

**Rochester Joint Schools Construction Board**  
**Minutes**  
**September 9, 2013**  
**4:30 PM**

**Present**

Chair Lois Giess, Treasurer Brian Roulin, Ann McCormick, Richard Pifer, Everton Sewell and ICO Windell Gray. Vice Chair Bob Brown was away. Also present were: Executive Director Tom Renauto, General Counsel Peter Abdella, Program Director Tom Roger from Gilbane and Pepin Accilien from Savin.

**Chair Giess convened the meeting at 4:31pm**

**Approval of Minutes:**

Monthly Meeting held on August 5, 2013

Motion by Member Pifer

Second by Member Sewell

Approved 5-0 with Member Brown away

**Committee Appointment:**

Chair Giess appointed Ann McCormick to the M/WBE and Services Procurement Committee as a temporary replacement for departed RJSCB Member Alex Castro.

**Executive Session:**

Chair Giess made a motion to enter executive session pursuant to Public Officers Law Section 105(1)(d), to discuss current litigation matters and pursuant to Public Officers Law Section 105(1)(f), to discuss the performance history of one particular company who performs services for the Phase 1 projects.

Second by Member Roulin

Approved 5-0 with Member Brown away

**The Board meeting was reconvened at 5:18pm**

Chair Giess asked if anyone in the audience wished to address the Board – no one came forward.

Tom Renauto stated that all action items have been discussed at the Committee Meeting held on September 5, 2013.

## **Action Items**

### **Resolution 2013-14: 52**

#### **Supplemental FF&E Purchase Order – School 17 and Franklin**

##### **By Board Chair Giess**

WHEREAS, the Rochester School Facilities Modernization Program Act (“the Act”) established the Rochester Joint Schools Construction Board (“RJSCB”), a seven voting member board consisting of equal representation by the City of Rochester (“City”) and the Rochester City School District (“District”), as well as a member jointly selected by the City and the District; and

WHEREAS, under the Act, the RJSCB has certain enumerated powers to act as agent for the District, the City, or both; and

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

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

WHEREAS the Request for Bids included FF&E items categorized into eleven primary groups and several non-grouped items; and

WHEREAS, the RJSCB awarded the following groups to FM Resources: Group 4 – Conference Furniture, Group 5 – Desks, Group 6 – Lounge Furniture, Group 9 – Storage, and Group 11 Task Seating (Resolution 2012-2013: 162); and

WHEREAS, the RJSCB awarded the following groups to School Specialty, Inc.: Group 1 – Activity Tables, Group 2 – Art Room, and non-grouped items: Carpet (solid), Cubby Units, Sand and Water Table, Computer Tables, First Aid Couch, Metal Shelving, and Podium (Resolution 2012-2013: 166); and

WHEREAS, the RJSCB awarded the following groups to Facilities Equipment and Service, Inc.: Group 3 – Cafeteria Tables and Group 7 – Library Furniture (Resolution 2012-2013: 166); and

WHEREAS, the RJSCB awarded the following groups to Hertz Furniture: Group 8 – Music Furniture, Group 10 – Student Furniture, and non-grouped items: Carpet (elementary)(Resolution 2012-2013: 166); and

WHEREAS, the Move Manager has determined that additional furniture can be purchased within the existing budget as a result of significant bid day savings; and

WHEREAS, the pricing received from each firm on bid day will be used when placing orders for additional FF&E items; and

WHEREAS, following the initial purchase orders for the bulk of the furniture, the Move Manager along with the Program Manager and the architect for each project, performed a detailed review of each school’s needs and were able to determine that all new furniture could be purchased for each project within the existing budget; and

WHEREAS, the Move Manger along with the Program Manager have identified the need for 8 tables and a table cart at the Franklin project; and

WHEREAS, the additional item being purchased for the School 17 project is a computer table; and

WHEREAS, at its September 5, 2013 meeting, the MWBE Procurement and Services Committee considered the recommendation of the Move Manager and the Program Manager to make the additional FF&E purchases and approved the additional FF&E purchase orders to the firms as set forth in the table below:

**SUMMARY of SUPPLEMENTAL FURNITURE PURCHASE**

| Firm                   | Total Award |
|------------------------|-------------|
| School Specialty, Inc. | \$2,034.91  |
|                        |             |
|                        |             |

THEREFORE, BE IT RESOLVED:

1. The RJSCB hereby approves the recommendation of the Move Manager that a supplemental Purchase Order shall be issued to the above named firm, in the amount specified to provide the necessary Furniture, Fixtures, and Equipment (delivered and installed at point of use); and
2. The RJSCB Chair is hereby authorized, to execute and deliver a Purchase Order to the firm named above, in substantially the form included in the Request for Bids for the Furniture, Fixtures, and Equipment with such changes as the Chair may approve (the Chair's signature thereon being conclusive evidence of such approval) on the advice of the Program Manager and the RJSCB's general counsel.

**Second by Member Pifer  
Approved 5-0 with Member Brown away**

**Resolution 2013-14: 53  
Amendment #10 to Clark Patterson Lee Agreement - 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 selection of Clark Patterson Lee ("CPL") as the Architect for the School 50 project in Phase I (Resolution 2010-11: 35); and

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

WHEREAS, following the execution of the Agreement, Clark Patterson Lee, along with the Program Manager, identified the need for additional scopes of design work and cost proposals and/or estimates

were then obtained for these additional scope items and provided to the Program Manager for review; and

WHEREAS, the Program Manager thereafter recommended to the RJSCB's MWBE and Services Procurement Committee (the "Committee") that Clark Patterson Lee's Agreement should be amended to add these additional scope items in the total amount of \$9,570 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 September 5, 2013 meeting, and after due deliberation, it approved the request to amend the Agreement;

THEREFORE, BE IT RESOLVED:

1. The proposed amendment to the Clark Patterson Lee Agreement Between Board and Architect dated March 28, 2011 as set forth above is hereby approved; and
2. The RJSCB's Chair is hereby authorized in the name and on behalf of the RJSCB, to execute an amendment to the Agreement that is consistent with this approval and in an acceptable form to the Chair upon the advice of the Program Manager and the RJSCB's general counsel.

**Second by Board Member Pifer  
Approved 5-0 with Member Brown away**

**Resolution 2013-14: 54  
Amendment #8 to Chaintreuil Jensen Stark Architects, LLP Agreement – Monroe High School**

**By Board Chair Giess**

WHEREAS, the Rochester School Facilities Modernization Program Act ("the Act") established the Rochester Joint Schools Construction Board ("RJSCB"), a seven voting member board consisting of equal representation by the City of Rochester ("City") and the Rochester City School District ("District"), as well as a member jointly selected by the City and the District; and

WHEREAS, under the Act, the RJSCB has certain enumerated powers to act as agent for the District, the City, or both; and

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

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

WHEREAS, following the execution of the Agreement, the Program Manager identified the need for additional scopes of design work as requested by the District, to relocate the School Based Health Clinic to the first floor from its current location and to redesign the HW heating system, and cost proposals were then obtained for these additional scope items and provided to the Program Manager for review; and

WHEREAS, the Program Manager thereafter recommended to the RJSCB's MWBE and Services Procurement Committee (the "Committee") that CJS's Agreement should be amended to add these additional scope items in the total amount of \$30,908 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 September 5, 2013 meeting and after due deliberation, it approved the request to amend the Agreement;

THEREFORE, BE IT RESOLVED:

1. The proposed amendment to the Chaintreuil Jensen Stark Architects Agreement Between Board and Architect dated November 15, 2011 as set forth above is hereby approved; and
2. The RJSCB's Chair is hereby authorized in the name and on behalf of the RJSCB, to execute an amendment to the Agreement that is consistent with this approval and in an acceptable form to the Chair upon the advice of the Program Manager and the RJSCB's general counsel.

**Second by Board Member Pifer  
Approved 5-0 with Member Brown away**

**Resolution 2013-14: 55  
Amendment #9 to Chaintreuil Jensen Stark Architects, LLP Agreement – Monroe High School**

**By Board Chair Giess**

WHEREAS, the Rochester School Facilities Modernization Program Act ("the Act") established the Rochester Joint Schools Construction Board ("RJSCB"), a seven voting member board consisting of equal representation by the City of Rochester ("City") and the Rochester City School District ("District"), as well as a member jointly selected by the City and the District; and

WHEREAS, under the Act, the RJSCB has certain enumerated powers to act as agent for the District, the City, or both; and

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

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

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

WHEREAS, the RJSCB wishes to reallocate unused funds from previous Amendment #2 to CJS (Resolution 2012-13: 60) in the amount of \$38,282 to pay for these additional items for coring, testing and then patching and painting of existing masonry wall; and

WHEREAS, the total contract value for CJS will not be changed by this amendment; and

WHEREAS, the Program Manager thereafter recommended to the RJSCB's MWBE and Services Procurement Committee (the "Committee") that CJS's Agreement should be amended to reallocate unused funds from previous Amendment #2 for these additional scope items in the total amount of \$38,282 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 September 5, 2013 meeting and after due deliberation, it approved the request to amend the Agreement;

THEREFORE, BE IT RESOLVED:

1. The proposed amendment to the Chaintreuil Jensen Stark Architects Agreement Between Board and Architect dated November 15, 2011 as set forth above is hereby approved; and

2. The RJSCB's Chair is hereby authorized in the name and on behalf of the RJSCB, to execute an amendment to the Agreement that is consistent with this approval and in an acceptable form to the Chair upon the advice of the Program Manager and the RJSCB's general counsel.

**Second by Board Member Pifer  
Approved 5-0 with Member Brown away**

**Resolution 2013-14: 56  
Amendment #5 to Young & Wright Architectural Agreement (Franklin)**

**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 Young & Wright Architectural as the Architect for the Franklin Educational Campus project in Phase I (Resolution 2010-11: 35); and

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

WHEREAS, the RJSCB extended the services of Young & Wright Architectural to add work requested by the District to renovate the auditorium space at Franklin Educational Campus (Resolution 2011-12: 56); and

WHEREAS, following the design of the auditorium space the project was bid, and in April of 2013 the RJSCB received one bid for the single prime GC scope of work which exceeded the project budget; and

WHEREAS, the Program Manager recommended that the RJSCB reject the bid and direct the architect of record (Young & Wright Architectural) to redesign the project and to repackage the bid into individual prime contract scopes of work (Resolution 2012-13: 198); and

WHEREAS, Young & Wright Architectural has provided cost proposals and/or estimates 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 Young & Wright Architectural's Agreement should be amended to add these additional scope items in the total amount of \$19,015 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 September 5, 2013 meeting and after due deliberation, it approved the request to amend the Agreement;

THEREFORE, BE IT RESOLVED:

1. The proposed amendment to the Young & Wright Architectural's Agreement Between Board and Architect dated March 28, 2011 as set forth above is hereby approved; and

2. The RJSCB's Chair is hereby authorized in the name and on behalf of the RJSCB, to execute an amendment to the Agreement that is consistent with this approval and in an acceptable form to the Chair upon the advice of the Program Manager and the RJSCB's general counsel.

**Second by Board Member Pifer**  
**Approved 5-0 with Member Brown away**

**Resolution 2013-14: 57**  
**Amendment #6 to LaBella Associates Agreement – Edison Educational Campus**

**By Board Chair Giess**

WHEREAS, the Rochester School Facilities Modernization Program Act ("the Act") established the Rochester Joint Schools Construction Board ("RJSCB"), a seven voting member board consisting of equal representation by the City of Rochester ("City") and the Rochester City School District ("District"), as well as a member jointly selected by the City and the District; and

WHEREAS, under the Act, the RJSCB has certain enumerated powers to act as agent for the District, the City, or both; and

WHEREAS, the RJSCB approved the selection of LaBella Associates, P.C. ("LaBella") as the Architect for the Edison Educational Campus project in Phase I (Resolution 2011 12: 39); and

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

WHEREAS, following the execution of the Agreement, LaBella, along with the Program Manager, identified the need for additional design work related to the structural scope of 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 LaBella's Agreement should be amended to add these additional scope items in the total amount of \$77,050 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 September 5, 2013 meeting, and after due deliberation, it approved the request to amend the Agreement;

THEREFORE, BE IT RESOLVED:

1. The proposed amendment to the LaBella Associates P.C. 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 Roulin**  
**Approved 5-0 with Member Brown away**



**Resolution 2013-14: 58  
Third Revision to Gilbane Exhibit B (Staffing Plan)**

**By Board Chair Giess**

WHEREAS, the Rochester School Facilities Modernization Program Act (“the Act”) established the Rochester Joint Schools Construction Board (“RJSCB”), a seven voting member board consisting of equal representation by the City of Rochester (“City”) and the Rochester City School District (“District”), as well as a member jointly selected by the City and the District; and

WHEREAS, under the Act, the RJSCB has certain enumerated powers to act as agent for the District, the City, or both; and

WHEREAS, the RJSCB selected Gilbane Building Company (“Program Manager”) to provide Program Management services to the Board in June of 2010 (Resolution 2009-10: 13); and  
WHEREAS, Article 5.1 (a) of the Agreement between the RJSCB and the Program Manager dated July 1, 2010 (the “Agreement”), states that revisions to Exhibit B, the Program Manager’s staffing plan, are permitted in order to identify staff members not originally identified in the exhibit as of the date of the Agreement or as a result of permitted changes in personnel during the term of the Agreement; and

WHEREAS, also under Article 5.1 (a) of the Agreement, the Program Manager may establish new rates specific to the newly assigned individual, upon written approval by the RJSCB, provided that the Service Fee Limit set forth in the Agreement shall remain the same; and

WHEREAS, the Program Manager has recently updated its staffing plan on Exhibit B (a copy of which is attached) reflecting changes and adjustments to a) several members of their personnel who have been assigned to the projects under the Agreement, b) the actual hours spent for year one, year two, and year three personnel, c) the number of hours each member is assigned to the RSMP project for the remainder of the term, and d) the elimination of the seventh year of services which is no longer necessary based on the project schedule; and

WHEREAS, the Service Fee Limits of the Agreement shall not be effected by these staffing changes and adjustments to personnel hours; and

WHEREAS, the RJSCB’s Executive Director recommended to the RJSCB’s MWBE and Services Procurement Committee (“Committee”) that it approve the Program Manager’s revised staffing plan as shown in Exhibit B and that the Agreement then will be amended to incorporate the revised Exhibit B; and

WHEREAS, the Committee considered and discussed the Executive Director’s recommendation at its September 5, 2013 meeting and after due deliberation, it approved the revised staffing plan and request to amend the Agreement;

THEREFORE, BE IT RESOLVED:

1. The proposed changes to Exhibit B of the Agreement between the RJSCB and the Program Manager are approved; and
2. The Agreement between the RJSCB and the Program Manager dated July 1, 2010 is hereby amended to incorporate the revised Exhibit B.

**Second by Board Member Pifer  
Approved 5-0 with Member Brown away**



**Resolution 2012-13: 59**

**Change Orders #11, #21, and #22 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 #11 includes the following items:

1. Change to abuse resistant drywall for the amount of \$1,091
2. Eliminate removal/replacement of manhole, provide floor hatch for a credit in the amount of -\$3,460
3. Delete gym curtain soffits for a credit in the amount of -\$7,246
4. Remove transit piping for the amount of \$1,800

The Total amount for Change Order #11 is a credit of -(\$7,815); and

WHEREAS, Change Order #21 includes the following items:

1. Area B roof repairs for the amount of \$11,020
2. Hallway existing masonry removals for the amount of \$4,013
3. Delete new door at 136A for a credit in the amount of -\$1,448.51
4. Add drywall chase in room K101C for the amount of \$521

The Total amount for Change Order #21 is \$14,105.49; and

WHEREAS, Change Order #22 includes the following items:

1. Delete connection to sewer lateral for a credit in the amount of -\$1,113.84
2. Provide special primer for tile walls for the amount of \$619
3. Provide a wall at the OT/PT room 145 for the amount of \$1,245

The Total amount for Change Order #22 is \$750.16; 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 delete and add these scope items in the amount of \$7,040.65; and

WHEREAS, the Committee considered and discussed the Program Manager’s recommendation at its September 5, 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 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 5-0 with Member Brown away**

**Resolution 2013-14: 60  
Change Order #11 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 #11 includes the following item:

1. Install underground rough-in conduit for future north parking lot for the amount of \$1,324  
The Total amount of Change Order #11 is \$1,324; and

WHEREAS, the Construction Manager and the Program Manager believe that the change order work was necessary, the pricing is appropriate, and the contract time will not be increased by this additional work; and

WHEREAS, the Program Manager thereafter recommended to the RJSCB's MWBE and Services Procurement Committee (the "Committee") that Eastcoast's Contract should be amended to add these scope items for the amount of \$1,324; and

WHEREAS, the Committee considered and discussed the Program Manager's recommendation at its September 5, 2013 meeting and after due deliberation, it approved the request to amend the Contract;

THEREFORE, BE IT RESOLVED:

1. The proposed Change Order to Eastcoast Electric LLC's Contract between the Board and Contractor dated July 2, 2012 as set forth above is hereby approved; and
2. The RJSCB's Chair is hereby authorized in the name and on behalf of the RJSCB, to execute a Change Order to the Contract that is consistent with this approval and in an acceptable form to the Chair upon the advice of the Program Manager and the RJSCB's general counsel.

**Second by Board Member Pifer  
Approved 5-0 with Member Brown away**

**Resolution 2013-14: 61  
Change Order #10 to M.A. Ferrauilo 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. Ferrauilo Plumbing and Heating ("M.A. Ferrauilo") for the School 17 project in Phase I (Resolution 2012-13: 14); and

WHEREAS, the RJSCB entered into a contract with M.A. Ferrauilo (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. Ferrauilo, 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 #10 includes the following item:

1. Replace water damaged insulation for the amount of \$10,846

The Total amount of Change Order #10 is \$10,846; 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. Ferrauilo's Contract should be amended to add these additional scope items in the total amount of \$10,846; and

WHEREAS, the Committee considered and discussed the Program Manager's recommendation at its September 5, 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. Ferrauilo 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 5-0 with Member Brown away**

**Resolution 2013-14: 62  
Change Order #2, #3, #4, #5, and #6 to Manning Squires Hennig – (GC - School 28)**

**By Board Chair Giess**

WHEREAS, the Rochester School Facilities Modernization Program Act ("the Act") established the Rochester Joint Schools Construction Board ("RJSCB"), a seven voting member board consisting of equal representation by the City of Rochester ("City") and the Rochester City School District ("District"), as well as a member jointly selected by the City and the District; and

WHEREAS, under the Act, the RJSCB has certain enumerated powers to act as agent for the District, the City, or both; and

WHEREAS, the 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 28 project in Phase I (Resolution 2012-13: 106); and

WHEREAS, the RJSCB subsequently entered into a contract with Manning Squires (Resolution 2012-13: 106) dated February 4, 2013 (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 #2 includes the following item:

1. Excavation and backfill related to investigation of pre-existing oil tank for the amount of \$3,215.31
- The Total amount of Change Order #2 is \$3,215.31; and

WHEREAS, Change Order #3 includes the following item:

1. Add security window film for the amount of \$21,721
- The Total amount of Change Order #3 is \$21,721; and

WHEREAS, Change Order #4 includes the following item:

1. Modifications for metal detectors for the amount of \$522.22
- The Total amount of Change Order #4 is \$522.22; and

WHEREAS, Change Order #5 includes the following item:

1. Changes to linear wood ceilings for a credit in the amount of –(\$5,249)  
The Total amount of Change Order #5 is a credit of –(\$5,249); and

WHEREAS, Change Order #6 includes the following item:

1. Changes to the Special Education rooms for the amount of \$36,495  
The Total amount of Change Order #6 is \$36,495; 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 Squires's Contract should be amended to delete and add these additional scope items in the total amount of \$56,704.53; and

WHEREAS, the Committee considered and discussed the Program Manager's recommendation at its September 5, 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's Contract 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 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 5-0 with Member Brown away**

**Resolution 2013-14: 63  
Change Order #1 to Bell Mechanical – (Mechanical - School 28)**

**By Board Chair Giess**

WHEREAS, the Rochester School Facilities Modernization Program Act ("the Act") established the Rochester Joint Schools Construction Board ("RJSCB"), a seven voting member board consisting of equal representation by the City of Rochester ("City") and the Rochester City School District ("District"), as well as a member jointly selected by the City and the District; and

WHEREAS, under the Act, the RJSCB has certain enumerated powers to act as agent for the District, the City, or both; and

WHEREAS, the 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 mechanical contractor contract to Bell Mechanical Contractor Inc. ("Bell Mechanical") for the School 28 project in Phase I (Resolution 2012-13: 106); and

WHEREAS, the RJSCB subsequently entered into a contract with Bell Mechanical (Resolution 2012-13: 106) dated February 4, 2013 (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, Bell Mechanical, 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 #1 includes the following item:

1. Changes to the Special Education rooms for the amount of \$31,245.05

The Total amount of Change Order #1 is \$31,245.05; 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 Bell Mechanical's Contract should be amended to add these additional scope items in the total amount of \$31,245.05; and

WHEREAS, the Committee considered and discussed the Program Manager's recommendation at its September 5, 2013 meeting and after due deliberation, it approved the request to amend the Contract;

THEREFORE, BE IT RESOLVED:

1. The proposed Change Order to Bell Mechanical Contractor's Contract 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 5-0 with Member Brown away**

**Resolution 2013-14: 64  
Change Order #1 and #2 to Kaplan Schmidt – (Electrical - School 28)**

**By Board Chair Giess**

WHEREAS, the Rochester School Facilities Modernization Program Act ("the Act") established the Rochester Joint Schools Construction Board ("RJSCB"), a seven voting member board consisting of equal representation by the City of Rochester ("City") and the Rochester City School District ("District"), as well as a member jointly selected by the City and the District; and

WHEREAS, under the Act, the RJSCB has certain enumerated powers to act as agent for the District, the City, or both; and

WHEREAS, the 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 electrical contractor contract to Kaplan Schmidt Electric Inc. ("Kaplan Schmidt") for the School 28 project in Phase I (Resolution 2012-13: 106); and

WHEREAS, the RJSCB subsequently entered into a contract with Kaplan Schmidt (Resolution 2012-13: 106) dated February 4, 2013 (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 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 #1 includes the following item:

1. Swing space modification for the amount of \$3,493.64

The Total amount of Change Order #1 is \$3,493.64; and

WHEREAS, Change Order #2 includes the following item:

1. Changes to the Special Education rooms for the amount of \$18,956.89

The Total amount of Change Order #2 is \$18,956.89; 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 Kaplan Schmidt's Contract should be amended to add these additional scope items in the total amount of \$22,450.53; and

WHEREAS, the Committee considered and discussed the Program Manager's recommendation at its September 5, 2013 meeting and after due deliberation, it approved the request to amend the Contract;

THEREFORE, BE IT RESOLVED:

1. The proposed Change Orders to Kaplan Schmidt's Contract 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 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 5-0 with Member Brown away**

**Resolution 2013-14: 65  
Change Order #1 to Nairy Mechanical – (Plumbing - School 28)**

**By Board Chair Giess**

WHEREAS, the Rochester School Facilities Modernization Program Act ("the Act") established the Rochester Joint Schools Construction Board ("RJSCB"), a seven voting member board consisting of equal representation by the City of Rochester ("City") and the Rochester City School District ("District"), as well as a member jointly selected by the City and the District; and

WHEREAS, under the Act, the RJSCB has certain enumerated powers to act as agent for the District, the City, or both; and

WHEREAS, the 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 plumbing contractor contract to Nairy Mechanical LLC (“Nairy Mechanical”) for the School 28 project in Phase I (Resolution 2012-13: 106); and

WHEREAS, the RJSCB subsequently entered into a contract with Nairy Mechanical (Resolution 2012-13: 106) dated February 4, 2013 (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, Nairy Mechanical, 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 #1 includes the following item:

1. Changes to the Special Education rooms for the amount of \$104,536.93

The Total amount of Change Order #1 is \$104,536.93; 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 Nairy Mechanical’s Contract should be amended to add these additional scope items in the total amount of \$104,536.93; and

WHEREAS, the Committee considered and discussed the Program Manager’s recommendation at its September 5, 2013 meeting and after due deliberation, it approved the request to amend the Contract;

THEREFORE, BE IT RESOLVED:

1. The proposed Change Order to Nairy Mechanical’s Contract 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 Sewell  
Approved 5-0 with Member Brown away**

**Resolution 2013-14: 66  
Change Order #28, #29, and #30 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 #28 includes the following item:

1. Ceiling height changes for the amount of \$7,414
- The total amount of Change Order #28 is \$7,414; and

WHEREAS, Change Order #29 includes the following item:

1. Temporary wall opening, lintel, and masonry infill for the amount of \$11,560
- The total amount of Change Order #29 is \$11,560; and

WHEREAS, Change Order #30 includes the following item:

1. Extend existing soffit for the amount of \$2,622
- The total amount of Change Order #30 is \$2,622; 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 \$21,596; and

WHEREAS, the Committee considered and discussed the Program Manager's recommendation at its September 5, 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 5-0 with Member Brown away**

**Resolution 2013-14: 67**  
**Change Order #18 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 #18 includes the following item:

1. Provide relocations to allow for removal of existing poles for the amount of \$8,193
2. Provide smoke and heat detectors for the amount of \$2,830
3. Provide correct power to UV-N for the amount of \$837
4. Provide power for fan/heater for the amount of \$4,188
5. Provide visual devices and smoke detector for the amount of \$2,428
6. Provide smoke detectors for the amount of \$1,716

The Total amount of Change Order #18 is \$20,192; 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 \$20,192; and

WHEREAS, the Committee considered and discussed the Program Manager's recommendation at its September 5, 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 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 McCormick  
Approved 5-0 with Member Brown away**

**Resolution 2013-14: 68**  
**Change Order #8 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 #8 includes the following item:

1. Repair existing water main for the amount of \$1,477

The Total amount of Change Order #8 is \$1,477; 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 in the total amount of \$1,477; and

WHEREAS, the Committee considered and discussed the Program Manager’s recommendation at its September 5, 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 5-0 with Member Brown away**

**Resolution 2013-14: 69**

**Change Order #6 to Thurston Dudek, LLC – Plumbing 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 plumbing contractor contract to Thurston Dudek, LLC (“Thurston Dudek”) for the School 50 project in Phase I (Resolution 2011-12: 101); and

WHEREAS, the RJSCB entered into a contract with Thurston Dudek (Resolution 2011-12: 101) 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 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. Provide sink strainers at four locations for the amount of \$924

The Total amount of Change Order #6 is \$924; 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 Thurston Dudek’s Contract should be amended to add these additional scope items in the total amount of \$924; and

WHEREAS, the Committee considered and discussed the Program Manager’s recommendation at its September 5, 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, LLC’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 5-0 with Member Brown away**

**Resolution 2013-14: 70  
Change Order #1, #2, #3, and #4 to MA Ferrauilo – 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 plumbing contractor contract to M.A. Ferrauilo Heating and Plumbing, Inc. (“M.A. Ferrauilo”) for the School 58 project in Phase I (Resolution 2012-13: 120); and

WHEREAS, the RJSCB subsequently entered into a contract with M.A. Ferrauilo (Resolution 2012-13: 120) dated March 4, 2013 (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. Ferrauilo, 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 #1 includes the following items:

1. Provide a sub-surface depressurization system for the amount of \$46,410
- The Total amount of Change Order #1 is \$46,410; and

WHEREAS, Change Order #2 includes the following items:

1. Changes to slab elevation for the amount of \$11,664.77
- The Total amount of Change Order #2 is \$11,664.77; and

WHEREAS, Change Order #3 includes the following items:

1. Removal of contaminated excavation materials for the amount of \$20,223.72
- The Total amount of Change Order #3 is \$20,223.72; and

WHEREAS, Change Order #4 includes the following items:

1. Relocate roof drains and piping, add chases for the amount of \$12,627.80
- The Total amount of Change Order #4 is \$12,627.80; 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 M.A. Ferrauilo’s Contract should be amended to add these additional scope items in the total amount of \$90,926.29; and

WHEREAS, the MWBE and Services Procurement Committee considered and discussed the Program Manager’s recommendation at its September 5, 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's Contract 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 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 5-0 with Member Brown away**

**Resolution 2013-14: 71  
Change Order #1 to Leo J. Roth – (Mechanical - 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 mechanical contractor contract to Leo J. Roth Corporation ("Leo J. Roth") for the School 58 project in Phase I (Resolution 2012-13: 120); and

WHEREAS, the RJSCB subsequently entered into a contract with Leo J. Roth (Resolution 2012-13: 120) dated March 4, 2013 (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 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 #1 includes the following items:

1. Provide switches, manometers, DDC points, and commissioning of a sub-surface depressurization system for the amount of \$3,337

The Total amount of Change Order #1 is \$3,337; 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 Leo J. Roth's Contract should be amended to add these additional scope items in the total amount of \$3,337; and



WHEREAS, the MWBE and Services Procurement Committee considered and discussed the Program Manager's recommendation at its September 5, 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's Contract 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 5-0 with Member Brown away**

**Resolution 2012-13: 72  
Change Order #1 to The Pike Company – General Contractor (East High School)**

**By Board Chair Giess**

WHEREAS, the Rochester School Facilities Modernization Program Act ("the Act") established the Rochester Joint Schools Construction Board ("RJSCB"), a seven voting member board consisting of equal representation by the City of Rochester ("City") and the Rochester City School District ("District"), as well as a member jointly selected by the City and the District; and

WHEREAS, under the Act, the RJSCB has certain enumerated powers to act as agent for the District, the City, or both; and

WHEREAS, the RJSCB approved the award of the general contractor contract to The Pike Company ("Pike") for the East High School project in Phase I (Resolution 2012-13: 147); and

WHEREAS, the RJSCB entered into a contract with Pike (Resolution 2012-13: 147) dated April 1, 2013 (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, Pike, along with LPCiminelli, the Construction Manager, and the Program Manager, identified the need for additional scopes of work, and cost proposals were then obtained for these additional scope items and provided to the Construction Manager and the Program Manager for review; and

WHEREAS, Change Order #1 includes the following items:

1. Door mullion and door hardware changes for the amount of \$4,495
  2. Door hardware changes for the amount of \$15,597
  3. Revise window types for no cost \$0
  4. Clarification of VET color/pattern for no cost \$0
  5. Add 142 terrazzo control joints/locations for the amount of \$15,004
  6. Clarification of curtain wall color selections for no cost \$0
  7. Install temporary AC units at the health center for the amount of \$745
- The Total amount for Change Order #1 is \$35,841; 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 Pike's Contract should be amended to add these scope items in the amount of \$35,841; and

WHEREAS, the Committee considered and discussed the Program Manager's recommendation at its September 5, 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 April 1, 2013 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 5-0 with Member Brown away**

**Resolution 2013-14: 73**  
**Change Order #16 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 #16 includes the following items:

1. Deduct for resinous floor, add resinous cove base for a credit of -\$2,058
2. New parking lot signs for the amount of \$1,019
3. Front entrance revisions for the amount of \$22,866
4. Additional work associated with the snow melt system for the amount of \$3,393
5. Kitchen window security screen for the amount of \$3,099
6. Painting stairwells for the amount of \$44,050
7. Locker diamond plating for the amount of \$17,409

8. Fire evacuation plan signage for the amount of \$13,129  
The Total amount for Change Order #16 is \$102,907; 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 delete and add these scope items in the amount of \$102,907; and

WHEREAS, the Committee considered and discussed the Program Manager's recommendation at its September 5, 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 Pifer  
Approved 5-0 with Member Brown away**

**Resolution 2013-14: 74  
Change Order #9 to M.A. Ferraiulo 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. Ferraiulo Plumbing and Heating Inc. ("Ferraiulo") for the Charlotte High School Project in Phase I (Resolution 2011-12: 105); and

WHEREAS, the RJSCB entered into a contract with Ferraiulo (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, Ferraiulo, 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 #9 includes the following items:

1. Chiller isolation valves for the amount of \$1,040

2. LV2 and LV2a for the amount of \$6,810
  3. Condensate changes for the amount of \$20,495
  4. Changes to 5<sup>th</sup> floor relief system for the amount of \$1,961
  5. Wire mold repairs for the amount of \$2,339
- The Total amount for Change Order #9 is \$32,645; 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. Ferraiulo Plumbing and Heating Inc.'s Contract should be amended to add these scope items for the total amount of \$32,645; and

WHEREAS, the Committee considered and discussed the Program Manager's recommendation at its September 5, 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 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 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 5-0 with Member Brown away**

**Resolution 2013-14: 75**  
**Franklin Auditorium – Roofing Bid Award**

**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 renovation of the Franklin Educational Campus Auditorium ("Franklin Auditorium"), including air conditioning within the space, be added to the scope of the original Franklin Educational Campus project ("Franklin project"); and

WHEREAS, the RJSCB received approval of the Franklin 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 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 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 RJSCB rejected the bid on June 10, 2013 based on the bid amount exceeding the project funds available (Resolution 2012-13: 198); and

WHEREAS, the RJSCB authorized the Program Manager and the Architect to redesign and repackage the project into a multi-prime format (Resolution 2012-13: 198); and

WHEREAS, the Program Manager, the Architect and the Construction Manager recommended that the project be split into two packages - the first being an early package, which includes the roofing scope of work, and the second for the remaining scope of work - so that the early package could commence prior to the start of inclement weather conditions; and

WHEREAS, thereafter, the Program Manager and the Architect prepared a package for the roofing scope of work associated with the Franklin Auditorium, including certain masonry restoration, and the RJSCB's Executive Director subsequently received two bids on September 3, 2013 per the deadline stipulated in the Request for Bids and those bids were 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 for the roofing scope of work, conducted a de-scoping meeting with the apparent low bidder, and concluded that the bidder is qualified and responsible; and

WHEREAS, at the MWBE and Services Procurement Committee ("Committee") meeting held on September 5, 2013, the bid was discussed and following the meeting, the Program Manager determined to recommend that the contract award should be made to the firm of Steve General Contractor Inc. in the amount of \$298,000; and

WHEREAS, the remainder of the scopes of work for the Franklin Auditorium project will be bid separately at a later date; and

THEREFORE, BE IT RESOLVED:

1. The RJSCB hereby approves the recommendation of the Program Manager that the contract award shall be made to the firm Steve General Contractor Inc. in the amount of \$298,000 to provide all equipment, labor, materials, and plant necessary to execute the scope of work associated with the Franklin Auditorium Roofing scope of work in Phase 1 of the RSMP; and
2. The Chair is hereby authorized, in the name and on behalf of the RJSCB, to execute and deliver an Agreement (the "Agreement") to the firm Steve General Contractor Inc. in substantially the form included in the Request for Bids for the Franklin Auditorium Roof scope of work, 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.

**Second by Board Member Pifer  
Approved 5-0 with Member Brown away**

**Resolution 2013-14: 76  
Recognizing Service of Alex Castro**

**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, Mr. Castro was appointed as a member of the RJSCB in August 2010; and

WHEREAS, Mr. Castro has provided leadership, commitment and expertise to the RJSCB during his tenure on the Board; and

WHEREAS, Mr. Castro has shown an unparalleled level of dedication to the students of the Rochester City School District through his service as a member of the RJSCB;

Therefore, be it RESOLVED,

1. The Rochester Joint Schools Construction Board hereby recognizes Mr. Alex Castro’s service to the Board and gratefully acknowledges his contributions as a Board Member beginning in August 2010 through August 2013.

**Second by Board Member Sewell  
Approved 5-0 with Member Brown away**

**Resolution 2013-14: 77  
Pay Requisition Summary Acceptance (August 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") Phase 1a projects were deposited in the Trustee's account on June 20, 2012; and

WHEREAS, the COMIDA issued bond proceeds for the Rochester Schools Modernization Program Phase 1b projects were deposited in the Trustee's account on June 6, 2013; and

WHEREAS, Excel Aid funding associated with the Rochester Schools Modernization Program is currently in the final stages of review and certification by the Dormitory Authority of the State of New York ("DASNY"); and

WHEREAS, the intended purpose of the Excel Aid funding is to partially pay for costs associated with the design and/or construction of certain Phase 1a projects; and

WHEREAS, due to the late timing of the DASNY certification process for the Excel Aid, if necessary, the District has decided to establish and fund a special account for the RSMP ahead of the completion of the DASNY certification process to pay for certain invoices associated with the Phase 1a projects; and

WHEREAS, the District will be reimbursed for any payments made after the DASNY certification process has been completed and the Excel Aid funds are released; and

WHEREAS, in 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 RJSCB's Executive Director has reviewed this month's Excel Aid payment schedule with the District, and the District has agreed to provide the funds and to issue checks for certain Phase 1a invoices listed on the Excel Aid payment schedule; and

WHEREAS, the Executive Director forwarded a Pay Requisition Summary (attached to this Resolution) totaling \$15,275,192.48 including all invoices to be paid by the Trustee using bond proceeds and those invoices to be paid by the District using Excel Aid funding, to the Board Chair with copy to the full Board on August 26, 2013; and

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

THEREFORE, BE IT RESOLVED:

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

**Second by Board Member McCormick  
Approved 5-0 with Member Brown away**

#### **Staff Updates / Discussion**

The Monthly Report is included in the Member's packets. Tom Roger stated that all schools opened on time. Punchlist work is ongoing.



Tom Roger handed out a short analysis of Phase 1a project costs (17, 50, Charlotte). This report shows the additional costs that the project incurred during construction and the estimated time that it would have taken to complete the projects, had the schedule been adjusted. No extension of time was granted to any contractor and schools opened on time.

The Compliance Report is included in the Member's packets. Windell reviewed the current numbers for Business Utilization and Workforce Participation.

The Budget report is included in the Member's packets.

Tom Renauto stated that the RJSCB press release and article had been sent to 4 print outlets; the D&C, the RBJ, City Newspaper, and the Minority Reporter. None of the publications have printed the article to anyone's knowledge.

The Committee Reports for August 1, 2013 and September 5, 2013 are included in the Board Members packets.

**Adjournment**

**Approved 5-0 at 6:04pm**