

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

**Present**

Meeting attended by:, Vice Chair Mike Schmidt, Tom Richards, I. Geena Cruz, Rosiland Brooks-Harris, RJSCB Coordinator Allen Williams, Savin Program Director Pépin Accilien, Savin Deputy Director Roland Coleman; General Counsel Greg McDonald and ICO Brian Sanvidge. Board Chair Norman Jones and members Everton Sewell and Jesse Dudley were absent.

**Approval of Minutes**

Monthly Meeting held on October 7, 2019

Motion by Board Member Tom Richards

Second by Board Member I. Geena Cruz

Adopted 4-0

**Consent Agenda Items**

By Member Tom Richards

Second by Member Rosiland Brooks-Harris

Adopted 4-0

**Resolution 2019-20: 46**

**Amendment #2 to LaBella Associates, D.P.C. Environmental Monitoring Services Agreement (Phase 2a) East**

**By Board Member Tom Richards**

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 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 (the “Amended Act”); 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, the Program Manager has recommended to the RJSCB that it engage the services of an Environmental Monitoring Agent as a third party inspector during construction of the Phase 2 projects; and

WHEREAS, the RJSCB issued a Request for Proposals (“RFP”) for Environmental Monitoring Agent Services (Resolution 2016 – 2017: 30), which included work at the first projects in Phase 2a; and

WHEREAS, the RJSCB approved the selection of LaBella Associates, D.P.C. (“LaBella”) as the Environmental Monitoring Agent for the School 16, James Monroe High School and the East Campus in Phase 2a of the RSMP (Resolution 2016-17: 47); and

WHEREAS, the RJSCB entered into an agreement with LaBella (Resolution 2016-17: 47) dated September 12, 2016, entitled Agreement Between Board and Consultant (the “Agreement”); and

WHEREAS, following the execution of the Agreement, the Program Manager requested, and cost proposals were then obtained and reviewed, for additional environmental monitoring services at the Monroe High School 2a project; and

WHEREAS, the Program Manager thereafter recommended to the RJSCB’s MWBE and Services Procurement Committee (the “Committee”) that LaBella’s Agreement should be amended to adjust the original not-to-exceed allowance and add additional scope items in the total amount of \$100,000.00 and that this amount shall be treated as a not-to-exceed allowance under Section 11.1.1 of the Agreement; and

WHEREAS, the Committee considered and discussed the Program Manager’s recommendation at its October 31, 2019 meeting, and after due deliberation, it approved the request to amend the Agreement as set forth above.

THEREFORE, BE IT RESOLVED:

1. The proposed amendment to the Agreement between Board and Consultant dated September 12, 2016 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 an amendment to the LaBella Agreement 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  
Adopted 4-0**

**Resolution 2019-20: 47  
Change Orders #43 & #45 - 48 to DiPasquale Construction, Inc. Contract (Clara Barton School 2 - Phase 2c)**

**By Board Member Tom Richards**

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 #43 includes the following item:

1. RFI 251R1 Finish Grade \$34,435.00

The total amount of Change Order #43 is **\$34,435.00**; and

WHEREAS, Change Order #45 includes the following item:

1. RFI 255 Revised Mow Strip Width \$20,249.00

The total amount of Change Order #45 is **\$20,249.00**; and

WHEREAS, Change Order #46 includes the following item:

1. IB-109-Fire Evacuation Sign Sleeves & IB 110 Exterior Door Signage \$22,362.00

The total amount of Change Order #46 is **\$22,362.00**; and

WHEREAS, Change Order #47 includes the following item:

1. Elevator Kone Care, Door Detector- Cleaning Shaft, Elevator Phone, Annual Inspection \$10,797.00

The total amount of Change Order #47 is **\$10,797.00**; and

WHEREAS, Change Order #48 includes the following items:

1. Power Service Upgrade, Granite Curb \$4,163.00
2. Playground Grading & Drainage \$3,715.00
3. Millwork & Sink \$2,113.00
4. Exterior Stairs and Sidewalk. \$3,141.00
5. Additional Graffiti Coating \$2,790.00
6. Catch Basin at Road & N. Parking Lot \$884.00

7. Catch Basin Grates \$6,012.00
8. Curb at East Perimeter \$7,532.00
9. Replace Two Grates at end of Sidewalk \$1,499.00

The total amount of Change Order #48 is **\$32,299.00**; 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 \$120,142.00; and

WHEREAS, the Committee considered and discussed the Program Manager's recommendation at its October 31, 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 Rosiland Brooks-Harris  
Adopted 4-0**

**Resolution 2019-20: 48  
Change Order #46 to Concord Electric Contract (Clara Barton School No. 2)**

**By Board Member Tom Richards**

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 Clara Barton School No. 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 Co. (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 #46 includes the following items:

IB-13 Elevator Renovation – Electrical Lighting \$1,537.00

IB-91 Provide New Electrical Service to Building T&M Cost of Generator \$18,655.00

The total amount of Change Order #46 is **\$20,192.00**; 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 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 \$20,192.00; and

WHEREAS, the Committee considered and discussed the Program Manager's recommendation at its October 31, 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 Rosiland Brooks-Harris**  
**Adopted 4-0**

**Resolution 2019-20: 49**  
**Change Order #11 to Steve General Contractor Inc. Contract (Lincoln School 22)**

**By Board Member Tom Richards**

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 #11 includes the following items:

1. CCD 010 - Additional Floor Protection \$16,824.94
2. CCD 073 - RFI 185 RM 120 Gym Stage Access \$7,254.28
3. CCD 096 - Credit for Overbuild (\$1,977.96)
4. CCD 103 - RFI 254 CMU Enclosure \$2,188.60
5. CCD 116 - RFI 272 Terrazzo Floor Repair \$909.28
6. CCD 121 - Floor Leveling of Existing Floor \$8,545.16
7. CCD 129 - Data Room VCT Floor \$1,515.65
8. CCD 130 - Removal Existing Security Chain Link \$3,258.88
9. CCD 138 - RM 120 Gym Floor Replacement \$7,818.30
10. CCD 141 - Out of Scope GWB Walls \$1,599.85
11. CCD 143 - CB 019 Added Security Door \$6,941.66
12. CCD 144 - Revised Reception Desk Location \$32,230.45
13. CCD 145 - Concrete Apron West Parking Lot \$17,002.13
14. CCD 151 - CB 026 Emergency Exit Sign \$1,068.06
15. CCD 152 - CB 024 Exterior Hand Rails \$10,556.60
16. CCD 154 - Exterior Building Signage \$19,891.68
17. CCD 155 - Existing Emergency Window Repair \$3,084.48
18. CCD 156 - Credit for Vandal Screen Labor ( \$8,208.00)
19. CCD 162 - Exhaust Fan Insulation Replacement (\$5,492.97)
20. CCD 157 - CB 025 Art Exhibit Adj. to Gym \$26,935.53

The total amount of Change Order #11 is **\$151,946.60**; 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 \$151,946.60; and

WHEREAS, the Committee considered and discussed the Program Manager’s recommendation at its October 31, 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 Rosiland Brooks-Harris  
Adopted 4-0**

**Resolution 2019-20: 50  
Change Order #1 to Steve General Contractor Inc. Contract (Edison Campus)**

**By Board Member Tom Richards**

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 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, Edison Technology Campus ("Edison") is one of the projects included in Phase 2b of the RSMP, as provided in the Phase 2 Master Plan; and

WHEREAS, the RJSCB approved the award of the general contractor contract to Steve General Contractor Inc. ("SGC") for the Edison project in Phase 2b (Resolution 2019-20: 10); and

WHEREAS, the RJSCB entered into a contract with SGC (Resolution 2019-20:10) dated August 5, 2019 (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 #1 includes the following item:

1. RFP-111 South Roof Installation \$73,250.00

The total amount of Change Order #1 is **\$73,250.00**; 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 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 \$73,250.00; and

WHEREAS, the Committee considered and discussed the Program Manager's recommendation at its October 31, 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 August 5, 2019 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 Rosiland Brooks-Harris**  
**Adopted 4-0**

**Resolution 2019-20: 51**  
**Change Order #53 to Holdsworth Klimowski Construction Contract (East Campus – Phase 2b)**

**By Board Member Tom Richards**

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 #53 includes the following item:

1. IB#048 - Pool Balcony Ceiling Scope – Reconstruction \$131,699.00

The total amount of Change Order #53 is **\$131,699.00**; 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 HKC’s Contract should be amended to add these scope items for an increase in the Contract Sum of \$131,699.00; and

WHEREAS, the Committee considered and discussed the Program Manager’s recommendation at its October 31, 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 HKC’s Contract between the Board and Contractor dated September 10, 2018 as set forth above is hereby approved; and
2. The RJSCB Chair is hereby authorized, in the name and on behalf of the RJSCB, to execute the Change Orders 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  
Adopted 4-0**

**Resolution 2019-20: 52  
Change Order #17 to J.W. Danforth Contract (East Campus)**

**By Board Member Tom Richards**

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 mechanical contract to John W. Danforth Co. (“JWD”) for the East project in Phase 2 (Resolution 2018-19: 51); and

WHEREAS, the RJSCB entered into a contract with JWD (Resolution 2018-19: 51) dated September 10, 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, JWD, 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 #17 includes the following item:

1. Boiler Replacement Phase 1 \$495,705.34

The total amount of Change Order #17 is \$495,705.34; 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 JWD’s Contract should be amended to add these scope items for an increase in the Contract Sum of \$495,705.34; and

WHEREAS, the Committee considered and discussed the Program Manager’s recommendation at its October 31, 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 JWD’s Contract between the Board and Contractor dated September 10, 2018 as set forth above is hereby approved; and

2. 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 Rosiland Brooks-Harris  
Adopted 4-0**

**Resolution 2019-20: 53  
Change Orders #35 - 40 to Hewitt Young Construction Contract (East Campus – Phase 2B)**

**By Board Member Tom Richards**

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 electrical contract to Hewitt Young Electric, LLC ("Hewitt") for the East project in Phase 2 (Resolution 2018-19: 51); and

WHEREAS, the RJSCB entered into a contract with Hewitt (Resolution 2018-19: 51) dated September 10, 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, Hewitt, 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 #35 includes the following item:

1. RFI-164 Hand Dryers Response \$15,554.48

The total amount of Change Order #35 is \$15,554.48; and

WHEREAS, Change Order #36 includes the following item:

1. Temporary PA Repairs & Misc Tie-Ins – Part 1 \$4,541.68

The total amount of Change Order #36 is \$4,541.68; and

WHEREAS, Change Order #37 includes the following items:

1. C-Wing Temp Data Cables Part 1 \$1,286.71

2. C-Wing Temp Data Cables Part 2 \$4,071.52

The total amount of Change Order #37 is \$5,358.23; and

WHEREAS, Change Order #38 includes the following item:

1. D-West SD-1 Motor Replacement \$669.91

The total amount of Change Order #38 is \$669.91; and

WHEREAS, Change Order #39 includes the following item:

1. IB#078 Temporary Kiln Room Add. \$2,816.25

The total amount of Change Order #39 is \$2,816.25; and

WHEREAS, Change Order #40 includes the following item:

1. Added LMCC1C \$107,190.33

The total amount of Change Order #40 is \$107,190.33; 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 Hewitt's Contract should be amended to add these scope items for an increase in the Contract Sum of \$136,130.88; and

WHEREAS, the Committee considered and discussed the Program Manager's recommendation at its October 31, 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 Hewitt'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 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 Rosiland Brooks-Harris  
Adopted 4-0**

**Resolution 2019-20: 54  
Ratifying Prior Actions**

**By Board Member Tom Richards**

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 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 improvements which involves technology upgrades and infrastructure work at several of the possible projects; and

WHEREAS, the policies and procedures of the RJSCB, in order to facilitate the efficient operation and governance of the RJSCB and the RSMP, authorize its officers, directors, agents or representatives to undertake certain actions in the name of and behalf of the RJSCB; and

WHEREAS, such policies and procedures include but are not limited to the Purchasing and Procurement Policy, the Act and specific acts and actions authorized by resolutions approved by the RJSCB; and

WHEREAS, the RJSCB is provided materials and information in advance of each regularly scheduled board meeting and has knowledge of all major matters and actions by its officers, directors, agents or representatives undertaken in connection with the operations or governance of the RJSCB and the RSMP; and

WHEREAS, a full report of all major matters and actions undertaken by the officers, directors, agents or representatives since the last RJSCB regular meeting was included in the materials provided to the RJSCB on October 25, 2019, in advance of the regular RJSCB meeting on November 4, 2019; and

WHEREAS, the RJSCB desires to ratify and affirm any and all prior acts, actions, and things done in the name and on behalf of the RJSCB by its directors, officers, agents or representatives wherein the RJSCB has been provided full and accurate information of said acts.

THEREFORE, BE IT RESOLVED:

1. The RJSCB does hereby ratify and affirm each and every prior act, action and things undertaken in the name of and on behalf of the RJSCB, by its officers, directors, agents or representatives wherein the act or actions has been fully and accurately explained or reported to the RJSCB.

**Second by Board Member Rosiland Brooks-Harris  
Adopted 4-0**

**Resolution 2019-20: 55**

**Pay Requisition Summary Acceptance (October 2019)**

**By Board Member Tom Richards**

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 \$222,456.23, 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 October 25, 2019; and

WHEREAS, the Program Manager forwarded the Phase 2 monthly Pay Requisition Summary (attached to this Resolution) totaling \$10,496,929.75, 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 October 25, 2019; and

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

WHEREAS, the RJSCB's Phase 1 and Phase 2 Program Managers reviewed the regular Phase 1 monthly Pay Requisition Summary and the Phase 2 monthly Pay Requisition Summary with the RJSCB's Finance Committee at its meeting on October 31, 2019.

THEREFORE, BE IT RESOLVED:

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

**Second by Board Member Rosiland Brooks-Harris  
Adopted 4-0**

**Resolution 2019-20: 56  
Construction Change Directive to DiPasquale Construction, Inc. Contract (Clara Barton School 2 - Phase 2c)**

**By Board Member Richards**

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, 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, certain necessary site work that was not in the Construction Documents was identified by the Program Manager, and a cost proposal was requested from DCI for said work; and

WHEREAS, the timely completion of the Project requires that DCI be authorized to proceed with certain weather-dependent site work, including the installation of catch basins under Reynolds Street (the "Additional Work"), prior to the Board's approval of a change order for the full scope of the omitted work;



WHEREAS, the Program Manager thereafter recommended to the RJSCB that a construction change directive should be issued to DCI to undertake the Additional Work pending the Board's approval of a change order amending DCI's Contract; and

WHEREAS, the Board considered and discussed the Program Manager's recommendation at its November 4, 2019 meeting and after due deliberation, it approved the request to authorize the issuance of a construction change directive to allow the Additional Work to proceed subject to the approval of a change order by the Board.

THEREFORE, BE IT RESOLVED:

1. The RJSCB Chair is hereby authorized, in the name and on behalf of the RJSCB, to execute a construction change directive for the Additional Work that is consistent with this approval and in an acceptable form to the RJSCB Chair upon the advice of the Program Manager and the RJSCB's general counsel.

**Second By Board Member Brooks-Harris**

**Resolution 2019-20:57**

**Construction Change Directive to Concord Electric Contract (Clara Barton School No. 2)**

**By Board Member Richards**

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 Clara Barton School No. 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, the Program Manager identified upgrades to the School 2 fire alarm system that would avoid a future capital project and duplication of work resulting in a cost savings of approximately \$20,000 (the "Additional Work"); and

WHEREAS, a cost proposal in the amount of \$107,803.00 was provided by Concord, which the Program Manager believes is appropriate, and the Contract Time will not be increased by the Additional Work; and

WHEREAS, the Program Manager thereafter recommended to the RJSCB that a construction change directive should be issued to Concord to undertake the Additional Work pending the Board's approval of a change order amending Concord's Contract; and

WHEREAS, the Board considered and discussed the Program Manager's recommendation at its November 4, 2019 meeting and after due deliberation, it approved the request to authorize the issuance of a construction change directive to allow the Additional Work to proceed subject to the approval of a change order by the Board.

THEREFORE, BE IT RESOLVED:

1. The RJSCB Chair is hereby authorized, in the name and on behalf of the RJSCB, to execute a construction change directive for the Additional Work that is consistent with this approval and in an acceptable form to the RJSCB Chair upon the advice of the Program Manager and the RJSCB's general counsel.

**Second by Board Member Cruz**

**Resolution 2019-20: 58**

**Construction Change Directive to Manning Squires Hennig (Flower City School No. 54)**

**By Board Member Brooks-Harris**

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, 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 Flower City School No. 54 project ("School 54") is one of the projects included in Phase 2d of the RSMP as provide in the Phase 2 Master Plan; and

WHEREAS, the RJSCB approved the award of the general contractor contract to Manning Squires Hennig ("MSH") for the School 54 project in Phase 2d (Resolution 2018-19: 155); and

WHEREAS, the RJSCB entered into a contract with MSH (Resolution 2018-19:155) dated April 8, 2019 (the "Contract"), to perform the scope of services defined in the contract documents as the general contractor's scope of work; and

WHEREAS, during the execution of the scheduled roofing work, it was discovered that the existing roofing system was constructed with asbestos containing poured gypsum; and

WHEREAS, the unforeseen conditions with the existing roof require that all mechanical roof penetrations be performed under NYS Department of Labor Rule 56 Abatement Protocols (the "Abatement Work"); and

WHEREAS, the Program Manager is negotiating a cost proposal with MSH for the Abatement Work, which the Program Manager believes will not exceed \$110,000.00; and

WHEREAS, to keep the School 54 project on schedule, the Abatement Work must be completed prior to the onset of winter; and

WHEREAS, the Program Manager thereafter recommended to the RJSCB that a construction change directive with a not-to-exceed sum of \$110,000 should be issued to MSH to undertake the Abatement Work pending the Board's approval of a change order amending MSH's Contract; and

WHEREAS, the Board considered and discussed the Program Manager's recommendation at its November 4, 2019 meeting and after due deliberation, it approved the request to authorize the issuance of a construction change directive to allow the Abatement Work to proceed subject to the approval of a change order by the Board.

THEREFORE, BE IT RESOLVED:

1. The RJSCB Chair is hereby authorized, in the name and on behalf of the RJSCB, to execute a construction change directive for the Abatement Work that is consistent with this approval and in an acceptable form to the RJSCB Chair upon the advice of the Program Manager and the RJSCB's general counsel.

**Second by Board Member Cruz**

## **COMMUNICATIONS**

**The Compliance Report from Anchin was 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:**

- 96.01% submissions for the September 2019 reporting period.
- 93.32% of all data requested has been received and approved (January 2016 through September 2019).
- Overall Workforce (EEO) Participation: Minority @ 26.34% (goal is 22%) and Women @ 6.66% (goal is 8%).
- Overall Business Participation: Minority @ 22.98% (goal is 17%), Women @ 11.41% (goal is 10%), Small @ 3.21% (goal is 3%) and Disadvantaged @ 2.32% (goal is 3%).
- Rochester Residents: 179 of the 563 workers for the September 2019 reporting period (or 31.79%).

**The Phase 2 Monthly Report was included in the Members packets and was reviewed by Deputy Program Director Roland A. Coleman II.**

### **RSMP PHASE III STATUS**

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

- RJSCB members and RSMP staff have conducted various meetings and discussions over the past two months with the locally elected delegation and stakeholders. A series of telephone conversations and emails between the RJSCB Program Coordinator and support staff at the NYS Legislature led to the removal of the four major items that could endanger passage of the final Bill when it is re-introduced for action early in the next legislative session reconvening in January 2019. Additional questions on the Draft Phase III Bill were received on 31OCT19. Responses are being prepared.
- SED is still raising concerns over the current enrollment and projections by building (including leased instructional facilities), by grade, and by year for the traditional approach and success model. Discussion to continue with SED's Leadership for confirming SED will allow the flexibility of having additional self-contained classrooms in specific buildings while optimizing the building aid units that will be calculated for each Phase III school project
- Phase III Swing Space Plan to be revisited pending status and availability of the Jefferson Campus. The Phase III Financial Plan is suspended until passage of the Phase III Legislation.
- Capital Markets Advisors and Citi Global Services will start work on the Phase III Financial Plan upon passage of the Legislation (averts risk/minimizes Professional Fees).
- Draft Project Labor Agreement (PLA) prepared for Phase III and submitted to City and State Stakeholders for review (previously distributed December 2018).
- The Monroe High School Natatorium, the enhanced campus development at School 54, and the outdoor classroom and Heritage Park site development work at School 22, have all also been delayed until passage of the Phase III Legislation.

### **RSMP PHASE II UPDATE**

#### **GENERAL:**

- No new information received from the City's real estate department on status of the offers to property owners around School 54. The RJSCB Vice-Chair asked RSMP staff to setup a meeting with the City's Real Estate Department at the RSMP Office to discuss next steps. In summary, two homeowners have accepted the City's offer and returned the paperwork associated with the offer, and two others have agreed to the terms without yet returning the paperwork. Only one homeowner has indicated they will not sell. The City has not yet approached property owners around the School 4 project. Revisions to the overall campus site design by the Architect/Engineer will begin after the acquisitions.
- The program is at the point where additional delays in acquiring those properties are affecting development of the sites and planned abandonment of Chace Street to start installation of the School 54 play areas and playground structures.

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

- RJSCB Counsel has responded to the Plumbing Contractor's claim. Claim amended by claimant to include phase 2a.
- General Construction Contractor has agreed to completely recoat the Brise Soleil precast structures to correct aesthetics issues. Remedial work is expected to complete in December 2019.
- East Coast Electric claim is not likely to materialize per RJSCB Counsel (BSK). Awaiting confirmation from the Bonding Company's representative that, in the interest of promptly closing out the Electric Contract, the pending claim originally filed by East Coast will not be pursued.
- Completed the 'no parking' sign sleeves requested by the District.

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

- Painting of the roof mounted acoustical screening steel was completed. In process of confirming delivery date of the exterior acoustical panel that was scheduled to ship on 25OCT19. Installation was being scheduled for the weekend of 11/2/19 with completion by Tuesday 5NOV19.

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

- Construction continues in F-Wing, Dental Suite, and Natatorium Seating Area.
- Current Construction activities are the following:
  - D-Wing West 3<sup>rd</sup>, 2<sup>nd</sup> and 1<sup>st</sup> Floors, Boys Locker Room, E-Wing punch-list items completed by Contractors on second shift.
  - Dental Suite – Construction activities have resumed. The work is now scheduled to complete late November 2019. Weekly meetings being held to monitor progress and coordinate w/ Eastman Dental.
  - Natatorium Seating Area - Contractor has completed demo and is currently scheduled to complete work late November 2019.
  - Estimates (per room) to replace the specified "field installed" writable surface with custom white boards vs. Level 4 finished new drywalls w/ painted writable surfaces are being generated by the GC to inform EPO of additional costs.
  - Boiler replacement change order submitted for approval at the RJSCB procurement committee meeting. Mechanical contractor has begun demo of Boiler 4 which will be replaced by (2) new boilers.

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

- Winter bid package design work is ongoing. Work to be bid in January 2020.
- General project closeout is ongoing for the base project.

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

- All construction activity is now complete, including punch list and open warranty items.

- PM finalizing project closeout process and submitting Conformed Drawings and O&M Manuals to RCSD Facilities by 31October 19.

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

- Exterior Insulation and Finish System (EIFS) is complete, signage installation complete.
- 11-month warranty walk through completed. Remedial work continues.

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

- RSMP has provided RCSD a Draft Final Cost Report for review prior to sending to SED.

### **EDISON TECHNOLOGY CAMPUS:**

- The new PA system installation is complete and punch list inspection done 10/30/19.
- Roofing continues to progress on schedule.
- Sitework is 2 weeks behind schedule due to the process of handling the soils on site. Paving is scheduled for 4 NOV19.
- Cooling Tower removal is scheduled for Veterans Day.

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

- The project schedule reflects 'on-time' completion/occupancy. Project will be substantially complete and ready by Thanksgiving for beneficial use 3JAN20.
- Ponding issue on Reynolds Street will require addition of drainage structures on the public road. Design completed 28OCT19 and being reviewed with the City's Street Design Department. Preliminary pricing received from the Contractor and under review.
- Change Order pricing to upgrade existing fire alarm system is under review.
  - Mid-year move will not occur according to the School District.

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

- Revised cafeteria mural design has been approved and Architect (CJS) has issued an Architect's Supplemental Instruction (ASI) to the contractor to proceed.
- Staging area has been cleared out and site work will be complete 15NOV19.
- Gym wood flooring installation begun on 21OCT for completion 22NOV19.
- Ajay Glass has hired a contractor to test all the remaining windows for compliance.
- Project is generally on schedule.
- Mid-year move will not occur according to the School District.

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

- Artist completed Main Entrance Lincoln/Douglas art work. An unveiling ceremony at the school is being scheduled around Thanksgiving 2019.
- Punch-list items requiring completion by the contractors are being completed after hours to avoid disruption of instruction and school activities in the building.
- Replacement of the gym floor is scheduled for Winter Break 2019.
- The GC will provide a proposal to replace existing basketball back boards with plexiglass. Change order to follow.

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

- The Project is generally on schedule.
- Brick veneer and roofing are ongoing.

- Existing building mechanical and electrical rough-in is ongoing.
- Building enclosure target date (temp enclosure at windows) is the end of October 2019.
- Temporary heat started 20OCT19.
- Boilers are on site and chillers delivered 29OCT19.
- Building Security and Access control revisions approved by RCSD at a coordination meeting on 23OCT19 meeting.
- Furniture and other FFE changes (deviation from RCSD Standards) were approved by the District to accommodate collaborative learning model being implemented at School 10.

### **THE FLOWER CITY SCHOOL NO. 54:**

- Abatement and demolition work continue on schedule.
- Shallow buried hazmat rubble of the former School 30 export will complete 8NOV19.
- Purchase of Chace Street parcels being finalized by the City' Real Estate and Legal Departments. Scheduled work along Chace has been halted pending acquisition.
- Unstable knee walls at exterior curtain wall openings require removal and replacement. Replacement work is underway.
- Existing roof system has been found to contain friable asbestos. Contractor's abatement change proposal is under review.

### **DISTRICT WIDE TECHNOLOGY:**

- Connection of temporary internet at School 4 completed on 18OCT19. Full network connections will be completed when data closets are tiled and cleaned.
- Hewitt Young Electric is completing adjustments of All-in-One computer bracket heights at Edison Tech. This is in response to teachers in 98 rooms requesting access at a lower height.
- Millennium (DWT Consultant) is in support of meetings with Day Automation to understand the capabilities of higher resolution cameras, working closely with Day on coverage patterns around schools.
- RSMP has requested District Security to provide a written directive for requiring panic button installation in a school's Main Office that ties to the access control system for preventing and limiting access to the building during an emergency.
- Millennium is assessing need for additional Interactive Flat Panels at Schools 2, 4, 10, and 54 based on lessons-learned in opening School 22.

### **DISTRICT STANDARDS UPDATE:**

- Revision 'C' to the District's Design Standards and Specification Templates, in preparation for Phase 3 of the RSMP, is progressing.
- SWBR Architects contracted to design room and wayfinding signage for East Campuses. Initial meetings were held with EPO and RCSD Staff, including Facilities. Final East signage design will be leveraged as a District standard for applicable Phase 2 and Phase 3 school projects.

### **BUSINESS OPPORTUNITIES PROGRAM (BOP):**

- On 10/17, BOP sent an e-mail communication to all Local Trade Union representatives requesting documentation to show verification that their employees on RSMP worksites have received formal company sexual harassment prevention policies and training (written or electronic) in compliance with recently updated NY State Law. Reply from ROBEX: “The obligation is on the contractors. The trades are in most cases facilitating training for their members, but the trades are not legally responsible for it or the related record keeping.”

Therefore, all RSMP CM’s are being directed to request from their Wicks Primes (and through them, also their qualifying subcontractors) documentation confirming such policies and training are in place and been performed.

- On 10/24 & 25, BOP represented RSMP at the 2019 New York State School Boards Association Convention held here at The Rochester Convention Center. Over 2,000 State education leaders attended and visitors to the Savin/RSMP booth were given the latest version of the RSMP Newsletter. Many were especially interested in the BOP, Diversity Goal achievements and Workforce Recruitment Initiatives embedded in the PLA with the Unions.
- Fourteen (14) companies are participating in Cycle 7 of the Instructional Series which is underway in Module 5.
  - 10/21- Session 5.2: Payment Requisitions, Certified Payroll, Diversity Compliance - Anchin
  - 10/23- Session 5.3: Legal Pt. 1 - Bond Schoeneck & King
  - 10/28- Session 5.4: Legal Pt. 2 - Bond Schoeneck & King
  - 10/30- Session 5.5: Certification – Empire State Development

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

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

- Site work – Work is complete including hydro seeding of the entire site. The punch list inspection took place on 30OCT19.
- RG&E has scheduled removal of the last 2 electric poles to complete the site work at School 50. Electric re-feed of the adjacent homes affected by this removal, and the school, is scheduled for Veteran’s Day Holiday 11NOV19. The RCSD Facilities Department will have a standby generator and Electrician on site to plan for the unexpected during and after the shutdown that day.

**The M/WBE and Services Procurement Committee Report for October 31, 2019 was included in the Members Packets.**



**Report: Change Orders Authorized by Chair**

Allen & Pépin Accilien stated that the amount authorized by the Chair this month is for 29 Change Orders totaling \$176,061.83. Supporting information was included in the Committee Packet on October 31, 2019 and ratified at the November 4, 2019 MWBE Monthly Meeting.

<b>Change Orders Authorized by Chair for November 2019 Mtg</b>			
<b>PROJECT</b>	<b>CONTRACTOR</b>	<b>C/O #</b>	<b>AMOUNT</b>
<b>EDISON</b>	EC - HEWITT YOUNG	2	\$ 12,417.38
	PC - MICHAEL A. FERRAUILO	12	\$ 9,014.00
<b>EAST</b>	GC - HOLDSWORTH KLIMOWSKI	44	\$ 937.00
	GC - HOLDSWORTH KLIMOWSKI	45	\$ 2,511.00
	GC - HOLDSWORTH KLIMOWSKI	46	\$ 1,748.00
	GC - HOLDSWORTH KLIMOWSKI	47	\$ 6,909.00
	GC - HOLDSWORTH KLIMOWSKI	48	\$ 797.00
	GC - HOLDSWORTH KLIMOWSKI	49	\$ 7,490.00
	GC - HOLDSWORTH KLIMOWSKI	50	\$ 2,972.00
	GC - HOLDSWORTH KLIMOWSKI	51	\$ 2,384.00
	GC - HOLDSWORTH KLIMOWSKI	52	\$ 6,637.00
	MC - JOHN W. DANFORTH	14	\$(-372.00)
	MC - JOHN W. DANFORTH	15	\$ 7,302.76
	MC - JOHN W. DANFORTH	16	\$ 5,045.11
	EC - HEWITT YOUNG	28	\$(-1,198.81)
	EC - HEWITT YOUNG	29	\$ 5,750.04
	EC - HEWITT YOUNG	30	\$ 5,942.88
	EC - HEWITT YOUNG	31	\$ 3,838.78
	EC - HEWITT YOUNG	32	\$ 3,520.49
EC - HEWITT YOUNG	33	\$ 6,708.42	
EC - HEWITT YOUNG	34	\$ 7,540.54	
<b>BARTON 2</b>	GC - DIPASQUALE CONSTRUCTION	44	\$ 19,542.00
	MC - JOHN W. DANFORTH	12	\$ 4,493.00
	MC - JOHN W. DANFORTH	13	\$ 13,606.00
	EC - CONCORD ELECTRIC	45	\$ 34,997.00
	PC - MICHAEL A. FERRAUILO	15	\$ 2,764.00
<b>LINCOLN 22</b>	MC - NAIRY MECHANICAL	4	\$ 5,492.97
<b>SPENCER 16</b>	PC - D.V. BROWN AND ASSOCIATES, INC	9	\$(-22,877.00)
<b>FORBES 4</b>	GC - DIPASQUALE CONSTRUCTION	16	\$ 18,578.46
	<b>TOTAL</b>	<b>29</b>	<b>\$ 176,061.83</b>

*Committee Meeting: Thursday, October 31, 2019*

**Report: Change Orders Authorized by Chair**

Allen Williams and Pépin Accilien stated that the amount authorized by the Chair for 5 Purchase Orders is \$35,541.85. Supporting information was included in the Committee Packet on October 31, 2019 and ratified at the November 4, 2019 MWBE Monthly Meeting.

<b>Purchase Orders Authorized by Chair</b>				
<b>Project</b>	<b>Contractor</b>	<b>PRODUCT/SERVICE</b>	<b>PO #</b>	<b>Amount</b>
East	CDW Government	PC Brackets	DWT-ARM-EAST-08	\$ 16,134.80
School 10	CDW Government	PC Brackets	DWT-ARM-SCH10-06	\$ 2,447.68
Barton 2	Day Automation	Access Monitors	DWT-ACCESS-SCH2-04	\$ 4,569.28
Barton 2	Day Automation	Access Control & Intrusion Detection Equipment	ACCESS-SCH2-05	\$ 4,194.52
Barton 2	Day Automation	Access Control	ACCESS-SCH2-06	\$ 8,195.57
<b>TOTAL:</b>				<b>\$35,541.85</b>

*Committee Meeting: Thursday, October 31, 2019*

**Report: Amendments Authorized by Chair**

Allen Williams and Pépin Accilien stated that the amount authorized by the Chair for 3 Amendments is \$(228,593.70). Supporting information was included in the Committee Packet on October 31, 2019 and ratified at the November 4, 2019 MWBE Monthly Meeting.

<b>Amendments Authorized by Chair</b>			
<b>Project</b>	<b>Firm</b>	<b>Amendment No.</b>	<b>Amount</b>
SWW	CPL	16-CPL-SWW-01	(\$226,157.53)
School 50	CPL	A17-50-015	\$1,114.67
CSoR	Moody Nolan	19-MN15-002	(\$3,550.84)
<b>TOTAL:</b>		<b>3</b>	<b>(\$228,593.70)</b>

*Committee Meeting: Thursday, October 31, 2019*

Board Chair Norman Jones asked the Committee to go into Executive Session pursuant to New York Public Officer's Law Article 7, Section 105.1 (f), to discuss personnel matters.

Motion by Member Tom Richards  
Second by Member I. Geena Cruz  
Approved 4-0 at 5:10 pm  
The Committee came out of Executive session at 5:53 pm  
Motion by Member Tom Richards  
Second by Member I. Geena Cruz  
Approved 4-0

**Vice Chairman Schmidt convened the public meeting at 5:54 pm.**

## **Adjournment**

**Adjourned at 5:55 pm.**

Motion by Member Tom Richards

Second by Vice Chair Schmidt

Approved 4-0