

**Rochester Joint Schools Construction Board
Minutes
December 13, 2016
4:30 PM**

Present

Chairman Allen Williams, Vice Chair Mike Schmidt, Charles Benincasa, Bob Brown, Norman Jones (arrived at 4:47 pm, departed at 5:59 pm), Tom Richards, and ICO Brian Sanvidge. I. Geena Cruz participated via conference call. Also present were: General Counsel Ed Hourihan; Program Managers Pépin Accilien and Roland Coleman from Savin and Tom Rogér from Gilbane.

Chairman Williams convened the meeting at 4:37 pm.

Approval of Minutes

Monthly Meeting held on November 7, 2016

Motion by Member Benincasa

Second by Member Brown

Approved 5-0 with Member Cruz on phone and Member Jones not yet arrived

Consent Agenda Items

Resolution 2016-17: 87

Amendment #6 to The Pike Company (CM – Schools 5 & 12)

By Board Member Brown

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 selected The Pike Company (“Construction Manager”) to provide construction management services for the School 5 and School 12 projects in September 2012 as part of Phase 1b of the of the Rochester Schools Modernization Program (“RSMP” or “Program”) (Resolution 2012-13: 16), and the parties thereafter entered into the Agreement between the RJSCB and the Construction Manager dated September 10, 2012 (the “Agreement”); and

WHEREAS, subsequent to the execution of the Agreement, the Agreement was amended to provide a bid document reproduction allowance for the School 5 and School 12 projects in the amount of \$40,000.00;

WHEREAS, the Construction Manager has completed its services for the School 5 and School 12 projects and the Program Manager has completed its reconciliation of all invoices for these services resulting in an unused bid document reproduction balance remaining in the amount of \$10,049.09; and

WHEREAS, the Program Manager recommended to the M/WBE and Services Procurement Committee (the "Committee") that the Construction Manager's Agreement should be amended to credit the amount of \$10,049.09 back to the RSMP; and

WHEREAS, the Committee considered and discussed the Program Manager's recommendation at its December 8, 2016 meeting to reduce the Construction Manager's Agreement amount by \$10,049.09, and after due deliberation, it approved the request to amend the Agreement;

THEREFORE, BE IT RESOLVED:

1. The proposed amendment to the Agreement between the RJSCB and the Construction Manager dated September 10, 2012, as set forth above is hereby approved, decreasing the total amount of the Agreement by the sum of \$10,049.09; and
2. The RJSCB's Chair is hereby authorized, in the name and on behalf of the RJSCB, to execute an amendment to the Agreement that is consistent with this approval and in an acceptable form to the Chair upon the advice of the RJSCB's general counsel.

Second by Vice Chair Schmidt

Approved 5-0 with Member Cruz on phone and Member Jones not yet arrived

Resolution 2016-17: 88

Amendment #1 to LPCiminelli (CM – School 16)

By Board Member Brown

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" or the "Program") 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 selected LPCiminelli, Inc. ("Construction Manager") to provide construction management services for the School 16 project in August 2016 as part of Phase 2a of the of the RSMP (Resolution 2016-17: 29), and the parties thereafter entered into the Agreement between the RJSCB and the Construction Manager dated August 9, 2016 (the "Agreement"); and

WHEREAS, subsequent to the execution of the Agreement, the Program Manager directed the Construction Manager to provide additional services for the preparation of a schematic design budget estimate (Options I.1 and H.2) for the School 16 project and the Program Manager has received and reviewed a proposal for this additional work provided by the Construction Manager;

WHEREAS, the Program Manager recommended to the M/WBE and Services Procurement Committee (the "Committee") that the Construction Manager's Agreement should be amended to add the not-to-exceed amount of \$30,100.00 for the additional scope of work in support of the School 16 project; and

WHEREAS, the Committee considered and discussed the Program Manager's recommendation at its December 8, 2016 meeting to increase the Construction Manager's Agreement by the not-to-exceed amount of \$30,100.00, and after due deliberation, it approved the request to amend the Agreement;

THEREFORE, BE IT RESOLVED:

1. The proposed amendment to the Agreement between the RJSCB and the Construction Manager dated August 9, 2016, as set forth above is hereby approved, increasing the total amount of the Agreement by the not-to-exceed amount of \$30,100.00; and
2. The RJSCB's Chair is hereby authorized, in the name and on behalf of the RJSCB, to execute an amendment to the 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 Vice Chair Schmidt

Approved 5-0 with Member Cruz on phone and Member Jones not yet arrived

Resolution 2016-17: 89

Design Standards Guide Consultant Selection – Phase 2 Projects

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, on October 18, 2016, the RJSCB issued a request for proposals (the "RFP") for Design Standards Guide Consultant services for the Phase 2 projects (Resolution 2016-17: 67); and

WHEREAS, the RJSCB's Executive Director received a two proposals as of the date and time specified in the RFP, and promptly distributed those proposals to the RJSCB members and representatives from the District's facilities group; and

WHEREAS, the Executive Director and the Program Manager interviewed the two firms that submitted proposals in response to the RFP; and

WHEREAS, at the M/WBE and Services Procurement Committee ("Committee") meeting held on December 8, 2016, after due deliberation by the Committee, the firm of Foit-Albert Associates, Architecture, Engineering and Surveying, P.C. was identified as being highly qualified and fiscally responsive to the RJSCB's RFP for the Design Services Guide Consultant services;

THEREFORE, BE IT RESOLVED:

1. The RJSCB hereby approves Foit-Albert Associates, Architecture, Engineering and Surveying, P.C. to provide Design Standards Guide Consultant services for Phase 2 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 Vice Chair Schmidt

Approved 5-0 with Member Cruz on phone and Member Jones not yet arrived

Resolution 2016-17: 90

Construction Manager Selection – School Without Walls & Dr. Freddie Thomas Learning Center

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 District’s Board of Education (“BOE”) has approved the comprehensive Master Plan for Phase 2 (BOE Resolution 2015-16: 630); and

WHEREAS, the Superintendent has identified and confirmed the projects for Phase 2 of the RSMP for which the RSJCB has started design and planning work in advance of the New York State Education Department and New York State Comptroller’s approval of the comprehensive Master Plan for Phase 2; and

WHEREAS, these projects (the “Phase 2b Projects”) include: School 1, Edison Technology Campus, School Without Walls, Monroe 2b, and Dr. Freddie Thomas Learning Center; and

WHEREAS, the RJSCB, upon the recommendation of its Program Manager, has determined a need for a construction management firm to provide a single point of contact for all construction management tasks on each of the Phase 2b projects of the RSMP; and

WHEREAS, on November 7, 2016, the RJSCB issued a request for proposals (the “RFP”) for construction management services for the Phase 2b School Without Walls and Dr. Freddie Thomas Learning Center projects (Resolution 2016-17: 77); and

WHEREAS, the RJSCB’s Executive Director received two proposals as of the date and time specified in the RFP, and promptly distributed those proposals to the RJSCB members; and

WHEREAS, the Executive Director and the Program Manager interviewed the two firms that submitted proposals in response to the RFP; and

WHEREAS, at the M/WBE and Services Procurement Committee (“Committee”) meeting held on December 8, 2016, after due deliberation by the Committee, The Pike Company was identified as being highly qualified and fiscally responsive to the RJSCB’s RFP for Construction Management services for the School Without Walls and the Dr. Freddie Thomas Learning Center projects;

THEREFORE, BE IT RESOLVED:

1. The RJSCB hereby approves The Pike Company to provide Construction Manager services for the Phase 2b School Without Walls and Dr. Freddie Thomas Learning Center projects; 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 Vice Chair Schmidt

Approved 5-0 with Member Cruz on phone and Member Jones not yet arrived

Resolution 2016-17: 91

Change Orders #52 through #57 to LeChase Construction (School 12)

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 RJSCB approved the award of the general contractor contract to LeChase Construction Services LLC (“LeChase”) for the School 12 project in Phase I (Resolution 2014-15: 200); and

WHEREAS, the RJSCB entered into a contract with LeChase (Resolution 2014-15: 200) dated March 9, 2015 (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, LeChase, 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 #52 includes the following items:

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|----|--------------------------------------|---------------|
| 1. | Access Ladder for 319B – | (\$2,118.00) |
| 2. | Borrowed light frames BL11&13 – | (\$21,264.77) |
| 3. | Concrete infills bathroom floors – | (\$489.60) |
| 4. | Structural steel and slab revision – | (\$6,550.44) |
| 5. | Loading Dock Ceiling – | (\$2,856.00) |
| 6. | Loading Dock roof – | (\$2,585.70) |

The Total amount of Change Order #52 is (\$35,864.51); and

WHEREAS, Change Order #53 includes the following item:

1. Credit, unused Asbestos Removal Allowance – (\$6,556.00)

The Total amount of Change Order #53 is (\$6,556.00); and

WHEREAS, Change Order #54 includes the following items:

1.	Kitchen freezer relief port –	\$1,023.59
2.	Extra dumpsters –	\$422.28
3.	Build Wall for Wheel Chair Lift –	\$459.61
4.	Paint Steel Rods at Skylights –	\$797.64
5.	V103 Door Modifications –	\$3,585.00
6.	Vinyl Base @ IT Cabinets –	\$2,494.92
7.	Rubber Tread at Stair 1 and 4 –	\$3,923.00

The Total amount of Change Order #54 is \$12,706.04; and

WHEREAS, Change Order #55 includes the following item:

1.	Repair to damaged walls, T&M –	\$14,215.60
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The Total amount of Change Order #55 is \$14,215.60; and

WHEREAS, Change Order #56 includes the following item:

1.	Stair Guardrail Extension –	\$3,114.32
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The Total amount of Change Order #56 is \$3,114.32; and

WHEREAS, Change Order #57 includes the following item:

1.	Storefront Third Floor –	\$2,226.35
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The Total amount of Change Order #57 is \$2,226.35; 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 LeChase's Contract should be amended to add and deduct these scope items for a total decrease in the Contract Sum of \$10,158.20; and

WHEREAS, the Committee considered and discussed the Program Manager's recommendation at its December 8, 2016 meeting and, after due deliberation, it approved the request to amend the Contract;

THEREFORE, BE IT RESOLVED:

1. The proposed Change Orders to LeChase's Contract between the Board and Contractor dated March 9, 2015 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 Vice Chair Schmidt

Approved 5-0 with Member Cruz on phone and Member Jones not yet arrived

Resolution 2016-17: 92

Change Order #22 to Landry Mechanical Contractors Contract (School 12)

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 RJSCB approved the award of the mechanical contractor contract to Landry Mechanical Contractors ("Landry") for the School 12 project in Phase I (Resolution 2014-15: 200); and

WHEREAS, the RJSCB entered into a contract with Landry (Resolution 2014-15: 200) dated March 9, 2015 (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, Landry, 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 #22 includes the following items:

1.	Three sheet metal enclosures –	\$1,343.54
2.	Remove, reinstall ductwork 1st floor –	\$1,990.71
3.	Main Office 5-zone duct reconfiguration –	\$0.00
4.	Balance Valve replacement –	\$2,167.92
5.	Cooling Tower Legionella Monitoring –	\$1,285.20

The Total amount of Change Order #22 is \$6,787.37; 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 Landry's Contract should be amended to add these items for a total increase in the Contract Sum of \$6,787.37; and

WHEREAS, the Committee considered and discussed the Program Manager's recommendation at its December 8, 2016 meeting and, after due deliberation, it approved the request to amend the Contract;

THEREFORE, BE IT RESOLVED:

1. The proposed Change Order to Landry's Contract between the Board and Contractor dated March 9, 2015 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 Vice Chair Schmidt

Approved 5-0 with Member Cruz on phone and Member Jones not yet arrived

Resolution 2016-17: 93

Change Orders #22 through 24 to Hewitt Young Electric Contract (School 12)

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 RJSCB approved the award of the electrical contractor contract to Hewitt Young Electric (“HYE”) for the School 12 project in Phase I (Resolution 2014-15: 202); and

WHEREAS, the RJSCB entered into a contract with HYE (Resolution 2014-15: 202) dated March 17, 2015 (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, HYE, 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 #22 includes the following items:

1.	Additional temporary lighting, OSHA –	\$25,000.00
2.	Additional work due to insufficient wall blocking –	\$10,000.00
3.	Additional work related to masonry installation burying electrical work –	\$20,000.00
4.	Additional work related to Stair 1 and 3 delaying electrical work –	\$12,000.00
5.	Additional work related to delay in north stair demolition –	\$8,000.00

The Total amount of Change Order #22 is \$75,000.00; and

WHEREAS, Change Order #23 includes the following item:

1.	Remaining HYE Unused Allowances –	(\$23,347.14)
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The Total amount of Change Order #23 is (\$23,347.14); and

WHEREAS, Change Order #24 includes the following items:

1.	Dryer Vent in 144H –	\$524.60
2.	Door operations at Vestibule –	\$1,397.73
3.	Proposed Office 142D –	\$2,869.95
4.	Kiln Outlets –	\$986.36
5.	Freezer, Refrigerator Lighting –	\$1,620.87
6.	Room 215 Change of Use –	(\$876.39)
7.	Relocation of PA System –	\$627.59

The Total amount of Change Order #24 is \$7,150.91; 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 HYE’s Contract should be amended to add and deduct these scope items for a total increase in the Contract Sum of \$58,803.77; and

WHEREAS, the Committee considered and discussed the Program Manager's recommendation at its December 8, 2016 meeting and, after due deliberation, it approved the request to amend the Contract;

THEREFORE, BE IT RESOLVED:

1. The proposed Change Orders to HYE's Contract between the Board and Contractor dated March 17, 2015 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 Vice Chair Schmidt

Approved 5-0 with Member Cruz on phone and Member Jones not yet arrived

Resolution 2016-17: 94

Change Order #32 to MA Ferrauilo Contract (School 12)

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 RJSCB approved the award of the plumbing contractor contract to Michael A. Ferrauilo Plumbing and Heating, Inc. ("MA Ferrauilo") for the School 12 project in Phase I (Resolution 2014-15: 200); and

WHEREAS, the RJSCB entered into a contract with MA Ferrauilo (Resolution 2014-15: 200) dated March 9, 2015 (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, MA Ferrauilo, 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 #32 includes the following item:

1. Guardian Mixing Valve Kit, Kitchen – \$789.30

The Total amount of Change Order #32 is \$789.30; 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 this scope item for a total increase in the Contract Sum of \$789.30; and

WHEREAS, the Committee considered and discussed the Program Manager's recommendation at its December 8, 2016 meeting and after due deliberation, it approved the request to amend the Contract;

THEREFORE, BE IT RESOLVED:

1. The proposed Change Order to Michael A. Ferrauilo Plumbing and Heating Inc.'s Contract between the Board and Contractor dated March 9, 2015 as set forth above are hereby approved; and
2. The RJSCB's Chair is hereby authorized, in the name and on behalf of the RJSCB, to execute a Change Order to the Contract that is consistent with this approval and in an acceptable form to the Chair upon the advice of the Program Manager and the RJSCB's general counsel.

Second by Board Vice Chair Schmidt

Approved 5-0 with Member Cruz on phone and Member Jones not yet arrived

Resolution 2016-17: 95

Change Order #13 to Manning Squires Hennig Contract (Monroe)

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 RJSCB approved the award of the general contractor contract to Manning Squires Hennig, Inc. ("Manning Squires") for the Monroe High School project in Phase I (Resolution 2014-15: 242); and

WHEREAS, the RJSCB entered into a contract with Manning Squires (Resolution 2014-15: 242) dated June 9, 2015 (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 Campus 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 #13 includes the following item:

1. Corridor 2C-3CA Wall Header – \$782.00

The Total amount of Change Order #13 is \$782.00; 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 Manning Squires Hennig's Contract should be amended to add this scope item for a total increase in the Contract Sum of \$782.00; and

WHEREAS, the Committee considered and discussed the Program Manager's recommendation at its December 8, 2016 meeting and after due deliberation, it approved the request to amend the Contract;

THEREFORE, BE IT RESOLVED:

1. The proposed Change Order to Manning Squires Hennig's Contract between the Board and Contractor dated June 9, 2015 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 Vice Chair Schmidt

Approved 5-0 with Member Cruz on phone and Member Jones not yet arrived

Resolution 2016-17: 96

Change Order #12 to MA Ferrauilo Contract (Monroe)

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 RJSCB approved the award of the mechanical contractor contract to Michael A. Ferrauilo Plumbing and Heating Inc. ("MA Ferrauilo") for the Monroe project in Phase I (Resolution 2014-15: 242); and

WHEREAS, the RJSCB entered into a contract with MA Ferrauilo (Resolution 2014-15: 242) dated June 9, 2015 (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 Campus 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 #12 includes the following items:

1.	Office 165C HVAC Work –	\$4,458.00
2.	Incremental Testing –	\$7,517.00
3.	Relocate Glycol Riser –	\$3,088.00
4.	Fin Tube Modification MER 325 –	\$1,283.00
5.	Plenum Blank-Off Panels –	\$3,623.00

The Total amount of Change Order #12 is \$19,969.00; 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 MA Ferrauilo's Contract should be amended to add these scope items for a total increase in the Contract Sum of \$19,969.00; and

WHEREAS, the Committee considered and discussed the Program Manager's recommendation at its December 8, 2016 meeting and after due deliberation, it approved the request to amend the Contract;

THEREFORE, BE IT RESOLVED:

1. The proposed Change Order to Michael A. Ferrauilo Plumbing and Heating Inc.'s Contract between the Board and Contractor dated June 9, 2015 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 Vice Chair Schmidt

Approved 5-0 with Member Cruz on phone and Member Jones not yet arrived

Resolution 2016-17: 97

Change Order #6 to Thurston Dudek Contract (Monroe)

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 RJSCB approved the award of the plumbing contractor contract to Thurston Dudek, LLC ("Thurston Dudek") for the Monroe High School project in Phase I (Resolution 2014-15: 242); and

WHEREAS, the RJSCB entered into a contract with Thurston Dudek (Resolution 2014-15: 242) dated June 9, 2015 (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 Campus 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 #6 includes the following items:

1.	Reroute Elevator #1 Pipe Discharge –	\$2,803.00
2.	Extend Cleanout at Fan Room 27 –	\$417.00
3.	CP-2 Panel Relocation –	\$388.00
4.	Condensate Drain Reroute 163A1 –	\$3,965.00
5.	Reinstall Science Room Knee Wall Piping –	\$5,888.00

The Total amount of Change Order #6 is \$13,461.00; 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 Thurston Dudek's Contract should be amended to add these scope items for a total increase in the Contract Sum of \$13,461.00; and

WHEREAS, the Committee considered and discussed the Program Manager's recommendation at its December 8, 2016 meeting and after due deliberation, it approved the request to amend the Contract;

THEREFORE, BE IT RESOLVED:

1. The proposed Change Order to Thurston Dudek's Contract between the Board and Contractor dated June 9, 2015 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 Vice Chair Schmidt

Approved 5-0 with Member Cruz on phone and Member Jones not yet arrived

Resolution 2016-17: 98

Pay Requisition Summary Acceptance (November 2016)

By Board Member Brown

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 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 City will be reimbursed for its BAN from the Phase 2 bond proceeds (anticipated to occur in February of 2017) following approval of the Phase 2 Master Plan by the Board of Education and approval of the first group of projects in Phase 2 by the New York State Education Department; 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, in compliance with the Pay Requisition Approval Procedure, the RJSCB's Executive Director has reviewed the individual pay applications from each of the consultants and suppliers for accuracy and completeness; and

WHEREAS, the Executive Director forwarded the regular monthly Pay Requisition Summary (attached to this Resolution) totaling \$1,127,823.31, 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 November 10, 2016; and

WHEREAS, the Executive Director forwarded the Phase 2 monthly Pay Requisition Summary (attached to this Resolution) totaling \$655,571.15, including all invoices to be paid by the District using funds advanced by the District to the RJSCB and those invoices to be paid out of the City BAN proceeds, to the RJSCB Chair with copy to the full Board on November 10, 2016; and

WHEREAS, the RJSCB Chair approved the regular monthly Pay Requisition Summary and the Phase 2 monthly Pay Requisition Summary on November 10, 2016; 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 8, 2016;

THEREFORE, BE IT RESOLVED:

1. The Rochester Joint Schools Construction Board hereby accepts the regular monthly Pay Requisition Summary for the month of November 2016 in the amount stated above and the Phase 2 monthly Pay Requisition Summary for the month of November 2016 in the amount stated above and as shown in the Summary sheets attached to this Resolution.

Second by Board Vice Chair Schmidt

Approved 5-0 with Member Cruz on phone and Member Jones not yet arrived

Resolution 2016-17: 99

RJSCB 2015-2016 Financial Audit - Acceptance

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 RJSCB's General Counsel recommended to the RJSCB's M/WBE and Services Procurement Committee (the "Committee") that a Financial Audit of the RJSCB's financial commitments, obligations, and internal controls be performed on an annual basis; and

WHEREAS, the RJSCB's Treasurer recommended that the RJSCB participate with the City and the District in a Request for Proposals ("RFP") by the City for financial auditing services, beginning 2012-2013 (Resolution 2012-2013: 123); and

WHEREAS, the RJSCB is considered a blended component of the District's budget which is a part of the overall City's budget, and there are efficiencies in having the same firm perform the RJSCB's, the District's, and the City's annual financial audits; and

WHEREAS, the RJSCB's Executive Director worked with the RJSCB's general counsel, the City, and the District to coordinate appropriate language to be included in the City's RFP document; and

WHEREAS, the RJSCB's portion of the RFP was bid as a separate line item so that the RJSCB could review the cost and determine if its audit should be included in the final award of the financial auditing services; and

WHEREAS, the City received three proposal responses to the RFP on the date specified in the RFP, and promptly provided copies to the RJSCB's Executive Director for review; and

WHEREAS, the City, the District, and the RJSCB participated in a proposal review meeting on March 22, 2013, where details of each proposal were discussed along with the qualifications of each firm; and

WHEREAS, the RJSCB's Executive Director recommended to the Committee on March 28, 2013, that the RJSCB support the City and District's decision to award based on the merits and qualifications of the best firm, although it may mean that the specific pricing included for the RJSCB's work may not be the lowest price; and

WHEREAS, the City and District identified the firm Freed Maxick & Battaglia as the most qualified firm to provide the requested financial auditing services, and the RJSCB accepted the City's recommendation to award the contract to Freed Maxick & Battaglia (Resolution 2012-2013: 164); and

WHEREAS, Freed Maxick & Battaglia has now completed the financial audit report (the "Report") for the time period ending June 30, 2016 (attached to this resolution), and the RJSCB's Executive Director and its General Counsel have reviewed and considered the Report; and

WHEREAS, the RJSCB's Executive Director has recommended to the RJSCB that it accept the Report, and the RJSCB discussed the recommendation and considered the Report at its Finance Committee meeting on December 8, 2016 and its regular Board meeting on December 13, 2016;

THEREFORE, BE IT RESOLVED:

1. The RJSCB hereby accepts the 2015-2016 Financial Audit Report in the form attached to this Resolution.

Second by Board Vice Chair Schmidt

Approved 5-0 with Member Cruz on phone and Member Jones not yet arrived

Action Items

Resolution 2016-17: 100

School 7 – Demolition & Abatement Project – Rejection of Bids and Authorization to Re-Bid

By Board Member Richards

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

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

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

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

WHEREAS, the District's Board of Education ("BOE") has approved the comprehensive Master Plan for Phase 2 (BOE Resolution 2015-16: 630); and

WHEREAS, the Superintendent has identified and confirmed the projects for Phase 2 of the RSMP for which the RSJCB has started design and planning work in advance of the New York State Education Department and New York State Comptroller's approval of the comprehensive Master Plan for Phase 2; and

WHEREAS, Phase 2a of the RSMP includes demolition, abatement, HVAC, plumbing and electrical work at School 7;

WHEREAS, the Program Manager determined that the success of the School 7 project would be greatly improved by beginning the construction as soon as possible; and

WHEREAS, the Program Manager worked with the Architect of Record and Construction Manager for the School 7 project to prepare a Request for Bids for a demolition and abatement (“Early Start”) package for the School 7 project; and

WHEREAS, the RJSCB authorized the release of the Early Start package at its regular meeting on October 17, 2016 (Resolution 2016-17: 72); and

WHEREAS, the Program Manager received New York State Education Department approval of the Early Start package for School 7 on November 14, 2016; and

WHEREAS, the Program Manager received bids on November 28, 2016 per the deadline stipulated in the Request for Bids for the Early Start package for School 7, 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 Independent Compliance Officer reviewed the bids submitted by the presumptive low and second low bidders and determined that neither bid was responsive to the Request for Bids; and

WHEREAS, at the RJSCB monthly meeting on December 8, 2016, the Program Manager recommended that it was in the best interest of the public, the project and the RJSCB that the RJSCB reject the bids received in connection with the Early Start package and re-bid the project as soon as possible; and

WHEREAS, at the M/WBE and Services Procurement Committee (“Committee”) meeting held on December 8, 2016, following the review and consideration of the above recommendation from the Program Manager and after due deliberation by the Committee, the Committee accepted the Program Manager’s recommendation in full finding that rejection of the bids and re-bidding was in the best interest of the public, the project and the RJSCB;

THEREFORE, BE IT RESOLVED:

1. The RJSCB hereby approves the above recommendation of the Program Manager and all bids received for the Early Start project at School 7 are hereby rejected; and
2. The RJSCB hereby directs the Program Manager, in conjunction with the Architect of Record and Construction Manager for the School 7 project, to re-bid the Early Start project at School 7 as soon as possible.

Discussion Summary: Members concurred that bids lacking apprenticeship programs and or diversity goal plans would not be considered. None of the previous bidders met those requirements. The project will be re-bid.

Second by Board Member Brown

Approved 5-0 with Member Jones not yet arrived and Member Cruz absent

Resolution 2016-17: 101

Amendment #9 to Gilbane Building Company (PM - Phase 1)

By Board Member Brown

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 selected Gilbane Building Company ("Program Manager") to provide program management services to the Board in June 2010 (Resolution 2009-10: 13) and thereafter the RJSCB and the Program Manager entered into the program manager agreement dated July 1, 2010 (the "Agreement") for Phase 1 of the Rochester Schools Modernization Program ("RSMP" or "Program"); and

WHEREAS, the Program Manager has recently updated its staffing plan (a copy of which is attached) with changes related to extended staff and services needed during 2017 to provide for the remaining Phase 1 project activities for the extended schedule for the Monroe High School project and the completion of closeout of the Phase 1 projects; and

WHEREAS, due to the delay in the schedule for the completion of the Monroe High School project and the overlap of Phase 1 services with Phase 2 bidding and start-up, as well as required extended administrative support for the closeout of all Phase 1 projects, the Program Manager has requested an amendment to the Agreement to extend its staff and services during 2017 in the not-to-exceed amount of \$115,024.15; and

WHEREAS, the RJSCB at its meeting on December 13, 2016 considered and discussed the Program Manager's updated staffing plan and its request to amend the Agreement to extend the Program Manager's services through December 31, 2017 and to increase the Program Manager's Agreement amount by the not-to-exceed amount of \$115,024.15, and after due deliberation, it approved the request to amend the Agreement;

THEREFORE, BE IT RESOLVED:

1. The proposed amendment to the Agreement between the RJSCB and the Program Manager dated July 1, 2010 as set forth above is hereby approved, increasing the total amount of the Agreement by the not-to-exceed amount of \$115,024.15; and
2. The RJSCB's Chair is hereby authorized, in the name and on behalf of the RJSCB, to execute an amendment to the Agreement that is consistent with this approval and in an acceptable form to the Chair upon the advice of the RJSCB's general counsel.

Discussion Summary: The amendment maximizes Phase 2a work covered by Phase 1 and continues to provide part-time administrative work to close out Phase 1. Per Member Richards and the Board, Gilbane will present a plan and schedule for the conclusion of Phase 1 at the January RJSCB meeting.

Second by Board Member Richards
Approved 6-0 with Member Cruz absent

Resolution 2016-17: 102
Approval of Payment of Ten Unused PTO Days to Executive Director

By Board Member Brown

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, in Resolution 2010-11:47, (a) approved the hiring of Thomas M. Renauto as its Executive Director, and (b) approved the employment agreement between the RJSCB and Mr. Renauto (the "Employment Agreement"), effective June 27, 2011, and the terms and conditions therein, and authorized the RJSCB Chair to execute the Employment Agreement on behalf of the RJSCB; and

WHEREAS, the Employment Agreement provides that Mr. Renauto is entitled to certain paid time off ("PTO") per employment year and that, upon termination of employment, Mr. Renauto will be paid, at his per diem rate, unused PTO days up to a maximum of ten unused PTO days; and

WHEREAS, Mr. Renauto resigned his employment as Executive Director effective November 30, 2016 and, as of that date, had in excess of ten unused PTO days; and

WHEREAS, the RJSCB at its meeting on December 13, 2016 considered and discussed the payment of ten unused PTO days to Mr. Renauto at his per diem rate, and after due deliberation, it approved the payment pursuant to the terms and conditions of the Employment Agreement;

THEREFORE, BE IT RESOLVED:

1. The RJSCB hereby approves and authorizes the payment of ten unused PTO days to Mr. Renauto, at his per diem rate, in accordance with the terms and conditions of the Employment Agreement.

Second by Vice Chair Schmidt
Approved 6-0 with Member Cruz absent

Communications

The Phase 1 Monthly Report is included in the Member's packets and was reviewed by Program Director Tom Rogér.

- **School 17:** Door installation complete.
- **Charlotte:** Door replacement will be done over February Break.
- **Monroe:** Beginning Phase 1 base bid closeout activities. Phase 1 Commissioning will benefit from continuity of architect, mechanical contractor, and Commissioning firm.
- **School 12:** Final RCSD Facilities walkthrough 12/29/16; some work will be done over Christmas Break.

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

- **Monroe 2a:** Re-bid of GC contract achieved the desired \$3 million delta via value engineering, expanded schedule, etc. Additional details will be provided following de-scope and full analysis of the two bids submitted 12/14/16.
- **School 7:** Early demo and abatement project will be rebid 12/14/16 with submittal deadline of 12/29/16. Bidders need to come to the table with a DP-1 articulating how they will achieve the goals. May be potential to partner with unions to provide an apprenticeship program available for non-union shops.
- **School 16:** Meeting with the RCSD 12/22/16 to review the program and the two options; working to salvage schedule now. Gymnasium option selection will be key.
- **School 1:** Program Verification complete. Will meet with RCSD next week to discuss the design before moving into Schematics.

- **SWW:** Program Verification complete. AoR has design they believe is functional; will be discussing with RCSD next week.
- **East:** Schematic design estimate being reviewed this week for RCSD meeting 12/22/16.
- **Program Wide:** Moving RSMP offices – have identified a property and are in negotiations. Options for current space have been discussed with RCSD Facilities and will be reporting back to Mike Schmidt prior to any decision being rendered.
- **Procurement Status:** 2 recommendations at this meeting. CM RFP out now for School 1 and Edison, CM RFP for Monroe 2b to go out 12/14/16.
- **BOP:** 11-12 participants that will earn graduation certificate. Graduation and networking event targeted for 1/11/17. Already marketing for next seminar series that begins 2/6/17. Newsletter at printer. Website – continue to work on content. Mentor-Protégé: Matches will be identified for the Monroe 2a MEPs and discussed/released at the Monroe GC project kickoff.

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

- 88.76% submissions for the October 2016 reporting period.
- 98% of all data requested has been received and approved (April 2011 through October 2016).
- Overall Workforce (EEO) Participation: Minority @ 22.84% (goal is 20%) and Women @ 7.25% (goal is 6.9%).
- Overall Business Participation: Minority @ 15.68% (goal is 15%), Women @7.41% (goal is 5%), Disadvantaged @ 2.33% (goal is 2%) and Small @ 3.75 (goal is 5%).
- Rochester Residents: 33 of the 93 workers for the October 2016 reporting period (or 35.48%). The average Rochester Resident workforce (construction) from inception (April 2011 through October 2016) is 27.27%.
- A Separate PowerPoint showed wage breakdown by race and gender for Laborers, Asbestos Workers, Carpenters Union, Electricians, Masons, Tile Mechanics, Glaziers, Iron Workers, Sheet Metal Workers, Roofers, Plumbers, HVAC Mechanics, Pipefitters, Sprinkler Fitter, Heat & Frost Insulators, Painters, Operators, Elevator, Teamsters, Cleaners, Security Guards, Labor by all locations (individuals working on the project and where they come from), Labor by City of Rochester (only), All females working on the project, and lastly all minorities working on the project. Information based on the \$270M in construction dollars. PowerPoint to be emailed to Members.

The Budget reports are included in the Member's packets and were reviewed by Tom Rog r and Pepin Accilien.

- Phase 1 Budget Update: Tom Rog r stated that there are no additional updates since the Finance Committee Meeting on December 8, 2016 - any notes are included in the Finance Committee Report included in the Members' meeting packets.
- Phase 2 Budget Update: P pin Accilien stated that there are no additional updates since the Finance Committee Meeting on December 8, 2016 - any notes are included in the Finance Committee Report included in the Members' meeting packets.

– Pépin Accilien provided an update on the status of the COMIDA application. At a Special Meeting on December 12, 2016, COMIDA approved our application for the Phase 2 \$435M Tax Exempt Bond.

The M/WBE and Services Procurement Committee Report for December 8, 2016 is included in the Members packets.

– The Board has granted lower insurance waiver requests for the following Savin Engineers subconsultants: Rogers Enterprises, Flood and Flood, Goodrich Enterprises, Martens Janitorial, and LandNPR. Given the size and nature of their work, the Board agrees with limitation of liability for Savin and each of these firms for the lower insurance limits provided.

The Finance Committee Report for December 8, 2016 is included in the Members packets.

– The RSMP Revolving Loan Procedure was accepted by the Committee with minor modifications that will be made prior to formal approval. The initial \$100k donated by Savin for the program will be deposited with the City of Rochester Economic Development Corporation (REDCO), a not-for-profit development corporation that provides financial and other services to city residents at low interest rates to support the growth and success of existing businesses, as well as businesses relocating to the city of Rochester. Instructions will be provided for the account name the check should be made out to, as seed money for starting the RSMP Revolving Loan Program.

Executive Session

Approved at 6:07 pm

Chairman Williams called for a closed session pursuant to News York Public Officer's Law Section 108(3), to consult with the Board's general counsel on matters subject to attorney client privilege.

Motion by Member Richards

Second by Member Benincasa

Approved 5-0 with Members Cruz and Jones absent (left at 5:59 pm)

Adjournment

Approved at 6:19 pm