

**Rochester Joint Schools Construction Board**  
**Minutes**  
**March 28, 2011**  
**4:30 PM**

**Present**

Board Chair Kenneth Bell, Vice Chair Carolyn Vitale, Members Bob Brown, Richard Pifer (arrived 4:50 p.m.), Brian Roulin, Jerome Underwood, ICO Windell Gray. Member Castro away. General Counsel Peter Abdella, Program Director Tom Rogér, interim Board Clerk Alexandra Fleischer.

Chairman Bell convened the meeting at 4:37 p.m. No one present wished to address the Board.

Motion to convene in Executive Session Motion under Section 105(1)(f) of the Public Officers Law by Chairman Bell. Second by Mr. Brown. Approved at 4:38 p.m. Approved 5-0 with Member Castro away and Member Pifer not arrived.

The Board reconvened in open session at 5:24 p.m.

**Motion to Approve Minutes** of February 28, 2011 by Mr. Brown. Second by Ms. Vitale. Approved 6-0.

**Action Items**

**Resolution 2010-11: 37**  
**Food Service Request for Proposals**

**By Chairman Bell**

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

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

WHEREAS, the RJSCB, upon the recommendation of its Program Manager, has determined a need for a Food Service Consultant to provide a single point of contact for all food service related components that are part of the Rochester Schools Modernization Program, to ensure seamless integration in all schools, and to adhere to the Food Service Five Year Master Plan standards as set forth by the District; and

WHEREAS, the RJSCB's MWBE and Services Procurement Committee has reviewed a Request for Proposals for Food Service Consultant and approved it for forwarding to the full Board;

THEREFORE, BE IT RESOLVED:

1. The Request for Proposals for Food Service Consultant is approved for issuance March 29, 2011.
2. The MWBE and Services Procurement Committee is authorized on behalf of the RJSCB to select finalists, conduct interviews as necessary, and recommend to the RJSCB the most qualified candidate.

**Second by Member of the Board Brown**  
**Adopted 6-0 with Member Castro away**

**Resolution 2010-11: 38**  
**SEQRA Determination**

***By Member of the Board Underwood***

Whereas, the Rochester Schools Facilities Modernization Program Act ("School Modernization Act") established the Rochester Joint Schools Construction Board ("RJSCB"), 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, under the School Modernization Act, the RJSCB has the power to authorize no more than thirteen (13) projects up to a total cost of Three Hundred Twenty-Five Million Dollars (\$325,000,000); and

WHEREAS, the RJSCB after developing and considering (including provision for public input and public discussion) a comprehensive school facilities modernization plan specified under the School Modernization Act has developed a list of twelve proposed school renovation projects (the "Action"); and

WHEREAS, the proposed projects and the Board's decisions related to the Action and its components are or may be subject to the State Environmental Quality Review Act ("SEQRA"); and

WHEREAS, on November 29, 2010 the RJSCB adopted a Resolution declaring its intent to act as SEQRA Lead Agency for the Action and its project components; and

WHEREAS, Notices of RJSCB's intent to be SEQRA Lead Agency (including copies of the EAF Part 1s) were forwarded to all Involved Agencies on December 1, 2010; and

WHEREAS, no other Involved Agency objected to RJSCB acting as Lead Agency; and

WHEREAS, RJSCB on January 10, 2011 adopted Resolution 2010-11:27 confirming it would act as SEQRA Lead Agency; and

WHEREAS, the RJSCB, acting through its SEQRA consultant, has prepared long-form Environmental Assessment Forms ("EAFs") Parts 1, 2 and 3 on each of the project components; and

WHEREAS, the completed EAFs for all twelve proposed school renovation projects have been reviewed by RJSCB; and

WHEREAS, RJSCB, through its consultants, has conferred with the New York State Office of Parks, Recreation and Historic Preservation ("SHPO") and with other involved or interested agencies; and

WHEREAS, RJSB has reviewed the "Reasons Supporting SEQRA Negative Declaration" attached hereto; and

WHEREAS, RJSCB has, through the EAF Parts 1, 2 and 3 identified relevant areas of environmental concern related to the Action; thoroughly analyzed such areas for significant adverse impact and provided a written elaboration in support of its determination.

THEREFORE be it resolved that:

1. RJSCB hereby determines that the Action, as proposed, will not result in any significant adverse environmental impacts.
2. The Chairman of RJSCB is hereby authorized and directed to sign the attached "Reasons Supporting SEQRA Negative Declaration" and the attached Determination of Significance.
3. Copies of this Resolution shall be promptly forwarded by the SEQRA Consultant to the Involved Agencies listed on the Agency List, to all interested agencies, and to the NYSDEC Environmental Notice Bulletin for Publication in such Bulletin.

***Second by Member of the Board Roulin  
Adopted 6-0 with Member Castro away***

**Resolution 2010-11: 39  
Amendment to Wendel Energy Agreement**

***By Chairman Bell***

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

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

WHEREAS, the RJSCB, upon the recommendation of its Program Manager, has determined a need for a NYSERDA FlexTech Program Energy Efficiency Study Consultant to provide the following analyses and reports – an IGA Preliminary Assessment Report, an Investment Grade Audit and Whole Building Modeling, and Status Reports for Overall Facilities Master Plan Support; and

WHEREAS, the Board entered into an agreement with Wendel Energy Services (Resolution 2010-11: 15) dated November 18, 2010, and seeks to amend that agreement by modifying the paragraph entitled "FEES" from "lump sum fee of \$132,500" to "lump sum fee of \$232,847.50" and replace the scope of work document, Attachment A, with the "Revised Task Work Order Plan 3 10 11" as attached, which includes a new total cost of \$465,695.

THEREFORE, BE IT RESOLVED:

1. Upon the recommendation of the Program Manager, the proposed amendments to the Wendel Energy Services agreement dated November 18, 2010 as set forth above are hereby approved.
2. The RJSCB Chair is hereby authorized to execute the attached Amendment 1 to the Wendel Energy Services agreement which includes the revised lump sum fee of \$232,847.50 and the revised Attachment A, with the new total cost not to exceed of \$465,695.00, through March 12, 2013.

***Second by Member of the Board Pifer  
Adopted 6-0 with Member Castro away***

**Resolution 2010-11: 40  
Technology Selection**

***By Chairman Bell***

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

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

WHEREAS, the RJSCB identified qualified technology firms for Phase I of the Rochester Schools Modernization Program (RSMP) using a Request for Proposals process in keeping with its timeline; and

WHEREAS, the RJSCB's Procurement Policy stipulates that the MWBE and Services Procurement Committee shall select finalists and conduct interviews for professional service contracts (Article 2 Section 1(e)); and

WHEREAS, the Committee selected two finalists out of eight following the review and consideration of recommendations provided by the RJSCB Program Manager; and

WHEREAS, these finalists were then interviewed by Program Manager representatives and District representatives; and

WHEREAS, the following firm was identified as being highly qualified and fiscally responsive to the RJSCB's Rochester Schools Modernization Program, RFP for Technology Consultant Services;

Millennium Strategies	James McGuinness President	1482 Erie Boulevard Schenectady, NY 12305
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THEREFORE, BE IT RESOLVED:

1. That the Rochester Joint Schools Construction Board hereby approves Millennium Strategies to provide Technology Services for the twelve schools in Phase 1 of the RSMP; and
2. The RJSCB Program Manager is hereby authorized, in the name and on behalf of the RJSCB, to negotiate an Agreement (the "Agreement") with the firm named above, in consultation with the RJSCB Chair and its general counsel, for approval and execution by the Chair on behalf of the RJSCB.

***Second by Member of the Board Underwood  
Adopted 6-0 with Member Castro away***

#### **Report of Chair**

Chairman Bell advised the Board that the interim Board Clerk will be Alexandra Fleischer, and the interim Procurement Officer will be Andrew Wheatcraft.

#### **Adjournment**

Motion by Mr. Pifer. Second by Ms. Vitale. Approved 6-0 at 5:39 p.m.