Rochester Joint Schools Construction Board Minutes December 11, 2017 4:30 PM

Present

Chairman Allen Williams, Vice Chair Michael Schmidt (arrived at 4:47 pm), Charles Benincasa, Bob Brown, Norman Jones (left at 4:49 pm), and ICO Brian Sanvidge. I. Geena Cruz and Thomas Richards were away. Also present: General Counsel Gregory McDonald; Savin Program Directors Pépin Accilien and Roland Coleman.

Chairman Williams convened the meeting at 4:35 pm.

Approval of Minutes

Monthly Meeting held on November 13, 2017

Motion by Member Brown
Second by Member Jones
Approved 4-0 with Members Cruz and Richards away and Vice Chair Schmidt not yet arrived

Executive Session Approved at 4:36 pm

Chairman Williams called for an Executive Session pursuant to Open Meetings Law Article 7, Section 105.1 (f), to discuss matters leading to the appointment of the Phase 2d Architect for Flower City School 54/30 design services.

Motion by Member Jones Second by Member Benincasa Approved 4-0 with Members Cruz and Richards away and Vice Chair Schmidt not yet arrived

The Board came out of Executive Session at 4:42 pm
Motion by Member Brown
Second by Member Benincasa
Approved 4-0 with Members Cruz and Richards away and Vice Chair Schmidt not yet arrived

Action Items

Resolution 2017-18: 121

Architect Selection - Flower City School 54/30 Project (Phase 2d)

By Board Member Brown

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

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

WHEREAS, the authorizing legislation for Phase 2 of the Rochester Schools Modernization Program ("RSMP") was signed into law by the Governor of the State of New York on December 17, 2014; and

WHEREAS, the amended Act authorized up to 26 projects in Phase 2 of the RSMP including a District Wide Technology

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

WHEREAS, the RJSCB issued a request for proposals for Design Services (the "RFP") for the Flower City School 54/30 project (the "Phase 2d Project") (Resolution 2016-17: 151); and

WHEREAS, the Program Manager received a total of 11 proposals as of the date and time specified in the RFP, and promptly distributed those proposals to the RJSCB members; and

WHEREAS, a selection committee made up of RJSCB representatives, the Independent Compliance Officer and the Program Manager interviewed all 11 responding firms; and

WHEREAS, the Program Manager subsequently recommended three finalists to present to the M/WBE and Services Procurement Committee meeting held on December 7, 2017; and

WHEREAS, the firm of LaBella Associates was identified as being highly qualified and fiscally responsive to the RJSCB's RFP for the Phase 2d Project.

THEREFORE, BE IT RESOLVED:

- 1. The RJSCB hereby approves LaBella Associates to provide Design Services for the Phase 2d Project of the RSMP; and
- 2. The RJSCB Program Manager is hereby authorized, in the name and on behalf of the RJSCB, to negotiate an Agreement with the firm named above, in consultation with the RJSCB Chair and its general counsel, for approval and execution by the Chair on behalf of the RJSCB.

Second by Board Member Jones

Approved 4-0 with Members Cruz and Richards away and Vice Chair Schmidt not yet arrived

Resolution 2017-18: 119

Contract Awards - Mechanical, Electrical & Plumbing (Dr. Freddie Thomas Learning Ctr. Phase 2b)

By Board Member Jones

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

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

WHEREAS, the authorizing legislation for Phase 2 of the Rochester Schools Modernization Program ("RSMP") was signed into law by the Governor of the State of New York on December 17, 2014; and

WHEREAS, the amended Act authorized up to 26 projects in Phase 2 of the RSMP including a District Wide Technology program, which involves technology upgrades and infrastructure work at several of the possible projects; and

WHEREAS, for Phase 2 of the RSMP, the RJSCB intends to undertake 14 projects for the design, reconstruction, or rehabilitation of existing school buildings for their continued use by the District (collectively, the "Phase 2 Projects"), which have been further defined as Phase 2a, Phase 2b, Phase 2c and Phase 2d, plus a DWT project at each of the Phase 2 school buildings; and

WHEREAS, the Dr. Freddie Thomas Learning Center ("DFTLC") is one of the projects included in Phase 2b of the RSMP as provided in the Phase 2 Master Plan; and

WHEREAS, Phase 2b of the RSMP includes mechanical, plumbing and electrical work at DFTLC; and

WHEREAS, the Program Manager worked with the DFTLC Architect and Construction Manager to prepare requests for bids for mechanical, electrical and plumbing bidding documents package; and

WHEREAS, the RJSCB authorized the release of the mechanical, plumbing and electrical work packages at its regular

meeting on April 10, 2017 (Resolution 2017-18: 184); and

WHEREAS, the Program Manager received bids on November 21, 2017 per the deadline stipulated in the Request for Bids for the DFTLC project, and those bids were subsequently publicly opened and read aloud at the location stated in the Request for Bids; and

WHEREAS, the Program Manager, Independent Compliance Officer ("ICO") and the Construction Manager reviewed the bids submitted for the DFTLC project, conducted de-scoping meetings, and concluded that the apparent low bidders are also qualified and responsible bidders; and

WHEREAS, on December 4, 2017, the Program Manager provided its award recommendation regarding the mechanical, electrical and plumbing work contracts of the DFTLC project to the RJSCB; and

WHEREAS, at the M/WBE and Services Procurement Committee (the "Committee") meeting held on December 7, 2017, following the review and consideration of the recommendations from the Program Manager, Construction Manager and ICO, and after due deliberation by the Committee, the Committee approved the contract awards as follows:

Scope of Work	Name of Contractor	<u>Address</u>	Bid Amount
Mechanical	Nairy Mechanical, LLC	105 Commercial Street Webster, NY 14580	\$667,000.00
Electrical	Concord Electric Corp.	705 Maple Street Rochester, NY 14611	\$34,000.00
Plumbing	Michael A. Ferrauilo Plumbing & Heating, Inc.	1600 Jay Street Rochester, NY 14611	\$165,000.00

THEREFORE, BE IT RESOLVED:

- 1. The RJSCB hereby approves the above-stated recommendations that the 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 mechanical, electrical and plumbing scopes of work associated with the DFTLC 2b project; and
- 2. The RJSCB Chair is hereby authorized, in the name and on behalf of the RJSCB, to execute and deliver an Agreement to the firms named above for the mechanical, electrical and plumbing scopes of work in substantially the form included in the Request for Bids for the DFTLC 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.

Second by Board Member Benincasa

Approved 4-0 with Members Cruz and Richards away and Vice Chair Schmidt not yet arrived

Resolution 2017-18: 120

Contract Awards - General Construction (Dr. Freddie Thomas Learning Ctr. Phase 2b)

By Board Member Brown

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

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

WHEREAS, the authorizing legislation for Phase 2 of the Rochester Schools Modernization Program ("RSMP") was signed into law by the Governor of the State of New York on December 17, 2014; and

WHEREAS, the amended Act authorized up to 26 projects in Phase 2 of the RSMP including a District Wide Technology program, which involves technology upgrades and infrastructure work at several of the possible projects; and

WHEREAS, for Phase 2 of the RSMP, the RJSCB intends to undertake 14 projects for the design, reconstruction, or rehabilitation of existing school buildings for their continued use by the District (collectively, the "Phase 2 Projects"), which

have been further defined as Phase 2a, Phase 2b, Phase 2c and Phase 2d, plus a DWT project at each of the Phase 2 school buildings; and

WHEREAS, the Dr. Freddie Thomas Learning Center ("DFTLC") is one of the projects included in Phase 2b of the RSMP as provided in the Phase 2 Master Plan; and

WHEREAS, Phase 2b of the RSMP includes general construction, mechanical, plumbing and electrical work at DFTLC; and

WHEREAS, the Program Manager worked with the DFTLC Architect and Construction Manager to prepare requests for bids for, among other things, the general construction bidding documents package; and

WHEREAS, the RJSCB authorized the release of the general construction work package at its regular meeting on April 10, 2017 (Resolution 2017-18: 184); and

WHEREAS, the Program Manager received bids on November 21, 2017 per the deadline stipulated in the Request for Bids for the DFTLC project, and those bids were subsequently publicly opened and read aloud at the location stated in the Request for Bids; and

WHEREAS, the Program Manager and the Construction Manager reviewed the bids submitted for the DFTLC project, conducted de-scoping meetings, and concluded that the apparent low bidder is also a qualified and responsible bidder; and

WHEREAS, on December 4, 2017, the Program Manager provided its award recommendation regarding the general construction work contract of the DFTLC project to the RJSCB; and

WHEREAS, at the M/WBE and Services Procurement Committee (the "Committee") meeting held on December 7, 2017, the Independent Compliance Officer ("ICO") advised the Committee that it was continuing to work with the apparent low bidder with regard to its compliance with the MWBE/DBE/SBE Utilization and Workforce Diversity requirements of the Contract Documents (Specifications Section 004331) and the Committee agreed to defer action until the ICO completed its review and provided its award recommendation; and

WHEREAS, on December 11, 2017, the ICO provided its award recommendation regarding the general construction work contract of the DFTLC project to the RJSCB; and

WHEREAS, at its December 11, 2017 monthly meeting, the Board considered and discussed the recommended award and, and after due deliberation, the Board approved the contract award as follows:

Scope of Work	Name of Contractor	<u>Address</u>	Bid Amount
General	Manning Squires Hennig Co.,	8426 Seven Springs Rd.	\$421,000.00 (including
	Inc.	Batavia, NY 14020	Alternates 1 and 2)

THEREFORE, BE IT RESOLVED:

- 1. The RJSCB hereby approves the above-stated recommendation that the contract award shall be made to the above named firm and bid amount to provide all equipment, labor, materials, and plant necessary to execute the general construction scope of work associated with the DFTLC 2b project; and
- 2. The RJSCB Chair is hereby authorized, in the name and on behalf of the RJSCB, to execute and deliver an Agreement to the firms named above for the general construction scope of work in substantially the form included in the Request for Bids for the DFTLC 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.

Second by Board Member Jones
Approved 5-0 with Members Cruz and Richards away

Consent Agenda Items

Resolution 2017-18: 101

RJSCB By-Laws – Revised December 11, 2017

By Board Member Benincasa

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

WHEREAS, the authorizing legislation for Phase 2 of the Rochester Schools Modernization Program ("RSMP") was signed into law by the Governor of the State of New York on December 17, 2014 (the "Amended Act"); and

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

WHEREAS, in furtherance of the Act, the RJSCB adopted by-laws (the "By-Laws") in March of 2009 to establish rules for the conduct of its business; and

WHEREAS, the RJSCB amended its By-Laws in July of 2010 (Resolution 2010-11:3), August of 2010 (Resolution 2010-11: 10) and August of 2012 (Resolution 2012-13: 25); and

WHEREAS, on January 8, 2015, subsequent to the enactment of the Amended Act, the RJSCB ratified and approved the existing RJSCB By-Laws as last amended in August 2012; and

WHEREAS, the RJSCB now desires to revise the By-Laws to amend the location of the Board's offices, eliminate the term limits for Members, and otherwise to update and clarify the rules for the conducting of the RJSCB's business; and

WHEREAS, the RJSCB may amend its By-Laws by a two-thirds vote of its Members, provided that written notice of the proposed action has been given by regular or electronic mail to each Member and the Chair at least five (5) days prior to the date of the meeting; and

WHEREAS, each Member and the Chair received notice on December 1, 2017.

THEREFORE, BE IT RESOLVED:

- The RJSCB hereby approves and adopts the revised By-Laws in the form presented at this meeting and attached hereto; and
- 2. The Board Members and staff of the RJSCB are hereby authorized to take any additional actions necessary to implement this resolution.

Second by Board Member Brown
Approved 5-0 with Members Cruz and Richards away

Resolution 2017-18: 102

Responsibilities of Board Members Policy - Revised December 11, 2017

By Board Member Benincasa

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

WHEREAS, the authorizing legislation for Phase 2 of the Rochester Schools Modernization Program ("RSMP") was signed into law by the Governor of the State of New York on December 17, 2014 (the "Amended Act"); and

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

WHEREAS, in furtherance of the Act, the RJSCB has adopted several policies to establish rules for the conducting of its business, including the Responsibilities of Board Members Policy; and

WHEREAS, the RJSCB wishes to amend its Responsibilities of Board Members Policy in order to provide the necessary quidelines to assist Board members to understand and carry out their responsibilities; and

WHEREAS, consistent with these wishes, the RJSCB has drafted proposed revisions to the Responsibilities of Board Members Policy, a copy of which is attached to this resolution; and

WHEREAS, at the M/WBE and Services Procurement Committee (the "Committee") meeting on December 7, 2017, the Committee discussed and considered the revised Responsibilities of Board Members Policy and approved it for consideration by the full Board.

THEREFORE, BE IT RESOLVED:

- 1. The RJSCB hereby approves and adopts the revised Responsibilities of Board Members Policy in the form presented at this meeting and attached hereto; and
- 2. The Board Members and staff of the RJSCB are hereby authorized to take any additional actions necessary to implement this resolution.

Second by Board Member Brown
Approved 5-0 with Members Cruz and Richards away

Resolution 2017-18: 103 Confidentiality Agreement – Revised December 11, 2017

By Board Member Benincasa

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

WHEREAS, the authorizing legislation for Phase 2 of the Rochester Schools Modernization Program ("RSMP") was signed into law by the Governor of the State of New York on December 17, 2014 (the "Amended Act"); and

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

WHEREAS, in furtherance of the Act, the RJSCB has adopted several policies to establish rules for the conducting of its business, including the Confidentiality Agreement; and

WHEREAS, the RJSCB wishes to amend the Confidentiality Agreement in order to update and clarify the obligations of confidentiality of the Board members; and

WHEREAS, consistent with these wishes, the RJSCB has drafted proposed revisions to the Confidentiality Agreement, a copy of which is attached to this resolution; and

WHEREAS, at the M/WBE and Services Procurement Committee (the "Committee") meeting on December 7, 2017, the Committee discussed and considered the revised Confidentiality Agreement and approved it for consideration by the full Board.

THEREFORE, BE IT RESOLVED:

- 1. The RJSCB hereby approves and adopts the revised Confidentiality Agreement in the form presented at this meeting and attached hereto; and
- 2. The Board Members and staff of the RJSCB are hereby authorized to take any additional actions necessary to implement this resolution.

Second by Board Member Brown
Approved 5-0 with Members Cruz and Richards away

Resolution 2017-18: 104

Communications Policy – Revised December 11, 2017

By Board Member Benincasa

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

WHEREAS, the authorizing legislation for Phase 2 of the Rochester Schools Modernization Program ("RSMP") was signed into law by the Governor of the State of New York on December 17, 2014 (the "Amended Act"); and

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

WHEREAS, in furtherance of the Act, the RJSCB has adopted several policies to establish rules for the conducting of its business, including the Communications Policy; and

WHEREAS, the RJSCB wishes to amend the Communications Policy in order to provide the necessary details and operative policy regarding communications by/to the Board and the FOIL process; and

WHEREAS, consistent with these wishes, the RJSCB has drafted proposed revisions to the Communications Policy, a copy of which is attached to this resolution; and

WHEREAS, at the M/WBE and Services Procurement Committee (the "Committee") meeting on December 7, 2017, the Committee discussed and considered the revised Communications Policy and approved it for consideration by the full Board.

THEREFORE, BE IT RESOLVED:

- 1. The RJSCB hereby approves and adopts the revised Communications Policy in the form presented at this meeting and attached hereto; and
- 2. The Board Members and staff of the RJSCB are hereby authorized to take any additional actions necessary to implement this resolution.

Second by Board Member Brown Approved 5-0 with Members Cruz and Richards away

Resolution 2017-18: 105 Consent Agenda Policy – Revised December 11, 2017

By Board Member Benincasa

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

WHEREAS, the authorizing legislation for Phase 2 of the Rochester Schools Modernization Program ("RSMP") was signed into law by the Governor of the State of New York on December 17, 2014 (the "Amended Act"); and

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

WHEREAS, in furtherance of the Act, the RJSCB has adopted several policies to establish rules for the conducting of its business, including the Consent Agenda Policy; and

WHEREAS, the RJSCB wishes to amend the Consent Agenda Policy in order to provide the necessary details and operative policy regarding the use of the consent agenda for the approval of routine, non-controversial items (items on the monthly agenda that do not need discussion or debate either because they are routine procedures or are already agreed to by unanimous consent) as a group whereby all are approved with a single motion and vote; and

WHEREAS, consistent with these wishes, the RJSCB has drafted proposed revisions to the Consent Agenda Policy, a copy of which is attached to this resolution; and

WHEREAS, at the M/WBE and Services Procurement Committee (the "Committee") meeting on December 7, 2017, the Committee discussed and considered the revised Consent Agenda Policy and approved it for consideration by the full Board.

THEREFORE, BE IT RESOLVED:

- The RJSCB hereby approves and adopts the revised Consent Agenda Policy in the form presented at this
 meeting and attached hereto; and
- 2. The Board Members and staff of the RJSCB are hereby authorized to take any additional actions necessary to implement this resolution.

Second by Board Member Brown
Approved 5-0 with Members Cruz and Richards away

Resolution 2017-18: 106

Amendment #1 to SEI Design Group Agreement - Dr. Walter Cooper Academy School 10 (Phase 2c)

By Board Member Benincasa

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

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

WHEREAS, the authorizing legislation for Phase 2 of the Rochester Schools Modernization Program ("RSMP") was signed into law by the Governor of the State of New York on December 17, 2014; and

WHEREAS, the amended Act authorized up to 26 projects in Phase 2 of the RSMP including a District Wide Technology ("DWT") program, which involves technology upgrades and infrastructure work at several of the possible projects; and

WHEREAS, for Phase 2 of the RSMP, the RJSCB intends to undertake 14 projects for the design, reconstruction, or rehabilitation of existing school buildings for their continued use by the District (collectively, the "Phase 2 Projects"), which have been further defined as Phase 2a, Phase 2b, Phase 2c and Phase 2d, plus a DWT project at each of the Phase 2 school buildings; and

WHEREAS, Dr. Walter Cooper Academy School 10 ("School 10") is one of the projects included in Phase 2c of the RSMP as provided in the Phase 2 Master Plan; and

WHEREAS, on February 6, 2017, the RJSCB issued a request for proposals for architectural services for Phase 2c Schools (Resolution 2016-17: 136); and

WHEREAS, the RJSCB approved the selection of SEI Design Group ("SEI" or "Architect") as the Architect for the School 10 project (Resolution 2016-17: 151); and

WHEREAS, the RJSCB entered into an agreement with SEI, dated March 6, 2017, entitled Agreement Between Board and Architect (the "Agreement"); and

WHEREAS, subsequent to the execution of the Agreement, the Program Manager requested, and cost proposals were obtained and reviewed, for additional scopes of design services for swing space design at Marshall High School to accommodate Schools 2 and 10; and

WHEREAS, the Program Manager recommended to the M/WBE and Services Procurement Committee (the "Committee") that SEI's Agreement should be amended to add these additional scope items in the total amount of \$25,000.00 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 December 7, 2017, and after due deliberation, the Committee approved the request to amend the Agreement.

THEREFORE, BE IT RESOLVED:

- 1. The proposed amendment to the SEI Agreement between Board and Architect dated March 6, 2017, as set forth above is hereby approved, increasing the total amount of the Agreement by the sum of \$25,000.00; and
- 2. The RJSCB's Chair is hereby authorized, in the name and on behalf of the RJSCB, to execute an amendment to the SEI 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 5-0 with Members Cruz and Richards away

Resolution 2017-18: 107

Change Orders #16 through #20 to Manning Squires Hennig Contract (Monroe Phase 2a)

By Board Member Benincasa

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

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

WHEREAS, the authorizing legislation for Phase 2 of the Rochester Schools Modernization Program ("RSMP") was signed into law by the Governor of the State of New York on December 17, 2014; and

WHEREAS, the RJSCB approved the award of the general contractor contract to Manning Squires Hennig, Inc. ("Manning Squires") for the Monroe High School project in Phase 2a (Resolution 2016-17: 103); and

WHEREAS, the RJSCB entered into a contract with Manning Squires (Resolution 2016-17: 103) dated December 19, 2016 (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, Inc. (the "Construction Manager"), and the Program Manager, identified changes in the scope of work, and cost proposals were then obtained for these changes in scope items and provided to the Construction Manager and the Program Manager for review; and

WHEREAS, Change Order #16 includes the following items:

1.	Column M1 Relocation & Connection Revision	\$3,899.44
2.	Paint Classroom Trims 3rd Floor	\$3,009.00
3.	Room 219, 221 Window & Door Trim	\$4,677.00
4.	Sound Door Discrepancies	\$5,553.00
5.	Pool Plunge Brick Corbeling	\$3,124.60
6.	Room 208 Wall Patch	\$3,264.32
The total amount of Change Order #40 is \$22,527,200 and		

The total amount of Change Order #16 is \$23,527.36; and

WHEREAS, Change Order #17 includes the following item:

1.	Pine Chair Rail Replacement, Corridors	\$28,042.96
The tota	al amount of Change Order #17 is \$28,042.96; and	

WHEREAS, Change Order #18 includes the following item:

1. Joist Reinforcing, Fiber-Reinforced Panels	\$10,466.15
The total amount of Change Order #18 is \$10,466.15; and	

WHEREAS. Change Order #19 includes the following item:

1. Foundation Re-Design, Storage Room 013 \$105,360.79

The total amount of Change Order #19 is \$105,360.79; and

WHEREAS, Change Order #20 includes the following item:

Band Room Ceiling and Plaster Repairs

The total amount of Change Order #20 is 21,595.17; and

\$21,595.17

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

WHEREAS, the Program Manager thereafter recommended to the RJSCB's M/WBE and Services Procurement Committee (the "Committee") that Manning Squires' Contract should be amended to add these scope items for a total increase in the Contract Sum of \$188,992.43; and

WHEREAS, the Committee considered and discussed the Program Manager's recommendation at its December 7, 2017 meeting and after due deliberation, it approved the request to amend the Contract as set forth herein.

THEREFORE, BE IT RESOLVED:

- 1. The proposed Change Orders to Manning Squires Hennig, Inc.'s Contract between the Board and Contractor dated December 19, 2016 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 5-0 with Members Cruz and Richards away

Resolution 2017-18: 108
Change Order #15 to MA Ferrauilo Contract (Monroe Phase 2a)

By Board Member Benincasa

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

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

WHEREAS, the authorizing legislation for Phase 2 of the Rochester Schools Modernization Program ("RSMP") was signed into law by the Governor of the State of New York on December 17, 2014; and

WHEREAS, the RJSCB approved the award of the contract for the mechanical scope of work to Michael A. Ferrauilo Plumbing and Heating Inc. ("MA Ferrauilo") for the Monroe High School project in Phase 2a (Resolution 2016-17: 61); and

WHEREAS, the RJSCB entered into a contract with MA Ferrauilo (Resolution 2016-17: 61) dated September 29, 2016 (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, MA Ferrauilo, along with The Pike Company, Inc. (the "Construction Manager"), and the Program Manager, identified changes in the scope of work, and cost proposals were then obtained for these changes in scope items and provided to the Construction Manager and the Program Manager for review; and

WHEREAS, Change Order #15 includes the following items:

· - / · · · ·	Sharige Graci " to included the following items.	
1.	CCD and T&M Authorization	\$5,117.00
2.	Field Report #12 – Room 215	\$2,674.00
3.	Thermostat 3rd Floor Classroom	\$821.00
4.	Field Report #19 Dryer Vent	\$3,027.00
5.	CWP 001 & 002 Impeller	\$124.54

The total amount of Change Order #15 is \$11,763.54; and

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

WHEREAS, the Program Manager thereafter recommended to the RJSCB's M/WBE and Services Procurement Committee (the "Committee") that MA Ferrauilo's Contract should be amended to add these scope items for a total increase in the Contract Sum of \$11,763.54; and

WHEREAS, the Committee considered and discussed the Program Manager's recommendation at its December 7, 2017 meeting and after due deliberation, it approved the request to amend the Contract.

THEREFORE, BE IT RESOLVED:

- 1. The proposed Change Order to MA Ferrauilo's Contract between the Board and Contractor dated September 29, 2016 as set forth above is hereby approved; and
- 2. The RJSCB's Chair is hereby authorized, in the name and on behalf of the RJSCB, to execute the Change Order to the Contract that is consistent with this approval and in an acceptable form to the Chair upon the advice of the Program Manager and the RJSCB's general counsel.

Second by Board Member Brown
Approved 5-0 with Members Cruz and Richards away

Resolution 2017-18: 109 Change Order #1 to Manning Squires Hennig (School 16 Phase 2a)

By Board Member Benincasa

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

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

WHEREAS, the authorizing legislation for Phase 2 of the Rochester Schools Modernization Program ("RSMP") was signed into law by the Governor of the State of New York on December 17, 2014; and

WHEREAS, the RJSCB approved the award of the contract for the general construction scope of work to Manning Squires Hennig ("MSH") for the School 16 project in Phase 2a (Resolution 2017-18: 27); and

WHEREAS, the RJSCB entered into a contract with MSH (Resolution 2017-18: 27) dated August 21, 2017 (the "Contract"), to perform the scope of services defined in the contract documents as the general construction contractor's scope of work; and

WHEREAS, following the execution of the Contract, MSH, along with The Pike Company, Inc. (the "Construction Manager"), and the Program Manager, identified changes in the scope of work, and cost proposals were then obtained for these changes in scope items and provided to the Construction Manager and the Program Manager for review; and

WHEREAS, Change Order #1 includes the following items:

Insurance Modification BCC
 Food Service 2nd Serving Line Alternate
 \$65,645.00

The total amount of Change Order #1 is \$65,645.00; and

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

WHEREAS, the Program Manager thereafter recommended to the RJSCB's M/WBE and Services Procurement Committee (the "Committee") that MSH's Contract should be amended to add these scope items for a total increase in the Contract Sum of \$65,645.00; and

WHEREAS, the Committee considered and discussed the Program Manager's recommendation at its December 7, 2017 meeting and after due deliberation, it approved the request to amend the Contract.

THEREFORE, BE IT RESOLVED:

- 1. The proposed Change Order to MSH's Contract between the Board and Contractor dated August 21, 2017 as set forth above is hereby approved; and
- 2. The RJSCB's Chair is hereby authorized, in the name and on behalf of the RJSCB, to execute the Change Order to the Contract that is consistent with this approval and in an acceptable form to the Chair upon the advice of the Program Manager and the RJSCB's general counsel.

Second by Board Member Brown
Approved 5-0 with Members Cruz and Richards away

Resolution 2017-18: 110

Change Order #1 to D.V. Brown & Associates, Inc. (School 16 Phase 2a)

By Board Member Benincasa

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

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

WHEREAS, the authorizing legislation for Phase 2 of the Rochester Schools Modernization Program ("RSMP") was signed into law by the Governor of the State of New York on December 17, 2014; and

WHEREAS, the RJSCB approved the award of the contract for the plumbing scope of work to D.V. Brown & Associates, Inc. ("D.V. Brown") for the School 16 project in Phase 2a (Resolution 2017-18: 27); and

WHEREAS, the RJSCB entered into a contract with D.V. Brown (Resolution 2017-18: 27) dated August 21, 2017 (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, D.V. Brown, along with The Pike Company, Inc. (the "Construction Manager"), and the Program Manager, identified changes in the scope of work, and cost proposals were then obtained for these changes in scope items and provided to the Construction Manager and the Program Manager for review; and

WHEREAS, Change Order #1 includes the following items:

1. Add Floor Drains in all Mechanical Rooms

\$55,350.00

2. Insurance Modification, BCC

\$0.00

The total amount of Change Order #1 is \$55,350.00; and

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

WHEREAS, the Program Manager thereafter recommended to the RJSCB's M/WBE and Services Procurement Committee (the "Committee") that D.V. Brown's Contract should be amended to add these scope items for a total increase in the Contract Sum of \$55,350.00; and

WHEREAS, the Committee considered and discussed the Program Manager's recommendation at its December 7, 2017 meeting and after due deliberation, it approved the request to amend the Contract.

THEREFORE. BE IT RESOLVED:

1. The proposed Change Order to D.V. Brown's Contract between the Board and Contractor dated August 21, 2017 as set forth above is hereby approved; and

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

Second by Board Member Brown Approved 5-0 with Members Cruz and Richards away

Resolution 2017-18: 111

Change Orders #5 through #7 to DiPasquale Construction, Inc. Contract (School 7)

By Board Member Benincasa

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

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

WHEREAS, the authorizing legislation for Phase 2 of the Rochester Schools Modernization Program ("RSMP") was signed into law by the Governor of the State of New York on December 17, 2014; and

WHEREAS, the amended Act authorized up to 26 projects in Phase 2 of the RSMP including a District Wide Technology program which involves technology upgrades and infrastructure work at several of the possible projects; and

WHEREAS, for Phase 2 of the RSMP, the RJSCB intends to undertake 14 projects for the design, reconstruction, or rehabilitation of existing school buildings for their continued use by the District (collectively, the "Phase 2 Projects"), which have been further defined as Phase 2a, Phase 2b, Phase 2c and Phase 2d, plus a DWT project at each of the Phase 2 school buildings; and

WHEREAS, the Virgil I. Grissom School No. 7 ("School 7") is one of the projects included in Phase 2a of the RSMP as provided in the Phase 2 Master Plan; and

WHEREAS, the RJSCB approved the award of the general contractor contract to DiPasquale Construction, Inc. ("DCI") for the School 7 project in Phase 2a (Resolution 2016-17: 212); and

WHEREAS, the RJSCB entered into a contract with DCI (Resolution 2016-17: 212) dated May 25, 2017 (the "Contract"), to perform the scope of services defined in the contract documents as the general contractor's scope of work; and

WHEREAS, following the execution of the Contract, DCI, along with LeChase Construction (the Construction Manager), and the Program Manager, identified changes in the scope of work, and cost proposals were then obtained for these changes in scope items and provided to the Construction Manager and the Program Manager for review; and

WHEREAS, Change Order #5 includes the following items:

1.	Additional Structural Demo Alt. 1	\$5,328.00
2.	Existing Roof Hatch Demo	\$346.00
3.	Column Demo/CMU Patch	\$1,149.00
4.	FL3 Asbestos Abatement MEP Penetrations	\$16,157.00
5.	Vertical Wheel Chair Lift Revision	(\$876.00)
6.	Add P-Lam Bottom to Sink Bases	\$8,594.00
7.	Steel Conflict Skylight 2nd Floor	\$633.00
8.	Flash Flue Pipes for HW Re-Route	\$1,012.00
9.	Additional Steel Spacer Alt. 1	\$2,577.00

The total amount of Change Order #5 is \$34,920.00; and

WHEREAS, Change Order #6 includes the following items:

1.	Demo (Abate) Existing Walls – New CMU	\$15,977.00
2.	Revised Alt. 1 Framing Added Gyp Board	\$11,948.00
3.	Structural & Roofing Revisions AHU 1 & 2	\$3,723.00
4.	Exterior Paint of Bumper Rail	\$649.00

The total amount of Change Order #6 is \$32,297.00; and

WHEREAS, Change Order #7 includes the following items:

Frame/Sheath/Insulate Rotunda Windows
 Structural Framing CH-1
 Rem. Concrete Found. For Storm Service
 \$16,925.00
 \$10,380.00
 \$7,310.00

The total amount of Change Order 7 is \$34,615.00; and

WHEREAS, the Construction Manager and the Program Manager believe that the change order work is necessary, the pricing is appropriate and the Contract Time will not be increased by the foregoing changes; and

WHEREAS, the Program Manager thereafter recommended to the RJSCB's M/WBE and Services Procurement Committee (the "Committee") that DCI's Contract should be amended to add and delete these scope items for an increase in the Contract Sum of \$101,832.00; and

WHEREAS, the Committee considered and discussed the Program Manager's recommendation at its December 7, 2017 meeting and after due deliberation, it approved the request to amend the Contract.

THEREFORE, BE IT RESOLVED:

- 1. The proposed Change Orders to DCI's Contract between the Board and Contractor dated May 25, 2017 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 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 5-0 with Members Cruz and Richards away

Approved 6 6 min members or az and memar

Resolution 2017-18: 112 Change Orders #4 and #5 to Mark Cerrone Contract – (Children's School of Rochester Phase 2b)

By Board Member Benincasa

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

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

WHEREAS, the authorizing legislation for Phase 2 of the Rochester Schools Modernization Program ("RSMP") was signed into law by the Governor of the State of New York on December 17, 2014; and

WHEREAS, the RJSCB approved the award of the Asbestos Abatement and Demolition contract to Mark Cerrone, Inc. ("Mark Cerrone") for the Children's School of Rochester School 1/15 ("Children's School of Rochester") project at its regular meeting on June 16, 2017 (Resolution 2016-17: 229); and

WHEREAS, the RJSCB subsequently entered into a contract with Mark Cerrone (Resolution 2016-17: 229) dated June 16, 2017 (the "Contract"), to perform the scope of services defined in the contract documents as the Asbestos Abatement and Demolition Contractor's scope of work; and

WHEREAS, following the execution of the Contract, Mark Cerrone, along with The Pike Company (the Construction Manager), and the Program Manager, identified changes in the scope of work, and cost proposals were then obtained for these changes in scope items and provided to the Construction Manager and the Program Manager for review; and

WHEREAS, Change Order #4 includes the following item:

1. Mold Remediation, 3,000 SF \$24,000.00

The total amount of Change Order #4 is \$24,000.00; and

WHEREAS, Change Order #5 includes the following items:

1. Fan Room Demo and Concrete Patching \$7,509.51

2.	Wall Chase Demo and Patching	\$2,639.70
3.	Remove Signage and Tack Strips	\$6,493.35
4.	Remove Cabinetry	\$6,113.62
5.	Additional Duct Removal	\$2,662.12
6.	Brick Relocation	\$3,306.60
7.	Credit: No PE Office Demo	(\$3,346.75)
8.	Basement Electrical Room Door Demo	\$327.07
9.	Credit: Unused ACM Allowance	(\$16,440.00)

The total amount of Change Order #5 is \$9,265.22; and

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

WHEREAS, the Program Manager thereafter recommended to the RJSCB's M/WBE and Services Procurement Committee (the "Committee") that Javen's Contract should be amended to add and delete these scope items for a total net increase in the Contract Sum of \$33,265.22; and

WHEREAS, the Committee considered and discussed the Program Manager's recommendation at its December 7, 2017 meeting and after due deliberation, it approved the request to amend the Contract.

THEREFORE, BE IT RESOLVED:

- 1. The proposed Change Order to Mark Cerrone's Contract between the Board and Contractor dated June 16, 2017 as set forth above is hereby approved; and
- 2. The RJSCB's Chair is hereby authorized, in the name and on behalf of the RJSCB, to execute the Change Order to the Contract that is consistent with this approval and in an acceptable form to the Chair upon the advice of the Program Manager and the RJSCB's general counsel.

Second by Board Member Brown Approved 5-0 with Members Cruz and Richards away

Resolution 2017-18: 113

Change Order #2 to Concord Electric Corporation Contract (Children's School of Rochester Phase 2b)

By Board Member Benincasa

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

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

WHEREAS, the authorizing legislation for Phase 2 of the Rochester Schools Modernization Program ("RSMP") was signed into law by the Governor of the State of New York on December 17, 2014; and

WHEREAS, the amended Act authorized up to 26 projects in Phase 2 of the RSMP including a District Wide Technology program which involves technology upgrades and infrastructure work at several of the possible projects; and

WHEREAS, for Phase 2 of the RSMP, the RJSCB intends to undertake 14 projects for the design, reconstruction, or rehabilitation of existing school buildings for their continued use by the District (collectively, the "Phase 2 Projects"), which have been further defined as Phase 2a, Phase 2b, Phase 2c and Phase 2d, plus a DWT project at each of the Phase 2 school buildings; and

WHEREAS, the Children's School of Rochester School 1/15 ("Children's School of Rochester") is one of the projects included in Phase 2b of the RSMP as provided in the Phase 2 Master Plan; and

WHEREAS, the RJSCB approved the award of the electrical contractor contract to Concord Electric Corp. ("Concord") for the Children's School of Rochester project in Phase 2b (Resolution 2017-18: 26); and

WHEREAS, the RJSCB entered into a contract with Concord (Resolution 2017-18: 26) dated August 7, 2017 (the "Contract"), to perform the scope of services defined in the contract documents as the electrical contractor's scope of work; and

WHEREAS, following the execution of the Contract, Concord, along with The Pike Company, Inc. (the Construction Manager), and the Program Manager, identified changes in the scope of work, and cost proposals were then obtained for these changes in scope items and provided to the Construction Manager and the Program Manager for review; and

WHEREAS, Change Order #2 includes the following items:

1. Auditorium Walls (Electrical) to accommodate demo \$399.79

2. North-South Corridors Smoke Caulking \$2,083.20

The total amount of Change Order #2 is \$2,482.99; and

WHEREAS, the Construction Manager and the Program Manager believe that the change order work is necessary, the pricing is appropriate and the Contract Time will not be increased by the foregoing changes; and

WHEREAS, the Program Manager thereafter recommended to the RJSCB's M/WBE and Services Procurement Committee (the "Committee") that Concord's Contract should be amended to add these scope items for an increase in the Contract Sum of \$2,482.99; and

WHEREAS, the Committee considered and discussed the Program Manager's recommendation at its December 7, 2017 meeting and after due deliberation, it approved the request to amend the Contract.

THEREFORE, BE IT RESOLVED:

- 1. The proposed Change Order to Concord's Contract between the Board and Contractor dated August 7, 2017 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 Order to the Contract that is consistent with this approval and in an acceptable form to the Chair upon the advice of the Program Manager and the RJSCB's general counsel.

Second by Board Member Brown Approved 5-0 with Members Cruz and Richards away

Resolution 2017-18: 114

Change Order #1 to Javen Construction, Inc. - (School Without Walls Phase 2b)

By Board Member Benincasa

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

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

WHEREAS, the authorizing legislation for Phase 2 of the Rochester Schools Modernization Program ("RSMP") was signed into law by the Governor of the State of New York on December 17, 2014; and

WHEREAS, the amended Act authorized up to 26 projects in Phase 2 of the RSMP including a District Wide Technology program, which involves technology upgrades and infrastructure work at several of the possible projects; and

WHEREAS, the RJSCB approved the award of the contract for the general construction scope of work to Javen Construction, Inc. ("Javen") for the School Without Walls project in Phase 2b (Resolution 2016-17: 239); and

WHEREAS, the RJSCB entered into a contract with Javen (Resolution 2016-17: 239) dated June 29, 2017 (the "Contract"), to perform the scope of services defined in the contract documents as the general construction contractor's scope of work; and

WHEREAS, following the execution of the Contract, Javen, along with The Pike Company, Inc. (the "Construction

Manager"), and the Program Manager, identified changes in the scope of work, and cost proposals were then obtained for these changes in scope items and provided to the Construction Manager and the Program Manager for review; and

WHEREAS, Change Order #1 includes the following items:

Removal of Discovered Concrete Pad 20'x60'x12" \$5,750.31
 Creation of Temporary Bus Loop \$7,634.02
 Excavation of Unsuitable Soils, Addition \$6,280.00

The total amount of Change Order #1 is \$19,664.33; and

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

WHEREAS, the Program Manager thereafter recommended to the RJSCB's M/WBE and Services Procurement Committee (the "Committee") that Javen's Contract should be amended to add these scope items for a total increase in the Contract Sum of \$19,664.33; and

WHEREAS, the Committee considered and discussed the Program Manager's recommendation at its December 7, 2017 meeting and after due deliberation, it approved the request to amend the Contract.

THEREFORE, BE IT RESOLVED:

- 1. The proposed Change Order to Javen's Contract between the Board and Contractor dated June 29, 2017 as set forth above is hereby approved; and
- 2. The RJSCB's Chair is hereby authorized, in the name and on behalf of the RJSCB, to execute the Change Order to the Contract that is consistent with this approval and in an acceptable form to the Chair upon the advice of the Program Manager and the RJSCB's general counsel.

Second by Board Member Brown
Approved 5-0 with Members Cruz and Richards away

Resolution 2017-18: 115 Change Order #1 to Billitier Electric, Inc. (DFTLC Phase 2b)

By Board Member Benincasa

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

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

WHEREAS, the authorizing legislation for Phase 2 of the Rochester Schools Modernization Program ("RSMP") was signed into law by the Governor of the State of New York on December 17, 2014; and

WHEREAS, the RJSCB approved the award of the contract for the electrical scope of work to Billitier Electric, Inc. ("Billitier") for the Dr. Freddie Thomas Learning Center project in Phase 2b (Resolution 2016-17: 228); and

WHEREAS, the RJSCB entered into a contract with Billitier (Resolution 2016-17: 228) dated June 16, 2017 (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, Billitier, along with The Pike Company, Inc. (the "Construction Manager"), and the Program Manager, identified changes in the scope of work, and cost proposals were then obtained for these changes in scope items and provided to the Construction Manager and the Program Manager for review; and

WHEREAS, Change Order #1 includes the following items:

1.	Removal of Emergency Stop Buttons	\$1,484.00
2.	Delete Floor Box (not required in Main Office)	(\$292.53)
3.	Removal of Intercom Box	\$1,153,59

The total amount of Change Order #1 is \$2,345.06; and

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

WHEREAS, the Program Manager thereafter recommended to the RJSCB's M/WBE and Services Procurement Committee (the "Committee") that Billitier's Contract should be amended to add and delete these scope items for a net increase in the Contract Sum of \$2,345.06; and

WHEREAS, the Committee considered and discussed the Program Manager's recommendation at its December 7, 2017 meeting and after due deliberation, it approved the request to amend the Contract.

THEREFORE, BE IT RESOLVED:

- 1. The proposed Change Order to Billitier's Contract between the Board and Contractor dated June 16, 2017 as set forth above is hereby approved; and
- 2. The RJSCB's Chair is hereby authorized, in the name and on behalf of the RJSCB, to execute the Change Order to the Contract that is consistent with this approval and in an acceptable form to the Chair upon the advice of the Program Manager and the RJSCB's general counsel.

Second by Board Member Brown Approved 5-0 with Members Cruz and Richards away

Resolution 2017-18: 116

Purchase Order - School Without Walls Moving Services (Clark Moving & Storage, Inc.)

By Board Member Benincasa

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

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

WHEREAS, the authorizing legislation for Phase 2 of the Rochester Schools Modernization Program ("RSMP") was signed into law by the Governor of the State of New York on December 17, 2014; and

WHEREAS, the amended School Modernization Act authorized up to 26 projects in Phase 2 of the RSMP including a District Wide Technology program, which involves technology upgrades and infrastructure work at several of the possible projects; and

WHEREAS, the RJSCB approved the selection of Clark Moving & Storage, Inc. ("Clark") as the moving company associated with the Phase 2 – Summer 2017 moves (Resolution 2016-17: 206); and

WHEREAS, Clark submitted a proposal to the Move Manager for additional work associated with the School Without Walls project utilizing the hourly rates included with Clark's original bid; and

WHEREAS, the Program Manager and Move Manager reviewed the additional costs and determined that they are fair and reasonable for the work being performed; and

WHEREAS, at its December 7, 2017 meeting, the M/WBE and Services Procurement Committee (the "Committee") considered the Program Manager's and Move Manager's recommendation to accept the proposal from Clark to perform the additional work for the Schools Without Walls project in the amount of \$269.50 and, after due deliberation, the Committee approved the proposal for the additional services.

THEREFORE, BE IT RESOLVED:

1. The RJSCB hereby approves the recommendation of the Program Manager and Move Management Consultant to accept the proposal for additional moving services as set forth above; and

2. The Chair is hereby authorized, in the name and on behalf of the RJSCB, to execute and deliver a purchase order for move services for the School Without Walls project in the amount of \$269.50 to Clark Moving & Storage, Inc.

Second by Board Member Brown Approved 5-0 with Members Cruz and Richards away

Resolution 2017-18: 117

Pay Requisition Summary Acceptance (November 2017)

By Board Member Benincasa

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

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

WHEREAS, the RJSCB developed a pay requisition approval procedure with input from its Counsel, the M/WBE and Services Procurement Committee, members of the accounting department of Rochester City School District, and the RJSCB's independent auditing firm; and

WHEREAS, the RJSCB, at its regular monthly meeting on September 12, 2011, adopted the pay requisition approval procedure (Resolution 2011-12: 23) ("Pay Requisition Approval Procedure"); and

WHEREAS, the RJSCB, at its regular monthly meeting on September 10, 2012, revised the Pay Requisition Approval Procedure (Resolution 2012-13: 37) to include the Trustee as paying agent for construction related payments; and

WHEREAS, the RJSCB, at its regular monthly meeting on April 7, 2014, revised the Pay Requisition Approval Procedure (Resolution 2013-14: 257) to include discussion of the Pay Requisition Summary by the Finance Committee and certain verification activities by the Program Manager following each monthly Board meeting; and

WHEREAS, the RJSCB, at its regularly monthly meeting on January 17, 2017, revised the Pay Requisition Approval Procedure (Resolution 2016-17: 118) to add certain additional internal controls to assist the RJSCB by clarifying duties in absence of an Executive Director and by providing additional internal controls; and

WHEREAS, the COMIDA issued bond proceeds for the Rochester Schools Modernization Program ("RSMP") Phase 1a projects were deposited in the Trustee's account on June 20, 2012; and

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

WHEREAS, the COMIDA issued bond proceeds for the RSMP Phase 1c projects were deposited in the Trustee's account on February 4, 2015; and

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

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

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

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

WHEREAS, in order to avoid a year delay in the start of Phase 2 construction at East High School, Monroe High School, and School 15 (the "Early Start Projects"), the District has advanced funds to the RSMP for Phase 2; and

WHEREAS, it is understood by the District, the City, and the RJSCB that the funds advanced by the District would be reimbursed by the City as soon as possible through a Bond Anticipation Note ("BAN") against the City's debt limit; and

WHEREAS, the District's counsel prepared a Board of Education ("BOE") resolution to authorize the advance of the funds based on the full faith and credit of the City (BOE Resolution 2014-15: 627); and

WHEREAS, a future BAN provided by the City would reimburse the funds advanced by the District for the design work associated with the Early Start Projects, as well as provide the interim financing necessary to begin other Phase 2 project designs and to engage other professional service firms to begin Phase 2 planning and coordination work; and

WHEREAS, the closing for the City BAN took place on August 9, 2016 for the amount of \$32,000,000; and

WHEREAS, the District, the City and the RJSCB have executed a memorandum that sets forth the understanding that the District will advance funds to the RSMP for the payment of the expenses for the Early Start Projects and that the City will reimburse the District for these amounts through the BAN proceeds; and

WHEREAS, the COMIDA issued bond proceeds for the RSMP Phase 2a projects were deposited in the Trustee's account on August 2, 2017; and

WHEREAS, the City was reimbursed for its BAN from the Phase 2 bond proceeds on or about August 2, 2017; and

WHEREAS, the Program Manager, Independent Compliance Officer and RJSCB Chair have reviewed the individual pay applications from each of the consultants, contractors and suppliers for accuracy and completeness; and

WHEREAS, the Program Manager forwarded the regular monthly Pay Requisition Summary (attached to this Resolution) totaling \$126,248.64, including all invoices to be paid by the Trustee using bond proceeds and those invoices to be paid by the District using other funding, to the RJSCB Chair with copy to the full Board on December 1, 2017; and

WHEREAS, the Program Manager forwarded the Phase 2 monthly Pay Requisition Summary (attached to this Resolution) totaling \$10,618,627.23, including all invoices to be paid by the Trustee using bond proceeds and those invoices to be paid by the District using other funding, to the RJSCB Chair with copy to the full Board on December 1, 2017; and

WHEREAS, the RJSCB Chair approved the regular monthly Pay Requisition Summary and the Phase 2 monthly Pay Requisition Summary on December 5, 2017; and

WHEREAS, the RJSCB's Phase 1 and Phase 2 Program Managers reviewed the regular monthly Pay Requisition Summary and the Phase 2 monthly Pay Requisition Summary with the RJSCB's Finance Committee at its meeting on December 7, 2017.

THEREFORE, BE IT RESOLVED:

1. The Rochester Joint Schools Construction Board hereby accepts the regular monthly Pay Requisition Summary for the month of November 2017 in the amount stated above and the Phase 2 monthly Pay Requisition Summary for the month of November 2017 in the amount stated above and as shown in the Summary sheets attached to this Resolution.

Second by Board Member Brown
Approved 5-0 with Members Cruz and Richards away

Resolution 2017-18: 118 2017-2018 RJSCB Operating Budget

By Board Member Benincasa

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

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

WHEREAS, the RJSCB implemented procedures for establishing and approving its operating budget ("Operating Budget") each fiscal year (the "Budget Policy") (Resolution 2011-12: 86); and

WHEREAS, consistent with the Budget Policy, the Chair and Treasurer have drafted a proposed Operating Budget for the 2017-2018 fiscal year, a copy of which is attached to this resolution; and

WHEREAS, the RJSCB's Operating Budget for the 2017-2018 fiscal year has been reviewed by members of the Finance Committee at said Committee's December 7, 2017 meeting.

THEREFORE, BE IT RESOLVED:

- 1. The RJSCB hereby approves the Operating Budget for the 2017-2018 fiscal year; and
- 2. The RJSCB hereby authorizes the Chair or his designee to forward a copy of the approved Operating Budget to the District as so described in the Budget Policy.

Second by Board Member Brown Approved 5-0 with Members Cruz and Richards away

Communications

The Compliance Report from Baker Tilly is included in the Member's packets and was reviewed by ICO Brian Sanvidge.

Phase 1:

- 77.78% submissions for the October 2017 reporting period.
- 97.93% of all data requested has been received and approved (April 2011 through October 2017).
- Overall Workforce (EEO) Participation: Minority @ 22.82% (goal is 20%) and Women @ 7.23% (goal is 6.9%).
- Overall Business Participation: Minority @ 15.74% (goal is 15%), Women @ 7.42% (goal is 5%), Small @ 3.75% (goal is 5%) and Disadvantaged @ 2.33% (goal is 2%).
- Rochester Residents: 1 of the 8 workers for the October 2017 reporting period (or 12.50%). The average Rochester Resident workforce (construction) from inception (April 2011 through October 2017) is 27.34%.

Phase 2:

- 87.12% submissions for the October 2017 reporting period.
- 94.18% of all data requested has been received and approved (January 2016 through October 2017).
- Overall Workforce (EEO) Participation: Minority @ 37.18% (goal is 22%) and Women @ 8.49% (goal is 8%).
- Overall Business Participation: Minority @ 31.69% (goal is 17%), Women @ 13.57% (goal is 10%), Small @ 3.08% (goal is 3%) and Disadvantaged @ 2.10% (goal is 3%).
- Rochester Residents: 132 of the 412 workers for the October 2017 reporting period (or 32.04%).

The Phase 2 Monthly Report is included in the Board Members' packets and was reviewed by Program Director Pépin Accilien.

– Monroe:

- Phase 1c
 - SED filings to close out the 1c project anticipated for March 2018.
 - Phase 1c GC and EC contracts expected to be closed out in January 2018.
 - o Remaining contingency funds will cover all forecasted costs through final completion of the 1c work.

• Phase 2a

- Flood repair work is ongoing in all affected areas of the Phase 2 floors: 3, 2, 1. Corridor lockers and casework installation continue.
- Bond Schoeneck and King, as escrow agent, continue to manage disbursements on behalf of RJSCB for the 14 August 2017 BRI Water Loss. Second disbursement of 250k from Travelers issued to restoration contractors and consultants.
- o Temporary heat maintained allowing throughout 2a areas. Finishes are ongoing at 1st, 2nd and 3rd floors. Terrazzo restoration work achieved high gloss values in the 50-70 (LRV) range.
- Third floor HVAC Commissioning completed.
- Substantial completion, (with exceptions) is tracking for March 2018. Furniture loading is anticipated in April of 2018. Certificate of Occupancy anticipated in early April 2018.
- o Issue: Existing Greenhouse corroded and deteriorated beyond repair. The scheduled restoration cannot happen. The cost to replace the greenhouse could add \$100-150k to the project.
- Move management coordination with building administration is underway. Received bids for classroom furniture.

Phase 2b

- 2b Foundation construction is 65% complete. Completion expected February 2018. 2b Renovation work is ongoing with demolition near complete and new work started. Structural Steel Fabrication continues for erection to commence in February 2018.
- Baseline schedule development is nearing completion. Slow critical submittal review time is being addressed with the Architect. New utility laterals and site drainage to complete in January 2018 pending weather.
- Access of Community Schools Grant to be worked out with the RCSD's Grant writing and Finance Departments.
- o Project completion is scheduled for 21 August 2018.

East:

- Roof project is in closeout phase, primary project design continues.
- The Project team, with the head custodian and facilities engineering, are performing existing condition surveys of all wings relative to construction phasing schedule.
- Construction to start in Summer 2018 and scheduled to run until 2021. Depending on logistics and how internal swing space moves occur, work at East School may continue into 2022. Revised design schedule milestones to re-start the project is as follows:
 - Revised Schematic Design January 2018
 - Design Development March 2018
 - Construction Documents May 2018
 - Bidding June 2018

– School 16:

- Project generally on schedule and on budget. However, any Smart Bond funding delay on School 16 will cause failure to achieve Substantial Completion currently scheduled for August 2018.
- Gym Addition Load bearing masonry 95% complete. Lower steel installed. Bar Joists on site, installation to be complete by 22 December 2017. Gym mechanical equipment to be installed by 19 December 2017.
- Classroom Addition Load bearing masonry complete. Bar Joists have been installed. Roof to be completed by 22 December 2017. SMART bond has moved from "Program Review" to "Expenditure Review". The next step is "Review Board" then "Approved". Next SSBA Review Board meeting scheduled for April 2018.
- Existing Building Roof abatement complete. Tear off and new roof work ongoing. Masonry exterior restoration ongoing. Roof parapet restoration ongoing. Window caulk abatement complete. Interior steel and structural improvements to 1st floor ongoing. HVAC main ductwork attic and 3rd floor ongoing.
- Metal stud work ongoing on 3rd, 2nd and 1st floors.
- Floor self-leveling 95% complete on 3rd and 2nd floors. 1st floor ongoing to be complete by 22 December 2017.

- School 7:

- Structural Steel at Addition nearly complete. CMU backup walls started. Stage enclosure nearly complete.
- Temporary heat & enclosures at existing building operational.
- Finishing work by all Primes on Level 3 underway. Level 2 rough-ins and walls continue.
- 1st level coordination drawings continue. Plumbing rough-ins started.

- New site electric work completed and energized. PCB-containing transformers removed. Abatement of ACM Fireproofing in former Transformer Room underway.
- New Water service completed and tested. New windows at Rotunda started.
- There will be no Makerspace at School 7, as this space was not identified early enough during programming, nor was it in the Master Plan requirements.
- Evaluation of 115-year-old cupola from Lakeview School 7 completed. Requesting proposal to return it to the School site.
- Gemma Humphries provided direction to RSMP that the specified resinous flooring for the kitchen is acceptable.
- Need to create a display cabinet to house the school bell from the original School 7 and other historic items.

- School 1/15:

- Demolition of air intake penthouses on roof.
- Footings complete for classroom addition.
- Retaining wall at the parent drop off area in progress- 95% complete; Site Storm System 40% complete; Site Water System Projected in 2 weeks when Monroe County Water Authority installs the water tap valve.
- Above grade Exterior Masonry Walls in the classroom addition is in progress 70% complete.
- Mold remediation in progress in crawl space.
- Duct and Piping Coordination Drawings Complete. Ductwork & plumbing progressing, Ductwork in the renovation area wall chases, first floor corridors and crawl space continues, Corridor main HWS&R piping.
- Plumbing piping in the Crawl space area (Water, Sanitary & Storm) continues; toilet rooms in the renovation area roughed in; Sprinkler coordination drawing submittal received.
- Electrical Conduit Rough in renovation areas continues;
- DWT Classroom Teaching Wall coordination meeting was held last week.
- Maintaining Temporary Heat in the renovation area.
- Light gauge metal studs progressing in existing building.

- SWW:

- Radius wall poured final rubbed finish being applied.
- Gym joists and acoustical decking installed.
- Electrical rough-in for addition is following the masons. Also working in the basement of the school on rough-in for new power for addition.
- Underground plumbing in main office completed. Backfill & concrete remains.
- Sanitary and Storm tie-in under Broadway is completed.
- Main Office occupancy in April 2018. Classrooms and Gym completion Summer 2018.

- Dr. Freddie Thomas Learning Center:

- DFTLC Phase 2.1 Main Office:
 - Substantial Completion by December 2017 is on target.
 - Punch-list walk-through with Facilities 5 December. Walk-through with School Principals planned for 12 December. Furniture to be delivered on 14 December. Move-in of School 16 office during December holiday break.
 - Furniture installation planned for December 2017. All wall in-fills are down and framing/glass installed.
 Millwork continues to be installed.
- DFTLC Phase 2b.2 Mechanical Equipment Replacement:
 - o SED final approval expected by 11 December 2017.
 - RJSCB expected to award bids received on 21 November 2017.
 - Mechanical Engineer and Program Manager (Marcial Morales) of Savin Engineers P.C. took over management of the mechanical replacement work at Dr. Freddie Thomas.

– Edison:

- Part A Project
 - Site lighting installation completed. Old light poles turned over to the School District per request from Matt Seeger (RCSD Facilities Group). Roofing work is complete. Punch list prepared.
- Part B project
 - o Revised ISR form has been submitted and waiting final approval. Remains an open issue.
 - o SED Addendum submitted to SED. Final SED approval expected anytime.

- o Bid documents issued with opening scheduled for December 19th.
- o Makerspace furniture displayed at RSMP office for review by RCSD.
- Construction estimate has been submitted and project is currently on budget. Base bid includes toilet rooms. The TV Studio equipment still remains an alternate.
- Muralist is looking to paint murals on existing retaining walls.
- o LaBella expediting payment of SWPPP invoice issued to the RSCD.

- School 2:

- Project is proceeding into Construction Document phase.
- Construction Manager's estimate is now due on 20 Dec 2017. Also, Construction Manager (Pike) has begun
 customizing Front End Specifications Div. 00 and 01, and starting Phasing and Logistics Plan for the project.
- One playground area needs to be relocated due to addition footprint. Approximately \$150K impact on the budget.
- Bi-weekly Design meeting held Exterior elevations and Maker space are finalized.
- Impact of friable ACM fireproofing of Structural beams above window heads may have serious impact to the window removals and new installations as well as classroom ceiling removals (either selective or wholesale). This is being monitored by the RSMP.
- Per School Principals, there is no need for a separate Gross Motor Skills room.
- Transition meetings held with previous and Current School Principals to provide status update on the School 2 project.
- Vertical, in classroom HVAC units will be provided at Addition only. Existing Unit Ventilators will be replaced inkind
- Scheduling face-to-face review with SED to review progress of the design. Will attempt to accommodate as many District requested scope additions and modifications as possible since program verification through bid alternates.
- Ongoing coordination meetings with RCSD Facilities to review exterior elevations of Option 3 addition recently developed and progress of overall design.

– School 4:

- Construction Manager (DiMarco Group) issued reconciled schematic design estimate. Project is currently on budget.
- Design Development drawings continue.
- Study for allowing additional natural light into cafeteria impacts park tree: Meeting with City Forester held to close the issue
- Clarification to the total number of students that will attend School 4 is required due to adjusting test fit to include 7 additional special education classrooms. This change will require adjustments to the calculation BAU/MCA.
- Coordinating the BAC meeting with Principal Karon Jackson and the RSMP's BOP team.

- School 6:

- Design Development completed on 30 November 2017. SED Face-to-Face meeting scheduled for preliminary review of the design.
- The approved design is for a three-strand school, which the budget seems to support. The current school population (Abraham Lincoln School 22) appears to be a four-strand school. The district will need to align enrollment with the three-strand building at school 6.
- Phase II Soil contamination investigation work continues; report due 18 December 2017.

- School 10:

- Design work is generally on schedule. Design Development package submitted 10/17 and reviewed with the Building Advisory Committee, Building Principal, and RCSD Facilities. Next design review meeting with RCSD Facilities on11December 2017.
- Cx design review ongoing. IDC review of 90% drawings to begin 12/15.
- Playground layout and equipment reviewed with Principal and RCSD Facilities
- CM preliminary budget shows the current design is 600K over budget. Team is working to get within budget and developing a list of alternates for consideration.
- Swing space at Marshall: SWBR Feasibility Study nearing completion. SEI proposal for design and preparation of bid package to be presented to RJSCB on 11 December 2017.

School 30/54:

• Second round of Architect interviews with presentations to the RJSCB made on Thursday, 7 December 2017. Final selection will occur at the monthly RJSCB meeting on Monday, 11 December 2017.

- DWT:

- Started DWT-2B design coordination with all Phase 2c design teams.
- SED currently reviewing DWT-2B documents. Waiting for final approval.

- BOP:

- Networking event January 10, 2018 at Henry Hudson School 28.
- Instructional Series 3 commencing this week with graduation January 17, 2018.
- Winter 2018 edition of the RSMP newsletter nearing completion.

- IDC:

- Phase 2a Reports Received: Monroe, School 7, and School 16 still need East (DD level drawings only; need 90% CD for submission).
- Phase 2b Reports Received: Monroe, SWW, School 1/15, DFTLC, and Edison.
- Phase 2c Reports: School 10 scheduled to begin December 2017, School 2 scheduled for January 2018, School 6 scheduled for February 2018, and School 4 scheduled for March 2018.

The M/WBE and Services Procurement Committee Report for December 7, 2017 is included in the Members Packets.

The Finance Committee Report for December 7, 2017 is included in the Members packets.

<u>Adjournment</u>

Approved at 5:17 pm.

Motion by Member Brown Second by Member Benincasa Approved 4-0 with Members Cruz, Jones and Richards away