

Rochester Joint Schools Construction Board
Monthly Meeting Minutes
May 8, 2023
4:00 PM

Present – Called to Order by the Board Chair at 4:02 PM

The meeting was attended by Board Chair Thomas Richards, Vice Chair Michael Schmidt (virtual 4:09), Treasurer Kim Jones (virtual), Richard Perrin (virtual 4:03), Shawn Farr, Jesse Dudley, General Counsel Greg McDonald (virtual), General Counsel Melissa Mahler (virtual), Board of Education President Cynthia Elliott (virtual). Member Ron Gaither was absent.

Approval of Minutes

Monthly Meeting held on April 10, 2023

Motion by Board Member: Jesse Dudley

Second by Board Member: Kim Jones

Approved: 4-0

Action Item

Resolution 2022-23:24

Pay Requisition Summary Acceptance (April 2023)

Moved by Board Member: Kim Jones

Second by Board Member: Rich Perrin

Adopted: 5-0

Resolution 2022-23:25

Recommendation for Phase 3 Program Management Services

Moved by Board Member: Kim Jones

Second by Board Member: Jesse Dudley

Adopted: 6-0

Resolution 2022-23:26

Audit Firm Engagement FY 2023

Moved by Board Member: Kim Jones

Second by Board Member: Jesse Dudley

Adopted: 6-0

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 \$5,748,420 in the Cash Capital account, which does not reflect any interest accrued in the account. There are two open contracts totaling \$173,400.46. The current pay requisition for \$45,370.64 is comprised of one vendor payment from the Phase II Bond Funds totaling \$9,447.18 and seven vendor payments from the RCSD Loan Fund totaling \$35,923.46. The remaining account balances are \$330,648 in the RJSCB Fund, \$5,002,903 in the Phase II Bond Fund, \$405,421 in the Settlement Funds, including \$200,000 from the Cannon settlement, and \$1,098,752 in the RCSD Loan Fund.

Meeting Notes

- Chairman Richards explained that there was one respondent for the RFP for Phase 3 Program Management Services and it was a good one. After the proposal was received, the RFP Committee reviewed it and generated a list of questions and an interview of the respondent was conducted. It was further explained that the RJSCB must make a recommendation for hiring the Program Manager which then must be accepted by the Mayor, City Council, the Superintendent and the Board of Education. That process will take a couple of months to complete. An acceptable contract must be negotiated with the proposed Program Manager, which will also take time. These two processes can take place simultaneously. This will allow the RJSCB to proceed on two tracks. Members Jesse Dudley, Rich Perrin and Treasurer Kim Jones were all satisfied with the respondent and agree with moving the recommendation forward. President Cynthia Elliott clarified that the respondent was the Savin/Gilbane team and asked if they would need to hire all new people. Chairman Richards confirmed that the leadership of Savin will be returning for Phase 3.
- Chairman Richards stated that the RJSCB needs to decide on an auditor. The Board needs to hire the same auditor as the Rochester City School District due to the fact that the accounting for the RJSCB is intertwined with the District's. The RCSD has selected a new auditor and have prepared an engagement letter that the Chairman will need to review and sign. The fees are virtually identical to the previous auditor so it appears we are not being taken advantage of. The Board adopted the resolution to authorize the Chairman to enter into an agreement to retain the auditor Drescher & Malecki that has been hired by the RCSD.
- Chairman Richards requested an updated from General Counsel Greg McDonald and explained to the Board that the East project cannot be closed until the Cannon settlement is finalized. This is the last contract dispute remaining on the project so this needs to get cleaned up.
- Chairman Richards reminded the Board that the next effort that will resume right away is the RFP for the ICO. The same Committee that worked on the Program Manager RFP will work on this RFP. The ICO needs to be in place because they are responsible for preparing the MWBE program. It's important to have someone who knows what they're doing and is paying attention to things. The plan they prepare will be part of the final submission of the comprehensive plan that will go to SED and the State Comptroller. Member Jesse Dudley expressed optimism for receiving multiple responses to this RFP based on the responses received for the previously released RFQ. Chairman Richards explained that more focus will need to be given to the selection process and not take for granted that everyone that proposes knows the significance of what is being requested.
- Chairman Richards shared that he and Rick Stoffel have been working on a schedule that everyone could be looking at that shows the flow of the work that gets the project to the point where construction can start. The first step in that effort is picking up the principal steps that need to be taken and how those steps are interrelated. A copy of the schedule will be circulated to everyone so there is a common understanding of the things that need to occur between now and when construction starts. It's not complete and there are no dates on it yet; that will be the next step, at least in a broad sense. Questions and comments are welcome, specifically, if there is anything that isn't understood. One of the reasons for creating the schedule is to identify steps where interim financing will be required.

ADJOURNMENT:

4:27 pm.