

Rochester Joint Schools Construction Board
Monthly Meeting Minutes
July 10, 2023
4:00 PM

Present – Called to Order by the Board Chair at 4:12 PM

The meeting was attended by Board Chair Thomas Richards, Vice Chair Shaw Farr, Treasurer Kim Jones (virtual), Jesse Dudley, General Counsel Greg McDonald (virtual), General Counsel Melissa Mahler (virtual), Board of Education President Cynthia Elliott (virtual), State Monitor Jaime Alicea and RCSD Chief Operating Officer Jacob Scott. Members Michael Schmidt and Richard Perrin were absent.

Approval of Minutes

Monthly Meeting held on June 12, 2023

Motion by Board Member: Jesse Dudley

Second by Board Member: Kim Jones

Approved: 5-0

Action Item

Resolution 2023-24:03

Pay Requisition Summary Acceptance (July 2023)

Moved by Board Member: Kim Jones

Second by Board Member: Ron Gaither

Adopted: 5-0

Resolution 2023-24:04

Amendment #11 to CannonDesign Agreement – East (Phase 2)

Moved by Board Member: Kim Jones

Second by Board Member: Jesse Dudley

Adopted: 5-0

Resolution 2023-24:05

Requests for Proposals – Independent Compliance Officer (Phase 3)

Moved by Board Member: Jesse Dudley

Second by Board Member: Shawn Farr

Adopted: 5-0

FUND BALANCE REPORT:

Chairman Richards asked consultant Kimberly Mitchell to review the details of the Fund Balance report with the Board. There were no changes to the CPL E&O and Cannon E&O Settlement funds. The payments from the previous month were deducted from the cash capital account. This left a balance of approximately \$5,733,513 in the Cash Capital account, which does not reflect any interest accrued in the account. There are two open contracts totaling \$183,493.78. The current pay requisition for \$225,655.99 is comprised of two vendor payments from the Phase II Bond Funds totaling \$159,746.97 and seven vendor payments from the RCSD Loan Fund totaling \$65,909.02. The remaining account balances are \$330,648 in the RJSCB Fund, \$5,892,310 in the Phase II Bond Fund, \$405,421 in the Settlement Funds and \$892,649 in the RCSD Loan Fund.

Meeting Notes

- During review of the Payment Requisition by the Treasurer, Chairman Richards stated that the Program will soon be on site and will take over some of this responsibility. The work being done by the architects is winding down and that material is being shared with the District, which will be the first element of the plan used by the Program Manager to secure financing.
- Chairman Richards explained to the Board that the Cannon settlement amount has already been approved by the Board and that the documents contained in the packet for approval describe and solidify the agreement. This should allow the District to finalize the closeout documents for Phase 2. President Elliott asked to be reminded of the reason for the settlement and Chairman Richards explained that the RJSCB became concerned that the number of changes to the East project were excessive, resulting in additional costs to the Program. Also in response to President Elliott, Chairman Richards explained that while Cannon is no longer working on the project, they were not disqualified so they could bid on work in Phase 3.
- Subsequent to the review of the Fund Balance Ledger, Chairman Richards reminded the Board that the reason there was an entry for a Cannon payment and a Cannon Settlement was because the RJSCB withheld payment to Cannon in excess of the \$200,000 settlement amount. When the settlement was agreed upon, the RJSCB retained the \$200,000 and the remaining amount is paid to Cannon.
- Chairman Richards provided an update to the Board on the work that the Watts consultants are performing. They are essentially done what they were contracted to do and that work is being discussed with the District to make sure it contains what the District intended. More work will need to be done to it but the report is in draft form. It will likely not be released until the fall because it is dependent upon the District completing its educational plan and being in a position to publicly announce what will happen with various schools. When the Program Manager is engaged and the District makes their decisions, the Program can move to the financing phase, which consists of the identification of the schools to be modernized, the scope of work and budget for each of those projects and total financing package for the entire project. President Elliott expressed concern about the escalating cost if construction as it relates to the amount of work that can be accomplished in Phase 3. Chairman Richards stated that he shared her concern but that the estimates being provided by the Watts team are contemporaneous and they include an escalation that reflects the actual experience of today.
- Chairman Richards announced to the Board that the Phase 3 Program Manager had been approved by the Board of Education. Subsequently, there was a presentation made to City Council in advance of their meeting on July 18th. Treasurer Kim Jones expressed thanks to Chairman Richards for the presentation that was easily understood by City Council. President Elliott echoed the sentiment for the presentation to the Board of Education.

ADJOURNMENT:

4:44 pm.