

**Rochester Joint Schools Construction Board**  
**Minutes**  
**April 1, 2013**  
**4:30 PM**

**Present**

Chair Lois Giess, Members: Bob Brown, Alex Castro, Richard Pifer, Ann McCormick, Jerome Underwood and ICO Windell Gray. Member Roulin was away. Also present were: Executive Director Tom Renauto, General Counsel Peter Abdella, and Bob DiPaola from Gilbane.

**Chair Giess convened the meeting at 4:35pm**

**Approval of Minutes: Monthly Board Meeting held on March 4, 2013 and Special Board Meeting held on March 12, 2013**

**Motion by Member Underwood**

**Second by Member Brown**

**Approved 5-0 with Member Castro not yet present and Member Roulin away**

**Presentation**

**Tom Renauto introduced Roy McMaster from Capital Markets Advisors.**

**Roy made a presentation to the Board regarding New York State Building Aid**

**Following the presentation Member Brown reminded everyone present that the RJSCB Committee met on Thursday march 28, 2013 to review each of the items on the agenda today. All items were discussed in detail and approved for forwarding to the full Board for review/approval.**

**Action Items**

**Resolution 2012-13: 137**

**Amendment #4 to Chaintreuil Jensen Stark Architects, LLP Agreement – Monroe High School**

**By Board Chair Giess**

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 approved the selection of Chaintreuil Jensen Stark Architects, LLP ("CJS") as the Architect for the Monroe High School project in Phase I (Resolution 2011 12: 39); and

WHEREAS, the RJSCB entered into an agreement with CJS (Resolution 2011 12: 39) dated November 15, 2011, entitled Agreement Between Board and Architect (the "Agreement"); and

WHEREAS, following the execution of the Agreement, the Program Manager identified the need for additional scopes of design work, as directed by the District, and cost proposals were then obtained for these additional scope items and provided to the Program Manager for review; and

WHEREAS, the Program Manager thereafter recommended to the RJSCB's MWBE and Services Procurement Committee (the "Committee") that CJS's Agreement should be amended to add these additional scope items in the total amount of \$20,970.00 to Exhibit I of the Agreement 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 March 28, 2013 meeting and after due deliberation, it approved the request to amend the Agreement;

THEREFORE, BE IT RESOLVED:

1. The proposed amendment to the Chaintreuil Jensen Stark Architects Agreement Between Board and Architect dated November 15, 2011 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 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 Castro  
Approved 6-0 with Member Roulin away**

**Resolution 2012-13: 138  
Amendment #14 to SWBR Architect's Agreement - School 17**

**By Board Chair Giess**

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 approved the selection of SWBR Architects, ("SWBR") as the Architect for the School 17 project in Phase I (Resolution 2010-11: 35); and

WHEREAS, the RJSCB entered into an agreement with SWBR Architects (Resolution 2010-11: 35) dated March 28, 2011, entitled Agreement Between Board and Architect (the "Agreement"); and

WHEREAS, following the execution of the Agreement, SWBR Architects, along with the Program Manager, identified the need for additional scopes of design work and cost proposals and/or estimates were then obtained for these additional scope items and provided to the Program Manager for review; and

WHEREAS, the Program Manager thereafter recommended to the RJSCB's MWBE and Services Procurement Committee (the "Committee") that SWBR's Agreement should be amended to add these additional scope items in the total amount of \$23,595.00 to Exhibit I of the Agreement 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 March 28, 2013 meeting, and after due deliberation, it approved the request to amend the Agreement;

THEREFORE, BE IT RESOLVED:

1. The proposed amendment to the SWBR's Agreement Between Board and Architect dated March 28, 2011 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 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 Member Brown**  
**Approved 6-0 with Member Roulin away**

**Resolution 2012-13: 139**  
**Amendment #7 to LaBella Associates Agreement - School 28**

**By Board Chair Giess**

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 approved the selection of LaBella Associates as the Architect for the Henry Hudson School #28 project in Phase I (Resolution 2010-11: 35); and

WHEREAS, the RJSCB entered into an agreement with LaBella Associates (Resolution 2010-11: 35) dated March 28, 2011, entitled Agreement Between Board and Architect (the "Agreement"); and

WHEREAS, following the execution of the Agreement, LaBella Associates, along with the Program Manager, identified the need for additional scopes of design work and cost proposals were then obtained for the additional scopes of work and provided to the Program Manager for review; and

WHEREAS, the Program Manager thereafter recommended to the RJSCB's MWBE and Services Procurement Committee (the "Committee") that LaBella Associates' Agreement should be amended to add these additional scope items in the total amount of \$13,200.00 to Exhibit I of the Agreement 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 March 28, 2013 meeting and after due deliberation, it approved the request to amend the Agreement;

THEREFORE, BE IT RESOLVED:

1. The proposed amendment to the LaBella Associates Agreement Between Board and Architect dated March 28, 2011 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 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 Member Brown**  
**Approved 6-0 with Member Roulin away**

**Resolution 2012-13: 140**  
**Amendment #3 to Clark Patterson Lee's Agreement on SEQRA**

**By Board Chair Giess**

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 declared its intent to serve as the SEQRA Lead Agency for the project components of the Rochester Schools Modernization Program ("RSMP") in the fall of 2010 (Resolution 2010-11: 24), and subsequently confirmed that it would act as the SEQRA Lead Agency in January of 2011 (Resolution 2010-11: 27); and

WHEREAS, after having reviewed the completed long-form Environmental Assessment Forms for each of the twelve projects, based on the Master Plan, the RJSCB formally issued a Negative Declaration to all interested and involved parties in March 2011 (Resolution 2010-11: 38); and

WHEREAS, following the program verification phase and the schematic design phase for the first six projects in Phase 1 of the RSMP (Schools 17, 28, 50, 58, Charlotte High School, and Franklin High School), the RJSCB reaffirmed its prior determination of a SEQRA Negative Declaration for the proposed Phase I projects (Resolution 2011-2012: 59); and

WHEREAS, as the SEQRA Lead Agency, it is the intent of the RJSCB to keep all of the involved and interested parties informed as to the status of the RSMP projects, and any potential impacts based upon program changes to the second set of six school projects as set forth in the original SEQRA report; and

WHEREAS, at the request of the Program Manager, Clark Patterson Lee, the RJSCB's SEQRA consultant for the original SEQRA report (Resolution 2010-11: 18), the first SEQRA update (Resolution 2011-2012: 49) and the second SEQRA update (Resolution 2012-2013: 111), has provided a proposal for additional services associated with the potential land acquisition near the Monroe High School site, including a SEQRA/NEPA assessment, a land survey, a Phase 1 Environmental Study, and a SHPO submission in the amount of \$19,500 and that such services would be additional services under Clark Patterson Lee's contract with the RJSCB dated November 23, 2010 ("Agreement"); and

WHEREAS, the Program Manager has recommended to the RJSCB's MWBE and Services Procurement Committee ("the Committee") that the RJSCB proceed with these additional SEQRA services relating to the potential land acquisition and that Clark Patterson Lee be retained by amendment to the Agreement to perform these services for the not-to-exceed amount of \$19,500; and

WHEREAS, the Committee considered and discussed the Program Manager's recommendation at its March 28, 2013 to accept Clark Patterson Lee's proposal for additional SEQRA services, and after due deliberation, it approved the request to amend the Agreement between the RJSCB and Clark Patterson Lee;

THEREFORE, BE IT RESOLVED:

1. The proposed amendment to the Clark Patterson Lee Agreement Between Board and Consultant dated November 23, 2010 as set forth above is hereby approved for an amount Not to Exceed \$19,500; and
2. The RJSCB's Chair is hereby authorized in the name and on behalf of the RJSCB, to execute an amendment to the 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 Member McCormick  
Approved 6-0 with Member Roulin away**

**Resolution 2012-13: 141  
Amendment #2 to Kaizen Foodservice Planning and Design Inc. Agreement**

**By Board Chair Giess**

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 approved the selection of Kaizen Foodservice Planning and Design Inc., ("Kaizen") as the Food Service Consultant for Phase I for the Rochester Schools Modernization Program ("RSMP") (Resolution 2010-11: 42); and

WHEREAS, the RJSCB entered into an agreement with Kaizen (Resolution 2010-11: 42) dated August 5, 2011, entitled Agreement Between Owner and Consultant (the "Agreement"); and

WHEREAS, following the execution of the Agreement, Kaizen, along with the Program Manager, identified the need for additional scopes of design work as well as work items which will not be necessary under the current contract, and cost proposals were then obtained for the additional scopes of work and for those items which are no longer necessary and provided to the Program Manager for review; and

WHEREAS, the Program Manager thereafter recommended to the RJSCB's MWBE and Services Procurement Committee (the "Committee") that Kaizen's Agreement should be amended to add design work associated with the temporary kitchen/serving line at the Franklin High School project, and to delete work associated with the Jefferson High School project that will not be required in the total amount of \$0.00; and

WHEREAS, the Committee considered and discussed the Program Manager's recommendation at its March 28, 2013 meeting and after due deliberation, it approved the request to amend the Agreement;

THEREFORE, BE IT RESOLVED:

1. The proposed amendment to Kaizen's Agreement Between Owner and Consultant dated August 10, 2011 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 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 Castro  
Approved 6-0 with Member Roulin away**

**Resolution 2012-13: 142  
Amendment #2 to LP Ciminelli, Inc. (CM – East and Edison)**

**By Board Chair Giess**

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 selected LPCiminelli, Inc. ("Construction Manager") to provide Construction Management services for the East High School and Edison High School projects in September of 2012 as a part of Phase 1b of the Rochester Schools Modernization Program (the "RSMP") (Resolution 2012-13: 36) and the parties thereafter entered into the Agreement between the RJSCB and the Construction Manager dated September 10, 2012 (the "Agreement"); and

WHEREAS, subsequent to the execution of the Agreement, the Program Manager directed the Construction Manager to provide additional services and the Program Manager has received and reviewed proposals for this additional work provided by the Construction Manager; and

WHEREAS, the RJSCB's Program Manager recommended to the MWBE and Services Procurement Committee (the "Committee") that the Construction Manager's Agreement should be amended to add the Not to Exceed amount of \$20,790.00 for the set-up, training, support and use of Submittal Exchange, a secure web-based system for management of electronic documents in support of the East High School and Edison High School projects; and

WHEREAS, the Committee considered and discussed the Program Manager's recommendation at its March 28, 2013 meeting and after due deliberation, it approved the request to amend the Agreement;

THEREFORE, BE IT RESOLVED:

1. The proposed amendment to the Agreement Between the RJSCB and The Construction Manager dated September 10, 2012 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 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 Member Pifer  
Approved 6-0 with Member Roulin away**

**Resolution 2012-13: 143  
Amendment #6 to LeChase Construction Services, LLC - CM at School 28 and School 58**

**By Board Chair Giess**

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 selected LeChase Construction Services, LLC (“Construction Manager”) to provide Construction Management services for the School 28 and the School 58 projects in August of 2011 as a part of Phase 1 of the Rochester Schools Modernization Program (the “RSMP”) (Resolution 2011-12: 7) and the parties thereafter entered into an Agreement between the RJSCB and the Construction Manager dated August 3, 2011 (the “Agreement”); and

WHEREAS, subsequent to the execution of the Agreement, the Program Manager directed the Construction Manager to provide additional services and the Program Manager has received and reviewed proposals for this additional work provided by the Construction Manager; and

WHEREAS, the RJSCB’s Program Manager recommended to the MWBE and Services Procurement Committee (the “Committee”) that the Construction Manager’s Agreement should be amended to add the Not to Exceed amount of \$7,528.08 for the printing costs associated with the School 28 bid documents; and

WHEREAS, the Committee considered and discussed the Program Manager’s recommendation at its March 28, 2013 meeting and after due deliberation, it approved the request to amend the Agreement;

THEREFORE, BE IT RESOLVED:

1. The proposed amendment to the Agreement Between the RJSCB and The Construction Manager dated August 3, 2011 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 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 Member Brown  
Approved 6-0 with Member Roulin away**



**Resolution 2012-13: 144**  
**Amendment #3 to OSO Inc. Contract**

**By Board Chair Giess**

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 issued a Request For Proposals (“RFP”) for Environmental Monitoring and Indoor Air Monitoring Agent Services on June 5, 2012 (Resolution 2011 – 2012: 107) which included work at the first five projects in Phase 1a (School 17, School 50, School 58, Charlotte High School and Franklin High School); and

WHEREAS, the RJSCB, at its monthly meeting on July 2, 2012 (Resolution 2012-13: 13), approved the selection of OSO, Inc., for Environmental Monitoring and Indoor Air Monitoring Agent Services for School 17, School 50, School 58, Charlotte High School, and Franklin High School, and the parties thereafter entered into the Agreement between the RJSCB and Consultant dated July 2, 2012 (the “Agreement”); and

WHEREAS, following the execution of the Agreement, OSO, Inc., along with the Program Manager, identified the need for additional work associated with the Franklin Auditorium Project and unforeseen conditions at the School 58 Project where environmental investigation and additional testing and monitoring associated with the existing tin ceiling removals and exterior site work is necessary, and cost proposals and/or estimates were then obtained for these additional scope items and provided to the Program Manager for review; and

WHEREAS, the Program Manager thereafter recommended to the RJSCB’s MWBE and Services Procurement Committee (the “Committee”) that OSO, Inc.’s Agreement should be amended to add these additional scope items in the total amount of Not to Exceed \$49,922.00; and

WHEREAS, the Committee considered and discussed the Program Manager’s recommendation at its March 28, 2013 meeting, and after due deliberation, it approved the request to amend OSO, Inc.’s contract;

THEREFORE, BE IT RESOLVED:

1. The proposed amendment to the Agreement Between Board and OSO, Inc. dated July 2, 2012 as set forth above is hereby approved; and
2. The RJSCB’s Chair is authorized in the name and behalf of the RJSCB, to execute an amendment to the OSO, Inc.’s 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 Underwood**  
**Approved 6-0 with Member Roulin away**



**Resolution 2012-13: 145**  
**Move Manager Additional Services**

**By Board Chair Giess**

WHEREAS, the Rochester School 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, the RJSCB issued a request for proposals dated August 9, 2011 for move management services ("Move Manager") (Resolution 2011-12: 8); and

WHEREAS, at the monthly meeting held on October 3, 2011, the RJSCB selected Vargas Associates as the finalist for Move Manager (Resolution 2011-12: 31) and subsequently entered into an agreement with Vargas Associates dated February 2, 2012, entitled "Agreement Between Owner and Consultant" (the "Agreement"); and

WHEREAS, the Agreement includes scope of work for the first five projects in Phase 1a of the Rochester Schools Modernization Program ("RSMP") (School 17, School 28, School 50, School 58, and Charlotte High School); and

WHEREAS, the RJSCB now needs to add certain additional services, including but not limited to: School 5 basement inventory (purge/disposal, tagging and relocation for re-use) as requested by the District; and

WHEREAS, the RJSCB also now needs to add certain other additional services, including but not limited to the hiring of "pack teams" for summer 2013 moves for a period of six weeks at 7 locations (School 5, 17, 28, 50, Charlotte at Martin, Charlotte at Edison, and East); and

WHEREAS, the "pack team" management and the hiring of the "pack teams" was a function performed by the District in the summer of 2012, but the District has informed the RJSCB that it will not be able to support the project by performing these functions going forward; and

WHEREAS, based on the advice and recommendation of the Program Manager, the MWBE and Services Committee considered and discussed the proposals from the Move Manager at its March 28, 2013 meeting, copies of which are attached hereto, in a total amount not to exceed \$136,293.40, and after due deliberation, it approved the request to amend the Agreement;

THEREFORE, BE IT RESOLVED:

1. The RJSCB hereby accepts and approves the proposals from the Move Manager for additional services to the Agreement in an amount not to exceed \$136,293.40; and
2. The RJSCB's Chair is hereby authorized, in the name and on behalf of the RJSCB, to execute an amendment to the Agreement that is consistent with this approval and in an acceptable form to the Chair upon the advice of the RJSCB's General Counsel.

**Second by Member Brown**  
**Approved 6-0 with Member Roulin away**

**Resolution 2012-13: 146**  
**Contract Awards – Furniture, Fixtures, and Equipment (FF&E)**

**By Board Chair Giess**

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 Act authorized up to 13 projects in Phase I of the Rochester Schools Modernization Program (“RSMP”) including a District Wide Technology program which involves technology upgrades and infrastructure work at each of the 12 school projects identified in Phase 1; and

WHEREAS, the RJSCB’s Program Manager, with the advice of Vargas Associates (the “Move Manager”), the RJSCB’s general counsel, and the RJSCB’s Independent Compliance Officer, prepared a request for bids (“Request for Bids”) package for Furniture, Fixtures, and Equipment (“FF&E”) for the first three projects in Phase 1b of the RSMP (School 17, School 50, and Charlotte High School); and

WHEREAS, the RJSCB’s Executive Director received bids on March 20, 2013 per the deadline stipulated in the Request for Bids, and those bids were subsequently publicly opened and read aloud at the location stated in the Request for Bids; and

WHEREAS, the Program Manager, Move Manager, and Independent Compliance Officer have reviewed the bids, conducted de-scoping meetings, and have inspected physical samples of certain items; and

WHEREAS, the Program Manager and the Move Manager have determined that the low bidder for some of the bid groups did not meet the specified standards for the products specified in the Request for Bids; and

WHEREAS, the Program Manager and the Move Manager have also recommended that certain groupings of products specified in the Request for Bids not be awarded due to bidders inability to meet the specified standards, and that those items will be procured off of State Contract where possible; and

WHEREAS, at the MWBE and Services Procurement Committee meeting held on March 28, 2013, following the review and consideration of recommendations provided by the RJSCB’s Program Manager and after due deliberation by the Committee, the following contract awards were approved and forwarded to the full Board for consideration:

<b>Scope of Work</b>	<b>Name of Firm</b>	<b>Address</b>
Group 1 – Activity Tables	School Specialty, Inc.	18 Mae Meadow Rochester, NY 14624
Group 2 – Art Room	School Specialty, Inc.	18 Mae Meadow Rochester, NY 14624
Group 3 – Cafeteria Tables	Facilities Equipment & Service, Inc.	11 State Street, Suite 201 Pittsford, NY 14534
Group 4 – Conference Furniture	FM Resources	1 Woodbury Blvd Rochester, NY 14604
Group 5 – Desks	FM Resources	1 Woodbury Blvd Rochester, NY 14604
Group 6 – Lounge Furniture	FM Resources	1 Woodbury Blvd Rochester, NY 14604

Group 7 – Library Furniture	Facilities Equipment & Services, Inc.	11 State Street, Suite 201 Pittsford, NY 14534
Group 8 – Music Furniture	Hertz Furniture	95 McKee Drive Mahwah, NJ 07430
Group 9 – Storage	FM Resources	1 Woodbury Blvd Rochester, NY 14604
Group 10 – Student Furniture	Hertz Furniture	95 McKee Drive Mahwah, NJ 07430
Group 11 – Task Seating	Hertz Furniture	95 McKee Drive Mahwah, NJ 07430
Non-Grouped Items – Carpet (Solid)	School Specialty, Inc.	18 Mae Meadow Rochester, NY 14624
Non-Grouped Items – Carpet (Elementary)	Hertz Furniture	95 McKee Drive Mahwah, NJ 07430
Non-Grouped Items – Cubby Unit	School Specialty, Inc.	18 Mae Meadow Rochester, NY 14624
Non-Grouped Items – Sand & Water Table	School Specialty, Inc.	18 Mae Meadow Rochester, NY 14624
Non-Grouped Items – Computer Tables	Hertz Furniture	95 McKee Drive Mahwah, NJ 07430
Non-Grouped Items – First Aid Couch	School Specialty, Inc.	18 Mae Meadow Rochester, NY 14624
Non-Grouped Items – Metal Shelving	School Specialty, Inc.	18 Mae Meadow Rochester, NY 14624
Non-Grouped Items – Folding Table and Cart	No award recommended	
Non-Grouped Items – Podium	School Specialty, Inc.	18 Mae Meadow Rochester, NY 14624

THEREFORE, BE IT RESOLVED:

1. The RJSCB hereby approves the recommendation of the Program Manager that the contract awards shall be made to the above named firms to provide the necessary Furniture, Fixtures, and Equipment (delivered and installed at point of use) for the first three projects in Phase 1a of the RSMP (School 17, School 50, and Charlotte High School); and
2. A subsequent resolution will be brought to the full Board for review and approval upon confirmation of final quantities and finish selections by each of the project architects in the coming weeks, and at that time the Chair will be authorized, in the name and on behalf of the RJSCB, to execute and deliver a Purchase Order 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; and
3. The RJSCB hereby approves the recommendation of the Program Manager to procure certain items off of State Contract where possible for those items which bidders did not meet the standards specified in the Request for Bids.

**Second by Member Pifer**  
**Approved 6-0 with Member Roulin away**

**Resolution 2012-13: 147  
Contract Award – East High School**

**By Board Chair Giess**

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 Act authorized up to 13 projects in Phase I of the Rochester Schools Modernization Program (“RSMP”) including a District Wide Technology program which involves technology upgrades and infrastructure work at each of the 12 school projects identified in Phase 1; and

WHEREAS, the RJSCB received approval of the East High School project by the Board of Education (“BOE”) at their monthly meeting on September 27, 2012 (BOE Resolution 2012-13: 228) and subsequently received approval from the State Education Department; and

WHEREAS, the RJSCB’s Program Manager, with the advice of Cannon Design (the “Architect”), LPCiminelli, Inc. (the “Construction Manager”), the RJSCB’s general counsel, and the RJSCB’s Independent Compliance Officer, prepared a request for bids (“Request for Bids”) package for the East High School project; and

WHEREAS, the RJSCB’s Executive Director received bids on March 26, 2013 per the deadline stipulated in the Request for Bids, and those bids were subsequently publicly opened and read aloud at the location stated in the Request for Bids; and

WHEREAS, the Program Manager, Architect, Construction Manager, and Independent Compliance Officer have reviewed the bids, conducted de-scoping meetings, and concluded that the apparent low bidder for the single prime general contractor (“Single Prime GC”) scope of work package is also a qualified and responsible bidder; and

WHEREAS, at the MWBE and Services Procurement Committee (“Committee”) meeting held on March 28, 2013, following the review and consideration of recommendations provided by the RJSCB’s Program Manager and after due deliberation by the Committee, the following contract award was approved and forwarded to the full Board for consideration:

<b><u>Scope of Work</u></b>	<b><u>Name of Contractor</u></b>	<b><u>Address</u></b>	<b><u>Bid Amount (Incl. accepted alternates)</u></b>
Single Prime GC	The Pike Company	One Circle Street Rochester, NY 14607	\$10,601,900

THEREFORE, BE IT RESOLVED:

1. The RJSCB hereby approves the recommendation of the Program Manager that the contract award shall be made to the above named firm and bid amount to provide all equipment, labor, materials, and plant necessary to execute the Single Prime GC scope of work associated with the East High School project in Phase 1 of the RSMP; and

2. The Chair is hereby authorized, in the name and on behalf of the RJSCB, to execute and deliver an Agreement (the “Agreement”) to the firm named above in substantially the form included in the Request for Bids for the East High School project 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 Member Brown**  
**Approved 6-0 with Member Roulin away**

**Resolution 2012-13: 148**  
**Change Order #3 to Eastcoast Electric LLC – Electrical Contractor (School 17)**

**By Board Chair Giess**

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 approved the award of the electrical contractor contract to Eastcoast Electric LLC ("Eastcoast") for the School 17 project in Phase I (Resolution 2012-13: 14); and

WHEREAS, the RJSCB entered into a contract with Eastcoast (Resolution 2012-13: 14) dated July 2, 2012, (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, Eastcoast, along with The Pike Company, the Construction Manager, and the Program Manager, identified the need for additional scopes of work, and cost proposals were then obtained for these additional scope items and provided to the Construction Manager and the Program Manager for review; and

WHEREAS, Change Order #3 includes the following items:

1. Backboxes and Conduit at Warming Kitchen in the amount of \$869.61
  2. Electrical Room relocation in the amount of \$1,176.00
  3. Hardware changes in the amount of \$1,968.25
  4. Temporary Clinic work in the amount of \$1,680.65
  5. Electric support for the mason in the amount of \$227.18
  6. Corridor wall depth – panel boards in the amount of \$4,200.00
- The Total amount of Change Order #3 is \$10,121.69; and

WHEREAS, the Construction Manager and the Program Manager believe that the change order work was 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 MWBE and Services Procurement Committee (the "Committee") that Eastcoast's Contract should be amended to add these scope items in the amount of \$10,121.69; and

WHEREAS, the Committee considered and discussed the Program Manager's recommendation at its March 28, 2013 meeting and after due deliberation, it approved the request to amend the Contract;

THEREFORE, BE IT RESOLVED:

1. The proposed Change Order to Eastcoast Electric LLC's Contract between the Board and Contractor dated July 2, 2012 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 a 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 Member McCormick  
Approved 6-0 with Member Roulin away**

**Resolution 2012-13: 149  
Change Order #3 and #4 to M.A. Ferraiulo Plumbing and Heating – Plumbing Contractor (School 17)**

**By Board Chair Giess**

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 approved the award of the plumbing contractor contract to M.A. Ferraiulo Plumbing and Heating ("M.A. Ferraiulo") for the School 17 project in Phase I (Resolution 2012-13: 14); and

WHEREAS, the RJSCB entered into a contract with M.A. Ferraiulo (Resolution 2012-13: 14) dated July 2, 2012 (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, M.A. Ferraiulo, along with The Pike Company, the Construction Manager, and the Program Manager, identified the need for additional scopes of work, and cost proposals were then obtained for these additional scope items and provided to the Construction Manager and the Program Manager for review; and

WHEREAS, Change Order #3 includes the following items:

1. Gym storage manhole in the amount of \$2,979.82
- The Total amount of Change Order #3 is \$2,979.82; and

WHEREAS, Change Order #4 includes the following items:

1. Custodial room plumbing for a credit of (\$2,633.20)
  2. Warming Kitchen Plumbing Rough-in in the amount of \$14,958.77
- The Total amount of Change Order #4 is \$12,325.57; and

WHEREAS, the Construction Manager and the Program Manager believe that the change order work was 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 MWBE and Services Procurement Committee (the "Committee") that M.A. Ferraiulo's Contract should be amended to add these additional scope items in the total amount of \$15,305.39; and

WHEREAS, the Committee considered and discussed the Program Manager's recommendation at its March 28, 2013 meeting and after due deliberation, it approved the request to amend the Contract;



THEREFORE, BE IT RESOLVED:

1. The proposed Change Order to M.A. Ferraiulo Plumbing and Heating's Contract between the Board and Contractor dated July 2, 2012 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 a 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 Member Pifer**

**Approved 5-0 Member Castro stepped away and with Member Roulin away**

**Resolution 2012-13: 150**

**Change Order #3 to M.A. Ferraiulo Plumbing and Heating – Mechanical Contractor (School 17)**

**By Board Chair Giess**

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 approved the award of the mechanical contractor contract to M.A. Ferraiulo Plumbing and Heating ("M.A. Ferraiulo") for the School 17 project in Phase I (Resolution 2012-13: 14); and

WHEREAS, the RJSCB entered into a contract with M.A. Ferraiulo (Resolution 2012-13: 14) dated July 2, 2012 (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, M.A. Ferraiulo, along with The Pike Company, the Construction Manager, and the Program Manager, identified the need for additional scopes of work, and cost proposals were then obtained for these additional scope items and provided to the Construction Manager and the Program Manager for review; and

WHEREAS, Change Order #3 includes the following item:

1. Warming kitchen mechanical in the amount of \$8,145.00
- The Total amount of Change Order #3 is \$8,145.00; and

WHEREAS, the Construction Manager and the Program Manager believe that the change order work was 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 MWBE and Services Procurement Committee (the "Committee") that M.A. Ferraiulo's Contract should be amended to add these additional scope items in the total amount of \$8,145.00; and



WHEREAS, the Committee considered and discussed the Program Manager's recommendation at its March 28, 2013 meeting and after due deliberation, it approved the request to amend the Contract;

THEREFORE, BE IT RESOLVED:

1. The proposed Change Order to M.A. Ferraiulo Plumbing and Heating's Contract between the Board and Contractor dated July 2, 2012 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 a 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 Member Brown**

**Approved 5-0 Member Castro stepped away and with Member Roulin away**

**Resolution 2012-13: 151**

**Change Order #4 to Manning Squires Hennig Co., Inc. – General Contractor (School 17)**

**By Board Chair Giess**

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 approved the award of the general contractor contract to Manning Squires Hennig Co., Inc. ("Manning Squires") for the School 17 project in Phase I (Resolution 2012-13: 14); and

WHEREAS, the RJSCB entered into a contract with Manning Squires (Resolution 2012-13: 14) dated July 2, 2012 (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, Manning Squires, along with The Pike Company, the Construction Manager, and the Program Manager, identified the need for additional scopes of work, and cost proposals were then obtained for these additional scope items and provided to the Construction Manager and the Program Manager for review; and

WHEREAS, Change Order #4 includes the following items:

1. Hardware revisions in the amount of \$1,825.68
  2. Vault door in the amount of a credit for (\$92.00)
  3. Cafeteria storefront revisions in the amount of \$200.28
- The Total amount for Change Order #4 is \$1,933.96; and

WHEREAS, the Construction Manager and the Program Manager believe that the change order work was 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 MWBE and Services Procurement Committee (the "Committee") that Manning Squires' Contract should be amended to add these scope items in the amount of \$1,933.96; and

WHEREAS, the Committee considered and discussed the Program Manager's recommendation at its March 28, 2013 meeting and after due deliberation, it approved the request to amend the Contract;

THEREFORE, BE IT RESOLVED:

1. The proposed Change Order to Manning Squires Hennig Co., Inc.'s Contract between the Board and Contractor dated July 2, 2012 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 a 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 Brown**

**Approved 5-0 Member Castro stepped away and with Member Roulin away**

**Resolution 2012-13: 152**

**Change Order #7, #8, #9, #10, and #11 to Manning Squires Hennig Co., Inc. – General Contractor (School 50)**

**By Board Chair Giess**

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 approved the award of the general contractor contract to Manning Squires Hennig Co., Inc. ("Manning Squires") for the School 50 project in Phase I (Resolution 2011-12: 101); and

WHEREAS, the RJSCB entered into a contract with Manning Squires (Resolution 2011-12: 101) dated June 4, 2012 (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, Manning Squires, along with The Pike Company, the Construction Manager, and the Program Manager, identified the need for additional scopes of work, and cost proposals were then obtained for these additional scope items and provided to the Construction Manager and the Program Manager for review; and

WHEREAS, Change Order #7 includes the following item:

1. Expansion joints in the amount of \$4,402.00
- The total amount of Change Order #7 is \$4,402.00; and

WHEREAS, Change Order #8 includes the following item:

1. Removal of two existing monitoring wells in the amount of \$755.92
- The total amount of Change Order #8 is \$755.92; and

WHEREAS, Change Order #9 includes the following item:

1. Additional CMU support pilasters in the amount of \$8,868.30
- The total amount of Change Order #9 is \$8,868.30; and

WHEREAS, Change Order #10 includes the following items:

1. Cut door frames in the amount of \$1,805.00

The total amount of Change Order #10 is \$1,805.00; and

WHEREAS, Change Order #11 includes the following items:

1. New millwork and countertops in the amount of \$8,509.10

The total amount of Change Order #11 is \$8,509.10; and

WHEREAS, the Construction Manager and the Program Manager believe that the change order work was 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 MWBE and Services Procurement Committee (the "Committee") that Manning Squires' Contract should be amended to add these additional scope items in the total amount of \$24,340.32; and

WHEREAS, the Committee considered and discussed the Program Manager's recommendation at its March 28, 2013 meeting and after due deliberation, it approved the request to amend the Contract;

THEREFORE, BE IT RESOLVED:

1. The proposed Change Orders to Manning Squires Hennig Co., Inc.'s Contract between the Board and Contractor dated June 4, 2012 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 a 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 Member Underwood**

**Approved 5-0 Member Castro stepped away and with Member Roulin away**

**Resolution 2012-13: 153**

**Change Order #1 to Manning Squires Hennig – School 58**

**By Board Chair Giess**

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 Act authorized up to 13 projects in Phase I of the Rochester Schools Modernization Program ("RSMP") including a District Wide Technology program which involves technology upgrades and infrastructure work at each of the 12 school projects identified in Phase 1; and

WHEREAS, the RJSCB's Program Manager, with the advice of JCJ Architecture (the "Architect"), LeChase Construction (the "Construction Manager"), the RJSCB's general counsel, and the RJSCB's Independent Compliance Officer, prepared a request for bids ("Request for Bids") package for the School 58 project; and

WHEREAS, the RJSCB approved the award of the general contractor contract to Manning Squires Hennig Co., Inc. ("Manning Squires") for the School 58 project in Phase I (Resolution 2012-13: 35); and

WHEREAS, at the time of award, the RJSCB decided that it would not include the Alternate 58-1 "Exterior Masonry Restoration" in the general contractor's contract due to the delay of the three other prime contract awards (mechanical, electrical, and plumbing) while the Project Manager sought to finalize the overall cost of the project and determine if the project could afford to include the additional work of Alternate 58-1; and

WHEREAS, the RJSCB subsequently entered into a contract with Manning Squires (Resolution 2012-13: 35) dated September 10, 2012 (the "Contract"), to perform the scope of services defined in the contract documents as the general contractor's scope of work without Alternate 58-1; and

WHEREAS, the bids for the other three prime contracts (mechanical, electrical, and plumbing) were received on February 25, 2013; and

WHEREAS, the RJSCB subsequently entered into contracts for the mechanical, electrical, and plumbing scopes of work associated with the School 58 project (Resolution 2012-13: 120); and

WHEREAS, the Program Manager and the Construction Manager have determined that the project budget can afford to add the additional work associated with Alternate 58-1 "Exterior Masonry Restoration" and the general contractor has agreed to hold their original bid day pricing in the amount of \$439,000; and

WHEREAS, the Program Manager has evaluated the original bids and determined that the award of this alternate would not have changed Manning Squires Hennig's award as the low bidder for the general construction scope of work associated with the School 58 project and has therefore recommended to the RJSCB that a Change Order to Manning Squires Hennig be approved in the amount of \$439,000; and

WHEREAS, the MWBE and Services Procurement Committee considered and discussed the Program Manager's recommendation at its March 28, 2013 meeting and after due deliberation, it approved the Change Order request for these additional services;

THEREFORE, BE IT RESOLVED:

1. The proposed Change Order to Manning Squires Hennig 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 a Change Order 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 Member Brown**  
**Approved 6-0 with Member Roulin away**

**Resolution 2012-13: 154**  
**Change Order #11 to The Pike Company – General Contractor (Charlotte High School)**

**By Board Chair Giess**

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 approved the award of the general contractor contract to The Pike Company ("Pike") for the Charlotte High School Project in Phase I (Resolution 2011-12: 105); and

WHEREAS, the RJSCB entered into a contract with The Pike Company (Resolution 2011-12: 105) dated June 4, 2012 (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, The Pike Company, along with Campus Construction Group, the Construction Manager, and the Program Manager, identified the need for additional scopes of work, and cost proposals were then obtained for these additional scope items and provided to the Construction Manager and the Program Manager for review; and

WHEREAS, Change Order #11 includes the following items:

1. Add wood blocking for locker bases in the amount of \$13,412.00
2. Provide additional railings at the front entry in the amount of \$8,338.00
3. Steel removal and re-installation in the amount of \$4,525.00
4. Remove plywood and replace with drywall in the amount of \$11,434.00
5. Remove grout in-fills at existing floor mat locations in the amount of \$2,494.00
6. Install new angle and re-install existing angle in the amount of \$1,009.00
7. Ductwork revisions at Nurse's suite in the amount of \$869.00
8. Stage Equipment revisions in the amount of \$1,349.00
9. New windows, entrances, and finishes in the amount of \$40,698.00
10. Toilet room 317 changes in the amount of \$3,194.00
11. Floor in-fills at demolished walls in the amount of \$4,628.00
12. Additional science room fixtures in the amount of \$1,455.00
13. Vapor barrier abatement in the amount of \$12,900.00
14. Abatement scope reductions for a credit of (\$18,917.00)
15. Additional framing at drywall in the amount of \$570.00
16. Door jamb trim in the amount of \$9,103.00

The Total amount for Change Order #11 is \$97,061.00; and

WHEREAS, the Construction Manager and the Program Manager believe that the change order work was necessary and 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 MWBE and Services Procurement Committee (the "Committee") that The Pike Company's Contract should be amended to add these scope items in the amount of \$97,061.00; and

WHEREAS, the Committee considered and discussed the Program Manager's recommendation at its March 28, 2013 meeting and after due deliberation, it approved the request to amend the Contract;

THEREFORE, BE IT RESOLVED:

1. The proposed Change Orders to The Pike Company's Contract between the Board and Contractor dated June 4, 2012 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 a 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 Member Brown  
Approved 6-0 with Member Roulin away**

**Resolution 2012-13: 155  
Change Order #4 to M.A. Ferrauilo Plumbing and Heating Inc. – Mechanical Contractor (Charlotte High School)**

**By Board Chair Giess**

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 approved the award of the mechanical contract to M.A. Ferrauilo Plumbing and Heating Inc. (“Ferrauilo”) for the Charlotte High School Project in Phase I (Resolution 2011-12: 105); and

WHEREAS, the RJSCB entered into a contract with Ferrauilo dated June 4, 2012 (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, Ferrauilo, along with Campus Construction Group, the Construction Manager, and the Program Manager, identified the need for additional scopes of work, and cost proposals were then obtained for these additional scope items and provided to the Construction Manager and the Program Manager for review; and

WHEREAS, Change Order #4 includes the following items:

1. Duct and condensate conflict @ cafeteria in the amount of \$13,855.00
2. Material credit in the amount of (\$2,466.00)
3. Re-routing of bathroom exhaust in the amount of \$5,673.00

The Total amount for Change Order #4 is \$17,062.00; and

WHEREAS, the Construction Manager and the Program Manager believe that the change order work was necessary and 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 MWBE and Services Procurement Committee (the “Committee”) that M.A. Ferrauilo Plumbing and Heating Inc.’s Contract should be amended to add these scope items for the total amount of \$17,062.00; and

WHEREAS, the Committee considered and discussed the Program Manager’s recommendation at its March 28, 2013 meeting and after due deliberation, it approved the request to amend the Contract;

THEREFORE, BE IT RESOLVED:

1. The proposed Change Orders to M.A. Ferrauilo Plumbing and Heating Inc.’s Contract between the Board and Contractor dated June 4, 2012 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 a 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 Pifer  
Approved 6-0 with Member Roulin away**

**Resolution 2012-13: 156  
Change Order #1 to Thurston Dudek – Plumbing Contractor (Charlotte High School)**

**By Board Chair Giess**

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 approved the award of the plumbing contract to Thurston Dudek (“Thurston Dudek”) for the Charlotte High School Project in Phase I (Resolution 2011-12: 105); and

WHEREAS, the RJSCB entered into a contract with Thurston Dudek dated June 4, 2012 (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, Thurston Dudek, along with Campus Construction Group, the Construction Manager, and the Program Manager, identified the need for additional scopes of work, and cost proposals were then obtained for these additional scope items and provided to the Construction Manager and the Program Manager for review; and

WHEREAS, Change Order #1 includes the following items:

1. Hot water tank wall support in the amount of \$8,053.00
2. Kitchen sink changes in the amount of \$4,848.00
3. Plumbing revisions in the amount of \$3,937.00
4. Science room fixtures in the amount of \$6,670.00
5. Storage room 11B in the amount of \$4,977.00

The Total amount for Change Order #1 is \$28,485.00; and

WHEREAS, the Construction Manager and the Program Manager believe that the change order work was necessary and 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 MWBE and Services Procurement Committee (the “Committee”) that Thurston Dudek’s Contract should be amended to add these scope items for the total amount of \$28,485.00; and

WHEREAS, the Committee considered and discussed the Program Manager’s recommendation at its March 28, 2013 meeting and after due deliberation, it approved the request to amend the Contract;

THEREFORE, BE IT RESOLVED:

1. The proposed Change Orders to Thurston Dudek Contract between the Board and Contractor dated June 4, 2012 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 a 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 Castro**  
**Approved 6-0 with Member Roulin away**

**Resolution 2012-13: 157**  
**Change Order #2 to Leo J. Roth Corporation – Mechanical Contractor (Franklin High School)**

**By Board Chair Giess**

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 approved the award of the Mechanical Contractor contract to Leo J. Roth Corporation ("Leo J. Roth") for the Franklin High School Project in Phase I (Resolution 2011-12: 106); and

WHEREAS, the RJSCB entered into a contract with Leo J. Roth (Resolution 2011-12: 106) dated June 4, 2012 (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, Leo J. Roth, along with Campus Construction Group (the Construction Manager), and the Program Manager, identified the need for additional scopes of work, and cost proposals were then obtained for these additional scope items and provided to the Construction Manager and the Program Manager for review; and

WHEREAS, Change Order #2 includes the following items:

1. Isolation valves and condensate lines at loading dock in the amount of \$848.00
- The Total amount of Change Order #2 is \$848.00; and

WHEREAS, the Construction Manager and the Program Manager believe that the change order work was necessary and 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 MWBE and Services Procurement Committee (the "Committee") that Leo J. Roth Corporation's Contract should be amended to add these additional scope items in the total amount of \$848.00; and

WHEREAS, the Committee considered and discussed the Program Manager's recommendation at its March 28, 2013 meeting and after due deliberation, it approved the request to amend the Contract;

THEREFORE, BE IT RESOLVED:

1. The proposed Change Order to Leo J. Roth Corporation's Contract between the Board and Contractor dated June 4, 2012 as set forth above is hereby approved; and

The RJSCB's Chair is hereby authorized in the name and on behalf of the RJSCB, to execute a 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 Brown  
Approved 6-0 with Member Roulin away**

**Resolution 2012-13: 158  
Change Order #1, #2, and #3 to Kaplan Schmidt – Electrical Contractor (Franklin High School)**

**By Board Chair Giess**

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 approved the award of the Electrical Contractor contract to Kaplan-Schmidt Electric ("Kaplan Schmidt") for the Franklin High School Project in Phase I (Resolution 2011-12: 106); and

WHEREAS, the RJSCB entered into a contract with Kaplan Schmidt (Resolution 2011-12: 106) dated June 4, 2012 (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, Kaplan Schmidt, along with Campus Construction Group (the Construction Manager), and the Program Manager, identified the need for additional scopes of work, and cost proposals were then obtained for these additional scope items and provided to the Construction Manager and the Program Manager for review; and

WHEREAS, Change Order #1 includes the following item:

1. Disconnect lights, reconfigure lights, new receptacle, and circuit breaker in the amount of \$679.00  
The Total amount of Change Order #1 is \$679.00; and

WHEREAS, Change Order #2 includes the following item:

1. Re-install lights for staff lighting following abatement in the amount of \$667.00  
The Total amount of Change Order #2 is \$667.00; and

WHEREAS, Change Order #3 includes the following item:

1. Relocate outlets in the amount of \$415.00  
The Total amount of Change Order #3 is \$415.00; and

WHEREAS, the Construction Manager and the Program Manager believe that the change order work was necessary and 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 MWBE and Services Procurement Committee (the "Committee") that Kaplan Schmidt's Contract should be amended to add these additional scope items in the total amount of \$1,761.00; and

WHEREAS, the Committee considered and discussed the Program Manager's recommendation at its March 28, 2013 meeting and after due deliberation, it approved the request to amend the Contract;

THEREFORE, BE IT RESOLVED:

1. The proposed Change Order to Kaplan Schmidt's Contract between the Board and Contractor dated June 4, 2012 as set forth above is hereby approved; and

The RJSCB's Chair is hereby authorized in the name and on behalf of the RJSCB, to execute a 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 Underwood  
Approved 6-0 with Member Roulin away**

**Resolution 2012-13: 159  
Change Order #1 to Thurston Dudek – Plumbing Contractor (Franklin High School)**

**By Board Chair Giess**

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 approved the award of the Plumbing Contractor contract to Thurston Dudek ("Thurston Dudek") for the Franklin High School Project in Phase I (Resolution 2011-12: 106); and

WHEREAS, the RJSCB entered into a contract with Thurston Dudek (Resolution 2011-12: 106) dated June 4, 2012 (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, Thurston Dudek, along with Campus Construction Group (the Construction Manager), and the Program Manager, identified the need for additional scopes of work, and cost proposals were then obtained for these additional scope items and provided to the Construction Manager and the Program Manager for review; and

WHEREAS, Change Order #1 includes the following item:

1. Install plumbing services for an additional prep sink in the amount of \$5,543.00  
The Total amount of Change Order #1 is \$5,543.00; and

WHEREAS, the Construction Manager and the Program Manager believe that the change order work was necessary and 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 MWBE and Services Procurement Committee (the "Committee") that Thurston Dudek's Contract should be amended to add these additional scope items in the total amount of \$5,543.00; and

WHEREAS, the Committee considered and discussed the Program Manager's recommendation at its March 28, 2013 meeting and after due deliberation, it approved the request to amend the Contract;

THEREFORE, BE IT RESOLVED:

1. The proposed Change Order to Thurston Dudek's Contract between the Board and Contractor dated June 4, 2012 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 a 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 Brown**  
**Approved 6-0 with Member Roulin away**

**Resolution 2012-13: 160**  
**Pay Requisition Summary Acceptance (March 2013)**

**By Board Chair Giess**

WHEREAS, the Rochester School 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, the RJSCB developed a pay requisition approval procedure with input from its Counsel, the MWBE 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 COMIDA issued bond proceeds for the Rochester Schools Modernization Program ("RSMP") were deposited in the Trustee's account on June 20, 2012; and

WHEREAS, in compliance with the Pay Requisition Approval Procedure, the RJSCB's Executive Director has reviewed the individual pay applications from each of the consultants and suppliers for accuracy and completeness; and

WHEREAS, the Executive Director forwarded a Pay Requisition Summary (attached to this Resolution) totaling \$6,293,036.84 to the Board Chair with copy to the full Board on March 26, 2013; and

WHEREAS, the RJSCB Chair approved the Pay Requisition Summary on March 26, 2013;

THEREFORE, BE IT RESOLVED:

1. The Rochester Joint Schools Construction Board hereby accepts the Pay Requisition Summary for the month of March 2013 in the amount stated above and as shown in the Summary attached to this Resolution.

**Second by Member Brown**  
**Approved 6-0 with Member Roulin away**

### **Staff Updates / Discussion**

Lois Giess asked if there were any project issues to discuss. Tom Renauto stated that the School 17 project schedule is looking better. The GC has put together a recovery plan that shows 4 weeks of time being recovered through OT, weekends, and 2<sup>nd</sup> shift work taking place. Jerome Underwood asked for a letter from the Program Manager committing to the completion of the projects on time this summer. Tom Renauto stated that he had already reached out to Tom Roger and that he (Roger) would put a letter together for the RJSCB and the District.

Jerome Underwood asked if the program definition at Monroe was still a problem. Tom Renauto stated that the issues have been resolved and the design is moving ahead.

Ann McCormick asked that any particular items of concern raised at the Committee meeting be brought to the attention of the full Board. Peter Abdella stated that the only item of concern this month was the possible inclusion of Alternate #6 for the East High School award. Since the District directed the RJSCB not to take the Alternate is it no longer a concern. Ann stated that she is very confident in the Committee's ability to review issues and make decisions.

Windell Gray reviewed the monthly Compliance Report for February 2013. Our Business and Workforce participation are meeting the overall project goals. The month of February is starting to show a slip in workforce participation. Tom Renauto stated that he has discussed this issue with the Building Trades Leadership. The unions are telling Tom that the Department of Labor is restricting their ability to add people to the JATC's. Tom stated that he has asked the DOL (Joe Hamm) for assistance on this issue.

The Budget Report is included in the Board member's packets.

The Committee Report is included in the Board member's packets.

### **Adjournment**

**Approved 6-0 at 6:41pm**