1,272.00

The total amount of Change Order #17 is **\$27,816.00**; and

WHEREAS, Change Order #18 includes the following items:

1. Additional Infills Window Wall Rm 136-139 \$8,174.00
2. East Elevator Cornice Restoration \$7,813.00
3. Mechanical Rm Conduit Painting Back Charge \$9,684.00

The total amount of Change Order #18 is **\$25,671.00**; and

WHEREAS, Change Order #19 includes the following item:

1. Grout Door Frames \$10,129.00

The total amount of Change Order #19 is **\$10,129.00**; and

WHEREAS, Change Order #20 includes the following items:

2. Room 212 Added Wall Furring \$3,636.00
3. Fan Room FI Repair \$19,397.00
4. Bulk header in Corridor \$874.00
5. Window Opening Demo Room 212 \$3,035.00
6. Wall Panel Roof \$2,059.00

The total amount of Change Order #20 is **\$29,001.00**; and

WHEREAS, Change Order #21 includes the following item:

1. Cafeteria Door Opening Lintel Size \$24,133.00

The total amount of Change Order #21 is **\$24,133.00**; and

WHEREAS, Change Order #22 includes the following item:

1. Sanitary Sewer Line North of Building \$64,238.00

The total amount of Change Order #22 is **\$64,238.00**; and

WHEREAS, Change Order #23 includes the following items:

1. Stairwell Headers \$1,497.00
2. Kiln Rm Wall Type Casework Filler \$441.00
3. Custodian Rm Stairs Add Window Fill \$12,933.00
4. Corridor 1C9 & 1C7 Soffit \$1,135.00
5. Servery 149 to Kitchen 150 Expansion Joint \$1,596.00
6. Roof Transition \$4,100.00
7. Reading Area Column Bases \$3,365.00
8. Room 152A & Cafeteria Ceiling Add \$1,528.00
9. Locker Size & Wall Add \$526.00

The total amount of Change Order #23 is **\$27,121.00**; and

WHEREAS, Change Order #24 includes the following item:

1. Yard Drains & Grades \$21,805.00

The total amount of Change Order #24 is **\$21,805.00**; and

WHEREAS, Change Order #25 includes the following item:

1. Post Ave. Window Pockets - Add GWB \$13,255.00

The total amount of Change Order #25 is **\$13,255.00**; and

WHEREAS, the Construction Manager and the Program Manager believe that the change order work is necessary, the pricing is appropriate and the Contract Time will not be increased by this additional work; and

WHEREAS, the Program Manager thereafter recommended to the RJSCB's M/WBE and Services Procurement Committee (the "Committee") that MSH's Contract should be amended to add these scope items for a total increase in the Contract Sum of \$469,811.00; and

WHEREAS, the Committee considered and discussed the Program Manager's recommendation at its January 3, 2019 meeting and after due deliberation, it approved the request to amend the Contract as set forth herein.

THEREFORE, BE IT RESOLVED:

1. The proposed Change Orders to MSH's Contract between the Board and Contractor dated August 21, 2017 as set forth above is hereby approved; and
2. The RJSCB's Chair is hereby authorized, in the name and on behalf of the RJSCB, to execute the Change Orders to the Contract that is consistent with this approval and in an acceptable form to the Chair upon the advice of the Program Manager and the RJSCB's general counsel.

Second by Board Member Rosiland Brooks-Harris

Approved 5-0

Resolution 2018-19: 103
Approval of Phase III Master Plan

By Board Member Michael Schmidt

WHEREAS, the Rochester School Facilities Modernization Program Act (the “Act”) established the Rochester Joint Schools Construction Board (“RJSCB” or “Board”), a seven voting member board consisting of equal representation by the City of Rochester (“City”) and the Rochester City School District (“District”), as well as a member jointly selected by the City and the District; and

WHEREAS, under the Act, the RJSCB has certain enumerated powers to act as agent for the District, the City, or both; and

WHEREAS, under the Act, the RJSCB has the power to authorize no more than thirteen (13) projects up to a total cost of Three Hundred Twenty-Five Million Dollars (\$325,000,000) through Phase 1 of the Rochester Schools Modernization Program (“RSMP”); and

Whereas, in an effort to prevent a lapse in construction and allow for a seamless transition from Phase I to Phase II of the RSMP and to strengthen oversight, transparency and accountability, the New York State Legislature amended the Act by enacting Chapter 533 of the Laws of 2014, thereby providing alternative financing mechanisms for the reconstruction of up to twenty-six projects for a total cost of \$435,000,000 for Phase II of the RSMP; and

WHEREAS, the authorizing legislation for Phase II of the RSMP was signed into law by the Governor of the State of New York on December 17, 2014; and

WHEREAS, in an effort to prevent a lapse in construction and allow for a seamless transition from Phase II to Phase III of the RSMP, it is anticipated the New York State Legislature will amend the education law, in relation to Phase III of the construction projects undertaken by the RJSCB for the multi-phase reconstruction and modernization of school building projects for the District, thereby providing alternative financing mechanisms for the reconstruction of up to fifteen (15) projects plus a District-Wide Technology project, for a total cost \$615,000,000 for Phase III; and

WHEREAS, Chapter 533 of the Laws of 2014 requires that the Board of Education of the District approve and submit to the RJSCB a comprehensive draft plan recommending and outlining the projects for Phase III that it proposes to be undertaken pursuant to the Act (“Phase III Master Plan”); and

WHEREAS, the RJSCB, working with the District, has selected fifteen (15) existing school building sites listed below for modernization in the Phase III Master Plan:

<u>FMP Project</u>	<u>Swing Space Location</u>	<u>Duration</u>
Monroe Campus	Not Required	2019 - 2023
The Flower City School 54	Not Required	2020 - 2021
Abraham Lincoln School 22	Not Required	2020 - 2021
Marshall Campus	Not Required	2019 – 2020
Dr. Freddie Thomas Learning Center	Not Required	2019 – 2020
Jefferson Campus	Not Required	2020 - 2021
Franklin Campus	Not Required	2019 - 2021
Adlai E. Stevenson School 29	Dr. Freddie Thomas Learning Center (625 Scio Street)	2019 – 2022
Douglas Campus (940 Fernwood Park)	Marshall Campus (180 Ridgeway Avenue)	2019 – 2024
East Upper/Lower School	Not Required	2020 – 2023
Dr. Charles T. Lunsford School No. 19	Jefferson Campus (1 Edgerton Park)	2021 – 2024

Edison Campus (655 Colfax Street)	Franklin Campus (950 Norton Street)	2020 – 2025
Nathaniel Rochester Community School No. 3	Dr. Freddie Thomas Learning Center (625 Scio Street)	2022 – 2025
Dr. Martin Luther King School No. 9	Jefferson Campus (1 Edgerton Park)	2022 – 2026
Wilson Commencement	Marshall Campus (180 Ridgeway Avenue)	2022 - 2026

WHEREAS, Phase III Master Plan was turned over to the District for review, public comment and approval by the Board of Education of the District; and

WHEREAS, the District’s Board of Education, at its December 20, 2018 meeting, approved the Phase III Master Plan subject to: (a) its review and approval by the State Comptroller; (b) its review and approval by the New York State Education Department; and (c) the State Legislature’s granting of an exception to the single Maximum Cost Allowance (MCA) allocation with a five year reset period (BOE Resolution 2018-19: 534); and

WHEREAS, the Phase III Master Plan was considered and discussed by the RJSCB at its January 3, 2018 M/WBE and Services Procurement Committee (the “Committee”) meeting and after due deliberation, the Committee approved the Phase III Master Plan in the form presented to the Committee.

THEREFORE, BE IT RESOLVED:

1. The RJSCB hereby approves the Phase III Master Plan in the form presented.
2. The RJSCB shall distribute the Phase III Master Plan to the New York State Office of the State Comptroller and the New York State Education Department.
3. The members and staff of the RJSCB are hereby authorized and directed for and on behalf of the RJSCB and in its name to do all acts and things required or as may be necessary, or in the opinion of the person so acting, desirable and proper to effect the purposes of the foregoing resolutions and to cause compliance by the RJSCB with all of the provisions of the foregoing resolutions.
4. Nothing herein commits the RJSCB, the New York State Office of the State Comptroller or the New York State Education Department to commence in, engage in, fund or to approve any action.

Second by Board Member Rosiland Brooks-Harris
Approved 5-0

Resolution 2018-19: 104
Pay Requisition Summary Acceptance (December 2018)

By Board Member Michael Schmidt

WHEREAS, the Rochester School Facilities Modernization Program Act (“School Modernization Act”) established the Rochester Joint Schools Construction Board (“RJSCB” or “Board”), a seven voting member board consisting of equal representation by the City of Rochester (“City”) and the Rochester City School District (“District”), as well as a member jointly selected by the City and the District; and

WHEREAS, under the School Modernization Act, the RJSCB has certain enumerated powers to act as agent for the District, the City, or both; and

WHEREAS, the RJSCB developed a pay requisition approval procedure with input from its Counsel, the M/WBE and Services Procurement Committee, members of the accounting department of Rochester City School District, and the RJSCB's independent auditing firm; and

WHEREAS, the RJSCB, at its regular monthly meeting on September 12, 2011, adopted the pay requisition approval procedure (Resolution 2011-12: 23) ("Pay Requisition Approval Procedure"); and

WHEREAS, the RJSCB, at its regular monthly meeting on September 10, 2012, revised the Pay Requisition Approval Procedure (Resolution 2012-13: 37) to include the Trustee as paying agent for construction related payments; and

WHEREAS, the RJSCB, at its regular monthly meeting on April 7, 2014, revised the Pay Requisition Approval Procedure (Resolution 2013-14: 257) to include discussion of the Pay Requisition Summary by the Finance Committee and certain verification activities by the Program Manager following each monthly Board meeting; and

WHEREAS, the RJSCB, at its regularly monthly meeting on January 17, 2017, revised the Pay Requisition Approval Procedure (Resolution 2016-17: 118) to add certain additional internal controls to assist the RJSCB by clarifying duties in absence of an Executive Director and by providing additional internal controls; and

WHEREAS, the COMIDA issued bond proceeds for the Rochester Schools Modernization Program ("RSMP") Phase 1a projects were deposited in the Trustee's account on June 20, 2012; and

WHEREAS, the COMIDA issued bond proceeds for the RSMP Phase 1b projects were deposited in the Trustee's account on June 6, 2013; and

WHEREAS, the COMIDA issued bond proceeds for the RSMP Phase 1c projects were deposited in the Trustee's account on February 4, 2015; and

WHEREAS, Excel Aid funding associated with the RSMP is currently in the final stages of review and certification by the Dormitory Authority of the State of New York ("DASNY"); and

WHEREAS, the intended purpose of the Excel Aid funding is to partially pay for costs associated with the design and/or construction of certain Phase 1a projects; and

WHEREAS, due to the late timing of the DASNY certification process for the Excel Aid, if necessary, the District has decided to establish and fund a special account for the RSMP ahead of the completion of the DASNY certification process to pay for certain invoices associated with the Phase 1a projects; and

WHEREAS, the District will be reimbursed for any payments made after the DASNY certification process has been completed and the Excel Aid funds are released; and

WHEREAS, in order to avoid a year delay in the start of Phase 2 construction at East High School, Monroe High School, and School 15 (the "Early Start Projects"), the District has advanced funds to the RSMP for Phase 2; and

WHEREAS, it is understood by the District, the City, and the RJSCB that the funds advanced by the District would be reimbursed by the City as soon as possible through a Bond Anticipation Note ("BAN") against the City's debt limit; and

WHEREAS, the District's counsel prepared a Board of Education ("BOE") resolution to authorize the advance of the funds based on the full faith and credit of the City (BOE Resolution 2014-15: 627); and

WHEREAS, a future BAN provided by the City would reimburse the funds advanced by the District for the design work associated with the Early Start Projects, as well as provide the interim financing necessary to begin other Phase 2 project designs and to engage other professional service firms to begin Phase 2 planning and coordination work; and

WHEREAS, the closing for the City BAN took place on August 9, 2016 for the amount of \$32,000,000; and

WHEREAS, the District, the City and the RJSCB have executed a memorandum that sets forth the understanding that the District will advance funds to the RSMP for the payment of the expenses for the Early Start Projects and that the City will reimburse the District for these amounts through the BAN proceeds; and

WHEREAS, the COMIDA issued bond proceeds for the RSMP Phase 2a projects were deposited in the Trustee's account on August 2, 2017; and

WHEREAS, the City was reimbursed for its BAN from the Phase 2 bond proceeds on or about August 2, 2017; and

WHEREAS, the COMIDA issued bond proceeds for the RSMP Phase 2 projects were deposited in the Trustee's account on August 1, 2018; and

WHEREAS, the Program Manager, Independent Compliance Officer and RJSCB Chair have reviewed the individual pay applications from each of the consultants, contractors and suppliers for accuracy and completeness; and

WHEREAS, the Program Manager forwarded the regular monthly Pay Requisition Summary (attached to this Resolution) totaling \$14,198.52, including all invoices to be paid by the Trustee using bond proceeds and those invoices to be paid by the District using other funding, to the RJSCB Chair with copy to the full Board on December 28, 2018; and

WHEREAS, the Program Manager forwarded the Phase 2 monthly Pay Requisition Summary (attached to this Resolution) totaling \$8,373,099.37, including all invoices to be paid by the Trustee using bond proceeds and those invoices to be paid by the District using other funding, to the RJSCB Chair with copy to the full Board on December 28, 2018; and

WHEREAS, the RJSCB Chair approved the regular monthly Pay Requisition Summary and the Phase 2 monthly Pay Requisition Summary on or about December 10, 2018; and

WHEREAS, the RJSCB's Phase 1 and Phase 2 Program Managers reviewed the regular monthly Pay Requisition Summary and the Phase 2 monthly Pay Requisition Summary with the RJSCB's Finance Committee at its meeting on January 3, 2018.

THEREFORE, BE IT RESOLVED:

1. The Rochester Joint Schools Construction Board hereby accepts the regular monthly Pay Requisition Summary for the month of December 2018 in the amount stated above and the Phase 2 monthly Pay Requisition Summary for the month of December 2018 in the amount stated above and as shown in the Summary sheets attached to this Resolution.

Second by Board Member Rosiland Brooks-Harris

Approved 5-0

Resolution 2018-19: 105

Acceptance of 2017-2018 Financial Audit

By Board Member Michael Schmidt

WHEREAS, the Rochester School Facilities Modernization Program Act ("the Act") established the Rochester Joint Schools Construction Board ("RJSCB" or "Board"), a seven voting member board consisting of equal representation by the City of Rochester ("City") and the Rochester City School District ("District"), as well as a member jointly selected by the City and the District; and

WHEREAS, under the Act, the RJSCB has certain enumerated powers to act as agent for the District, the City, or both; and

WHEREAS, the RJSCB's General Counsel recommended to the RJSCB's M/WBE and Services Procurement Committee (the "Committee") that a Financial Audit of the RJSCB's financial commitments, obligations, and internal controls be performed on an annual basis; and

WHEREAS, the RJSCB's Treasurer recommended that the RJSCB participate with the City and the District in a Request for Proposals ("RFP") by the City for financial auditing services, beginning 2012-2013 (Resolution 2012- 2013: 123); and

WHEREAS, the RJSCB is considered a blended component of the District's budget which is a part of the overall City's budget, and there are efficiencies in having the same firm perform the RJSCB's, the District's, and the City's annual financial audits; and

WHEREAS, the RJSCB's Executive Director worked with the RJSCB's general counsel, the City, and the District to coordinate appropriate language to be included in the City's RFP document; and

WHEREAS, the RJSCB's portion of the RFP was bid as a separate line item so that the RJSCB could review the cost and determine if its audit should be included in the final award of the financial auditing services; and

WHEREAS, the City received three proposal responses to the RFP on the date specified in the RFP, and promptly provided copies to the RJSCB's Executive Director for review; and

WHEREAS, the City, the District, and the RJSCB participated in a proposal review meeting on March 22, 2013, where details of each proposal were discussed along with the qualifications of each firm; and

WHEREAS, the RJSCB's Executive Director recommended to the Committee on March 28, 2013, that the RJSCB support the City and District's decision to award based on the merits and qualifications of the best firm, although it may mean that the specific pricing included for the RJSCB's work may not be the lowest price; and

WHEREAS, the City and District identified the firm Freed Maxick & Battaglia as the most qualified firm to provide the requested financial auditing services, and the RJSCB accepted the City's recommendation to award the contract to Freed Maxick & Battaglia (Resolution 2012-2013: 164); and

WHEREAS, Freed Maxick & Battaglia has now completed the financial audit report (the "Report") for the time period ending June 30, 2018 (attached to this resolution), and the RJSCB's Executive Director and its General Counsel have reviewed and considered the Report; and

WHEREAS, the RJSCB's Executive Director has recommended to the RJSCB that it accept the Report, and the RJSCB discussed the recommendation and considered the Report at its Finance Committee meeting on January 3, 2019 and its regular Board meeting on January 7, 2019.

THEREFORE, BE IT RESOLVED:

1. The RJSCB hereby accepts the 2017-2018 Financial Audit Report in the form attached to this Resolution.

Second by Board Member Rosiland Brooks-Harris
Approved 5-0

Resolution 2018-19: 106
Transfer of Attorney General Settlement Funds – Tabled

Resolution 2018-19: 107

Amendments to The Pike Company Contracts (CM – Monroe, DFTLC and School Without Walls)

By Board Member Tom Richards

WHEREAS, the Rochester School Facilities Modernization Program Act (“School Modernization Act”) established the Rochester Joint Schools Construction Board (“RJSCB” or “Board”), a seven voting member board consisting of equal representation by the City of Rochester (“City”) and the Rochester City School District (“District”), as well as a member jointly selected by the City and the District; and

WHEREAS, under the School Modernization Act, the RJSCB has certain enumerated powers to act as agent for the District, the City, or both; and

WHEREAS, the authorizing legislation for Phase 2 of the Rochester Schools Modernization Program (“RSMP”) was signed into law by the Governor of the State of New York on December 17, 2014; and

WHEREAS, the amended School Modernization Act authorized up to 26 projects in Phase 2 of the RSMP including a District Wide Technology program which involves technology upgrades and infrastructure work at several of the possible projects; and

WHEREAS, Phase 2 includes, but is not limited to, the following projects: Monroe High School Phase 2a (“Monroe 2a”), Monroe High School Phase 2b (“Monroe 2b”), School Without Walls (“SWW”), and Dr. Freddie Thomas Learning Center (“DFTLC”); and

WHEREAS, the RJSCB selected The Pike Company (“Pike” or the “Construction Manager”) to provide construction management services for the SWW project in December 2016 as part of Phase 2b of RSMP (Resolution 2016-17: 90), and the parties thereafter entered into the Agreement between the RJSCB and Construction Manager dated December 13, 2016 (the “SWW Agreement”); and

WHEREAS, the RJSCB selected Pike to provide construction management services for the DFTLC project in December 2016 as part of Phase 2b of RSMP (Resolution 2016-17: 90), and the parties thereafter entered into the Agreement between the RJSCB and Construction Manager dated December 13, 2016 (the “DFTLC Agreement”); and

WHEREAS, the RJSCB selected Pike to provide construction management services for the Monroe 2a and Monroe 2b projects in January 2017 as part of Phase 2a and Phase 2b of RSMP (Resolution 2016-17: 112), and the parties thereafter entered into the Agreement between the RJSCB and Construction Manager dated January 17, 2017 (the “Monroe Agreement”); and

WHEREAS, subsequent to the execution of the SWW Agreement, the construction phase was extended beyond the period established in the SWW Agreement, and the Program Manager has received and reviewed Pike’s proposal for additional services compensation for the extension of the construction phase for the SWW project; and

WHEREAS, the Program Manager recommended to the RJSCB that the SWW Agreement should be amended to add the not-to-exceed amount of \$103,189.94 for additional services compensation for the extension of the construction phase for the SWW project; and

WHEREAS, subsequent to the execution of the Monroe Agreement, the construction phase was extended beyond the period established in the Monroe Agreement, and the Program Manager has received and reviewed Pike’s proposal for additional services compensation for the extension of the construction phase for the Monroe 2a and Monroe 2b projects; and

WHEREAS, the Program Manager recommended to the RJSCB that the Construction Manager's Agreement should be amended to add the not-to-exceed amount of \$476,346.00 for additional services compensation for the extension of the construction phase for the Monroe 2a and Monroe 2b projects; and

WHEREAS, the DFTLC project is substantially complete and the Program Manager has completed its reconciliation of all invoices for the Construction Manager's services pursuant to the DFTLC Agreement resulting in an unexpended allowance balance in the amount \$34,182.14; and

WHEREAS, the RJSCB considered and discussed the Program Manager's recommendations at its January 7, 2019 meeting to (i) increase the SWW Agreement by the not-to-exceed amount of \$103,189.94, (ii) increase the Monroe Agreement by the not-to-exceed amount of \$476,346.00, and (iii) reduce the DFTLC Agreement by the amount of \$34,182.14, and after due deliberation, the RJSCB approved the request to amend said Agreements as set forth herein.

THEREFORE, BE IT RESOLVED:

1. The proposed amendment to the SWW Agreement between the RJSCB and Construction Manager dated December 13, 2016, as set forth above is hereby approved, increasing the total amount of the Agreement by the sum of \$103,189.94; and
2. The proposed amendment to the Monroe Agreement between the RJSCB and Construction Manager dated January 17, 2017, as set forth above is hereby approved, increasing the total amount of the Monroe Agreement by the sum of \$476,346.00; and
3. The proposed amendment to the DFTLC Agreement between the RJSCB and Construction Manager dated December 13, 2016, as set forth above is hereby approved, decreasing the total amount of the DFTLC Agreement by the sum of \$34,182.14; and
4. The RJSCB's Chair is hereby authorized, in the name and on behalf of the RJSCB, to execute amendments to the above-referenced Agreements that are consistent with this approval and in an acceptable form to the Chair upon the advice of the RJSCB's general counsel.

Second by Board Member Norman Jones
Approved 4-1 with Member Cruz away

Resolution 2018-19: 107
Amendments to The Pike Company Contracts (CM – Monroe, DFTLC and School Without Walls)

By Board Member Tom Richards

WHEREAS, the Rochester School Facilities Modernization Program Act ("School Modernization Act") established the Rochester Joint Schools Construction Board ("RJSCB" or "Board"), a seven voting member board consisting of equal representation by the City of Rochester ("City") and the Rochester City School District ("District"), as well as a member jointly selected by the City and the District; and

WHEREAS, under the School Modernization Act, the RJSCB has certain enumerated powers to act as agent for the District, the City, or both; and

WHEREAS, the authorizing legislation for Phase 2 of the Rochester Schools Modernization Program ("RSMP") was signed into law by the Governor of the State of New York on December 17, 2014; and

WHEREAS, the amended School Modernization Act authorized up to 26 projects in Phase 2 of the RSMP including a District Wide Technology program which involves technology upgrades and infrastructure work at several of the

possible projects; and

WHEREAS, Phase 2 includes, but is not limited to, the following projects: Monroe High School Phase 2a (“Monroe 2a”), Monroe High School Phase 2b (“Monroe 2b”), School Without Walls (“SWW”), and Dr. Freddie Thomas Learning Center (“DFTLC”); and

WHEREAS, the RJSCB selected The Pike Company (“Pike” or the “Construction Manager”) to provide construction management services for the SWW project in December 2016 as part of Phase 2b of RSMP (Resolution 2016-17: 90), and the parties thereafter entered into the Agreement between the RJSCB and Construction Manager dated December 13, 2016 (the “SWW Agreement”); and

WHEREAS, the RJSCB selected Pike to provide construction management services for the DFTLC project in December 2016 as part of Phase 2b of RSMP (Resolution 2016-17: 90), and the parties thereafter entered into the Agreement between the RJSCB and Construction Manager dated December 13, 2016 (the “DFTLC Agreement”); and

WHEREAS, the RJSCB selected Pike to provide construction management services for the Monroe 2a and Monroe 2b projects in January 2017 as part of Phase 2a and Phase 2b of RSMP (Resolution 2016-17: 112), and the parties thereafter entered into the Agreement between the RJSCB and Construction Manager dated January 17, 2017 (the “Monroe Agreement”); and

WHEREAS, subsequent to the execution of the SWW Agreement, the construction phase was extended beyond the period established in the SWW Agreement, and the Program Manager has received and reviewed Pike’s proposal for additional services compensation for the extension of the construction phase for the SWW project; and

WHEREAS, the Program Manager recommended to the RJSCB that the SWW Agreement should be amended to add the not-to-exceed amount of \$103,189.94 for additional services compensation for the extension of the construction phase for the SWW project; and

WHEREAS, subsequent to the execution of the Monroe Agreement, the construction phase was extended beyond the period established in the Monroe Agreement, and the Program Manager has received and reviewed Pike’s proposal for additional services compensation for the extension of the construction phase for the Monroe 2a and Monroe 2b projects; and

WHEREAS, the Program Manager recommended to the RJSCB that the Construction Manager’s Agreement should be amended to add the not-to-exceed amount of \$476,346.00 for additional services compensation for the extension of the construction phase for the Monroe 2a and Monroe 2b projects; and

WHEREAS, the DFTLC project is substantially complete and the Program Manager has completed its reconciliation of all invoices for the Construction Manager’s services pursuant to the DFTLC Agreement resulting in an unexpended allowance balance in the amount \$34,182.14; and

WHEREAS, the RJSCB considered and discussed the Program Manager’s recommendations at its January 7, 2019 meeting to (i) increase the SWW Agreement by the not-to-exceed amount of \$103,189.94, (ii) increase the Monroe Agreement by the not-to-exceed amount of \$476,346.00, and (iii) reduce the DFTLC Agreement by the amount of \$34,182.14, and after due deliberation, the RJSCB approved the request to amend said Agreements as set forth herein.

THEREFORE, BE IT RESOLVED:

1. The proposed amendment to the SWW Agreement between the RJSCB and Construction Manager dated December 13, 2016, as set forth above is hereby approved, increasing the total amount of the Agreement by the sum of \$103,189.94; and

2. The proposed amendment to the Monroe Agreement between the RJSCB and Construction Manager dated January 17, 2017, as set forth above is hereby approved, increasing the total amount of the Monroe Agreement by the sum of \$476,346.00; and
3. The proposed amendment to the DFTLC Agreement between the RJSCB and Construction Manager dated December 13, 2016, as set forth above is hereby approved, decreasing the total amount of the DFTLC Agreement by the sum of \$34,182.14; and
4. The RJSCB's Chair is hereby authorized, in the name and on behalf of the RJSCB, to execute amendments to the above-referenced Agreements that are consistent with this approval and in an acceptable form to the Chair upon the advice of the RJSCB's general counsel.

Second by Board Member Norman Jones

Approved 4-1 with Member Cruz away

Resolution 2018-19: 108

Amendment #2 to LaBella Associates, D.P.C. Agreement (Phase 1) By Board

Member Tom Richards

WHEREAS, the Rochester School Facilities Modernization Program Act ("the Act") established the Rochester Joint Schools Construction Board ("RJSCB" or "Board"), a seven voting member board consisting of equal representation by the City of Rochester ("City") and the Rochester City School District ("District"), as well as a member jointly selected by the City and the District; and

WHEREAS, under the Act, the RJSCB has certain enumerated powers to act as agent for the District, the City, or both; and

WHEREAS, the authorizing legislation for Phase 2 of the Rochester Schools Modernization Program ("RSMP") was signed into law by the Governor of the State of New York on December 17, 2014 (the "Amended Act"); and

WHEREAS, the RJSCB approved the selection of LaBella Associates, D.P.C. ("LaBella") as the Commissioning Agent for the Monroe High School project in Phase 1 of the RSMP (Resolution 2012-13: 67); and

WHEREAS, the RJSCB entered into an agreement with LaBella (Resolution 2012-13: 67) dated November 5, 2012, entitled Agreement Between Board and Consultant (the "Agreement"); and

WHEREAS, LaBella has completed its services under the Agreement and the Program Manager has completed its reconciliation of all invoices for these services resulting in an unused reimbursable allowance balance remaining in the amount of \$2,800.00; and

WHEREAS, the Program Manager thereafter recommended to the RJSCB's M/WBE and Services Procurement Committee (the "Committee") that LaBella's Agreement should be amended to reduce the contract sum by \$2,800.00 for the unused reimbursable expenses allowance; and

WHEREAS, the Committee considered and discussed the Program Manager's recommendation at its January 3, 2019 meeting to reduce LaBella's Agreement amount by \$2,800.00, and after due deliberation, it approved the request to amend the Agreement as set forth above.

THEREFORE, BE IT RESOLVED:

1. The proposed amendment to the Agreement between Board and Consultant dated November 5, 2012, as set forth above is hereby approved, reducing the total amount of the Agreement by \$2,800.00; and
2. The RJSCB's Chair is hereby authorized, in the name and on behalf of the RJSCB, to execute an amendment to the LaBella Agreement that is consistent with this approval and in an acceptable form to the Chair upon the advice of the Program Manager and the RJSCB's general counsel.

**Second by Board Member Norman Jones Approved 5-0
with Member Cruz away**

Communications

The Compliance Report from Baker Tilly is included in the Members packets and was reviewed by ICO Brian Sanvidge.

Phase 1:

- 100.00% submissions for the November 2018 reporting period.
- 97.91% of all data requested has been received and approved (April 2011 through August 2018).
- Overall Workforce (EEO) Participation: Minority @ 22.88% (goal is 20%) and Women @ 7.22% (goal is 6.9%).
- Overall Business Participation: Minority @ 15.74% (goal is 15%), Women @ 7.42% (goal is 5%), Small @ 3.77% (goal is 5%) and Disadvantaged @ 2.33% (goal is 2%).
- Rochester Residents: 0 of the 8 workers for the August 2018 reporting period (or 0%). The average Rochester Resident workforce (construction) from inception (April 2011 through August 2018) is 27.22%.

Phase 2:

- 88.59% submissions for the November 2018 reporting period.
- 92.94% of all data requested has been received and approved (January 2016 through November 2018).
- Overall Workforce (EEO) Participation: Minority @ 26.57% (goal is 22%) and Women @ 6.78% (goal is 8%).
- Overall Business Participation: Minority @ 23.87% (goal is 17%), Women @ 11.41% (goal is 10%), Small @ 3.28% (goal is 3%) and Disadvantaged @ 2.18% (goal is 3%).
- Rochester Residents: 112 of the 388 workers for the November 2018 reporting period (or 28.87%).

The Phase 2 Monthly Report is included in the Members packets and was reviewed by Program Director Pépin Accilien.

JAMES MONROE HIGH SCHOOL 2a/2b:

- o Phase 2a owner generated punch list work continues.
- o Phase 2a record documents are complete and in the possession of RSMP.

- o Phase 2b punch list work continues due to delays in material procurement. Punch list completion is scheduled for 2/25/19 with the exception of the Brise Soleil precast remedial work that may extend into Spring 2019.
- o Additional Phase 2b Change Order work will continue through March 2019
- o The existing sanitary sewer lateral serving the new kitchen is damaged and will require a section to be replaced at the loading dock area.

VIRGIL I. GRISSOM SCHOOL NO. 7:

- o Resolving warranty issue with Exit 3 door hardware. Waiting on parts.
- o Acoustical screening design is underway.
- o Looking into providing operable windows in the gymnasium.

- o PC contract is in process of being closed out.
- o GC and MC contracts remain open in order to complete the acoustical screening of the roof mounted equipment and motorized window openers in the Gymnatorium.
- o EC contract will remain open due to outstanding warranty issues with data installation, and electrical needs for operable windows in Gym.

EAST UPPER AND LOWER SCHOOLS:

- o PM, CM, Canon Design and Vargas to meet with EPO to finalize new furniture for project 1/29/19.
- o EPO requested Change Order to create Dental Lab is being designed by Cannon Design, with all collateral expenses via Community School Grant. Canon Design confirmed delivery of the revised construction documents by end of month January 2019.
- o Construction continues in D-Wing West, Collaboratorium and throughout Basement
- o Current Construction activities are the following:
 - Demolition continues D-Wing West 3rd, 2nd and 1st Floors. MEP rough-in continues.
 - RSMP authorized GC to proceed with EPO request to “re-laminate” Classroom walls following removal of chalk boards & tack boards (i.e. “hockey pucks”) that left extensive damage-vs-Bid Base Scope to “Patch/Repair.” Change Order is saving time and providing a much better/smoothed finished product in D-Wing. CM is negotiating final cost of change for remaining classrooms (D-Wing E and F-Wing). PM will forward final cost of C/O for approval upon receipt from the CM. Similarly, EPO requested complete removal of existing scratched/defaced sandstone window sills (hundreds): CM pricing potential Change Order for consideration. GC and Canon Design are reviewing acceptable solutions.
 - Collaboratorium – Floor leveling via foam block and concrete now completed. Demolition of exterior wall for new storefront complete. Additional ACM discovered within wall construction (waterproofing membrane): CM submitted Change Order for approval upon receipt from the CM.

JOHN WALTON SPENCER SCHOOL NO. 16:

- o ECE contract electrical work is projected to be complete end January 2019 delaying project close out until March 2019.
- o ECE payments have been suspended until interim lien waiver requirements per contract are met.
- o Day Automation and Northeast Technologies work is complete except for installation of one light fixture due 5Feb19.
- o The bonding company has been making some payments owed by ECE directly to the IBEW. ECE subcontractors continue to call RSMP about payments.
- o ECE and the bonding company were sent formal notices that due to ECE delay of the project and associated issues, additional costs are being incurred by the project team, as well as legal costs and back charges to ECE for damages to building finishes, cleaning and repurchase of lost or damaged ECE materials.

- o The project team met with ECE for a fourth time on 24Feb19 to negotiate Change Orders, back charges and the costs caused by their inability to complete their contract work and the delay of the job past the August 2018 substantial completion date.
- o A follow up teleconference will take place week of 28Jan19 and any unresolved issues will be forwarded to the Bonding Company for resolution.

THE CHILDREN'S SCHOOL OF ROCHESTER SCHOOL NO. 15:

- o Installation of river rock to occur during Spring 2019 as soon as weather permits.
- o PM requested punch list items be complete by January 2019. CM and Architect to verify final completion of punch list.
- o Additional work requested by Owner will continue through Spring 2019.

SCHOOL WITHOUT WALLS COMMENCEMENT ACADEMY:

- o Radius wall Change Order to add signage and EIFS will begin in May 2019
- o Testing and Balancing (TAB) is complete, commissioning report from Erdmann Anthony is due at the end of February 2019.
- o Punch List reissued by the Architect with additional items where work was not completed at the time of the initial punch list. Final punch list completion by 25Feb19
- o Installation of additional intrusion and security devices completed.

DR. FREDDIE THOMAS LEARNING CENTER:

Phase 2b.2 - Mechanical Equipment Replacement:

- Close out documents received from CM and reviewed. Record (conformed) drawings and documents being reviewed by the A/E and RSMP prior to turnover to the School District.
- o All Change Orders sent to SED for approval.

EDISON TECHNOLOGY CAMPUS:

- o Phase B (makerspace/art classrooms/TV studio) reconstruction continues.
 - Substantial completion remains on schedule
- o Stairwell door/frame/hardware replacement
 - This work has commenced and proceeds on second shift.
- o O&M Manual compilation is underway with all primes. Submission to CM has commenced.
- o Heavy equipment stored at Edison Tech will be delivered to RCSD's auctioneer as soon as location is identified. Waiting for RCSD Facilities to inform the RSMP's move manager where to deliver the equipment.

CLARA BARTON SCHOOL NO. 2:

- o Air Conditioning CO valued at \$269k has been recommended for RJSCB approval. Due to a depleted construction contingency, additional monies may be required to capture the added cost for A/C.
- o Revised sewer easement and grant language is at City of Rochester for final review. Awaiting a comment on status from City legal counsel.
- o Steel erection in the two-story classroom addition is delayed by four weeks due to masonry delays. Overall project is still on schedule.

- o Mid-year occupancy discussion at RCSD needs to be finalized in March 2019 to allow for FF&E procurement and delivery in November 2019 if a mid-year occupancy is desired.
- o Renovations in area A, C, and D continue.
- o Added scope and changes continue to affect schedule and budget. Overall impact is budgetary as the updated schedule still reflects an on-time completion of 29Nov19.

GEORGE MATHER FORBES SCHOOL NO. 4:

- o Regional Associate raised new issues with the Instructional Space Review form and narrative that have already been approved. Waiting for additional information and specifics of the concern prior to setting a meeting with RCSD's Special Ed Executive Director to review and resolve issues if any.
- o Main Office redesign and additional parking lot design are in process.
- o Interior restoration continues on schedule.
- o Design solution for the dimensional discrepancy in structural steel layout has been issued. The steel subcontractor will have materials fabricated and be ready to start erection in 2 weeks. This issue is approximately 4 weeks late but with available float time, this does not appear to affect the overall schedule.
- o Project acceleration plan is being developed for possibility of completion by September 2019. Cost impacts are being developed but the steel delay will affect an acceleration plan, making it more difficult and expensive to achieve.

ABRAHAM LINCOLN SCHOOL NO. 22:

- o Current activities:
 - Area D (Kitchen/Classroom addition) –Roofing is complete. MEP rough-in continues, framing continues in existing classrooms.
 - Area C (Classrooms and new add at SW Corner of Upper Falls and Hudson). CMU Exterior wall erection. Structural Steel under way with metal decking to follow. MEP rough-in ongoing.
 - Areas A & B – MEP rough-in ongoing. Framing underway in existing classrooms.
 - Crawl Space – MEP rough-in is complete.
- o Critical issues:
 - Continue progress with structural steel and metal decking in additions ~~Areas~~ Areas-C in preparation for interior MEP terminations and finishes.
 - Receive CD documents for Air Conditioning in assembly spaces from Design team.
- o PM/CM requested a proposal from MC to install required chiller piping throughout the building to accommodate A/C and maintain schedule while CD are being finalized. A ccd will be issued to perform this work with formal change order to follow.

DR. WALTER COOPER ACADEMY SCHOOL NO. 10:

- o Bids received on 24Jan19 and being analyzed. De-scoping low bidders on 29Jan19 in order to recommend award at the 11Feb19 board meeting.
- o Whole building Air Conditioning will be included in the base bid.
- o The project schedule has been revised with SED review in December 2018, bidding 20Dec2018 through 24Jan2019. Award scheduled for 11FEB19 at the RJSCB meeting with construction to start early March 2019 and completion by end June 2020.

- o The estimate showed the project over budget due to market conditions and added scope (i.e. whole building Air Conditioning). At the review of CM estimate at the 11DEC18 OACM meeting, some scope revisions were selected to get the project closer to the budget and still meet program requirements.

THE FLOWER CITY SCHOOL NO. 54:

- o A/E (LaBella) and RSMP staff have addressed additional comments on the Instruction Space Reviews and other SED Forms raised by the SED Project Manager and currently await approval to award contracts.
- o A/E (LaBella) and RSMP team coordinating test fit for School 54 at Jefferson.
- o Principal to be made aware of Program Change to 2-Strand by RSCD Leadership.
- o RCSD to provide Letter of Interest to the City of Rochester Real Estate Department for potential property acquisitions neighboring School 54 for full Site Enhanced design.
- o Project Schedule:
 - o SED Approval - Pending
 - o Bid Advertisement - 1/9/19
 - 1st Walk Thru held 1/16/19
 - 2nd Walk Thru Scheduled 2/13/19
 - o Bid Opening -Moved to 3/5/19
 - o Construction Start - Summer (June) 2019
 - o Construction Completion – July 2020
 - o SED Project Close-Out Submission – Oct 2020
 - o Review/Complete Warranty 2021

DISTRICT WIDE TECHNOLOGY:

- o Additional exterior security cameras and door access control equipment installed at School Without Walls by Avarus. Power to the access controls to be furnished by RCSD.
- o Punch-list items and “Day-2” requests from re-opened 2a/b schools are ongoing
- o Six (6) DWT mini-bids for Phase 2 schools #4, #22, Edison, and East to be opened on 31Jan19.
- o Working on acceleration of equipment delivery to Edison to meet early completion schedule.

DISTRICT STANDARDS UPDATE:

- o Second Primavera database audit with the Phase 2c schools’ Construction Managers conducted on 09 and 10 January 2019 at sites. Dean Sproch from Savin Engineers’ Pleasantville, NY office facilitated audits. Improvement realized, although follow-up on deficiencies continues.
- o Closeout paperwork for newly re-opened schools being gathered. Plan to finish Dr. Freddie Thomas by 31 January 2019 for turnover to RCSD Facilities.
- o RCSD Door Hardware Standards are being updated per recent work/dialogue with District. Schools 10 and 54, currently out for bid, have changes implemented in bid documents. Currently working with District to resolve implementation of vandal-resistant locksets at East HS.

BUSINESS OPPORTUNITIES PROGRAM:

- o Instructional Series Cycle 5 Completion Ceremony held on 9Jan19, 5:30PM @ Children's School #15
- o Estimating Seminar (Part 1) was held on 16Jan19, @ Children's School #15. The Pike Company provided instruction. About 45 attendees
- o The next RSMP/RCSD Communications Committee meeting is being scheduled for 4 or 5Feb19 at the RCSD Administration Building. Agenda will be public communications in response to RSMP schools recently identified on NYSED sanctions list: 7, 10, 16, 19, 28, Edison, East, Monroe
- o The Estimating Seminar (Part 2), will occur 30Jan19, 5:00PM at the RSMP office. LeChase Construction will provide instruction.

PHASE 3 STRATEGIC PLANNING PROGRESS:

- o Final draft of legislation and a PLA for Phase 3 being reviewed by City Hall. Discussed alternative financing to cover local share for a sports complex near John Williams School 5 with City Hall. A draft letter of support was sent to the Governor.
- o RSMP Representatives met with City DES Commissioner Norm Jones, Rev. Myra Brown, the Commissioner of Recreation and Youth Services (Dr. Danielle Lyman-Torres), the City's Dept of Neighborhood Development Stantec, Architectura and Moody Nolan to discuss the conceptual design of a heritage site and "outdoor classroom" at Baden Park. The City wants to incorporate the Heritage site into the School 22 project, with the design effort in Phase 2, then implementation of this particular project in Phase 3.
- o Still waiting for the RCSD narrative establishing goal for high School graduation, and a brief summation on the initiatives RCSD plans to employ to reach target. Based upon the RCSD graduation goal, the Phase 3 planning team will have the demographer prepare new enrollment projections for the high school grades.

Phase 1 items – Update provided by Gilbane

CHARLOTTE DOOR REPLACEMENT PROJECT AT

- o Project is closed out. Final Cost Report being prepared for RCSD review and submission to SED.

HELEN BARRETT MONTGOMERY SCHOOL NO. 50 (OLD MAYNARD'S ELECTRIC SITE)

- o Site work on hold until Spring 2019.
- o Change orders being prepared for the following additional work:
 - o Capping of cinders
 - o Credit for bus pull off
 - o Porous walkway upgrade.

GILBANE IDC UPDATE

- o Phase 2a Report Status: Received - Monroe, School 7, School 16, and East;
- o Phase 2b Report Status: Received - Monroe, SWW, CSR 1/15, DFTLC, and Edison;
- o Phase 2c Report Status: Received School 10, School 2 and School 6 and School 4;
- o Phase 2d Report Status: In Progress - School 30/54 (project is in Schematic Design).

All Phase 2 projects have been reviewed and IDC updates are now complete.

The M/WBE and Services Procurement Committee Report for January 3, 2019 is included in the Members Packets.

The M/WBE and Services Procurement Committee Report includes the Board Chair Report for Authorized 18 Change Orders totaling \$ 191,481.00 and is articulated below for this month:

Change Orders Authorized by Chair			
PROJECT	CONTRACTOR	C/O #	AMOUNT
EDISON	PC - FERRAUILO	7	\$ 8,309.00
SWW	GC - JAVEN CONSTRUCTION	12	\$ 8,019.00
	GC - JAVEN CONSTRUCTION	13	\$ 24,224.75
MONROE 2B	MC - DANFORTH MECHANICAL	8	\$ 20,861.32
	MC - DANFORTH MECHANICAL	9	\$ 2,311.16
	EC - CONCORD ELECTRIC	22	\$ 33,724.00
	PC - LLOYD MECHANICAL	14	\$ 16,095.35
GRISSOM No. 7	GC - DIPASQUALE CONSTRUCTION	22	\$ 17,916.00
	GC - DIPASQUALE CONSTRUCTION	23	\$ 13,262.00
	MC - DANFORTH MECHANICAL	9	\$ (42,941.00)
	EC - EAST COAST ELECTRIC	14	\$ (5,969.00)
	PC - FERRAUILO	11	\$ 11,540.00
BARTON No. 2	GC - DIPASQUALE CONSTRUCTION	5	\$ 18,489.00
	EC - CONCORD ELECTRIC	5	\$ 13,754.00
	EC - CONCORD ELECTRIC	6	\$ 19,408.00
	PC - FERRAUILO	4	\$ 2,290.00
FORBES No. 4	GC - DIPASQUALE CONSTRUCTION	4	\$ 11,115.31
	EC - CONCORD ELECTRIC	2	\$ 19,072.11
TOTAL:		18	\$ 191,481.00

The Finance Committee Report for January 3, 2018 is included in the Members packets.

Executive Session

Approved at 4:41 p.m.

Chairman Williams called for an Executive Session pursuant to New York Public Officer's Law Article 7, Section 105.1 (f), to discuss particular Corporations and their respective Contracts.

Motion by Board Member Michael Schmidt
 Second by Board Member Rosiland Brooks-Harris
 Approved 5-0

The Board came out of Executive Session at 4:51 p.m.

Motion by Board Member Norman Jones
 Second by Board Member Michael Schmidt
 Approved 5-0

Adjournment

Approved at 6:12 pm

Motion by Board Member Norman Jones
 Second by Board Member Rosiland Brooks-Harris
 Approved 5-0