

**Rochester Joint Schools Construction  
Board Monthly Meeting Minutes  
April 8, 2019  
4:30 PM**

**Present**

Board Chair Allen Williams, Vice Chair Michael Schmidt, Rosiland Brooks-Harris, Norman Jones, Tom Richards, ICO Brian Sanvidge; Savin Program Director Pépin Accilien, Savin Deputy Director Roland Coleman; General Counsel Greg McDonald and Attorney Melissa Mahler.

**Chairman Williams convened the meeting at 4:36 pm.**

**Approval of Minutes**

Monthly Meeting held on March 11, 2019

Motion by Board Member Norm Jones

Second by Board Member Michael Schmidt

Approved 5-0 with Member Cruz away

**Resolution 2018-19: 125**

**FF&E Purchase Orders – East 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 is undertaking 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 Program Manager, with the advice of Vargas Associates (the “Move Manager”), the RJSCB’s general counsel, the Construction Managers, the Architects, and the RJSCB’s Independent Compliance Officer (“ICO”), 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 (the “2c/2d FF&E Projects”); and

WHEREAS, the RJSCB authorized the release of the FF&E bid documents for the 2c/2d FF&E Projects at its regular meeting on January 7, 2019 (Resolution 2018-19: 93); and

WHEREAS, the East High School (“East School”) is one of the projects included in Phase 2c/d of the RSMP as provided in the Phase 2 Master Plan; and

WHEREAS, the Program Manager was able to utilize the 2018 pricing for FF&E firms that had submitted bids for Phase 2 FF&E projects on January 23, 2018; and

WHEREAS, the RJSCB at its February 6, 2018 regular meeting approved the selection of Facilities Equipment & Services Inc. (“FES”), FM Office Products (“FM Office”), Hertz Furniture (“Hertz”) and Kraftwerks (“Kraftwerks”) as the Furniture, Fixtures and Equipment (“FF&E”) suppliers for the 2c/2d FF&E Projects (Resolution 2017-18: 138); and

WHEREAS, the RJSCB issued purchase orders to the FF&E suppliers for the 2c/2d FF&E Projects (Resolution 2017-18: 138) (Resolution 2018-19: 110); and

WHEREAS, on February 18, 2019, the Move Management Consultant and the Program Manager recommended to the RJSCB’s M/WBE and Services Procurement Committee (the “Committee”) that additional purchase orders be issued for the East School FF&E Project as identified in the table below:

School	Name of Firm	Not-to-Exceed PO Amount
East School	FES, Inc. 11 State Street, Suite 201 Pittsford, NY 14534	\$100,000
East School	FM Office Products, 106 Despatch Drive, Suite 2 East Rochester, NY 14445	\$185,000
East School	Hertz Furniture, 170 Williams Drive, Ramsey, NJ 07446	\$125,000

WHEREAS, deliveries and installation of FF&E orders placed at this time will be coordinated by the Move Management Consultant to coincide with the construction schedule of the East School FF&E Project; and

WHEREAS, at its meeting on March 7, 2019, the M/WBE and Services Procurement Committee approved the forwarding of the Move Management Consultant’s FF&E recommendations to the full Board for consideration at its March 11, 2019 regular meeting.

THEREFORE, BE IT RESOLVED:

1. The RJSCB hereby approves the recommendation of the Move Management Consultant that the contract awards shall be made to the above named firms, in the not-to-exceed amount specified to provide the necessary Furniture, Fixtures, and Equipment (delivered and installed at point of use) for the East School FF&E Project; and
2. The RJSCB Chair is hereby authorized, to execute and deliver Purchase Orders to the firms named above, in substantially the form included in the Request for Bids for the Furniture, Fixtures, and Equipment with such changes as the Chair may approve (the Chair’s signature thereon being conclusive evidence of such approval) on the advice of the Program Manager and the RJSCB’s general counsel.

**Second by Board Member Tom Richards**  
**Approved 5-0 with Member Cruz Away**

**Resolution 2018-19: 126**  
**Bid Award – Summer 2019 Move Services (School 22, School 54, Edison Tech, East High & RSMP Warehouse)**

**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, upon the recommendation of its Program Manager and Move Management Consultant (Vargas Associates), has determined a need for a moving services firm to provide the labor and equipment to perform the physical moves in the summer of 2019 for all furniture and contents of School 22, School 54, Edison Tech and East High School and the RSMP Warehouse that are included in and part of the RSMP; and

WHEREAS, the RJSCB authorized the release of request for bids (“Request for Bids”) to obtain bids from the move services firms using an open public bid process at its regular meeting on January 7, 2019 (Resolution 2018-19: 94); and

WHEREAS, following RJSCB approval, the Program Manager advertised and released the bid documents for the 2019 summer moving services in January 2019; and

WHEREAS, the Program Manager and Move Management Consultant received bids on February 6, 2018 per the deadline stipulated in the Request for Bids, and those bids were subsequently opened and read aloud at the location stated in the Request for Bids; and

WHEREAS, the RJSCB’s Program Manager and the Move Management Consultant have reviewed the bids, conducted de-scoping meetings and made assessments on the sufficiency of staffing for the moves, and concluded that the apparent low bidder is capable to perform the scope of work packages and is also a qualified and a responsible bidder; and

WHEREAS, at its March 7, 2019 meeting, the M/WBE Procurement and Services Committee considered the recommendation of the Program Manager and Move Management Consultant and following due deliberation, approved the firms as follows:

<b>School</b>	<b>Name of Firm</b>	<b>Not to Exceed Amount</b>
School 22	Clark Moving & Storage, Inc. 3680 Buffalo Road Rochester, NY 14624	\$46,094.00
School 54	Clark Moving & Storage, Inc. 3680 Buffalo Road Rochester, NY 14624	\$65,080.00
Edison Tech	Clark Moving & Storage, Inc. 3680 Buffalo Road Rochester, NY 14624	\$19,736.00
RSMP Warehouse	Clark Moving & Storage, Inc. 3680 Buffalo Road Rochester, NY 14624	\$21,720.00
East High	Clark Moving & Storage, Inc. 3680 Buffalo Road Rochester, NY 14624	\$126,561.00

THEREFORE, BE IT RESOLVED:

1. The RJSCB hereby approves the recommendation of the Program Manager and Move Management Consultant that the contract awards shall be made to the above-named firms, in the amount specified to provide the necessary moving services; and
2. The RJSCB Chair is hereby authorized, to execute and deliver a Purchase Order to the firms named above, in substantially the form included in the Request for Bids with such changes as the Chair may approve (the Chair's signature thereon being conclusive evidence of such approval) on the advice of the Program Manager and the RJSCB's general counsel.

**Second by Board Member Tom Richards**  
**Approved 5-0 with Member Cruz Away**

**Resolution 2018-19: 127**

**Contract Awards – DWT Mini-Bids #7 Adjustable Wall Brackets, All in One Brackets, Classroom Amps, Interactive Flat Panels, Wireless Access Points Phase 2 Schools – (School 2, School 10 and School 54)**

**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 worked with the Technology Consultant, Millennium Strategies ("Millennium"), to prepare a request for bid package for the DWT-2 project for Interactive Flat Panels, Ergotron Arms, Video Surveillance and Wireless Network Equipment for the Phase 2 schools to be known as the "DWT-2 Mini-Bid Package #7"; and

WHEREAS, the RJSCB approved the issuance of Request for Bids for the DWT-2 Mini-Bid Package #7 at its meeting on January 7, 2019 (Resolution 2018-19: 96); and

WHEREAS, the RJSCB received bids for Interactive Flat Panels, Ergotron Arms, Video Surveillance and Wireless Network Equipment monitors through the issuance of the DWT-2 Mini-Bid Package #7 on January 31, 2019 per the deadline stipulated in the DWT-2 Mini-Bid Package #7, and those bids were subsequently publicly opened and read aloud at the location stated in the Mini-Bid Documents; and

WHEREAS, the Technology Consultant and the Program Manager reviewed the bids and concluded that the apparent low bidders for Interactive Flat Panels, Ergotron Arms, Video Surveillance and Wireless Network Equipment are also the qualified and responsible suppliers of those commodities; and

WHEREAS, the RJSCB at its February 11, 2019 regular meeting approved the selection of Troxell as the supplier of Adjustable Wall Brackets, CDW as the supplier of All in One Brackets, Lightspeed as the supplier of Classroom Amplification Systems, TeQ as the supplier of Interactive Flat Panels and Dyntek as the supplier of Wireless Access Points (collectively

the “DWT-2 Mini-Bid Package #7 Suppliers”) for the Edison, Forbes No. 4, Lincoln No. 22 & East projects (Resolution 2018-19: 111); and

WHEREAS, on February 19, 2019 the Technology Consultant and the Program Manager recommend to the RJSCB’s M/WBE and Services Procurement Committee (the “Committee”) that additional purchase orders be issued to the DWT-2 Mini-Bid Package #7 Suppliers for the School 2, School 10 and School 54 projects as identified in the table below:

<b>Vendor</b>	<b>Commodity</b>	<b>School</b>	<b>Contract</b>	<b>Not to Exceed Amount</b>
Troxell	Adjustable Monitor Wall Brackets	School 2, School 10 and School 54	N/A	\$40,000.00
CDW	All-in-One Computer Brackets	School 2, School 10 and School 54	N/A	\$68,136.00
Lightspeed	Classroom Amplification System	School 2, School 10 and School 54	N/A	\$110,000.00
TeQ	Interactive Flat Panels	School 2, School 10 and School 54	N/A	\$385,000.00
Dyntek	Wireless Access Points	School 2, School 10 and School 54	N/A	\$166,183.00

WHEREAS, at the Committee meeting held on March 7, 2019, following the review and consideration of the recommendations provided by the Technology Consultant and the Program Manager and, after due deliberation by the Committee, it approved forwarding the recommendations to the full Board for consideration at its March 11, 2019 regular meeting.

THEREFORE, BE IT RESOLVED:

1. The RJSCB hereby approves the recommendation of the Technology Consultant and the Program Manager as described above for DWT-2 Mini-Bid #7 for School 2, School 10 and School 54 projects in Phase 2 of the RSMP; and
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 Tom Richards**  
**Approved 5-0 with Member Cruz Away**

**Resolution 2018-19: 128**  
**Change Orders #8, #9 & #10 to Holdsworth Klimowski Construction Contract (East Campus)**

**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 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 #8 includes the following items:

1. Laminating Academic Walls \$109,852.47

The total amount of Change Order #8 is **\$109,852.47**; and

WHEREAS, Change Order #9 includes the following items:

1. Collaboratorium Flooring Removal \$3,441.67
2. Drywall Ceiling -ACM \$18,677.17

The total amount of Change Order #9 is **\$22,118.84**; and

WHEREAS, Change Order #10 includes the following item:

1. Replacement of Ceiling in Cafeteria \$21,103.63

The total amount of Change Order #10 is **\$21,103.63**; 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 \$153,074.94; and

WHEREAS, the Committee considered and discussed the Program Manager's recommendation at its March 7, 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 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 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 Tom Richards**  
**Approved 5-0 with Member Cruz Away**

**Resolution 2018-19: 129**  
**Change Order #3 to Thurston Dudek LLC Contract (East Campus)**

**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 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 plumbing contract to Thurston Dudek LLC Contract ("TDL") for the East project in Phase 2 (Resolution 2018-19: 51); and

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

WHEREAS, following the execution of the Contract, TDL, 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 #3 includes the following items:

2. Construct Exist Carriers & Piping – 6 Toilet Rooms \$22,680.04
3. Temp Showers for Locker Rooms \$7,961.22

The total amount of Change Order #3 is **\$35,641.26**; 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 TDL's Contract should be amended to add these scope items for an increase in the Contract Sum of \$35,641.26; and

WHEREAS, the Committee considered and discussed the Program Manager's recommendation at its March 7, 2019 meeting and after due deliberation, it approved the request to amend the Contract as set forth herein.

THEREFORE, BE IT RESOLVED:

3. The proposed Change Order to TDL's Contract between the Board and Contractor dated September 10, 2018 as set forth above is hereby approved; and
4. The RJSCB 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 Tom Richards**

**Approved 5-0 with Member Cruz Away**

**Resolution 2018-19: 130**

**Change Orders #12 & #14 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 #12 includes the following item:

1. Wall Furring in Classrooms \$115,000.00  
The total amount of Change Order #12 is **\$115,000.00**; and

WHEREAS, Change Order #14 includes the following items:

1. Sewer Redesign \$3,001.00
2. Provide Ceilings in Rooms 211, 212, 214, 215, 216 & 217 \$33,906.00
3. Provide F6 furring in library \$1,673.00

The total amount of Change Order #14 is **\$38,580.00**; 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 \$153,580.00; and

WHEREAS, the Committee considered and discussed the Program Manager's recommendation at its March 7, 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 Tom Richards**  
**Approved 5-0 with Member Cruz Away**

**Resolution 2018-19: 131**  
**Change Order #4 to John W. Danforth Company (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 mechanical contractor contract to John W. Danforth Company (“Danforth”) for the School 2 project in Phase 2c (Resolution 2017-18: 181); and

WHEREAS, the RJSCB entered into a contract with Danforth (Resolution 2017-18: 181) dated May 7, 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, Danforth, 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 #4 includes the following item:

1. MC Air Conditioning in Gym & Cafeteria \$183,428.00  
The total amount of Change Order #4 is **\$183,428.00**; 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 item for an increase in the Contract Sum of \$183,428.00; and

WHEREAS, the Committee considered and discussed the Program Manager’s recommendation at its March 7, 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 May 7, 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 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 Tom Richards**  
**Approved 5-0 with Member Cruz Away**

**Resolution 2018-19: 132**  
**Change Orders #8, #9 & #11 to Concord Electric Corp. (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 electrical contractor contract to Concord Electric Corp. ("Concord") for the School 2 project in Phase 2c (Resolution 2017-18: 181); and

WHEREAS, the RJSCB entered into a contract with Concord (Resolution 2017-18: 181) dated May 7, 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 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 #8 includes the following items:

1. One for One Replacement of Exterior Wall Pack, Replace Existing Canopy Lights \$21,627.00
2. IB-12 EWC Removals in Corridors (\$484.00)
3. RFI094 Retrofit/Replace Existing Electrical Panels RFP 0016 \$3,997.00

The total amount of Change Order #8 is **\$25,140.00**; and

WHEREAS, Change Order #9 includes the following item:

1. Air Conditioning – Electrical Portion IB-27 \$30,975.00

The total amount of Change Order #9 is **\$30,975.00**; and

WHEREAS, Change Order #11 includes the following items:

1. Existing Receptacles 1<sup>st</sup> Floor \$24,835.00
2. Power for Teaching Walls Area E \$2,693.00

The total amount of Change Order #11 is **\$27,528.00**; 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 \$83,643.00; and

WHEREAS, the Committee considered and discussed the Program Manager's recommendation at its March 7, 2019 meeting and after due deliberation, it approved the request to amend the Contract.

THEREFORE, BE IT RESOLVED:

3. The proposed Change Orders to Concord's Contract between the Board and Contractor dated May 7, 2018 as set forth above are hereby approved; and
4. 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 Tom Richards  
Approved 5-0 with Member Cruz Away**

**Resolution 2018-19: 133  
Change Order #3 to Steve General Contractor Inc. Contract (Lincoln School 22)**

**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 Steve General Contractor Inc. ("SGC") for the Lincoln School No. 22 project (f/k/a as the Dag Hammarskjold School 6) in Phase 2c (Resolution 2017-18: 182); and

WHEREAS, the RJSCB entered into a contract with SGC (Resolution 2017-18:182) 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, SGC, 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 items:

1. Nurse Wall Build Out 4" Sanitary Line	\$323.86
2. RFI 112 Soffit Detail	\$30,679.87
3. ACM Pucks & Mud Fittings	\$22,865.70
4. Removal/Rebuild of CMU Walls	\$30,222.69
5. Pre-K Classrooms Storage Wall Demo	\$1,510.05
6. DWT Teacher Wall Blocking	\$4,866.15
7. Lamination of Classrooms Walls	\$31,635.20
8. HM Frames for RM 124B & 126	\$6,171.92
9. RFI 158 Support Steel RM 889	\$5,665.61
10. Insulating Behind Millwork	\$750.69

The total amount of Change Order #3 is **\$134,691.74**; 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 SGC's Contract should be amended to add these scope items for a total increase in the Contract Sum of \$134,691.74; and

WHEREAS, the Committee considered and discussed the Program Manager's recommendation at its March 7, 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 Order to SGC's Contract between the Board and Contractor dated May 7, 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 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 Tom Richards**  
**Approved 5-0 with Member Cruz Away**

**Resolution 2018-19: 134**  
**Change Order #2 to Concord Electric Contract (Lincoln School 22)**

**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 electrical contractor contract to Concord Electric Corp. (“Concord”) for the Lincoln School No. 22 project (f/k/a as the Dag Hammarskjold School 6) in Phase 2c (Resolution 2017-18: 182); and

WHEREAS, the RJSCB entered into a contract with Concord (Resolution 2017-18:182) dated May 7, 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 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 #2 includes the following items:

11. RFI 154 Data Room Ceilings	\$4,004.62
12. DWT Walls Low Voltage Wiring	\$13,901.74
13. Revised Exterior Lighting	\$11,171.42
14. Additional Fans	\$28,746.46
15. Additional Camera Vestibule 81	\$2,761.15

The total amount of Change Order #2 is **\$60,585.39**; 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 Concord’s Contract should be amended to add these scope items for a total increase in the Contract Sum of \$60,585.39; and

WHEREAS, the Committee considered and discussed the Program Manager’s recommendation at its March 7, 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 Order to Concord’s Contract between the Board and Contractor dated May 7, 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 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 Tom Richards**  
**Approved 5-0 with Member Cruz Away**

## **Resolution 2018-19: 135**

### **Pay Requisition Summary Acceptance (February 2019)**

**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 \$40,657.66, 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 March 1, 2019; and

WHEREAS, the Program Manager forwarded the Phase 2 monthly Pay Requisition Summary (attached to this Resolution) totaling \$8,127,762.62, 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 March 1, 2019; and

WHEREAS, the RJSCB Chair approved the regular monthly Pay Requisition Summary and the Phase 2 monthly Pay Requisition Summary on or about February 10, 2019; 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 March 7, 2019.

THEREFORE, BE IT RESOLVED:

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

**Second by Board Member Tom Richards**  
**Approved 5-0 with Member Cruz Away**



**Resolution 2018-19: 136**

**Letter of Intent Authorization – Flower City School 54 (Phase 2d)**

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

WHEREAS, Phase 2d includes general construction, HVAC, electrical and plumbing work at School 54; and

WHEREAS, the Program Manager worked with the School 54 Architect and Construction Manager to prepare requests for bids for general construction, HVAC, electrical and plumbing bidding documents package; and

WHEREAS, the RJSCB authorized the release of the general construction, HVAC, plumbing and electrical work package at its regular meeting on December 10, 2018 (Resolution 2018-19: 79); and

WHEREAS, the Program Manager received bids on March 11, 2018 per the deadline stipulated in the Request for Bids for the School 54 project, and those bids were subsequently publicly opened and read aloud at the location stated in the Request for Bids; and

WHEREAS, the Program Manager, the Construction Manager and the Independent Compliance Officer (“ICO”) reviewed the bids submitted for the School 54 project and requested that letters of intent be issued to the apparent low bidders with the ultimate award dependent upon the bidders’ compliance with the RSMP diversity goals and further Board action; and

WHEREAS, the Board considered and discussed the recommendation of the Program Manager, Construction Manager and ICO at its March 11, 2019 meeting, and after due deliberation, the Board approved the request to issue letters of intent to the following apparent low bidders for the Phase 2d School 54 project:

<b>Scope of Work</b>	<b>Contractor</b>	<b>Address</b>	<b>Bid Amount</b>
General	Manning Squires Hennig	8426 Seven Springs Road P.O. Box 685 Batavia, NY 14021	\$10,806,000.00 (including Alternates 1-7)
HVAC	Michael A. Ferrauilo Plumbing & Heating, Inc.	1600 Jay Street Rochester, NY 14611	\$3,127,000.00

Plumbing	Thurston Dudek	291 David Parkway Ontario, NY 14519	\$732,000.00
Electrical	Frey Electric Construction Co.	100 Pearce Avenue Tonawanda, NY 14611	\$2,330,000.00 (including Alternates 8-9)

THEREFORE, BE IT RESOLVED:

1. The RJSCB Chair is hereby authorized, in the name and on behalf of the RJSCB, to issue letters of intent to the above-named contractors for the School 54 general construction, HVAC, electrical and plumbing prime contracts in order to maintain the overall project schedule with contract award subject to further action of the Board.

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

**Resolution 2018-19: 137  
Construction Change Directive to Holdsworth Klimowski Construction Contract (East Campus)**

**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 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 due to a redesign of the Dental Suite, 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, given the schedule constraints, the Program Manager has recommended that the Board issue a construction change directive to HKC as follows:

4. Provide revisions to Dental Suite as outlined in IB#019 - \$98,502.00

The total amount of Construction Change Directive #GC-018 is \$98,502.00; and

WHEREAS, the Construction Manager and the Program Manager believe that the construction change directive 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 Board that HKC's Contract should be amended to add these scope items for an increase in the Contract Sum of \$98,502.00; and

WHEREAS, the Board considered and discussed the Program Manager's recommendation at its March 11, 2019 meeting and after due deliberation, it approved the request to amend the Contract as set forth herein.

THEREFORE, BE IT RESOLVED:

5. The proposed Construction Change Directive #GC-018 to HKC's Contract between the Board and Contractor dated September 10, 2018 as set forth above is hereby approved; and
6. The RJSCB Chair is hereby authorized, in the name and on behalf of the RJSCB, to execute Construction Change Directive #GC-018 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 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:**

- 85.48% submissions for the January 2019 reporting period.
- 93.38% of all data requested has been received and approved (January 2016 through January 2019).
- Overall Workforce (EEO) Participation: Minority @ 26.23% (goal is 22%) and Women @ 6.89% (goal is 8%).
- Overall Business Participation: Minority @ 23.72% (goal is 17%), Women @ 11.37% (goal is 10%), Small @ 3.30% (goal is 3%) and Disadvantaged @ 2.24% (goal is 3%).
- Rochester Residents: 120 of the 409 workers for the January 2019 reporting period (or 29.34%).

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

## **RCS D Bi-Weekly Update 08 MAR 19**

### **RSMP PHASE III STATUS**

#### **STRATEGIC PLANNING PROGRESS:**

- Final draft of legislation and a Project Labor Agreement (PLA) prepared for Phase 3 and submitted to City and State Stakeholders since December 2018. As of this date, the Phase 3 Legislature has not been introduced to the State Legislature and the Governor's office for action. The Monroe High School Natatorium, property acquisition and the enhanced campus development at School 54, and the outdoor classroom and Heritage Park site development work at School 22, have all been delayed until passage of the Phase 3 Legislation.
- Capital Markets Advisors and Citi Global Services have been retained by the RJSCB to start the Financial Plan that will be included in the Phase 3 Strategic Plan. Engagement Letter and Agreement will be executed with both firms this week.
- Discussed alternative financing to cover local share for a sports complex near John Williams School 5 with City Hall. A draft letter of support from the Mayor was sent to the Governor for State funding.
- 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 Department 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.

### **RSMP PHASE II UPDATE**

#### **JAMES MONROE HIGH SCHOOL 2a/2b:**

- Phase 2a Owner generated punch list work is 90% complete
- DWT installation of teachers 'all in one' mounting brackets will occur in early April 2019
- Phase 2b punch list work is 95% complete with the exception of the Brise Soleil precast remedial work that may extend into spring 2019.
- Additional Phase 2b Change Order work will continue through March 2019
- The damaged sanitary sewer lateral serving the new kitchen is undergoing further diagnosis by the GC prior to performing repair work.

#### **VIRGIL I. GRISSOM SCHOOL NO. 7:**

- The persistent problem with the Exit 3 door hardware has been serviced several times. The last being on Friday 3/1/19 where both the contractor and the hardware supplier opened up the door and made adjustments, which they believe, have solved the issue. If issue is not resolved, the team is prepared to replace that hardware type.

- Acoustical screening design proposal has been submitted and is in negotiation, hoping to finalize this week. This work will need to be bid out.
- Formal pricing from contractors for the Gym window operators has been received. It will be reviewed and authorized the week of 3/8/19.

### **EAST UPPER AND LOWER SCHOOLS:**

- Savin's FFE and Move Consultant (Vargas Associates) met with CTE Teachers to start coordination of the upcoming summer move and EPO relocation to trailer in preparation for Eastman Dental Suite construction.
- EPO requested Change Order to create Dental Lab has been designed by Cannon Design, with the expenses via Community School Grant.
  - CM collected Prime contractor costs for the change to determine the cost that will be funded by the Community Grant.
  - Collaboratorium – EPO has requested additional technology be included. PM, CM, EPO and RCSD IT are coordinating the additional scope to be covered by the Community Schools Grant.
- Construction continues in D-Wing West, Collaboratorium and throughout Basement on schedule.
- Working through the issue of the door lock sets specified and approved that are not in conformance with the RCSD standards. A change order will be issued to upgrade the hardware to meet RCSD Facilities' standards for vandal resistance.
- RG&E has confirmed verbally they are moving forward with the planning and approvals of their work to replace the 2 services to the building with 1 larger service. An engineering error was discovered recently which changes some equipment that may be long lead delivery. The team is assessing associated impacts to the overall schedule.

### **JOHN WALTON SPENCER SCHOOL NO. 16:**

- East Coast Electric's (ECE) contract work is now complete, but project close out and final payment have been delayed until March/April 2019 due to issues related to non-payment by East Coast to several Subcontractors and suppliers.
- ECE payments have been suspended until interim lien waiver requirements per contract are met.
- ECE has not resolved all Change Order back-charge items. RSMP staff and Consultants will meet again in late March 2019, and any unresolved issues will be forwarded to the Bonding Company for resolution.
- ASI's were issued for the DF/Bottle filler at gym and City/County signage and traffic requirements on Post Ave with pricing due from contractors 3/15/19.
- Crawl space water mitigation is in design.
- Authorization to design team to prepare bid documents for Gymnasium and cafeteria AC is on hold pending resolution of local share concerns.

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

- Installation of river rock complete. AoR acceptance pending weather

- PM requested punch list items be complete by end of February 2019. CM and Architect to verify final completion of punch list in March 2019.
- Change Order work complete, including interior wall partition to enclose washer/dryer and mop sink in kitchen and corridor access. Double door to former OT/PT office for additional Café table storage also complete; final door installation remains for both locations.

### **SCHOOL WITHOUT WALLS COMMENCEMENT ACADEMY:**

- Radius wall Change Order to add signage and EIFS will begin in May 2019
- Testing and Balancing (TAB) is complete, Commissioning report from the Commissioning Agent (Erdmann Anthony) is due late March 2019.
- Punch list work will complete in March/April 2019.
- RCSD self-performed carpentry work in the main office continues.

### **DR. FREDDIE THOMAS LEARNING CENTER:**

#### **Phase 2b.2 - Mechanical Equipment Replacement:**

- All closeout documents and Construction Manager's Primavera database received. In final review prior to turnover to the School District by early March.
- Final Cost Report prepared for review by RCSD and submission to NYSED.

### **EDISON TECHNOLOGY CAMPUS:**

- Phase B (makerspace/art classrooms/TV studio) reconstruction completed. Punchlist inspection by the Architect and CM was completed 2/25/19. The weather prevented Facilities from attending that day, so they were rescheduled for Thursday, 3/14.
- There is one corridor, the last to refinish with terrazzo scheduled for the April Break.
- Stairwell door/frame/hardware replacement
  - 2 added door replacements should be received in time to complete over April 2019 break.
- Jerry Trippe reviewed 1<sup>st</sup> Floor wing of Area A and exit 5 marked up a drawing for added cameras. We are distributing for contractor pricing.
- The Security Office/Entrance redesign was issued for contractor pricing Tuesday, 3/5/19.

### **CLARA BARTON SCHOOL NO. 2:**

- Air Conditioning Change Order valued at \$269k was approved by RJSCB at the procurement committee meeting of 07March19
- Sanitary Sewer relocation easement is approved, work is scheduled to begin in mid-April '19
- Overall project is still on schedule (some areas ahead, others behind). Schedule update published on 2/20/19 reflects on time completion
- Design omission CO's continue at an unusually high percentage
- FF&E installation is scheduled for November 2019 to allow for turnover in December 2019 (Mid-year move). A final FF&E review meeting with users will be held prior to issuing RFP's

### **GEORGE MATHER FORBES SCHOOL NO. 4:**

- 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.
- Main Office redesign is scheduled for issuing for contractor pricing by 3/15/19.

- The Additional parking lot design layouts were submitted for review 3/5/19. RCSD's Legal Department and the PM will need to prepare draft resolutions for Land acquisition to accommodate additional parking needs.
- Interior restoration continues on schedule.
- Structural steel erection continues and should complete ready to pour slabs on 3/20/19. If weather does not delay this milestone, there will be no negative impact on the overall project completion date.

### **ABRAHAM LINCOLN SCHOOL NO. 22:**

- Current activities:
  - Area D (Kitchen/Classroom addition) –MEP rough-in complete, framing continues in existing classrooms.
  - Area C (Classrooms and new add at SW Corner of Upper Falls and Hudson). Structural Steel and metal decking complete. Concrete slab on grade complete. MEP rough-in approx. 50% complete.
  - Areas A & B – MEP rough-in complete. Framing and drywall of teaching wall and laminating in existing classrooms complete. Ceiling grid, lights and diffusers being installed.
  - Crawl Space – MEP rough-in is complete.
- Critical issues:
  - Received 80% Construction Documents for Air Conditioning in assembly spaces (Gymnasium/Café) from Design team. PM/CM holding \$500K cost to provide A/C in these spaces.

### **DR. WALTER COOPER ACADEMY SCHOOL NO. 10:**

- All Primes have executed contracts and returned them to RSMP.
- Construction/Mobilization to start March 4, 2019 with occupancy August 2020.
- The estimate showed the project over budget due to market conditions and added scope (i.e. inclusion of 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:**

- A/E (LaBella) and RSMP staff have addressed additional comments on the Instructional Space Reviews (ISRs) and other new SED forms requested by the SED Project Manager.
- A/E (LaBella) and RSMP team completed test fit for School 54 at Jefferson. Follow-up meeting scheduled for 3/8/19 to review the drawings and received sign-off.
- Principal to be made aware of Program Change to 2-Strand by RSCD Leadership.
- 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.
- RCSD Legal and PM to prepare draft resolutions for land acquisition
- Project Schedule:
  - SED Approval Granted 2/21/19
  - Bid Advertisement - 1/9/19
    - 1<sup>st</sup> Walk Thru held 1/16/19

- 2<sup>nd</sup> Walk Thru Scheduled 2/13/19
- Bid Opening - Moved by addendum to Monday 3/11/19 at 11:00 am
- Construction Start - Summer (June) 2019
- Construction Completion – July 2020
- SED Project Close-Out Submission – Oct 2020
- Review/Complete Warranty 2021

### **DISTRICT WIDE TECHNOLOGY:**

- Punch-list items and ‘Day-2’ requests from re-opened 2a/b schools continue to be completed by Millennium and RCSD, with completion by end of RCSD Spring Break week (21 April).
- Permanent installation of All-in-One Computer brackets at Monroe HS to be completed by Avarus during second shift hours.
- DWT equipment for Schools 4 and 22 (brackets, flat panels, classroom amplification, wireless access points) ordered. Similar equipment to be ordered for schools 2 and 10 in mid-March.

### **DISTRICT STANDARDS UPDATE:**

- Closeout paperwork for newly re-opened schools being gathered and reviewed. Change Orders are in process of being forwarded to SED for funding reimbursement approval.
- RSMP working to implement updated RCSD Security Standards, authored by Day Automation and M/E Engineering, into Phase 2 schools.
- RSMP continuing to update RCSD Design Standards and RSMP Project Specification Templates.

### **BUSINESS OPPORTUNITIES PROGRAM:**

- Three (3) I.S graduates were awarded sub-contracts on the recently awarded School #10 project: Cannon Electric (MBE), Avarus Solutions (SBE), Hart Cleaning Services (MBE).
- EBE Outreach Recruitment continues for School #54 bid. An E-blast to all Rochester area Construction-related EBE’s occurred on 27FEB19.
- Instructional Series Cycle 6 is underway covering the 2<sup>nd</sup> Module with 22 companies participating. The group seems very engaged with the material and each other collegially.
- A Construction Notice flyer was distributed on 1MAR19 around the School 10 perimeter to notify 250 neighbors of the 4MAR19 mobilization.
- BOP representatives presented at the SBDC Contractors Forum on 6MAR19. Alongside other regional procurement agencies, RSMP Phase 2 accomplishments were featured and recruitment for Phase 3 opportunities was extended.
- Based upon the RCSD’s long-term graduation goal, the Phase 3 planning team will have the independent demographer prepare new enrollment projections for the high school grades.

### **RSMP PHASE I – Update provided by Gilbane**

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

- Site work on hold until Spring 2019.
- Change orders submitted for approval for the following additional work:
  - Capping of cinders
  - Credit for bus pull off



- porous walkway upgrade

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

The M/WBE and Services Procurement Committee Report for March 7, 2019 is included in the Members Packets.

The M/WBE and Services Procurement Committee Report includes the Board Chair Report for Authorized 19 Change Orders totaling \$ 223,830.57 and is articulated below for this month:

<b>Change Orders Authorized by Chair for March 2019 Mtg</b>			
<b>PROJECT</b>	<b>CONTRACTOR</b>	<b>C/O #</b>	<b>AMOUNT</b>
EAST	GC - HOLDSWORTH KLIMOWSKI	6	\$ 13,477.46
	GC - HOLDSWORTH KLIMOWSKI	7	\$ 5,285.85
BARTON 2	GC - DiPASQUALE CONSTRUCTION	13	\$ 25,241.00
	MC - DANFORTH	3	\$ 2,701.00
	EC - CONCORD ELECTRIC	7	\$ 11,234.00
	EC - CONCORD ELECTRIC	10	\$ 12,198.00
	PC - FERRAUILO	6	\$ 15,345.00
	PC - FERRAUILO	7	\$ 3,657.00
FORBES 4	GC - DIPASQUALE CONSTRUCTION	7	\$ 20,752.09
	EC - CONCORD ELECTRIC	5	\$ 15,662.84
	PC - THURSTON DUDEK	2	\$ 26,777.89
SPENCER 16	GC - MANNING HENNIG SQUIRES	35	\$ 10,989.00
	MC - FERRAUILO	9	\$ 1,642.00
	EC - EAST COAST ELECTRIC	10	\$ 30,089.32
EDISON	EC - CONCORD ELECTRIC	10	\$ 29,348.89
MONROE 2B	DC - MARK CERRONE	2	\$ (2,836.68)
	EC - CONCORD ELECTRIC	25	\$ 2,122.91
PHS 1 / MONTGOMERY 50	RC - ELMER DAVIS, INC	1	\$ (14,276.00)
<b>TOTAL</b>		<b>19</b>	<b>\$ 223,830.57</b>

*Committee Meeting: Thursday, March 7, 2019*

**Executive Session**

**Approved at 5:21 pm.**

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 Rosiland Brook-Harris  
 Second by Vice Chair Michael Schmidt  
 Approved 5-0 with Member Cruz away

**The Board came out of Executive Session at 5:42 pm.**

Motion by Board Member Norman Jones  
 Second by Vice Chair Michael Schmidt  
 Approved 5-0 with Member Cruz away

**Adjournment**

**Approved at 5:42 pm.**

Motion by Board Member Norman Jones  
 Second by Vice Chair Michael Schmidt  
 Approved 5-0 with Member Cruz away