

**Rochester Joint Schools Construction Board  
Minutes  
June 10, 2013  
4:30 PM**

**Present**

Chair Lois Giess, Members: Bob Brown, Alex Castro, Richard Pifer, Brian Roulin (arrived at 4:45pm), Jerome Underwood (arrived at 4:40pm) and ICO Windell Gray. Member Ann McCormick was away. Also present were: Executive Director Tom Renauto, General Counsel Peter Abdella, and Tom Roger from Gilbane.

**Chair Giess convened the meeting at 4:36pm**

**Chair Giess opened the floor to the public for comments.**

Kristen Taddeo from SRS addressed the Board with several questions regarding the RJSCB FOIL process and specifics regarding submission of DP-1 forms and subsequent follow-up after the bid. Lois Giess asked that the questions be submitted to Tom Renauto for review and that a response will be provided.

**Chair Giess requested a motion to go into Executive Session pursuant to Public Officers Law Section 105(1)(f) to discuss the employment contract of the Board's executive director.**

**Motion by Member Brown**

**Second by Member Pifer**

**Approved 4-0 at 4:40 with Members Roulin and Underwood not yet present**

**Chair Giess reconvened the main meeting following the Executive Session at 4:59pm**

**Approval of Minutes: Monthly Board Meeting held on May 6, 2013**

**Motion by Member Brown**

**Second by Member Pifer**

**Approved 6-0 with Member McCormick away**

**Action Items**

**Resolution 2012-13: 190**

**Amendment #2 to Cannon Design 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 Cannon Design ("Cannon") as the Architect for the East High School project in Phase I (Resolution 2011-12: 39); and

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

WHEREAS, following the execution of the Agreement, Cannon, along with the Program Manager, identified the need for additional scopes of design work, including the District's request to add an artificial turf field to the East High School project, 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 Cannon's Agreement should be amended to add these additional scope items in the total amount of \$45,100 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 June 6, 2013 meeting, and after due deliberation, it approved the request to amend the Agreement;

THEREFORE, BE IT RESOLVED:

1. The proposed amendment to the Cannon Design 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 Brown  
Approved 6-0 with Member McCormick away**

**Resolution 2012-13: 191  
Amendment #4 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, 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 \$23,227.50; and

WHEREAS, the Committee considered and discussed the Program Manager's recommendation at its June 6, 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 Pifer  
Approved 6-0 with Member McCormick away**

**Resolution 2012-13: 192  
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 thereafter added certain additional services to the Move Manager's scope of work (Resolution 2012-2013: 9, Resolution 2012-2013: 49, Resolution 2012-2013:118, Resolution 2012-2013: 145 and Resolution 2012-2013: 172); and

WHEREAS, the RJSCB now needs to add certain other additional services, including processing a second (supplemental) furniture order for School 17, School 50 and Charlotte High School based on changes to the plans from the Architects and the District, the creation of an RFP and management of the purchase and installation of weight room equipment at Charlotte High School at the request of the District, and coordination of the temporary move of School 28 into storage until such time as it can be moved into swing space at School 6; and

WHEREAS, the RJSCB also wishes to add a reimbursable allowance in the amount of \$5,000 to the Agreement for use related to printing documents and other such project related items; 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 June 6, 2013 meeting, copies of which are attached hereto, in a total amount not to exceed \$42,725, 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 \$42,725; 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 Board Member Roulin  
Approved 6-0 with Member McCormick away**

**Resolution 2012-13: 193  
Amendment #13 to JCJ Architecture's 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 JCJ Architecture, P.C. ("JCJ Architecture") as the Architect for the School 58 World of Inquiry project in Phase I (Resolution 2010-11: 35); and

WHEREAS, the RJSCB entered into an agreement with JCJ Architecture (Resolution 2010-11: 35) dated March 28, 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 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 JCJ Architecture's Agreement should be amended to add these additional scope items in the total amount of \$9,405.00 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 June 6, 2013 meeting and after due deliberation, it approved the request to amend the Agreement;

THEREFORE, BE IT RESOLVED:

1. The proposed amendment to the JCJ Architecture Agreement Between the 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 Board Member Brown**  
**Approved 6-0 with Member McCormick away**

**Resolution 2012-13: 194**  
**Edison Contract Awards - General Contractor, Mechanical Contractor, and Plumbing Contractor;**  
**Rejection of Electrical bids and Authorization to Re-bid**

**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 LaBella Associates P.C. (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 Edison High School project; and

WHEREAS, the RJSCB received approval of the Edison High School project by the BOE at their monthly meeting on December 13, 2012 (BOE Resolution 2012-13: 365) and by SED on March 25, 2013; and

WHEREAS, the RJSCB's Executive Director received bids on May 21, 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 bidders for the scope of work packages General Contractor, Mechanical Contractor, and Plumbing Contractor are also qualified and responsible bidders; and

WHEREAS, the Program Manager, Architect, Construction Manager, and Independent Compliance Officer have reviewed the bids for the Electrical Contractor scope of work package, and concluded that all bids should be rejected under the RJSCB's contractual right to do so, and the package should be re-bid as it is in the best interest of the public, the project, and the RJSCB; and

WHEREAS, at the MWBE and Services Procurement Committee meeting held on June 6, 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:

<u>Scope of Work</u>	<u>Name of Contractor</u>	<u>Address</u>	<u>Bid Amount (Incl. accepted alternates)</u>
General Contractor	The Pike Company	One Circle Street Rochester, NY 14607	\$14,229,000
Mechanical Contractor	Landry Mechanical Contractors	164 Flint Hill Road Le Roy, NY 14482	\$3,400,100
Plumbing Contractor	M.A. Ferraulo Plumbing and Heating Inc.	1600 Jay Street Rochester NY 14611	\$690,000

THEREFORE, BE IT RESOLVED:

1. The RJSCB hereby approves the recommendation of the Program Manager that contract awards shall be made to the above named firms and bid amounts to provide all equipment, labor, materials, and plant necessary to execute the scope of work associated with the Edison 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 each firm named above in substantially the form included in the Request for Bids for the Edison High School project, with such changes as the Chair may approve (his/her 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 that all bids received for the Electrical Contractor scope of work package associated with the Edison High School Project shall be rejected under the RJSCB's contractual right to do so and hereby directs the Program Manager to re-bid the Electrical Contractor scope of work at the earliest possible date.

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

**Resolution 2012-13: 195**  
**Special Inspection and Testing Agent Services**

***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 Program Manager has recommended to the RJSCB that it engage the services of a Special Inspection and Testing Agent as a third party inspector during construction of the Phase 1 projects; and

WHEREAS, the RJSCB issued a Request For Proposals ("RFP") for Special Inspection and Testing Agent Services on May 7, 2013 (Resolution 2012 – 2013: 174) which included work at four projects in Phase 1b (School 5, School 28, East High School, and Edison High School); and

WHEREAS, the RFP was posted on the District's web site, the RJSCB's web page, the City's web site, Bidnet, DataFlow, and was also issued directly to five firms who had indicated interest in receiving the RFP; and

WHEREAS, the Executive Director received one proposal in response to the RFP for Special Inspection and Testing Agent Services on May 23, 2013; and

WHEREAS, the Executive Director and the Program Manager subsequently conducted an interview with the candidate on June 3, 2013; and

WHEREAS, following the interview, the Executive Director and Program Manager identified SJB Services Inc., as a qualified and experienced candidate having demonstrated the ability to meet the demands and staffing for the project based on its experience as the Special Inspections and Testing Agent for the Phase 1a projects; and

WHEREAS, the M/WBE and Services Procurement Committee considered the recommendation from the Program Manager to award the contract for Special Inspection and Testing Agent Services to SJB Services, Inc., at its meeting on June 6, 2013 and after due deliberation, it approved the recommendation;

THEREFORE, BE IT RESOLVED:

1. The contract for Special Inspection and Testing Agent Services for four schools in Phase 1b (School 5, School 28, East High School and Edison High School) of the Rochester Schools Modernization Program is hereby awarded to SJB Services, Inc. for the amount Not to Exceed \$250,000; and
2. The RJSCB's Chair is hereby authorized in the name and on behalf of the RJSCB, to execute an 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 Board Member Brown***  
**Approved 6-0 with Member McCormick away**



**Resolution 2012-13: 196  
Environmental Monitoring and Indoor Air Monitoring Agent Services**

**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 Program Manager has recommended to the RJSCB that it engage the services of an Environmental Monitoring and Indoor Air Monitoring Agent as a third party inspector during construction of the Phase 1b projects; and

WHEREAS, the RJSCB issued a Request For Proposals (“RFP”) for Environmental Monitoring and Indoor Air Monitoring Agent Services on May 7, 2013 (Resolution 2012 – 2013: 175) which included work at four projects in Phase 1b (School 5, School 28, East High School and Edison High School); and

WHEREAS, the RFP was posted on the District’s web site, the RJSCB’s web page, the City’s web site, Bidnet, DataFlow, and was also issued directly to 14 firms who had indicated interest in receiving the RFP; and

WHEREAS, the Executive Director received two proposals in response to the RFP for Environmental Monitoring and Indoor Air Monitoring Agent Services on May 24, 2013; and

WHEREAS, based on the qualifications presented in the RFP responses, the Executive Director and the Program Manager subsequently conducted interviews with both of the candidates on June 3, 2013; and

WHEREAS, following the interviews, the Executive Director and Program Manager identified OSO Inc., as the best candidate based on its qualifications, experience, ability to meet the demands and staffing for the project, and cost of services; and

WHEREAS, the M/WBE and Services Procurement Committee reviewed and discussed the recommendation from the Program Manager to award the contract for Environmental Monitoring and Indoor Air Monitoring Agent Services to OSO Inc. at its meeting on June 6, 2013, and after due deliberation, it approved the recommendation;

THEREFORE, BE IT RESOLVED:

1. The contract for Environmental Monitoring and Indoor Air Monitoring Agent Services for four schools in Phase 1b (School 5, School 28, East High School, and Edison High School) of the Rochester Schools Modernization Program is hereby awarded to OSO, Inc. for the amount of Not to Exceed \$380,000; and
2. The RJSCB’s Chair is hereby authorized in the name and on behalf of the RJSCB, to execute an 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 Board Member Underwood  
Approved 6-0 with Member McCormick away**



**Resolution 2012-13: 197**  
**Security Services**

**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, in September 2012, as a result of repeated vandalism at the School 17 project site, the Program Manager recommended and the RJSCB approved that the Construction Manager (“CM”) for School 17, The Pike Company (“Pike”), hire security guard services for after hours and weekend/holiday coverage (Resolution 2012-2013: 31); and

WHEREAS, thereafter, the District requested that all RSMP projects include security guard services for after hours, weekends, and holiday coverage for those projects where the school buildings have been vacated for construction or are located in areas that either have a history or are considered more vulnerable to vandalism; and

WHEREAS, the costs for security guard services for the overall project were later identified by the Program Manager as a “program wide expense” and the method of paying for these services through the Construction Manager’s contract did not lend itself easily to separation and tracking of these program costs; and

WHEREAS, based upon the Program Manager’s recommendation, the RJSCB MWBE and Services Procurement Committee (“Committee”) at its meeting on November 29, 2012, decided to contract directly with the security guard services firm; and

WHEREAS, in December of 2012, the RJSCB approved that the CM for School 58, LeChase Construction (“Lechase”), hire security guard services for the School 58 project site for a period of 90 days (Resolution 2012-2013: 72) in order to provide the RJSCB time to prepare a contract directly with the security services firms; and

WHEREAS, Pike and Lechase each solicited proposals for these services for School 17 and School 58 respectively; and

WHEREAS, in March 2013, the RJSCB approved Resolution 2012-2013: 122 to directly hire the security services firms for projects that were under construction at the time including School 17, School 50, and School 58; and

WHEREAS, the RJSCB desires to competitively bid security services for future RSMP projects; and

WHEREAS, the CMs will remain responsible for the day-to-day coordination and reporting associated with these security services; and

WHEREAS, the RJSCB issued a Request For Proposals (“RFP”) for Security Services on May 7, 2013 (Resolution 2012 – 2013: 176) which included work at three projects in Phase 1b (School 5, School 28, and Edison High School); and

WHEREAS, the RFP was posted on the District’s web site, the RJSCB’s web page, the City’s web site, Bidnet, DataFlow, and was also issued directly to 12 firms who had indicated interest in receiving the RFP; and

WHEREAS, the Executive Director received four proposals in response to the RFP for Security Services on May 20, 2013; and

WHEREAS, based on the qualifications presented in the RFP responses, the Executive Director and the Program Manager subsequently conducted an interview with the candidate AP Safety and Security on May 22, 2013; and

WHEREAS, following the interview, the Executive Director and Program Manager identified AP Safety and Security as the best candidate based on its qualifications, experience, ability to meet the demands and staffing for the project, and cost of services; and

WHEREAS, the Committee reviewed and discussed the recommendation from the Program Manager to award the contract for Security Services to AP Safety and Security at its meeting on June 6, 2013, and after due deliberation, it approved the recommendation;

THEREFORE, BE IT RESOLVED:

1. The contract for Security Services for three schools in Phase 1b (School 5, School 28, and Edison High School) of the Rochester Schools Modernization Program is hereby awarded to AP Safety and Security for the amount of Not to Exceed \$340,000; and
2. The RJSCB's Chair is hereby authorized in the name and on behalf of the RJSCB, to execute an 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 Board Member Pifer  
Approved 6-0 with Member McCormick away**

**Resolution 2012-13: 198  
Franklin Auditorium - Single Prime GC Bid Rejection and Authorization to Re-bid**

**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 District has requested that the full renovation of the Franklin High School Auditorium, including air conditioning within the space, be added to the scope of the original Franklin High School project; and

WHEREAS, the RJSCB received approval of the Franklin High School Auditorium project by the Board of Education ("BOE") at their monthly meeting on January 24, 2013 (BOE Resolution 2012-13: 425) and

subsequently received approval from the State Education Department as an amendment to the original submission for the main Franklin High School project; and

WHEREAS, the RJSCB's Program Manager, with the advice of Young+Wright Architects (the "Architect"), Campus Construction Management (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 Franklin High School Auditorium project as a single prime general contractor package ("Single Prime GC"); and

WHEREAS, the RJSCB's Executive Director received one bid on April 29, 2013 per the deadline stipulated in the Request for Bids, and that bid was 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 bid, conducted a de-scoping meeting with the bidder, and concluded that the total base bid for the scope of work is substantially higher than the allowable project budget; and

WHEREAS, at the MWBE and Services Procurement Committee ("Committee") meeting held on June 6, 2013, following the review and consideration of recommendation provided by the RJSCB's Program Manager to reject the one bid received and after due deliberation the Committee agreed that the bid exceeds the project budget and it is not in the best interest to the project to award this contract; and

WHEREAS, The Committee agreed that the project should be redesigned by the Architect, re-estimated and re-packaged by the Construction Manager into individual prime contract scopes of work, and re-bid as quickly as possible;

THEREFORE, BE IT RESOLVED:

1. The RJSCB hereby approves the recommendation of the Program Manager that the bid received for the Single Prime GC package associated with the Franklin Auditorium project shall be rejected based on the bid amount exceeding the project funds available; and
2. The RJSCB hereby directs the Program Manager to proceed with re-design and re-packaging of the Franklin Auditorium project into 4 prime contracts and to re-bid the project at such time as the documents have been completed.

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

**Resolution 2012-13: 199**  
**Fitness Equipment Request for Bids**

**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"); and

WHEREAS, the District has requested that new fitness equipment be purchased through the RSMP for the Charlotte High School Project; and

WHEREAS, the State Education Department (“SED”) has recently changed its classification of the Charlotte High School project to “gut-rehab” (SED letter dated May 23, 2013) which allows new furniture, fixtures, and equipment (“FF&E”) to qualify for New York State aid reimbursement; and

WHEREAS, the new fitness equipment for Charlotte High School will now qualify for New York State aid reimbursement; and

WHEREAS, the RJSCB, upon the recommendation of its Program Manager and the Move Management Consultant, has determined the need to bid the fitness equipment for the Charlotte High School project; and

WHEREAS, the RJSCB’s Program Manager and Move Management Consultant have prepared a set of bid documents which will be used by the RJSCB to obtain bids from fitness equipment firms using an open public bidding process; and

WHEREAS, the MWBE and Services Procurement Committee has reviewed the bid documents for the fitness equipment bid and approved them at its meeting on June 6, 2013, for forwarding to the full Board;

THEREFORE, BE IT RESOLVED:

1. The bid documents for fitness equipment at the Charlotte High School Project are approved for use by the RJSCB to obtain bids from fitness equipment firms using an open public bidding process.
2. The MWBE and Services Procurement Committee, with the advice and recommendations of the Move Management Consultant and the Program Manager, is authorized on behalf of the RJSCB to review the bids from the fitness equipment firms and recommend one or more firms to the RJSCB for award.

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

**Resolution 2012-13: 200  
Phase 1 Program Manager Performance Assessment RFP**

**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, in preparation for Legislative approval of Phase 2 of the RSMP, the RJSCB’s Executive Director and its general counsel have recommended that the RJSCB prepare a report regarding the program management and project execution related to Phase 1 of the RSMP; and

WHEREAS, the District has requested that the Phase 1 Program Review and Advisory Report previously approved by the RJSCB (Resolution 2012-2013: 163) be publicly bid through a request for proposal (“RFP”); and

WHEREAS, the RJSCB upon the request by the District, directed the Executive Director to develop an RFP for Phase 1 Program Manager Performance Assessment services; and

WHEREAS, the MWBE and Services Procurement Committee has reviewed the RFP for the Phase 1 Program Manager Performance Assessment services and approved it at its meeting on June 6, 2013, for forwarding to the full Board;

THEREFORE, BE IT RESOLVED:

1. The RFP for the Phase 1 Program Manager Performance Assessment services is approved for use by the RJSCB to obtain proposals from qualified firms using an open public bidding process.
2. The MWBE and Services Procurement Committee, with the advice and recommendations of the Executive Director and its general counsel, is authorized on behalf of the RJSCB to review the proposals, conduct interview(s) if appropriate, and recommend a firm to the RJSCB for award.

**Second by Member Roulin**

**Approved 6-0 with Member McCormick away**

**Resolution 2012-13: 201**

**Approval of Adjustment in Compensation of Executive Director**

***By Board Chair Giess***

WHEREAS, the Rochester School Facilities Modernization Program Act ("the Act") established the Rochester Joint Schools Construction Board (the "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, in Resolution 2010-11:47, (a) approved the hiring of Thomas M. Renauto as the its Executive Director, and (b) approved the employment agreement between the RJSCB and Mr. Renauto (the "Employment Agreement"), effective June 27, 2011, and the terms and conditions therein, and authorized the RJSCB Chair to execute the Employment Agreement on behalf of the RJSCB; and

WHEREAS, the Employment Agreement provides that the RJSCB shall review Mr. Renauto's base compensation on an annual basis, at which time the RJSCB shall determine in its sole discretion whether or not to increase Mr. Renauto's base compensation under the Employment Agreement for the next employment year; and

WHEREAS, the RJSCB Chair along with a RJSCB compensation committee formed by the RJSCB Chair have reviewed and evaluated Mr. Renauto's performance for the employment year beginning on June 27, 2012, and have determined that, based on such performance, an increase in Mr. Renauto's base compensation for the employment year of June 28, 2013 through June 27, 2014 is appropriate; and

WHEREAS, the RJSCB Chair has recommended to the RJSCB that Mr. Renauto's base compensation pursuant to the Employment Agreement for the employment year of June 28, 2013 through June 27, 2014 be increased to \$134,358 per annum, that the annual payment for Mr. Renauto's Deferred Compensation Plan be increased to \$10,800 per year, and that the annual contribution towards Mr. Renauto's health insurance premium be increased to \$14,642, and has discussed these recommendations with the RJSCB;

THEREFORE, BE IT RESOLVED:

1. Upon due consideration and discussion of the RJSCB Chair's recommendation, the RJSCB hereby approves an increase in the "Base Compensation" payable to Thomas M. Renauto pursuant to the Employment Agreement for the employment year of June 28, 2013 through June 27, 2014, and the adjusted "Base Compensation" amount shall be \$134,358 per annum.
2. The Employment Agreement shall be amended to provide that Mr. Renauto be paid an additional \$5,800 for "additional compensation" towards the RJSCB's Deferred Compensation Plan in addition to the current amount of \$5,000 for a total amount of \$10,800.
3. The Employment Agreement shall be amended to provide that the RJSCB contribution towards Mr. Renauto's health insurance premium shall be increased to \$14,642.
4. The RJSCB's Chair is hereby authorized in the name and on behalf of the RJSCB to execute an amendment to the Employment Agreement that is consistent with this approval and in a form acceptable to the Chair upon the advice of the RJSCB's general counsel.

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

**Resolution 2012-13: 202**  
**Change Order #4, #5, #6, #7, and #8 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 #4 includes the following item:

1. Room 202 Fire Damper in the amount of \$1,570.76
- The Total amount of Change Order #4 is \$1,570.76; and



WHEREAS, Change Order #5 includes the following item:

1. Equipment rail supports in the amount of \$9,839
- The Total amount of Change Order #5 is \$9,839; and

WHEREAS, Change Order #6 includes the following items:

1. Warming kitchen mechanical in the amount of \$4,509
  2. Toilet room exhaust in the amount of \$13,726
- The Total amount of Change Order #6 is \$18,235; and

WHEREAS, Change Order #7 includes the following item:

1. Floor openings in B building in the amount of \$56,268
- The Total amount of Change Order #7 is \$56,268; and

WHEREAS, Change Order #8 includes the following item:

1. Pneumatic controls in the amount of \$19,452
- The Total amount of Change Order #8 is \$19,452; 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 \$105,364.76; and

WHEREAS, the Committee considered and discussed the Program Manager's recommendation at its June 6, 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. Ferraiulo Plumbing and Heating's Contract between the Board and Contractor dated July 2, 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 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 Member Brown**

**Approved 6-0 with Member McCormick away**

**Resolution 2012-13: 203**

**Change Order #6, #7, and #8 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 #6 includes the following item:

1. Kitchen additional work in the amount of \$8,808
- The Total amount of Change Order #6 is \$8,808; and

WHEREAS, Change Order #7 includes the following items:

1. Water and duct conflicts in the amount of \$9,610
  2. Sink piping in room 301 in the amount of \$5,201
- The Total amount of Change Order #7 is \$14,811; and

WHEREAS, Change Order #8 includes the following item:

1. Boiler room valves in the amount of \$1,579
- The Total amount of Change Order #8 is \$1,579; 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 \$25,198; and

WHEREAS, the Committee considered and discussed the Program Manager’s recommendation at its June 6, 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 Board Member Pifer  
Approved 6-0 with Member McCormick away**

**Resolution 2012-13: 204**

**Change Orders #8 and #9 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 #8 includes the following items:

1. Blocking in the amount of \$756
  2. Area A entrance undercut in the amount of \$17,228.03
  3. Foundation requirements in the amount of \$24,271.22
  4. Toilet room work in the amount of \$1,175
  5. Stair demo at existing room 147 in the amount of \$3,372
  6. Temporary Clinic work in the amount of \$10,014.52
  7. Connecting corridor roof steel in the amount of \$1,088.60
  8. Enlarged column enclosures in the amount of \$4,037
  9. ASI-58 clarifications in the amount of \$7,349.31
- The Total amount for Change Order #8 is \$69,291.68; and

WHEREAS, Change Order #9 includes the following items:

1. Pre-K wing underlayment in the amount of \$8,755
  2. Door hardware revisions in the amount of \$5,981
- The Total amount for Change Order #9 is \$14,736; 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 \$84,027.68; and

WHEREAS, the Committee considered and discussed the Program Manager’s recommendation at its June 6, 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 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 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 Brown**  
**Approved 6-0 with Member McCormick away**

**Resolution 2012-13: 205**  
**Change Order #4, #6, and #7 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 #4 includes the following items:

1. Delete light fixtures for a credit of -\$5,939.13
  2. Add kitchen duplex outlets in the amount of \$2,420.90
  3. AHU #12 wiring in the amount of \$9,856.32
  4. Art room 313 raceway in the amount of \$4,954.23
  5. Door hardware revisions in the amount of \$3,830
- The Total amount of Change Order #4 is \$15,122.32; and

WHEREAS, Change Order #6 includes the following item:

1. Sump pump electrical in the amount of \$3,087
- The Total amount of Change Order #6 is \$3,087

WHEREAS, Change Order #7 includes the following item:

1. Power for Range Hood in the amount of \$3,523.30
- The Total amount of Change Order #7 is \$3,523.30

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 \$21,732.62; and

WHEREAS, the Committee considered and discussed the Program Manager's recommendation at its June 6, 2013 meeting and after due deliberation, it approved the request to amend the Contract;

THEREFORE, BE IT RESOLVED:

1. The proposed Change Orders 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 Brown**  
**Approved 6-0 with Member McCormick away**

**Resolution 2012-13: 206**  
**Change Order #6 to B&B Mechanical Contractors Inc. – 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 mechanical contractor contract to B&B Mechanical Contractors Inc. ("B&B Mechanical") for the School 50 project in Phase I (Resolution 2011-12: 101); and

WHEREAS, the RJSCB entered into a contract with B&B Mechanical (Resolution 2011-12: 101) 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, B&B Mechanical, 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 #6 includes the following item:

1. Modify main office return air duct for a credit in the amount of -\$2,432.70
- The Total amount of Change Order #6 is a credit of -\$2,432.70; and

WHEREAS, the Construction Manager and the Program Manager believe that 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 B&B Mechanical's Contract should be amended to add these additional scope items for a credit in the total amount of -\$2,432.70; and

WHEREAS, the Committee considered and discussed the Program Manager's recommendation at its June 6, 2013 meeting and after due deliberation, it approved the request to amend the Contract;

THEREFORE, BE IT RESOLVED:

1. The proposed Change Order to B&B Mechanical Contractors Inc.'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 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 McCormick away**

**Resolution 2012-13: 207**  
**Change Order #11 to Eastcoast Electric LLC – Electrical 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 electrical contractor contract to Eastcoast Electric LLC ("Eastcoast") for the School 50 project in Phase I (Resolution 2011-12: 101); and

WHEREAS, the RJSCB entered into a contract with Eastcoast (Resolution 2011-12: 101) 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, 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 #11 includes the following item:

1. Electrical work for door hardware in the amount of \$4,442
- The Total amount of Change Order #11 is \$4,442; 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 additional scope items in the total amount of \$4,442; and

WHEREAS, the Committee considered and discussed the Program Manager's recommendation at its June 6, 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 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 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 Brown**  
**Approved 6-0 with Member McCormick away**

**Resolution 2012-13: 208**  
**Change Order #17 and #18 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 #17 includes the following items:

1. Door hardware changes in the amount of \$3,970
2. Exam safe in the amount of \$4,983.31
3. Art room 107 ceiling work in the amount of \$5,124
4. Scoreboard and shot clock changes in the amount of \$2,914.77
5. Laminate corridor wall in the amount of \$1,824
6. Room E109D removals and patching in the amount of \$3,199
7. Room M101A revised layout in the amount of \$2,494
8. Wall tile in mens staff room M100 in the amount of \$617
9. Area D CMU wall in the amount of \$1,930

The total amount of Change Order #17 is \$27,056.08; and



WHEREAS, Change Order #18 includes the following items:

1. Stair at Area A stage in the amount of \$975
2. Ceiling adjustments in the amount of \$7,726
3. Pocket ceiling trim in the amount of \$2,614
4. South entrance canopy in the amount of \$4,523

The total amount of Change Order #18 is \$15,838; 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 \$42,894.08; and

WHEREAS, the Committee considered and discussed the Program Manager's recommendation at its June 6, 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 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 Pifer  
Approved 6-0 with Member McCormick away**

**Resolution 2012-13: 209  
Change Order #7 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 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, 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; and



WHEREAS, following the execution of the Contract, Manning Squires, along with LeChase Construction, 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. Removal of metal pan ceilings, plaster, drywall ceilings, soffits, and lead dust in the amount of \$300,000.

The Total amount of Change Order #1 is \$300,000; and

WHEREAS, the Construction Manager and the Program Manager believe that 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 Squire's Contract should be amended to add these additional scope items in the total amount of \$300,000; and

WHEREAS, the MWBE and Services Procurement Committee considered and discussed the Program Manager's recommendation at its June 6, 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 Change Orders 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 Roulin  
Approved 6-0 with Member McCormick away**

**Resolution 2012-13: 210  
Change Order #13 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 #13 includes the following items:

1. Front entrance revisions in the amount of \$24,188
2. Ceiling demo in the amount of \$16,880
3. Drywall at north kitchen wall in the amount of \$2,527
4. Auditorium wheel chair lift in the amount of \$1,414
5. Laminated walls in the amount of \$10,194
6. Drinking fountain chases in the amount of \$5,650
7. Bathroom glazed block in the amount of \$4,715
8. Bull nose removals at toilet room in the amount of \$326
9. Toilet room walls in the amount of \$4,704
10. Prep cove base in the amount of \$7,166
11. Wall infill at room 230 in the amount of \$500
12. Drywall at music room in the amount of \$7,404
13. Abate piping in room 217 in the amount of \$1,807
14. Change door hardware in the amount of \$4,018
15. Door frame alignment in the amount of \$1,250
16. Wood door thickness in the amount of \$1,976
17. Demo door frame in the amount of \$326
18. Door hardware changes at bathrooms in the amount of \$6,667
19. Roof drains in the amount of \$4,662
20. Casework at office 101 in the amount of \$14,703

The Total amount for Change Order #13 is \$121,077; 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 \$121,077; and

WHEREAS, the Committee considered and discussed the Program Manager's recommendation at its June 6, 2013 meeting and after due deliberation, it approved the request to amend the Contract;

THEREFORE, BE IT RESOLVED:

1. The proposed Change Order to The Pike Company'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 McCormick away**

**Resolution 2012-13: 211**

**Change Order #5 and #6 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 (Resolution 2011-12: 105) 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 #5 includes the following items:

1. Boiler Repair in the amount of \$65,851
  2. Boiler feedwater tank replacement in the amount of \$70,453
  3. Hot water tank replacement in the amount of \$16,334
- The Total amount for Change Order #5 is \$152,638; and

WHEREAS, Change Order #6 includes the following items:

1. Check valve at chilled water loop in the amount of \$575
  2. Duct conflict in the amount of \$4,375
  3. Relocate air supply in the amount of \$367
  4. Raise condensate main at cafeteria in the amount of \$26,620
  5. Demo steam line in the amount of \$715
  6. Yoga room door in the amount of \$1,090
  7. Duct modifications in the amount of \$2,155
- The Total amount for Change Order #6 is \$35,897; 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 \$188,535; and

WHEREAS, the Committee considered and discussed the Program Manager’s recommendation at its June 6, 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. Ferraulo 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 McCormick away**

**Resolution 2012-13: 212  
Change Order #3 to Concord Electric Corporation – Electrical 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 electrical contractor contract to Concord Electric Corporation ("Concord") for the Charlotte High School Project in Phase I (Resolution 2011-12: 105); and

WHEREAS, the RJSCB entered into a contract with Concord (Resolution 2011-12: 105) 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, Concord, 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 #3 includes the following items:

1. Generator enclosure in the amount of \$3,143
2. Panel tracing and magnetic starter in the amount of \$13,829
3. Demo snow melt conduit in the amount of \$384
4. Additional receptacles in the amount of \$1,021
5. Additional receptacles in the amount of \$2,877
6. Lighting in sump pit in the amount of \$912
7. Exit lights in the amount of \$1,988
8. Upgrade VFDs in the amount of \$4,174
9. Ceiling demo in the amount of \$3,510
10. Additional subpanel in the amount of \$561
11. Re-route power and data at library in the amount of \$4,557
12. Teachers lounge appliance power in the amount of \$929
13. Cardio equipment power in the amount of \$3,752
14. Locker room conduit repair in the amount of \$2,594
15. Door access controls in the amount of \$7,374

The Total amount of Change Order #3 is \$51,605; 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 Concord Electric Corporation's Contract should be amended to add these additional scope items in the total amount of \$51,605; and

WHEREAS, the Committee considered and discussed the Program Manager's recommendation at its June 6, 2013 meeting and after due deliberation, it approved the request to amend the Contract;

THEREFORE, BE IT RESOLVED:

1. The proposed Change Orders to Concord Electric Corporation'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 McCormick away**

**Resolution 2012-13: 213  
Change Order #2 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 (Resolution 2011-12: 105) 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 #2 includes the following items:

1. Kitchen floor sinks in the amount of \$8,802
2. Demo acid piping in room 43 in the amount of \$2,908
3. Art room underground piping in the amount of \$11,685
4. Art room above ground piping in the amount of \$4,462

The Total amount for Change Order #2 is \$27,857; 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 \$27,857; and

WHEREAS, the Committee considered and discussed the Program Manager's recommendation at its June 6, 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 Pifer  
Approved 6-0 with Member McCormick away**

**Resolution 2012-13: 214  
Change Order #7 to Cucciara Construction Inc. – General 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 General Contractor contract to Cucciara Construction, Inc. ("Cucciara") for the Franklin High School Project in Phase I (Resolution 2011-12: 106); and

WHEREAS, the RJSCB entered into a contract with Cucciara (Resolution 2011-12: 106) 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, Cucciara, 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 #7 includes the following item:

1. Delete all work associated with an elevator in the amount of -\$130,052
- The Total amount of Change Order #7 is a credit of -\$130,052; and

WHEREAS, the Construction Manager and the Program Manager believe that the change order work was necessary and the pricing is appropriate and 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 Cucciara's Contract should be amended to delete these scope items for a total credit amount of -\$130,052; and

WHEREAS, the Committee considered and discussed the Program Manager's recommendation at its June 6, 2013 meeting and after due deliberation, it approved the request to amend the Contract;

THEREFORE, BE IT RESOLVED:

1. The proposed Change Orders to Cucciara Construction, Inc.'s Contract between the Board and General 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 Member Pifer  
Approved 6-0 with Member McCormick away**

**Resolution 2012-13: 215  
Change Order #3 and #4 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 #3 includes the following items:

1. Plumbing revisions in Faculty area 57A in the amount of \$1,881
- The Total amount of Change Order #3 is \$1,881; and



WHEREAS, Change Order #4 includes the following items:

1. Delete all work associated with an elevator in the amount of -\$8,559  
The Total amount of Change Order #4 is a credit of -\$8,559; 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 for a total credit amount of -\$6,678; and

WHEREAS, the Committee considered and discussed the Program Manager's recommendation at its June 6, 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
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 McCormick away**

**Resolution 2012-13: 216  
Change Order #4 and #5 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 #4 includes the following item:

1. Temporary power at kitchen in the amount of \$14,819  
The Total amount of Change Order #4 is \$14,819; and

WHEREAS, Change Order #5 includes the following item:

1. Delete all work associated with an elevator in the amount of -\$3,624  
The Total amount of Change Order #5 is a credit of -\$3,624; 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 \$11,195; and

WHEREAS, the Committee considered and discussed the Program Manager's recommendation at its June 6, 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
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 McCormick away**

**Resolution 2012-13: 217  
Change Order #2 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 #2 includes the following item:

1. Plumbing revisions at faculty room 57A in the amount of \$760

The Total amount of Change Order #2 is \$760; 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 \$760; and

WHEREAS, the Committee considered and discussed the Program Manager's recommendation at its June 6, 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 Pifer  
Approved 6-0 with Member McCormick away**

**Resolution 2012-13: 218  
RJSCB Annual Report FY2012-13**

**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, under Section 21 of the Act, is required to submit an annual report to various State agencies noting the progress and status of the projects undertaken by the RJSCB;

THEREFORE, BE IT RESOLVED:

1. The FY2012-13 Annual Report of the RJSCB is hereby accepted and authorized for distribution on or before June 28, 2013.

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

**Resolution 2012-13: 219**  
**Pay Requisition Summary Acceptance (May 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 \$7,774,391.83 to the Board Chair with copy to the full Board on May 24, 2013; and

WHEREAS, the RJSCB Chair approved the Pay Requisition Summary on May 27, 2013;

THEREFORE, BE IT RESOLVED:

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

**Second by Board Member Pifer**  
**Approved 6-0 with Member McCormick away**

## **Staff Updates / Discussion**

Lois Giess asked about parking at School 28. Tom Renauto stated that the opportunity for the District to lease parking space across the street has not been pursued for some time. The additional parking that is being provided on site will absorb the majority of additional need driven by the expansion of the school to a K-8, however there will still be a need to park on the surrounding neighborhood streets.

The Schedule for School 17 was discussed. Tom Renauto stated that a weekly standing meeting has been established with Gary Squires of Manning Squires Hennig to discuss schedule and issues. The contractor has committed to making the completion date.

The Monthly Compliance Report is included in the Member's packets and was review by Windell Gray at the meeting. Both Business Utilization and Workforce participation continue to be ahead of the overall goals.

The Monthly Budget Report is included in the member's packets and was reviewed by Tom Renauto at the meeting. Tom Renauto stated that the report will become more complex now that the next series of Bonds have been sold. In addition, the Excel funding is now available for use. Tom Renauto will be coordinating contractor payments through this funding source with the District.

The Committee Report from June 6, 2013 is included in the Member's packets.

Tom Renauto reminded the members that the July meeting dates are set for 6/27/13 (Committee) and 7/8/13 (Monthly Meeting). Tom Renauto will send out a reminder to all members and their admins.

Lois Giess stated that the Finance Committee will be selected at the Organizational Meeting (also scheduled for 7/8/13)

Lois Giess asked for a walkthrough of the School 50 Project to be set up with the RJSCB members.

Richard Pifer asked Tom Renauto to work with Tom Roger to produce a report that can be distributed to the public regarding the milestones and successes of the program to date.

Jerome Underwood announced his resignation from the RJSCB. This will be his last meeting. Jerome stated that Everton Sewell has been selected by the Superintendent to replace him on the Board. All of the Board members thanked Jerome for his work on the project.

## **Adjournment**

**Approved 6-0 at 6:20pm with Member McCormick away**