

**Rochester Joint Schools Construction
Board Monthly Meeting Minutes
January 13, 2019
4:30 PM**

Present

Meeting attended by Board Chair Norman Jones, Vice Chair Mike Schmidt (via Skype), Jesse Dudley, Rosiland Brooks-Harris, RJSCB Coordinator Allen Williams, Savin Program Director Pépin Accilien, Savin Deputy Director Roland Coleman; General Counsel Ed Hourihan, Attorney Melissa Mahler and ICO Brian Sanvidge. Members Tom Richards, I. Geena Cruz and Everton Sewell were absent.

Approval of Minutes

Monthly Meeting held on December 9, 2019

Motion by Board Member Rosiland Brooks-Harris

Second by Board Member Jesse Dudley

Approved 4-0

Action Items

Resolution 2019-20-79 Amendment #3 to AP Safety and Security Corporation

By Member Jesse Dudley

Second by Vice Chair Mike Schmidt

Adopted 4-0

Resolution 2019-20-80 Change Order #6 to Manning Squires Hennig

By Member Rosiland Brooks-Harris

Second by Member Jesse Dudley

Adopted 4-0

Consent Agenda Items

By Member Jesse Dudley

Second by Member Rosiland Brooks Harris

Adopted 4-0

Resolution 2019-20: 70

Purchase Order – Access Controls & DWT Video Equipment Cooper School 10 (Day Automation Systems)

By Board Member Jesse Dudley

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, the RJSCB’s procurement policy allows for the issuance of purchase orders from centralized contracts let by the New York State Office of General Services (“OGS”); and

WHEREAS, the RJSCB is an authorized purchaser from OGS centralized contracts and was issued a customer identification number (Customer ID #8174) by OGS in 2012; and

WHEREAS, in 2001, the Board of Education for the District passed Resolution number 2001-2002: 176, which standardized the use of Andover Controls products for energy management, video and access systems in District facilities; and

WHEREAS, the RJSCB’s Program Manager recommends the purchase of Access Controls & DWT Video Equipment of an OGS contract (“State Contract”) in conjunction with the Dr. Walter Cooper School 10 (“School 10”) project; and

WHEREAS, the OGS State Contract PT 64059 includes materials meeting the specifications for the School 10 project in accordance with the District’s standardization policy and also accords with the RJSCB’s procurement policy; and

WHEREAS, the RJSCB has been advised that the firm Schneider Electric acquired Andover Controls in 2014; and

WHEREAS, the RJSCB has been advised that the firm Day Automation Systems, Inc. (“Day Automation”) is the sole distributor of Schneider/Andover controls in the Rochester, NY area; and

WHEREAS, the Program Manager recommends that a purchase order be issued to Day Automation as the authorized distributor of Schneider/Andover products pursuant to State Contract PT 64059 for the following project and amount:

School 10 Project	NTE Amount
Access Controls	\$38,112.06
DWT Video Equipment	\$134,963.10

WHEREAS, at the M/WBE and Services Procurement Committee (“Committee”) meeting held on January 9, 2020, following the review and consideration of the recommendations provided by the Program Manager and after due deliberation, the Committee approved the recommendation to issue a purchase order to Day Automation, a distributor listed on the competitively bid State Contract PT 64059, and identified as being the provider of the District mandated energy management controls.

THEREFORE, BE IT RESOLVED:

1. The RJSCB hereby approves the recommendation of the Program Manager to utilize State Contract PT 64059 to procure the Access Controls and DWT Video Equipment as indicated above and associated with the School 10 project; and
2. The RJSCB hereby awards the purchase orders to Day Automation for Access Controls and DWT Video Equipment as set forth above, and the Chair, with the advice of the Program Manager and the RJSCB’s general counsel, will issue purchase orders to procure the commodities through the State Contract from this firm in the amounts set forth above.

**Second by Board Member Rosiland Brooks-Harris
Adopted 4-0**

Resolution 2019-20: 71

Purchase Order – Access Controls & DWT Video Equipment Flower City School 54 (Day Automation Systems)

By Board Member Jesse Dudley

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, the RJSCB’s procurement policy allows for the issuance of purchase orders from centralized contracts let by the New York State Office of General Services (“OGS”); and

WHEREAS, the RJSCB is an authorized purchaser from OGS centralized contracts and was issued a customer identification number (Customer ID #8174) by OGS in 2012; and

WHEREAS, in 2001, the Board of Education for the District passed Resolution number 2001-2002: 176, which standardized the use of Andover Controls products for energy management, video and access systems in District facilities; and

WHEREAS, the RJSCB’s Program Manager recommends the purchase of Access Controls & DWT Video Equipment of an OGS contract (“State Contract”) in conjunction with the Flower City School 54 (“School 54”) project; and

WHEREAS, the OGS State Contract PT 64059 includes materials meeting the specifications for the School 54 project in accordance with the District’s standardization policy and also accords with the RJSCB’s procurement policy; and

WHEREAS, the RJSCB has been advised that the firm Schneider Electric acquired Andover Controls in 2014; and

WHEREAS, the RJSCB has been advised that the firm Day Automation Systems, Inc. (“Day Automation”) is the sole distributor of Schneider/Andover controls in the Rochester, NY area; and

WHEREAS, the Program Manager recommends that a purchase order be issued to Day Automation as the authorized distributor of Schneider/Andover products pursuant to State Contract PT 64059 for the following project and amount:

School 54 Project	NTE Amount
Access Controls	\$15,606.56
DWT Video Equipment	\$36,169.87
Video Surveillance Equipment	\$34,272.06

WHEREAS, at the M/WBE and Services Procurement Committee (“Committee”) meeting held on January 9, 2020, following the review and consideration of the recommendations provided by the Program Manager and after due deliberation, the Committee approved the recommendation to issue purchase orders to Day Automation, a distributor listed on the competitively bid State Contract PT 64059, and identified as being the provider of the District mandated energy management controls.

THEREFORE, BE IT RESOLVED:

1. The RJSCB hereby approves the recommendation of the Program Manager to utilize State Contract PT 64059 to procure the Access Controls and DWT Video Equipment as indicated above and associated with the School 54 project; and
2. The RJSCB hereby awards the purchase orders to Day Automation for Access Controls and DWT Video Equipment as set forth above, and the Chair, with the advice of the Program Manager and the RJSCB’s general counsel, will issue purchase orders to procure the commodities through the State Contract from this firm in the amounts set forth above.

**Second by Board Member Rosiland Brooks-Harris
Adopted 4-0**

Resolution 2019-20: 72

Change Orders #56 & #57 to DiPasquale Construction, Inc. Contract (Clara Barton School 2)

By Board Member Jesse Dudley

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, 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 #56 includes the following item:

1. IB-124R2 Reynolds Street Drainage – Phase 1 \$65,245.00

The total amount of Change Order #56 is **\$65,245.00**; and

WHEREAS, Change Order #57 includes the following item:

1. IB-124R2 Reynolds Street Drainage – Phase 2 \$203,907.00

The total amount of Change Order #57 is **\$203,907.00**; 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 DCI's Contract should be amended to add the scope items for an increase in the Contract Sum of \$269,152.00; and

WHEREAS, the Committee considered and discussed the Program Manager's recommendation at its January 9, 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
Adopted 4-0**

**Resolution 2019-20: 73
Change Order #18 to DiPasquale Construction Contract (School 4)**

By Board Member Jesse Dudley

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 general contractor contract to DiPasquale Construction, Inc. (“DCI”) for the School 4 project in Phase 2c (Resolution 2018-19: 24); and

WHEREAS, the RJSCB entered into a contract with DCI (Resolution 2018-19: 24) dated July 13, 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 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 #18 includes the following items:

1. Basketball Hoop Support \$5,445.25
2. RFI 324 - Additional Door Holders \$9,450.84
3. RFI 349 - Cloud Enclosure \$17,899.74
4. RFI 346 - Cor. E Ceiling \$624.04
5. ASI 093 - High Roof Parapet \$11,288.61
6. ASI 095 - Rescue Window Access \$3,039.50
7. RFI 356 - Gym Thresholds \$5,104.28
8. Revised L-101 \$2,455.49

The total amount of Change Order #18 is **\$55,307.75**; 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 DCI’s Contract should be amended to add the scope items for an increase in the Contract Sum of \$55,307.75; and

WHEREAS, the Committee considered and discussed the Program Manager’s recommendation at its January 9, 2020 meeting and after due deliberation, it approved the request to amend the Contract.

THEREFORE, BE IT RESOLVED:

1. The proposed Change Order to DCI’s Contract between the Board and Contractor dated July 13, 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 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
Adopted 4-0

Resolution 2019-20: 74
Change Order #4 to Manning Squires Hennig (School 54 Phase 2d)

By Board Member Jesse Dudley

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 Flower City School No. 54 Project ("School 54") is one of the projects included in Phase 2d of the RSMP as provided in the Phase 2 Master Plan; and

WHEREAS, the RJSCB approved the award of the general contractor contract to Manning Squires Hennig, Inc. ("Manning Squires") for the School 54 project in Phase 2d (Resolution 2018-19: 155); and

WHEREAS, the RJSCB entered into a contract with Manning Squires (Resolution 2018-19: 155) dated April 8, 2019 (the "Contract"), to perform the scope of services defined in the contract documents as the general contractor's scope of work; and

WHEREAS, during the execution of the scheduled second floor work, it was discovered that the second floor was constructed with asbestos containing materials ("ACM") that given the present conditions must be abated; and

WHEREAS, the ACM abatement on the second floor of School 54 must be performed under NYS Department of Labor Rule 56 Abatement Protocols; and

WHEREAS, following the execution of the Contract, Manning Squires, along with Buffalo Construction Consultants (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 #4, includes the following item:

1. Roof deck ACM mastic prep & clean \$238,406.00
2. Roof deck ACM mastic removal \$243,588.00

The Total amount of Change Order #4 is **\$481,994.00**; 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 Manning Squires' Contract should be amended to add and these scope items for a total net increase in the Contract Sum of \$481,994.00; and

WHEREAS, the Committee considered and discussed the Program Manager's recommendation at its January 9, 2020 meeting and after due deliberation, it approved the request to amend the Contract.

THEREFORE, BE IT RESOLVED:

1. The proposed Change Order to Manning Squires Hennig, Inc.'s Contract between the Board and Contractor dated April 8, 2019 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
Adopted 4-0**

Resolution 2019-20: 75

Change Orders #55 - #58 to Holdsworth Klimowski Construction Contract (East Campus – Phase 2b)

By Board Member Jesse Dudley

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 East Campus Modernization Project (“East”) is one of the projects included in Phase 2 of the RSMP as provided in the Phase 2 Master Plan; and

WHEREAS, the RJSCB approved the award of the general construction contract to Holdsworth Klimowski Construction (“HKC”) for the East project in Phase 2 (Resolution 2018-19: 51); and

WHEREAS, the RJSCB entered into a contract with HKC (Resolution 2018-19: 51) dated September 10, 2018 (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, HKC, 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 #55 includes the following items:

1. Writable Surface - E-Wing Paint On \$20,095.00 Field Condition Contingency
2. RFI-334 E - Exposed Piping Condition \$2,519.00 Omission Contingency
3. RFI-218-C - C-110A Room Finishes \$764.00 Omission Contingency
4. D - Misc. Field Conditions - Area of Refuge \$1,679.00 Omission Contingency
5. D - Misc. Field Conditions - Plenum \$1,011.00 Omission Contingency
6. RFI#238 - E - Soffit in E-107-Patching \$8,418.00 Field Condition Contingency
7. IB#095 - Dental Suite Wall Changes \$5,124.00 Field Condition Contingency
8. IB#095 - Dental Suite Wall Changes - A107C Column \$530.00 Field Condition Contingency
9. IB#019 - Redesign of Dental Suite \$6,729.00 Owner Request Contingency
10. RFI#218 - C-110A Room Finishes - Drywall \$776.00

The total amount of Change Order #55 is **\$47,645.00**; and

WHEREAS, Change Order #56 includes the following item:

1. IB#060 – C1 Ceiling and Cable Trays \$36,523.00

The total amount of Change Order #56 is **\$36,523.00**; and

WHEREAS, Change Order #57 includes the following item:

1. District Standard Toilet Paper Dispenser \$13,226.00

The total amount of Change Order #57 is **\$13,226.00**; and

WHEREAS, Change Order #58 includes the following items:

1. IB#019 - Redesign of Dental Suite - Additional Demo \$1,352.00
2. IB#077 - Boys Locker Room Benches \$3,078.00
3. IB#091 - Collab. Column Covers \$5,007.00
4. IB#101 - E-116 Floor Finishes Mods \$6,949.00
5. IB#106 - Roller Shades in E-115 & E-116 \$2,792.00
6. IB#110 - F - Level 3 Teaching Walls \$11,612.00
7. IB#111 - F-Wing Roller Shades \$3,935.00
8. IB#112R1 - Removal of Window Film \$8,170.00

The total amount of Change Order #58 is **\$42,895.00**; 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 HKC's Contract should be amended to add these scope items for an increase in the Contract Sum of \$140,289.00; and

WHEREAS, the Committee considered and discussed the Program Manager's recommendation at its January 9, 2020 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 HKC's Contract between the Board and Contractor dated September 10, 2018 as set forth above are hereby approved; and
2. The RJSCB 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
Adopted 4-0**

**Resolution 2019-20: 76
Change Orders #19 – #21 to J.W. Danforth Contract (East Campus)**

By Board Member Jesse Dudley

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 East Campus Modernization Project ("East") is one of the projects included in Phase 2 of the RSMP as provided in the Phase 2 Master Plan; and

WHEREAS, the RJSCB approved the award of the mechanical contract to John W. Danforth Co. ("JWD") for the East project in Phase 2 (Resolution 2018-19: 51); and

WHEREAS, the RJSCB entered into a contract with JWD (Resolution 2018-19: 51) dated September 10, 2018 (the "Contract"), to perform the scope of services defined in the contract documents as the mechanical contractor's scope of work; and

WHEREAS, following the execution of the Contract, JWD, 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 #19 includes the following item:

1. IB#080 - Boiler Steam & Condensate Valve Replacement - Pre-\$46,528.91

The total amount of Change Order #19 is \$46,528.91; and

WHEREAS, Change Order #20 includes the following item:

1. RFI-206 - E - Split Units Removal \$33,769.50

The total amount of Change Order #20 is \$33,769.50; and

WHEREAS, Change Order #21 includes the following item:

1. RFI - 261 - E - Unspecified Fan \$1,065.66
2. RFI-378-D2 Gate Valve-Heat Exchange \$1,201.19
3. RFI-331 - Supply Fan SD1 \$4,280.12

The total amount of Change Order #21 is \$6,546.97; 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 JWD's Contract should be amended to add these scope items for an increase in the Contract Sum of \$86,845.38; and

WHEREAS, the Committee considered and discussed the Program Manager's recommendation at its January 9, 2020 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 JWD's Contract between the Board and Contractor dated September 10, 2018 as set forth above are hereby approved; and
2. The RJSCB 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
Adopted 4-0

Resolution 2019-20: 77
Change Orders #42 - #50 to Hewitt Young Construction Contract (East Campus – Phase 2B)

By Board Member Jesse Dudley

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 East Campus Modernization Project (“East”) is one of the projects included in Phase 2 of the RSMP as provided in the Phase 2 Master Plan; and

WHEREAS, the RJSCB approved the award of the electrical contract to Hewitt Young Electric, LLC (“Hewitt”) for the East project in Phase 2 (Resolution 2018-19: 51); and

WHEREAS, the RJSCB entered into a contract with Hewitt (Resolution 2018-19: 51) dated September 10, 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, Hewitt, 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 #42 includes the following items:

1. RFI-253 - E - No Receptacles E-101A \$1,741.06
2. RFI-227 - E - Millwork Conflict (\$958.07)
3. RFI-256-E - Type B2 vs Type S \$1,066.55
4. RFI-307 - E102 and E108 CO Detectors \$1,357.17
5. RFI-318 - E - CO Detectors - E-109 \$1,357.17
6. IB#092 - E-115 Emergency Shut Offs \$8,842.31
7. RFI - 274 - Panel LOSSB1 \$1,297.70
8. RFI-325 & 343 - Hot Water Tank \$10,329.64
9. RFI-373 - Panel PPBR \$12,344.83
10. RFI-236 - C - Existing Elevator \$6,424.10

The total amount of Change Order #42 is **\$43,802.46**; and

WHEREAS, Change Order #43 includes the following items:

1. RFI-292 - SB4 to VFD (80252) \$6,662.40
2. RFI-324 - E - Kitchen Equipment \$5,229.37

3. RFI-356 - LP-2B to LOSSB6 \$9,774.12
4. RFI-344 & 349 - F-MCC-1F \$17,710.67
5. RFI-312 - Existing City Box Removal \$647.96
6. D-205 - Existing Fire Alarm \$2,431.58
7. RFI-305 - E-Fire Alarm Connections \$796.40
8. RFI-286 - E - E108B - Equip. Power \$4,779.77
9. IB#041 - Collaboratorium Changes - Data Closet Light Fixture \$431.61
10. IB#041 - Collaboratorium Changes - Power Data Closet Split Air \$1,702.02

The total amount of Change Order #43 is **\$50,165.90**; and

WHEREAS, Change Order #44 includes the following items:

1. C2-Basement-Condensate Pump Replace \$2,654.66
2. IB#048 - Pool Balcony Ceiling Scope - Demolition \$3,318.99
3. IB#048 - Pool Balcony Ceiling Scope - Temporary \$3,394.65
4. RFI#165 & 167P - Panel Board Change \$20,979.13
5. RFI-177 - D - Misc. Filed Conditions \$1,676.36
6. RFI-206 - E - Split Units Removal \$10,018.54
7. IB#060 - C1 Ceiling and Cable Trays \$7,574.54
8. IB#078 - Temporary Kiln Room Add. - Control Switch Solder Station \$600.37
9. IB#078 - Temporary Kiln Room Add. - Exhaust Fan Control \$356.06
10. IB#083 - Additional Cord Reels in E \$10,974.31

The total amount of Change Order #44 is **\$61,547.61**; and

WHEREAS, Change Order #45 includes the following items:

1. IB#083 - Additional Cord Reels in E - Detail Correction \$13,906.02
2. IB#069 - Addition of Receptacles A - Investigate & Temp \$1,832.56
3. IB#069 - Addition of Receptacles A \$4,881.27
4. RFI-234 - Pump P-2 \$1,241.41
5. IB#079 - Additional Solenoid Valve \$3,425.38
6. IB#094 - Ice Machine Connections \$279.14
7. RFI-228 & 295 - E - Panel Conflicts \$516.74
8. IB#104 - E-115 Lighting Modifications \$2,635.11
9. RFI-346 - 100 Amp Breaker \$3,921.58
10. RFI-350 - F - Surface Raceway F-116 \$2,213.46

The total amount of Change Order #45 is **\$34,852.67**; and

WHEREAS, Change Order #46 includes the following item:

1. RFI-323 & 339 - New MCCs PT 1 & 2 \$41,665.38

The total amount of Change Order #46 is **\$41,665.38**; and

WHEREAS, Change Order #47 includes the following items:

1. Phase 2 - F-Wing Occupancy - Electrical Needs \$3,556.12
2. E-110 Equipment Disconnects \$5,153.16
3. B-125-Metal Pan Ceiling/Light Conflict \$269.94

The total amount of Change Order #47 is **\$8,979.22**; and

WHEREAS, Change Order #48 includes the following item:

1. IB#040 - Single Line Clarification \$50,403.42

The total amount of Change Order #48 is **\$50,403.42**; and

WHEREAS, Change Order #49 includes the following item:

1. IB #043 - C-Wing Penthouse Changes \$69,030.14

The total amount of Change Order #49 is **\$69,030.14**; and

WHEREAS, Change Order #50 includes the following items:

1. Temporary PA Repairs & Misc. Tie-Ins - Part 2 \$4,910.69
2. C-Wing - Exit 5 Card Reader Trouble Shooting - RCSD \$781.54
3. F - RFI-352&353 - Missing Demo \$2,600.96
4. C - Fire Smoke Dampers \$1,432.12
5. RFI-375 - F - Subpanels F303A,F307A \$884.37
6. RFI-361 - F - Panel PP1F \$1,573.36
7. F-Wing-School Materials \$269.94
8. RFI - 379 - E - Existing Exhaust Hood Elect \$1,460.41

The total amount of Change Order #50 is **\$13,913.39**; 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 Hewitt's Contract should be amended to add these scope items for an increase in the Contract Sum of \$374,360.19; and

WHEREAS, the Committee considered and discussed the Program Manager's recommendation at its January 9, 2020 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 Hewitt's Contract between the Board and Contractor dated September 10, 2018 as set forth above are hereby approved; and
2. The RJSCB 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
Adopted 4-0**

**Resolution 2019-20: 78
Pay Requisition Summary Acceptance (December 2019)**

By Board Member Jesse Dudley

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, Program Coordinator 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 Phase 2 monthly Pay Requisition Summary (attached to this Resolution) totaling \$9,629,748.20, 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 January 3, 2020; and

WHEREAS, the RJSCB Chair approved the Phase 2 monthly Pay Requisition Summary on or about December 10, 2019; and

WHEREAS, the RJSCB's Phase 2 Program Managers reviewed the Phase 2 monthly Pay Requisition Summary with the RJSCB's Finance Committee at its meeting on January 9, 2020.

THEREFORE, BE IT RESOLVED:

1. The Rochester Joint Schools Construction Board hereby accepts Phase 2 monthly Pay Requisition Summary for the month of December 2019 in the amount stated above and as shown in the Summary sheets attached to this Resolution.

Second by Board Member Rosiland Brooks-Harris
Adopted 4-0

Resolution 2019-20: 79
Amendment #3 to AP Safety and Security, Inc. Agreement (Site Security Services) (Phase 2c/d)

By Board Member Jesse Dudley

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 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, upon the recommendation of its Program Manager, has determined a need for a Site Security Services firm to provide services for the Phase 2 projects that are part of the RSMP; and

WHEREAS, the RFP is limited to the following Phase 2c/d projects: Clara Barton School No. 2; George Mather Forbes School No. 4; Dag Hammarskjold School No. 6; Dr. Walter Cooper Academy School No. 10; and Flower City School 54/30 (together the “2c/d projects”); and

WHEREAS, the M/WBE and Services Procurement Committee (the “Committee”) reviewed and discussed the RFP for a Site Security Services firm at its meeting on March 1, 2018, and after due deliberation, it approved the RFP for issuance by the RJSCB; and

WHEREAS, the RJSCB authorized the Committee on behalf of the RJSCB to select finalists, conduct interviews as necessary, and recommend to the RJSCB the most qualified candidate(s) (Resolution 2017- 18: 147) dated March 6, 2018; and

WHEREAS, the RJSCB at its regular meeting on May 7, 2018, approved AP Safety and Security, Inc. (“AP”) (Resolution 2017-18:177) to provide Security Services at Schools 2, 4, and 10; and

WHEREAS, the RJSCB entered into an agreement with AP on May 07, 2018 to provide Security Services at Schools 2, 4, and 10 (the “AP Agreement”) (Resolution 2017-18:177); and

WHEREAS, following the execution of the AP Agreement, the Program Manager requested, and cost proposals were then obtained and reviewed, for additional Security Services at Schools 2 and 4 through June 30, 2020; and

WHEREAS, the Program Manager recommends that the AP Agreement be amended to add the additional scope Security Services and increase the AP Agreement for the following projects and amounts (and that this amount shall be treated as a not-to-exceed allowance under the AP Agreement):

Security Services	NTE Amount
School 2	\$73,895.85
School 4	\$73,895.84

WHEREAS, the Board considered and discussed the Program Manager’s recommendation on January 13, 2020 at its regular meeting and after due deliberation, it approved the request to amend the AP Agreement dated May 7, 2018.

THEREFORE, BE IT RESOLVED:

1. The RJSCB’s Chair is hereby authorized, in the name and on behalf of the RJSCB, to execute an amendment to the AP 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 Vice Chair Michael Schmidt
Adopted 4-0

Resolution 2019-20: 80
Change Order #6 to Manning Squires Hennig (School 54 Phase 2d)

By Board Member Rosalind Brooks-Harris

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 Flower City School No. 54 Project (“School 54”) is one of the projects included in Phase 2d of the RSMP as provided in the Phase 2 Master Plan; and

WHEREAS, the RJSCB approved the award of the general contractor contract to Manning Squires Hennig, Inc. (“Manning Squires”) for the School 54 project in Phase 2d (Resolution 2018-19: 155); and

WHEREAS, the RJSCB entered into a contract with Manning Squires (Resolution 2018-19: 155) dated April 8, 2019 (the “Contract”), to perform the scope of services defined in the contract documents as the general contractor’s scope of work; and

WHEREAS, during the execution of the scheduled work, it was discovered that the ground area of the new south parking lot and bus loop contained asbestos containing materials (“ACM”) that per direction from the NYS Department of Labor (“DOL”) must be abated; and

WHEREAS, the ACM abatement in the new parking area and bus loop at School 54 must be performed under NYS Department of Labor variance number 19-1076; and

WHEREAS, following the execution of the Contract, Manning Squires, along with Buffalo Construction Consultants (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 item:

3. RFP-056 Additional ACM soil removal \$725,650.00

The Total amount of Change Order #6 is **\$725,650.00**; 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 recommended to the RJSCB's that Manning Squires' Contract should be amended to add and these scope items for a total net increase in the Contract Sum of \$725,650.00; and

WHEREAS, the RJSCB considered and discussed the Program Manager's recommendation at its January 13, 2020 regular meeting and after due deliberation, it approved the request to amend the Contract between the Board and Manning Squires dated April 8, 2019 as set forth above is hereby approved.

THEREFORE, BE IT RESOLVED:

3. 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 Jesse Dudley
Adopted 4-0**

COMMUNICATIONS

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

Phase 1:

- 100.00% submissions for the October 2019 reporting period.
- 98.88% of all data requested has been received and approved (April 2011 through October 2019).
- Overall Workforce (EEO) Participation: Minority @ 22.87% (goal is 20%) and Women @ 7.22% (goal is 6.9%).
- Overall Business Participation: Minority @ 15.67% (goal is 15%), Women @ 7.73% (goal is 5%), Small @ 3.80% (goal is 5%) and Disadvantaged @ 2.32% (goal is 2%).
- Rochester Residents: No active Rochester residents for the October 2019 reporting period (or 0%). The historical average Rochester Resident workforce (construction) from inception (April 2011 through October 2019) is 27.19%.

Phase 2:

- 95.45% submissions for the November 2019 reporting period.
- 93.46% of all data requested has been received and approved (January 2016 through November 2019).
- Overall Workforce (EEO) Participation: Minority @ 26.16% (goal is 22%) and Women @ 6.56% (goal is 8%).
- Overall Workforce (EEO) Participation: Minority Males @ 22.7% and All Women @ 10% *.
- Overall Business Participation: Minority @ 22.95% (goal is 17%), Women @ 11.38% (goal is 10%), Small @ 3.23% (goal is 3%) and Disadvantaged @ 2.33% (goal is 3%).
- Rochester Residents: 126 of the 450 workers for the November 2019 reporting period (or 28%).

**** - This breakdown will now be included in the ICO report going forward***

The Phase 2 Monthly Report was included in the Members packets and was reviewed by Deputy Program Director Roland A. Coleman II.

RSMP PHASE III STATUS

STRATEGIC PLANNING PROGRESS:

- RJSCB received additional comments from SED through the Phase III Bill Sponsor and Staffers from the State Legislature's Ways and Means Committee. RJSCB/CITY/RSMP Representatives met with Legislative Aides in Albany on 7 January 2020 to answer questions on the latest revision of the draft Phase III Bill. RSMP is seeking passage of the Bill by February 2020..
- SED is still raising concerns over the current enrollment and projections by building (including leased instructional facilities), by grade, and by year for the traditional approach and success model. RCSD discussion to continue with SED's Leadership for confirming SED will allow the flexibility of having additional self-contained classrooms in specific buildings while optimizing the building aid units that will be calculated for each Phase III school project.
- Phase III Swing Space Plan to be revisited pending status and availability of the Jefferson Campus. The Phase III Financial Plan is suspended until passage of the Phase III Legislation.
- Capital Markets Advisors and Citi Global Services will start work on the Phase III Financial Plan upon passage of the Legislation (averts risk/minimizes Professional Fees).
- Draft Project Labor Agreement (PLA) prepared for Phase III and submitted to City and State Stakeholders for review (previously distributed December 2018).

RSMP PHASE II UPDATE

GENERAL:

- Discussion continues with the RSMP and the City Engineer on SEQRA Amendments and Phase 1 ESAs for the acquisitions of residential properties around School 54 (School 4 to follow). Conceptual/Schematic plan of the overall School 54 campus site provided to the SEQRA Consultant (CPL Team) to prepare the SEQRA Amendment. Many City Departments are involved with the acquisition and demolition process. A planning/coordination meeting is being scheduled with the RJSCB SEQRA Consultant (Clark Paterson Lee) and the City in January 2020 to discuss the abandonment of Chace Street for expanding the School 54 site.
- RSMP staff is working with the City's Real Estate and Law Departments on acquisition of residential properties neighboring School 54. Acquisitions around School 4 are placed on hold until funding is identified for purchase and demolition of those properties. A Conceptual/Schematic plan of the overall School 54 campus site was developed for preparing the required SEQRA Amendment. Meeting is being scheduled with the RJSCB SEQRA Consultant and the City in January/February 2020 to discuss the abandonment of Chace Street for expanding and developing the School 54 site.
- The City Law and City Real Estate Departments requested a revised resolution from either the RCSD or the RJSCB for the acquisitions. The RJSCB resolution that was provided recently to the City was insufficient and unsatisfactory for the City to move forward with the acquisitions until the acquisition costs are fully approved by the RJSCB, a Budget Code or Certified Budget Line Balance is identified, and confirmation that condemnation overage costs and other costs of the condemnation process will be borne by the City on behalf of the RCSD or the RJSCB.

- The program is at the point where additional delays in acquiring those properties are affecting development of the sites and planned abandonment of Chace Street to start installation of the School 54 play areas and playground structures.
- At the 9 January 2020 RJSCB Committee meetings, RJSCB/RCSD/RSMP Leadership further discussed the use of earned interests to pay some of the RCSD debt service becoming due in May 2020. Representatives of the School District's Accounting Department have notified the RJSCB, Savin (RSMP Phase II Independent Program Manager), and Bond Counsel (Norton Rose Fulbright), that they would like to transfer the investment earnings currently held in the 2017 Project Fund (\$13.39 available) and the 2018 Project Fund (\$3,447,823.71 available) to the 2018 Interest Account to pay a portion of the interest on the 2018 Bonds coming due on May 2020. A Letter of Direction signed by the Superintendent of Schools was prepared by Bond Counsel as a formal requisition to authorize the transfer of these earned interests to the program's Interest Account in accordance with the Indenture or the Sublease Agreement or any other Security Document. While there are competing priorities for using those funds for land acquisition and additional work scope requested by the District (Air-Conditioning at School 16, Fire Alarm enhancements at school 2), A/E omissions and field conditions at Schools 2, 4, 10 and 22; the RJSCB/RSMP agreed to proceed with the request to use the investment earnings to pay the May 2020 interest due on the Series 2018 bonds.

JAMES MONROE HIGH SCHOOL 2a/2b:

- The RJSCB General Counsel BSK filed a verified answer and served discovery demand for the Plumbing Contractor open claim. A judge has not been assigned yet for this action; once assigned, a schedule of court appearance dates will be issued.
- The Brise Soleil precast recoat remedial work continues on schedule.
- The Monroe Cafeteria Public Art installation is 90% complete.

VIRGIL I. GRISSOM SCHOOL NO. 7:

- Final Pay Applications and invoices are being processed for closing out the project in January 2020, when all costs have been paid fully.

EAST UPPER AND LOWER SCHOOLS:

- D-Wing West 3rd, 2nd and 1st Floors, Boys Locker Room, E-Wing punch-list items completed over winter break. Verification of completion including AOR sign off underway.
- Dental Suite Punchlist complete and all required additional equipment has been received and installed. Monroe County DOH inspection will be performed following SED granting of Interim Certificate of Occupancy.
- Construction continues in F-Wing and Natatorium Seating Area.
- Current Construction activities are the following:
 - F-Wing - 3rd Floor reconstruction underway, 2nd Floor demolition and abatement complete, 1st Floor demolition and abatement near complete. Work on schedule for August 2020 completion with F-Wing 3rd and 1st Floor bathrooms to complete Oct. 2020.

- Natatorium Seating Ceiling - Contractor continues new ceiling installation. On schedule to complete work mid/late January 2020.
- Mechanical work to install (2) new boilers continues. Work scheduled for completion mid-January 2020.

JOHN WALTON SPENCER SCHOOL NO. 16:

- Winter bid package design work is ongoing with 90% drawings complete 1/14/20. Priorities (in order) are crawl space water mitigation, Post Ave raised crosswalk, west side field drainage and AC at the gymnasium and cafeteria. This additional work will be placed on hold or bid in March 2020 pending availability of funds.
- General project closeout is ongoing for the base project.

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

- RCSD submitted Final Cost Report to SED 12 December 2019.
- Open warranty items will be completed mid/late January 2020.

SCHOOL WITHOUT WALLS COMMENCEMENT ACADEMY:

- Final Cost Report submitted the RCSD Finance Department for filing with SED.
- RCSD pursuing reclassification with SED to improve project aid.
- Electrical work associated with radius wall signage is complete

DR. FREDDIE THOMAS LEARNING CENTER:

- Project closed out 100%.
- Final Cost Report sent by District to NYSED in early October 2019 for filing with SED.

EDISON TECHNOLOGY CAMPUS:

- Rock excavation for the drainage structure is completed, structure installed and installation is almost complete.
- The Chiller support steel and the Chiller itself were installed the week of 12/27.
- The replacement of the broken existing storm pipe has been done. Piping will be flushed prior to backfilling that area of the walk at the West Parking lot.
- Chiller piping work and the electrical feeder rough-in are going well and on schedule.

CLARA BARTON SCHOOL NO. 2:

- The project is generally on schedule with change order work scheduled for completion in the Spring 2020.
- Work to correct ponding issue on Reynolds Street has ceased until weather permits; completion scheduled for Spring 2020. Catch basin installation is complete, ponding on the street no longer occurs.
- Punch list and change order work continues.
- Inspections by the City of Rochester Fire Department, Architect of Record, and Monroe County Health Department are complete. NYSED Certificate of Occupancy (C of O) filing/submissions by RCSD Facilities completed 06 JAN 2020.

GEORGE MATHER FORBES SCHOOL NO. 4:

- The project is generally completed with some weather-related change order work to be finished in spring 2020.
- C of O inspection has been completed with all requirements satisfied and certificate to be issued.
- Security procedures and carrying costs for 1 January 2020 through 30 June 2020 are under review by RSMP. AP Security amendment to continue security services 24 hrs/day and 7 days a week through June 30th will be presented to the RJSCB on 13 January 2020 for approval.

ABRAHAM LINCOLN SCHOOL NO. 22:

- An unveiling ceremony for the Lincoln/Douglas art work at the school has been postponed until Mid-January 2020.
- Punch-list for interior completed over Winter Break 2020. Exterior Punch-list will be complete Spring 2020.
- Gym floor refinishing and scoreboard installation completed over Winter Break 2020.
- The Architect and CM identified basketball back boards with plexiglass. Awaiting GC proposal and change order for submission at the next RJSCB procurement committee meeting.
- GC to finalize site sub-contractor to perform Courtyard C/O work Spring/Summer 2020.

DR. WALTER COOPER ACADEMY SCHOOL NO. 10:

- The project is generally on schedule.
- Drywall work is completed in the existing building.
- The new addition is enclosed and all work continues with temporary heat.
- Electrical and mechanical rough-in for the new addition is ongoing.
- Metal stud framing is ongoing in the new addition.
- Exterior brick and precast continuing through January 2020.
- Playground equipment Purchase Orders will be prepared and, if funding permits, submitted to the RJSCB for the February 2020 meeting.
- Sitework will resume in the Spring and continue thru June 2020.

THE FLOWER CITY SCHOOL NO. 54:

- MEP Rough-in and framing work had been interrupted throughout the 2nd floor due to ACM roof mastic. ACM removal work began 16 December 2019 and is expected to complete ahead of schedule. Additional delay cost anticipated.
- Purchase of Chace Street parcels being finalized by the City's Real Estate and Legal Departments. Scheduled work along Chace has been halted pending acquisition.
- Award of the playground awaits budget transfer. Delivery of the project may occur without a playground if Phase III is further delayed.
- Hazmat soils export is now complete for the buried old School 30 building that was discovered during excavation. This remediation work further eroded the construction contingency and allowances that were set aside for handling unsuitable soils at the School 54 site. While NYSDEC did not require removal of buried building debris beyond the limits of the planned excavation, it was required that Asbestos Containing Building Materials (ACBM) encountered during excavation be abated, packaged, and disposed at an authorized municipal solid waste landfill. As a precaution, NYSDEC recommended that the School District identify the limits of buried ACM at the site and have set plans and procedures in place for handling and disposal of the ACBM during any future excavation work or other disturbance of the area. RSMP discussed this issue

with SED, obtained approval last month for the remediation work, and prepared a change order for RJSCB approval at the January 2020 meeting.

DISTRICT WIDE TECHNOLOGY:

- East High School Campus DWT mock-up room equipment provided/delivered to work site for installation.
- Private Branch Exchanges (PBX - telephone services) to be installed at Schools 2 and 4, working with District. Handsets and licenses ordered.
- Monitor delivery for East High School Campus D-Wing East and F-Wing is planned through first-half of 2020. Monitors will be stored at Electrical Contractor’s warehouse due to space limitation at the School.

DISTRICT STANDARDS UPDATE:

- Chris Goldan of SWBR Architects drafted report on observations of current signage at East. RSMP and SWBR plan to meet with EPO and District personnel in late January 2020 for feedback on proposed path forward. The identified ‘super locations’ and wayfinding protocol at East Campus will, along with sign designs, become a model for development of District-standard signage in the future.
- Revision ‘C’ to the District’s Design Standards for RSMP Phase III is in progress. Specification Templates for Divisions 00 and 01 (front end), along with Division 08 for windows and doors, are being updated.

BUSINESS OPPORTUNITIES PROGRAM (BOP):

- The Completion Ceremony for Cycle 7 of the BOP Instructional Series occurred at RSMP Offices on 8Jan2020, 5:30PM. Eleven (11) companies graduated from the program.
- Final design was completed on Progress Flyers for modernization of Schools 2, 4 and 10. These will be circulated to each respective School via print copy, website uploading and social media posting.

RSMP PHASE I – Update provided by Gilbane

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

- All closeout paperwork has been submitted to RCSD.
- RCSD has filed the remaining Phase I Final Cost Reports with SED. The RJSCB/COMIDA Bond Compliance Certificates of Completion have also been submitted to the Bond Issuer (COMIDA) and the Trustee (US Bank).

The M/WBE and Services Procurement Committee Report for January 9, 2019 was included in the Members Packets.

Report: Change Orders Authorized by Chair

Allen Williams & Pépin Accilien stated that the amount authorized by the Chair this month is for 15 Change Orders totaling \$238,947.64, included in the Committee Packet, and outlined below for this month:

Change Orders Authorized by Chair for January 2020 Mtg			
PROJECT	CONTRACTOR	C/O #	AMOUNT

Change Orders Authorized by Chair for January 2020 Mtg			
BARTON 2	GC - DIPASQUALE CONSTRUCTION	55	\$ 13,272.00
	EC - CONCORD ELECTRIC	51	\$ 6,960.00
	EC - CONCORD ELECTRIC	52	\$ 3,327.00
	EC - CONCORD ELECTRIC	53	\$4,768.00
	EC - CONCORD ELECTRIC	54	\$ 12,499.00
	PC - MICHAEL A. FERRAUULO	19	\$ 22,601.00
COOPER 10	GC - MANNING SQUIRES HENNIG	4	\$ 14,548.00
	MC - MICHAEL A. FERRAUULO	1	(\$2,695.00)
	EC - CONCORD ELECTRIC	2	\$ 34,433.00
FLOWER CITY 54	GC - MANNING SQUIRES HENNIG	3	\$ 19,431.00
EAST	GC - HOLDSWORTH KLIMOWSKI	54	\$ 23,879.00
	MC - JOHN W. DANFORTH	18	\$ 23,209.66
	EC - HEWITT YOUNG	41	\$ 33,332.88
	PC - THURSTON DUDEK	7	\$ 23,858.65
	PC - THURSTON DUDEK	8	\$ 5,523.45
TOTAL		15	\$ 238,947.64

Committee Meeting: Thursday, January 9, 2020

Report: Amendments Authorized by Chair

Allen Williams & Pépin Accilien stated that the amount authorized by the Chair this month is for 1 Amendment totaling a credit of \$20,000.00, included in the Committee Packet, and outlined below for this month:

Amendments Authorized by Chair			
Project	Firm	Amendment No.	Amount
Monroe High 2a	CJS Architects	17-MHSP2a-006	(\$20,000.00)
TOTAL:		1	(\$20,000.00)

Committee Meeting: Thursday, January 9, 2020

Report: Purchase Orders Authorized by Chair

Allen Williams & Pépin Accilien stated that the amount authorized by the Chair this month is for 1 Purchase Order totaling \$2,972.00, included in the Committee Packet, and outlined below for this month:

Purchase Orders Authorized by Chair				
Project	Contractor	PRODUCT/SERVICE	PO #	Amount
Barton 2	Clark Moving & Storage, Inc.	Move Services	M-2C-0006	\$2,972.00
TOTAL:				\$2,972.00

Committee Meeting: Thursday, January 9, 2020

Adjournment

Adjourned at 5:19 pm.

Motion by Member Rosiland Brooks-Harris

Second by Vice Chair Schmidt

Approved 4-0