

**Rochester Joint Schools Construction
Board Monthly Meeting Minutes
February 14th, 2022
4:00 PM**

Present – Called to Order by the Board Chair at 4:08 PM

The virtual meeting was attended by Board Chair Thomas Richards, Vice Chair Michael Schmidt, Treasurer Kim Jones, Jesse Dudley (joined at 4:08 PM), Carleen Pierce, Richard Perrin, Program Coordinator Allen Williams, Savin Program Director P  pin Accilien, Savin Deputy Director Roland Coleman, General Counsel Greg McDonald, Ed Hourihan, and Melissa Mahler, ICO Brian Sanvidge, RCSD Superintendent Dr. Lesli Myers-Small and Board of Education Vice President Beatriz LeBron. Member Genelle Morris was not in attendance.

Approval of Minutes

Monthly Meeting held on January 10, 2022

Motion by Board Member Carleen Pierce

Second by Board Member Kim Jones

Approved 6-0

Action Items

Resolution 2021-22:93

Pay Requisition Summaries Acceptance (January 2021)

Moved by Board Member: Thomas Richards

Second by Board Member: Jesse Dudley

Adopted 6-0

Resolution 2021-22:94

BOP 2016-2021 Strategic Achievements

Moved by Board Member: Jesse Dudley

Second by Board Member: Carleen Pierce

Adopted 6-0

MEETING NOTES:

Phase 2 Budget Report

P  pin Accilien and Christopher Clarke reviewed the report with the Committee. All pending change order items brought to the Committee were included and tracking well. Expenditures (hard and soft costs) for the first group of projects in Phase 2a total **\$164,962,581.23** Expenditures (hard and soft costs) for the second group of projects in Phase 2b total **\$139,762,547.41** Expenditures (hard and soft costs) for the third group of projects in Phase 2c total **\$114,100,762.41** Expenditures (soft costs) for the fourth and final project for Phase 2d total of **\$24,521,388.03** Total amounts paid to date for all Phase 2 projects total **\$443,347,289.08** of the \$435,000,000 borrowing limit and the approximately \$16,388,719 of supplemental and residual funds for additional projects requested by the RJSCB on behalf of the RCSD and the City (i.e., SSBA, CSG, NYSERDA Rebate, RG&E Rebate).

Communications

The Compliance Report from Anchin was not included in the Members packets but was reviewed by ICO Brian Sanvidge at the meeting.

Phase 2:

- 100% submissions for the February 2022 reporting period.
- 96.87% of all data requested has been received and approved (January 2016 – December 2021).
- Overall Workforce (EEO) Participation: Minority @ 26.88% (goal is 22%) and Women @ 6.44% (goal is 8%).
- Overall Workforce (EEO) Participation: Minority Males @ 23.26% (goal is 22%) and Women @ 10.06% (goal is 8%).
- Overall Business Participation: Minority @ 19.07% (goal is 17%), Women @ 11.80% (goal is 10%), Small @ 2.52% (goal is 3%) and Disadvantaged @ 2.61% (goal is 3%).
- Rochester Residents: 6 of the 18 workers for the December 2021 reporting period (or 33.33%).

Meeting Notes

- Vice Chair Mike Schmidt will provide an electronic copy of the BOP Strategic Achievements report to the Board of Education (BOE) and Member Kim Jones will inquire if City Council should receive the report and/or presentation.
- Member Carleen Pierce noted that the BOP Strategic Achievements report did not contain the statistics showing the number of EBEs that participated in the Phase II Business Opportunity Program (BOP) that were subsequently able to obtain state certifications (i.e., MWBE, WBE) with the assistance of BOP. It was stated that the RSMP is not a certifying agency. However, Empire State Development (ESD) and Monroe County Procurement Technical Assistance Center (PTAC) were facilitators for the BOP program and assisted several participants with obtaining their certification. Chairman Richards requested that information regarding those numbers be included in the report.
- Member Carleen Pierce indicated that the District has questions regarding the Phase II “wind down” document prepared by Savin Engineers. Chairman Richards stated that the next step would be for Pépin Accilien and Roland Coleman to set up a meeting with the District to review the document and ensure it meets their needs.
- Pépin Accilien reviewed the Fund Balance document included in the Board packet. Chairman Richards posed the question of whether any remaining funds could be used to finance the beginning of Phase 3, with the understanding that it gets paid back. Cerri Cupples stated that, in Phase 1 to bridge Phase 2, the City of Rochester offered special financing called a ‘Bridge BAN’ where financing was issued until the Bond was approved. Pépin Accilien clarified that the bond funds have been exhausted and the remaining funds are supplemental funds.
- Member Carleen Pierce asked if there was an update on Schools 4 and 54 with regard to City Council. The City Planning Board approved the recommendations of the requested partial abandonment at Chace St. for Flower City School 54 and it is currently on the agenda for the City Council meeting on 22 March 2022 for a formal approval. Program Coordinator Allen Williams stated we have acquired all of the properties that we wanted to acquire aside from two remaining properties. Those two properties will require eminent domain and there was not much of an appetite for that. Chairman Richards suggested the full plan for the site development be presented to City Council, along with the consequences for not acquiring the properties to develop the site. Vice Chair Mike Schmidt requested that the full site plans for Schools 4 and 54 be reviewed at the March RJSCB meeting. Member Richard Perrin has offered to take the lead on working through the City departments as it relates to making any changes.
- Member Richard Perrin requested to revisit the “RSMP Phase II Wind Down” document and amend it to show X of Y number of projects have been submitted for item #4. There are also asterisks showing in the document that do not have footnotes so Chairman Richards requested they be removed. Vice Chair Mike Schmidt suggested that document be amended to combine the project with the reason it is late.

- Program Coordinator Allen Williams reviewed the revised procurement schedule for the Phase 3 Program Manager and Independent Compliance Officer. Chairman Richards stated that the RJSCB, the District and the City need to work together to accomplish the items on the schedule. Member Kim Jones will provide City Council dates to Program Coordinator Allen Williams.
- Chairman Richards requested a full briefing be given to the RJSCB in Executive Session at the March 2022 RJSCB meeting by Board Counsel Bond, Schoeneck & King on the HYE claim.
- Independent Compliance Officer Anchin will deliver a briefing at the March 2022 RJSCB meeting regarding the compliance controls put in place for Phase 2.

[After the public board meeting, Program Director Pepin Accilien and RJSCB members emphasized that none of the Phase 2 projects were late or suffered overruns. On the contrary, each of the Phase 2 base projects were within budget, on schedule, and met the expectations of the RCSD, the City of Rochester and the RJSCB. Many of the additional projects completed in Phase 2 are infrastructure items and failing building systems that have exceeded their useful lives and slated for Phase 3 that were completed with residual funds, savings from Phase 2 fiscal discipline and additional sources of funds through grants, energy rebates, E&O restitution, AG restitution, and energy rebates.]

Report: Purchase Orders Authorized by Chair

Chairman Thomas Richards stated that the amount authorized by the Chair for the month of February was for 3 Purchase Orders totaling **\$3,318.76**, included in the Board Packet, and outlined below:

Purchase Orders Authorized by Chair for February 2022 Meeting				
Project	Contractor	Purchase Order No.	Amount	Signature
School 2	Ajay Glass & Mirror Co	DOORS-SCH02-02	\$258.00	Allen K. Williams
School 54	Intivity	MAT-SCH54-01	\$1,738.76	Allen K. Williams
East High	Cannon Electric	ELECTSVS-EAST-02	\$1,580.00	Allen K. Williams
TOTAL		3	\$3,318.76	

Chairman Thomas Richards called for an Executive Session pursuant to New York Public Officer’s Law Section 108(3), to consult with the Board’s General Counsel on matters regarding current litigation subject to attorney client privilege.

EXECUTIVE SESSION:

IN: 5:22 pm

Motion by Michael Schmidt

Second by Kim Jones

OUT: 6:13 pm

Motion by Jesse Dudley

Second by Kim Jones

Adjourned at 6:14 pm

Moved by Carleen Pierce

Seconded by Jesse Dudley

Approved 6-0