

Rochester Joint Schools Construction Board
Minutes
April 10, 2018
4:30 PM

Present

Chairman Allen Williams, Vice Chair Michael Schmidt, Charles Benincasa, Bob Brown, I. Geena Cruz, Norman Jones (arrived at 4:49 pm) and ICO Brian Sanvidge. Thomas Richards was away. Also present: General Counsel Edward Hourihan and Savin Deputy Program Director Roland Coleman.

Chairman Williams convened the meeting at 4:36 pm.

Approval of Minutes

Monthly Meeting held on March 6, 2018

Motion by Member Benincasa

Second by Vice Chair Schmidt

Approved 5-0 with Member Richards away and Member Jones not yet arrived

Consent Agenda Items

Resolution 2017-18: 159

Amendment #1 to Seeler Engineering, P.C. Agreement (PLA Study)

By Board Member Benincasa

WHEREAS, the Rochester School Facilities Modernization Program Act constituting Chapter 416 of the 2007 Laws New York and Chapter 533 of the 2014 Laws of New York (collectively, the "Rochester Schools 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 Rochester Schools 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, in December 2015, the RJSCB engaged Seeler Engineering, P.C. to perform a Project Labor Agreement ("PLA") Study for Phase 2 (Resolution 2015-2016: 83) to evaluate potential costs/benefits of utilizing a PLA for Phase 2 of the RSMP; and

WHEREAS, in connection with the planning for an anticipated Phase 3 of the RSMP, the Program Manager identified the need for a PLA Study to evaluate potential costs/benefits of utilizing a PLA for Phase 3 of the RSMP; and

WHEREAS, the Program Manager thereafter recommended to the RJSCB's M/WBE and Services Procurement Committee (the "Committee") that Seeler Engineering, P.C.'s Agreement should be amended to add the additional scope for a Phase 3 PLA Study and that a cost proposal should be solicited from Seeler Engineer, P.C. for said Study and related services; and

WHEREAS, the Committee discussed and considered the Program Manager's recommendation at its April 5, 2018 meeting, and after due deliberation, it authorized the RJSCB Chair to solicit a cost proposal, negotiate the terms and

scope of an amendment and execute an amendment to Seeler Engineering, P.C.'s Agreement that is acceptable to the Chair upon the advice of the Program Manager and the RJSCB's general counsel.

THEREFORE, BE IT RESOLVED:

1. The RJSCB hereby approves Seeler Engineering, P.C. to perform a PLA Study for Phase 3 of the RSMP; and
2. The RJSCB Chair, in conjunction with the Program Manager, is hereby authorized to undertake necessary actions to negotiate an amendment to Seeler Engineering, P.C.'s Agreement for a Phase 3 PLA Study and related services and thereafter execute an amendment to the Agreement that is consistent with this approval and in an acceptable form to the Chair upon the advice of the Program Manager and the RJSCB's general counsel.

Second by Board Member Cruz

Approved 5-0 with Member Richards away and Member Jones not yet arrived

Resolution 2017-18: 160

Amendment #2 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 a credit for design services not being provide by SEI for swing space design at Marshall High School to accommodate School 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 reduce the Agreement by the sum of \$10,000.00 for design services not being provided by SEI; and

WHEREAS, the Committee considered and discussed the Program Manager's recommendation at its April 5, 2018, 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, decreasing the total amount of the Agreement by the sum of \$10,000.00; 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 Cruz

Approved 5-0 with Member Richards away and Member Jones not yet arrived

Resolution 2017-18: 161

Amendment #1 to The Pike Company Contract (Construction Manager – School 2)

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 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 identified projects (the "Phase 2c Projects") include: Dag Hammarskjold School 6; Dr. Walter Cooper Academy School 10; George Mather Forbes School 4; and Clara Barton School 2; 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 2c projects of the RSMP; and

WHEREAS, on April 11, 2017, the RJSCB issued a request for proposals (the "RFP") for construction management services for the Phase 2c Clara Barton School 2 project (Resolution 2016-17: 168); and

WHEREAS, the RJSCB's Program Manager received four proposals as of the date and time specified in the RFP, and promptly distributed those proposals to the RJSCB members; and

WHEREAS, the RJSCB Chair, the Program Manager and Independent Compliance Officer ("ICO") subsequently interviewed the four respondent firms; and

WHEREAS, at the M/WBE and Services Procurement Committee (“Committee”) meeting held on May 4, 2017, 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 Clara Barton School 2 project.

WHEREAS, the RJSCB at its regular meeting on May 8, 2017, approved The Pike Company (“Construction Manager”) to provide Construction Manager services for the Phase 2c Clara Barton School 2 project (Resolution 2016-17: 200), and the parties thereafter entered into the Agreement between the RJSCB and The Pike Company dated May 8, 2017 (the “Agreement”); and

WHEREAS, subsequent to the execution of the Agreement, the Program Manager directed the Construction Manager to provide additional services to complete for the Phase 2c Clara Barton School 2 project, and the Program Manager has received and reviewed the 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 \$168,300.00 the additional services for the Phase 2c Clara Barton School 2 project; and

WHEREAS, the Committee considered and discussed the Program Manager’s recommendation at its April 5, 2018 meeting to increase the Construction Manager’s Agreement amount by \$168,300.00, and after due deliberation, the Committee 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 May 8, 2017, as set forth above is hereby approved, increasing the total amount of the Agreement by the sum of \$168,300.00; 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 Board Member Cruz

Approved 5-0 with Member Richards away and Member Jones not yet arrived

Resolution 2017-18: 162

Construction Management Services Award - Flower City School 30/54 (Phase 2d)

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 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 and the RSJCB has received New York State Education Department and New York State Comptroller's approval of the comprehensive Master Plan for Phase 2; and

WHEREAS, the Master Plan identifies the Flower City School 30/54 as a Phase 2d project (the "Phase 2d Project"); and

WHEREAS, the RJSCB's Program Manager prepared a request for proposals for Construction Management Services for the Phase 2d Project (the "RFP"), provided the draft of the RFP to the RJSCB for review; and

WHEREAS, the RJSCB at its regular meeting on February 6, 2018 approved the RFP for Phase 2d Construction Management Services and authorized the Program Manager to issue and post the RFP (Resolution 2017-18: 133); and

WHEREAS, the RJSCB's Chair subsequently received five responses to the RFP on date, time and place defined in the RFP; and

WHEREAS, the proposals were delivered to each RJSCB member for review; and

WHEREAS, the RJSCB's Chair, RJCSB Members and the Program Manager reviewed the responses to the RFP and the five firms were then interviewed on March 20, 2018 by RJSCB Members, the Chair and Program Manager representatives; and

WHEREAS, at the Committee meeting held on April 5, 2018, after due deliberation by the Committee, the following firm was identified as being highly qualified and fiscally responsive to the RJSCB's Rochester Schools Modernization Program for the specific project set forth below;

Project Name	Firm
Flower City School 30/54 (Phase 2d)	Buffalo Construction Consultants, Inc.

THEREFORE, BE IT RESOLVED:

1. The RJSCB hereby approves Buffalo Construction Consultants, Inc., to provide Construction Management Services as indicated above for the one projects in Phase 2 of the RSMP, further defined as Phase 2d projects;
2. The RJSCB Chair is hereby authorized, in the name and on behalf of the RJSCB, to execute and deliver an agreement (the "Agreement") with Buffalo Construction Consultants, Inc., in substantially the form previously approved by the RJSCB and included in the RFP, for Construction Management Services, with such changes as the Chair may approve (the Chair's signature thereon being conclusive evidence of such approval) on the advice of the Program Manager and the RJSCB's general counsel.

Second by Board Member Cruz

Approved 5-0 with Member Richards away and Member Jones not yet arrived

Resolution 2017-18: 163

Rejection of Bids and Authorization to Rebid – 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, the Program Manager worked with the School 10 Architect and Construction Manager to prepare the bidding documents package for the multiple prime contract project (i.e., the general construction, HVAC, electrical and plumbing); and

WHEREAS, the RJSCB authorized the release of the documents for the School 10 multiple prime contract project work in Phase 2c at its regular meeting on February 6, 2018 (Resolution 2017-18: 135); and

WHEREAS, the Program Manager received bids on March 19, 2018 per the deadline stipulated in the general construction, HVAC, electrical and plumbing bidding documents for the Phase 2c School 10 project bid documents, and those bids were subsequently publicly opened and read aloud at the location stated in the bid documents; and

WHEREAS, the Program Manager reviewed the bids that were submitted and determined that the bids received were all collectively over budget and that it was in the best interest of the RJSCB to reject all of the bids, adjust the scope of the project and then re-bid the general construction, HVAC, electrical and plumbing contracts for the Phase 2c School 10 project as soon as possible in the interest of keeping the project on schedule; and

WHEREAS, the Program Manager recommended to the M/WBE and Services Procurement Committee (the “Committee”) that the RJSCB authorize the rebid of the general construction, HVAC, electrical and plumbing bidding documents for the Phase 2c School 10 project; and

WHEREAS, the Committee considered and discussed the Program Manager’s recommendation at its April 5, 2018 meeting, and after due deliberation, the Committee approved the request to rebid the general construction, HVAC, electrical and plumbing bidding documents for the Phase 2c School 10 project.

THEREFORE, BE IT RESOLVED:

1. The RJSCB, through its Program Manager, shall proceed with the rebid and issuance of a Request for Bids for the School 10 general construction, HVAC, electrical and plumbing prime contracts in order to maintain the overall project schedule; and
2. Prior to issuance of the Request for Bids, the Program Manager shall work with the RJSCB’s general counsel to further develop and finalize the Request for Bid packages, including the General Conditions of the Contract and the form of Contract; and
3. The M/WBE and Services Procurement Committee, with the advice and recommendations of the Program Manager, is authorized on behalf of the RJSCB to review the bid responses and recommend to the RJSCB the lowest responsible bidders.

Second by Board Member Cruz

Approved 5-0 with Member Richards away and Member Jones not yet arrived

Resolution 2017-18: 164

Authorization to Bid – Kitchen Equipment (School 4 & School 6)

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, George Mather Forbes School 4 ("School 4") and Dag Hammarskjold School 6 ("School 6") are two of the projects included in Phase 2c of the RSMP as provided in the Phase 2 Master Plan; and

WHEREAS, the Program Manager is working with the School 4 and School 6 Architect and Construction Manager to prepare requests for bids for the kitchen equipment bidding documents package; and

WHEREAS, the Program Manager recommended to the M/WBE and Services Procurement Committee (the "Committee") that the RJSCB authorize the release of the kitchen equipment bidding documents for the Phase 2c School 4 and School 6 projects; and

WHEREAS, the Committee considered and discussed the Program Manager's recommendation at its April 5, 2018 meeting, and after due deliberation, the Committee approved the request to release the kitchen equipment bidding documents for the Phase 2c School 4 and School 6 projects.

THEREFORE, BE IT RESOLVED:

1. The RJSCB, through its Program Manager, shall proceed with the issuance of a Request for Bids on May 11, 2018, for the School 4 and School 6 kitchen equipment contracts in order to maintain the overall project schedule;
2. Prior to issuance of the Request for Bids, the Program Manager shall work with the RJSCB's general counsel to further develop and finalize the Request for Bid packages, including the General Conditions of the Contract and the form of Contract; and
3. The M/WBE and Services Procurement Committee, with the advice and recommendations of the Program Manager, is authorized on behalf of the RJSCB to review the bid responses and recommend to the RJSCB the lowest responsible bidders.

Second by Board Member Cruz

Approved 5-0 with Member Richards away and Member Jones not yet arrived

Resolution 2017-18: 165

Bid Award – Summer 2018 Move Services Rebid (East & Edison)

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 Act authorized up to 13 projects in Phase I of the Rochester Schools Modernization Program (“RSMP”), which involves the relocations of several schools into temporary “swing” space in order for the schools to continue to operate and to be fully functional during construction; and

WHEREAS, the authorizing legislation for Phase 2 of the RSMP was signed into law by the Governor of the State of New York on December 17, 2014 (the “Amended Act”); 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, upon the recommendation of its Program Manager and Move Management Consultant (Vargas Associates), has determined a need for a moving services firm to provide the labor and equipment to perform the physical moves in the summer of 2018 for all furniture and contents of Schools 1,2, 4, 7, 10, 16, East High School, Monroe High School, Edison Technology High School, School Without Walls and the RSMP Warehouse that are included in and part of the RSMP; and

WHEREAS, the RJSCB authorized the release of request for bids (“Request for Bids”) to obtain bids from the move services firms using an open public bid process at its regular meeting on February 6, 2018 (Resolution 2017-18: 134); and

WHEREAS, following RJSCB approval, the Program Manager advertised and released the bid documents for the 2018 summer moving services in February 2018; and

WHEREAS, the Program Manager and Move Management Consultant did not receive bids on February 26, 2018 per the deadline stipulated in the Request for Bids for East High School or Edison Technology High School; and

WHEREAS, the RJSCB authorized the Program Manager and Move Management Consultant to prepare documents and to conduct a re-bid for the moving services for East High School and Edison Career & Technology High School using an open public bid process at its regular meeting on March 6, 2018 (Resolution 2017-18: 152); and

WHEREAS, the RJSCB’s Program Manager and the Move Management Consultant have reviewed the bids and made assessments on the sufficiency of staffing for the moves, and concluded that the apparent low bidders are capable to perform the scope of work package and are also qualified and a responsible bidder; and

WHEREAS, at its April 5, 2018 meeting, the M/WBE Procurement and Services Committee considered the recommendation of the Program Manager and Move Management Consultant and following due deliberation, approved the firms as follows:

School	Name of Firm	Not to Exceed Amount
East High School	Corrigan Moving Services 150 Jarley Road Rochester, NY 14623	\$308,380.00
Edison Technology Campus	Boulter Industrial Contractors PO Box 967 Webster, NY 14580	\$185,000.00

THEREFORE, BE IT RESOLVED:

1. The RJSCB hereby approves the recommendation of the Program Manager and Move Management Consultant that the contract awards shall be made to the above named firms, in the amount specified to provide the necessary moving services; and
2. The RJSCB Chair is hereby authorized, to execute and deliver a Purchase Order to the firms named above, in substantially the form included in the Request for Bids with such changes as the Chair may approve (the Chair’s

signature thereon being conclusive evidence of such approval) on the advice of the Program Manager and the RJSCB's general counsel.

Second by Board Member Cruz

Approved 5-0 with Member Richards away and Member Jones not yet arrived

Resolution 2017-18: 166

Additional FF&E Purchase Orders – School 12 Phase 1 (FES, FM Office & Hertz Furniture)

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

WHEREAS, the RJSCB's Program Manager, with the advice of Vargas Associates (the "Move Manager"), the RJSCB's general counsel, the Construction Managers, the Architects, and the RJSCB's Independent Compliance Officer, prepared request for bids packages for Furniture, Fixtures, and Equipment ("FF&E") for the projects in Phase 1; and

WHEREAS, the RJSCB's Executive Director received bids on October 1, 2015, per the deadline stipulated in the request for bids, and those bids were subsequently publicly opened and read aloud at the location stated in the request for bids; and

WHEREAS, the RJSCB at its regular meeting approved the selection of Facilities Equipment & Services Inc. ("FES"), FM Office Products ("FM Office) and Hertz Furniture ("Hertz") as three of the FF&E suppliers for the Phase 1 School 12 project (Resolution 2015-16: 68); and

WHEREAS, the RJSCB issued a purchase order purchase order to FES in the amount of \$129,700.00, a purchase order to FM Office in the amount of \$279,567.27 and a purchase order to Hertz in the total amount of \$156,680.48 all for FF&E for the Phase 1c School 12 project; and

WHEREAS, the Move Manager and the Program Manager recommended to the M/WBE and Services Procurement Committee (the "Committee") that FES's purchase order should be amended to increase the amount of the purchase order by \$7,855.35; and

WHEREAS, the Move Manager and the Program Manager recommended to the M/WBE and Services Procurement Committee (the "Committee") that FM Office's purchase order should be amended to increase the amount of the purchase order by \$5,979.05; and

WHEREAS, the Move Manager and the Program Manager recommended to the M/WBE and Services Procurement Committee (the "Committee") that Hertz's purchase order should be amended to increase the amount of the purchase order by \$5,620.29; and

WHEREAS, the Committee, at its April 5, 2018 meeting, considered and discussed the Program Manager's recommendation to increase FES, FM Office and Hertz's purchase orders by an aggregate amount of \$19,454.69, and after due deliberation, it approved the request by the Program Manager to increase the individual purchase orders by the recommended individual amounts and in aggregate by \$19,454.69;

THEREFORE, BE IT RESOLVED:

1. The RJSCB hereby approves the recommendation of the Move Manager and the Program Manager to increase the purchase orders to FES, FM Office and Hertz in the amounts specified, related to the furniture, fixtures, and equipment purchases for School 12 in Phase 1 of the RSMP; and
2. The RJSCB's Chair is hereby authorized, in the name and on behalf of the RJSCB, to execute a revised purchase order 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 Cruz

Approved 5-0 with Member Richards away and Member Jones not yet arrived

Resolution 2017-18: 167

Additional FF&E Purchase Orders – CSR 1/15 (FM Office Products)

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, the RJSCB's Move Management Consultant (Vargas Associates) prepared bid documents for the Furniture, Fixtures and Equipment (“FF&E”) bid associated with the following Phase 2a and Phase 2b projects: James Monroe High School, School 7, School 16, Edison Campus, School Without Walls, Dr. Freddie Thomas Learning Center and School 1/15 (the “2a/2b FF&E Projects”); and

WHEREAS, the RJSCB authorized the release of the FF&E bid documents for the 2a/2b FF&E Projects at its regular meeting on November 13, 2017 (Resolution 2017-18: 92); and

WHEREAS, the RJSCB rejected all of the bids received on December 18, 2017 and authorized the re-bidding of the 2a/2b FF&E Projects on or about January 2, 2018; and

WHEREAS, the Program Manager received bids on January 23, 2018 per the deadline stipulated in the Request for Bids for the 2a/2b FF&E Projects, 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 Move Management Consultant reviewed the bids submitted for the 2a/2b FF&E Projects, conducted de-scoping meetings, inspected physical samples of some items, and identified four qualified and responsible bidders; and

WHEREAS, on February 1, 2018, the Move Management Consultant recommended to the Board that purchase order awards be made for the 2a/2b FF&E Projects; and

WHEREAS, the RJSCB approved the selection of FM Office Products (“FM Office”) as one of the 2a/2b FF&E Projects FF&E suppliers for the Dr. Freddie Thomas Learning Center and School 1/15 (“CS 1/15”) project (Resolution 2017-18: 138); and

WHEREAS, FM Office was awarded the portion of the FF&E work for the non-group furniture items for the CS 1/15 project; and

WHEREAS, the RJSCB issued a purchase order to FM Office for the above group of FF&E for the CS 1/15 project in the total amount of \$177,500.00; and

WHEREAS, the Move Manager and the Program Manager recommended to the M/WBE and Services Procurement Committee (the “Committee”) that FM Office purchase order should be amended to increase the purchase order in the amount of \$13,255.60; and

WHEREAS, the Committee, at its April 5, 2018 meeting, considered and discussed the Move Manger and the Program Manager’s recommendation to increase the FM Office’s purchase order amount by \$13,255.60, and after due deliberation, it approved the request by the Move Manager and the Program Manager to increase the purchase order amount; and

THEREFORE, BE IT RESOLVED:

1. The RJSCB hereby approves the recommendation of the Move Manager and the Program Manager to increase the purchase order to FM Office in the amount specified, related to the non-group furniture item purchases for CS 1/15. in Phase 2a/2b FF&E of the RSMP; and
2. The RJSCB’s Chair is hereby authorized, in the name and on behalf of the RJSCB, to execute a revised purchase order 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 Cruz

Approved 5-0 with Member Richards away and Member Jones not yet arrived

Resolution 2017-18: 168

Additional FF&E Purchase Orders – Monroe High School (Hertz Furniture)

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, the RJSCB’s Move Management Consultant (Vargas Associates) prepared bid documents for the Furniture, Fixtures and Equipment (“FF&E”) bid associated with the following Phase 2a and Phase 2b projects: James Monroe High

School, School 7, School 16, Edison Campus, School Without Walls, Dr. Freddie Thomas Learning Center and School 1/15 (the "2a/2b FF&E Projects"); and

WHEREAS, the RJSCB authorized the release of the FF&E bid documents for the 2a/2b FF&E Projects at its regular meeting on November 13, 2017 (Resolution 2017-18: 92); and

WHEREAS, the RJSCB rejected all of the bids received on December 18, 2017 and authorized the re-bidding of the 2a/2b FF&E Projects on or about January 2, 2018; and

WHEREAS, the Program Manager received bids on January 23, 2018 per the deadline stipulated in the Request for Bids for the 2a/2b FF&E Projects, 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 Move Management Consultant reviewed the bids submitted for the 2a/2b FF&E Projects, conducted de-scoping meetings, inspected physical samples of some items, and identified four qualified and responsible bidders; and

WHEREAS, on February 1, 2018, the Move Management Consultant recommended to the Board that purchase order awards be made for the 2a/2b FF&E Projects; and

WHEREAS, the RJSCB approved the selection of Hertz Furniture ("Hertz") as one of the 2a/2b FF&E Projects FF&E suppliers for the Monroe H.S project (Resolution 2017-18: 138); and

WHEREAS, Hertz was awarded the portion of the FF&E work for the supply of activity tables, music furniture, and student furniture for the Monroe H.S project; and

WHEREAS, the RJSCB issued a purchase order to Hertz for the above groups of FF&E for the Monroe H.S project in the total amount of \$310,000.00; and

WHEREAS, the Move Manager and the Program Manager recommended to the M/WBE and Services Procurement Committee (the "Committee") that the Hertz's purchase order should be amended to increase the purchase order in the amount of \$8,676.36; and

WHEREAS, the Committee, at its April 5, 2018 meeting, considered and discussed the Move Manger and the Program Manager's recommendation to increase the Hertz's purchase order amount by \$8,676.36, and after due deliberation, it approved the request by the Move Manager and the Program Manager to increase the purchase order amount; and

THEREFORE, BE IT RESOLVED:

1. The RJSCB hereby approves the recommendation of the Move Manager and the Program Manager to increase the purchase order to Hertz in the amount specified, related to the furniture, fixtures, and equipment purchases for Monroe H.S. in Phase 2a/2b FF&E of the RSMP; and
2. The RJSCB's Chair is hereby authorized, in the name and on behalf of the RJSCB, to execute a revised purchase order 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 Cruz

Approved 5-0 with Member Richards away and Member Jones not yet arrived

Resolution 2017-18: 169

Change Orders #37 and #38 to Manning Squires Hennig (Monroe 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 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 James Monroe High School (“Monroe 2a”) 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 general contractor contract to Manning Squires Hennig, Inc. (“Manning Squires”) for the James 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, MSH, 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 #37 includes the following item:

1. Widen Classroom Entrances \$37,452.41

The total amount of Change Order #37 is \$37,452.41; and

WHEREAS, Change Order #38 includes the following item:

1. Facade Cleaning, North and West elevations \$41,088.55

The total amount of Change Order #38 is \$41,088.55; 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 MSH’s Contract should be amended to add this scope item for an increase in the Contract Sum of \$78,540.96; and

WHEREAS, the Committee considered and discussed the Program Manager’s recommendation at its April 5, 2018 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 Order to MSH’s Contract between the Board and Contractor dated December 19, 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 Cruz

Approved 5-0 with Member Richards away and Member Jones not yet arrived

Resolution 2017-18: 170

Change Order #8 to Eastcoast Electric 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 electrical contract to Eastcoast Electric, LLC ("EC") for the School 7 project in Phase 2a (Resolution 2016-17: 205); and

WHEREAS, the RJSCB entered into a contract with EC (Resolution 2016-17: 205) dated May 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, EC, 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 #8 includes the following item:

1. 3rd Floor Coordination Revisions \$11,156.00

The total amount of Change Order #8 is \$11,156.00; 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 EC's Contract should be amended to add these scope items for an increase in the Contract Sum of \$11,156.00; and

WHEREAS, the Committee considered and discussed the Program Manager's recommendation at its April 5, 2018 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 Order to EC's Contract between the Board and Contractor dated May 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 Cruz

Approved 5-0 with Member Richards away and Member Jones not yet arrived

Resolution 2017-18: 171

Change Order #5 to M.A. Ferrauilo Plumbing & Heating Contract (School Without Walls)

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 School Without Walls Commencement Academy ("School Without Walls") 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 mechanical contractor contract to M.A. Ferrauilo Plumbing & Heating ("Ferrauilo") for the School Without Walls project in Phase 2b (Resolution 2016-17: 239); and

WHEREAS, the RJSCB entered into a contract with Ferrauilo (Resolution 2016-17: 239) dated June 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, 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 this change in scope item and provided to the Construction Manager and the Program Manager for review; and

WHEREAS, Change Order #5 includes the following item:

1. Fisen Unit Replacement – Materials Only \$197,195.00
- The total amount of Change Order #5 is \$197,195.00; 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 Ferrauilo's Contract should be amended to recognize the agreed-upon credit and decrease the Contract Sum in the amount of \$197,195.00; and

WHEREAS, the Committee considered and discussed the Program Manager's recommendation at its April 5, 2018 meeting and after due deliberation, it approved the request to amend the Contract.

THEREFORE, BE IT RESOLVED:

1. The proposed Change Order to Ferrauilo's Contract between the Board and Contractor dated June 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 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 Cruz

Approved 5-0 with Member Richards away and Member Jones not yet arrived

Resolution 2017-18: 172

Change Orders #7, #8, #10 & #11 to Holdsworth Klimowski (Children's School of Rochester 1/15)

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 general construction contract to Holdsworth Klimowski Construction ("HKC") for the Children's School of Rochester project in Phase 2b (Resolution 2017-18: 26); and

WHEREAS, the RJSCB entered into a contract with HKC (Resolution 2017-18: 26) dated August 7, 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, HKC, 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 #7 includes the following items:

1. Additional Foundation Excavation/Backfill \$157,204.00
 2. Retaining Wall Removal and Unsuitable Soil \$34,900.00
- The total amount of Change Order #7 is \$192,104.00; and

WHEREAS, Change Order #8 includes the following items:

1. Wall Type 4J in Room 102B \$543.00
2. 3 Additional Display Cases \$12,817.00

3. Tin Ceiling in Room 120 Revision \$1,526.00
4. Remove casework in Room 122 \$438.00
5. Stage Curtain Hardware \$9,671.00
6. Existing Corridor Wall C117 42,479.00
7. Existing Floor and Wall Tile, Room 124 and 124A \$5,154.00
8. Hand Dryer Material Credit (\$5,214.00 credit)
9. Janitor's Closet Floor Removal \$438.00

The total amount of Change Order #8 is \$27,852.00; and

WHEREAS, Change Order #10 includes the following items:

1. Hand Railings Auditorium Balcony \$10,057.00
2. Locate Existing Sanitary and Sewer \$16,899.00
3. Boiler Room Stair Treads \$6,876.00

The total amount of Change Order #10 is \$33,832.00; and

WHEREAS, Change Order #11 includes the following items:

1. Refinishing Window Casement \$105,537.00
2. Bid Alternate #6 Casework Refinish (\$30,000 credit)

The total amount of Change Order #11 is \$75,537.00; and

WHEREAS, the Construction Manager and the Program Manager believe that the change orders work are 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 HKC's Contract should be amended to add these scope items for an increase in the Contract Sum of \$329,325.00; and

WHEREAS, the Committee considered and discussed the Program Manager's recommendation at its April 5, 2018 meeting and after due deliberation, it approved the request to amend the Contract.

THEREFORE, BE IT RESOLVED:

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

Second by Board Member Cruz

Approved 5-0 with Member Richards away and Member Jones not yet arrived

Resolution 2017-18: 173

Pay Requisition Summary Acceptance (March 2018)

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 \$34,175.19, 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 March 30, 2018; and

WHEREAS, the Program Manager forwarded the Phase 2 monthly Pay Requisition Summary (attached to this Resolution) totaling \$12,011,375.57, 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 March 30, 2018; and

WHEREAS, the RJSCB Chair approved the regular monthly Pay Requisition Summary and the Phase 2 monthly Pay Requisition Summary on or about March 10, 2018; 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 April 5, 2018.

THEREFORE, BE IT RESOLVED:

1. The Rochester Joint Schools Construction Board hereby accepts the regular monthly Pay Requisition Summary for the month of March 2018 in the amount stated above and the Phase 2 monthly Pay Requisition Summary for the month of March 2018 in the amount stated above and as shown in the Summary sheets attached to this Resolution.

Second by Board Member Cruz

Approved 5-0 with Member Richards away and Member Jones not yet arrived

Communications

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

Phase 1:

–72.73% submissions for the February 2018 reporting period.

– 97.89% of all data requested has been received and approved (April 2011 through February 2018).

– Overall Workforce (EEO) Participation: Minority @ 22.87% (goal is 20%) and Women @ 7.22% (goal is 6.9%).

– Overall Business Participation: Minority @ 15.74% (goal is 15%), Women @ 7.42% (goal is 5%), Small @ 3.77% (goal is 5%) and Disadvantaged @ 2.33% (goal is 2%).

– Rochester Residents: 1 of the 7 workers for the February 2018 reporting period (or 14.29%). The average Rochester Resident workforce (construction) from inception (April 2011 through February 2018) is 27.2%.

Phase 2:

– 90.09% submissions for the February 2018 reporting period.

– 93.74% of all data requested has been received and approved (January 2016 through February 2018).

– Overall Workforce (EEO) Participation: Minority @ 30.68% (goal is 22%) and Women @ 7.52% (goal is 8%).

– Overall Business Participation: Minority @ 29.16% (goal is 17%), Women @ 11.98% (goal is 10%), Small @ 3.68% (goal is 3%) and Disadvantaged @ 2.29% (goal is 3%).

– Rochester Residents: 106 of the 567 workers for the February 2018 reporting period (or 18.69%). Brian Sanvidge also handed out a map illustrating the residents locations throughout the City.

The Phase 1 Monthly Report is included in the Members packets and was reviewed by Program Manager Mark AuClair.

– School 50: The ‘Cost-to-Complete’ summary outlines the various items (miscellaneous Phase 1 cost impacts, School 50 cost impacts and allocated but unspent funds) with their cost and running balance for the project and remainder of the Phase 1 funds. Discussion was held regarding prioritization of the items and future meetings to be held internally and with the City and other parties (i.e. RGRTA).

The Phase 2 Monthly Report is included in the Members packets and was reviewed by Deputy Program Director Roland Coleman.

– Monroe 1c/2a/2b:

- Phase 1c
 - Phase 1c closeout with SED anticipated for April 2018.
- Phase 2a
 - Final Cleaning ongoing throughout the building.
 - Maintaining temporary separation of Phase 2A from the 2B project to allow final cleaning of 2A to continue.
 - Data closet work continues in coordination with RCSD IT/MIS Department
 - Preliminary Commissioning work to conclude this month, except for the Chilled Water system which will follow in June / July 2018.
 - Classroom furniture loading is anticipated in May/June 2018.
 - Substantial completion (2a only) anticipated this month. Certificate of Occupancy to be issued with 2b in July 2018.
 - Move management coordination continues with building administration.
 - DWT Fiber service installation scheduled for week of 2APR18.
- Phase 2b
 - Structural Steel erected in new Gym Area “A.” Acoustical decking being installed. The project is back on schedule, but weekly meetings continue to keep pressure on the Contractor to maintain schedule.
 - Most Trades are now maintaining pace with the GC’s accelerated schedule.
 - PC and EC Primes completed underground work at area “B.”
 - New utility laterals and site drainage ongoing.
 - Site work begun and will continue pending weather. Athletic Field materials order released. Received confirmed delivery dates from some of the suppliers. Installation of the synthetic Turf is confirmed for 4JUN18
 - Overall Project completion is scheduled for 21 August 2018.
 - Town Hall meeting will be held at Marshall on 17APR18 at 5 pm with the Community to provide update on the Monroe.

– School 7:

- Project is currently on schedule. Average of 70 workers on site each day
- Curtainwall installation is on hold pending receipt of glazing for it. New Gym windows awaiting glazing.
- Air Handling Units have been set on roof. Issue of sound attenuation and screening is being evaluated.
- Finishes continue. Decorative CMU and brick being installed, as well as spray applied vapor barrier.
- Levels 3 and 2: finishes continue. Level 1 work is all proceeding on schedule.
- Installation of permanent roofing continues.
- MEP work in Boiler Room continues.
- Continued Fire Alarm, low voltage cabling, and ceiling devices. Continue mechanical work in boiler room.
- Gym – Continue Fire sprinkler and painting

- Transportable Classrooms demolished.
- Site development work continues

– East:

- Meeting with EPO's CFO Carleen Pierce, RCSD Lori Baldwin and Bill Zografos at East High School on 28MAR18 to review progress. Discussed project financial breakdown with Ms. Pierce and identified User Group staff and coordinated timeslots. Security issues and entrances discussed with Ms. Baldwin.
- Weekly design development meetings ongoing with CannonDesign and its Sub-consultants. Bi-weekly meeting being scheduled with EPO, RCSD, and the RSMP team to review the Design Development progress
- Schematic Design report approved by the RJSCB. Request made by the Board to provide Air conditioning in the Gym and lockers rooms. The design team will include this AC in the design as an alternate due to budgetary constraints. Provisions for future AC will be in the HVAC base bid.
- Construction to start in Summer 2018 and scheduled to run until 2021. Depending on logistics and how actual internal swing space moves occur, work at East School may continue into 2022.
- Current design schedule milestones are the following:
 - Design Development - April 2018
 - Construction Documents - May 2018
 - Bidding – June 2018

– School 16:

- Project generally on schedule and on budget.
- 10 hour days, Saturdays and second shift work ongoing as needed to maintain schedule. East Coast Electric is falling behind and has been instructed to work additional hours. They ultimately had 12 workers on site Saturday 24MAR18.
- Gym Addition - Roof is watertight. Slab-On-Grade placed 28FEB18. Temporary enclosure is complete. MEP rough in started 27MAR18.
- Classroom Addition – Mechanical rough in is completed. Drywall is ongoing. Ceiling grid is complete.
- 3rd Floor - MEP above ceiling punch list work ongoing. Electrical device work is ongoing. Classrooms have been primed and lights installed in grid. Wall tile in corridors and bathrooms is complete. VCT in classrooms is complete. Ceramic tile in corridors and bathrooms is complete. Window delivery expected 2APR18 with installation to start 3APR18. Casework delivery scheduled for 6APR18 with installation to begin when windows are complete. Painting primer and 1st coat 95% complete.
- 2nd Floor - Drywall work ongoing. Above ceiling rough in complete for classrooms on 19MAR18 except for electrical device work. Corridor mechanical rough in ongoing. Ceiling grid has been installed in classrooms. MEP above ceiling punch list started on 26MAR18 for classrooms. VCT installation in classrooms is 90% complete. Ceramic tile in corridors and bathrooms is 90% complete. Window installation has started on the south and east elevations. Next window delivery is scheduled for 2APR18. Painting primer and 1st coat 95% complete.
- 1st Floor - Has been divided into several areas. Cafeteria window openings complete. Mechanical rough in ongoing in areas A, B and C. Metal stud and drywall work ongoing in areas A, B, and C. Area "B" above ceiling punch list ongoing. Ceiling grid is 25% complete. Ceramic tile in corridors and bathrooms is 25% complete.
- VCT started in Area "A" classrooms. Window installation has started in Area "C." Painting primer and 1st coat 75% complete.
- Equipment has been placed in the Boiler room and roughing is ongoing.
- Fan room ductwork is complete and equipment has been placed. Connections are ongoing.
- Smart Bond Application Update summary prepared in conjunction with RJSCB Vice-Chair Mike Schmidt and delivered to NYSED. Supplemental SSIP Plan bond has moved from "Program Review" to "Expenditure Review". The next step is "Review Board" then "Approved". State Board review meeting scheduled for April 2018.

– School 1/15:

- Work generally on schedule and on budget
- Above grade, Exterior Masonry Walls in the classroom addition is complete. Washing and cleaning is weather dependent.
- Finishes work is in progress in the renovation area; painting, ceiling grid, lights in ceilings, Diffusers in ceilings, Flooring and Millwork.
- Site Utility work is complete
- Structural steel for the addition completed

- Permanent roofing ongoing.
- Painting in progress in the Gym and Classroom, Ceiling in the Renovation areas ongoing.
- Boiler room piping, pumps etc. in progress; VAV Boxes installed in the renovation area
- BMS subcontractor on site for rough in work.

– SWW:

- Main Office Occupancy in April/May 2018. Classrooms and Gym occupancy Summer 2018.
- Main office Area – Final painting ongoing.
- Roofing continues weather permitting.
- Curtain wall framing and glazing 95% complete, some pieces that were damaged still remain to be installed once available.

– Dr. Freddie Thomas Learning Center:

- Phase 2b.1 - Main Office:
 - Received contractor quote for installation of durable surface over current countertop. Working with Architect (Watts Architecture) on review/approval.
 - Tentatively set up meeting with principal's secretary (Saundra Luke) to measure wall spaces for installation of cork and white boards. District indicates they can provide.
 - Gathering closeout paperwork for this phase of DFTLC.
- Phase 2b.2 - Mechanical Equipment Replacement:
 - Cooler Tower demolished per schedule.
 - The School is still using the Pool, awaiting confirmation date for complete shutdown from RCSD Facilities (Matt Seeger).

– Edison:

- Part A Project
 - CM preparing closeout documents for roof and site contracts.
- Part B project
 - Kick-off meeting held with CM, Architect and Contractors at the RSMP office. Steel shop drawings are being prepared.
 - Meeting scheduled with Principal and Construction Manager to review project logistics and placement of summer school students (approximately 400 students) was cancelled. Per Vice-Chair Schmidt, Summer School will occur elsewhere in the District. Location to be determined.
 - Move Manager (Vargas) is currently coordinating with School, CM and PM potential opportunities of relocating technology area machinery prior to end of School. Second week of June Edison is testing in Area C, so technology areas will no longer be holding classes.
 - Architect is finalizing a bulletin deducting electrical work related to TV Studio that is currently in electrical base bid. TV Studio equipment supply and install bid package is being procured through DWT.
 - Muralist is looking to paint murals on existing retaining walls. Final scope and locations being coordinated with the Architect (LaBella) and the School Principal.

– School 2:

- Project is out to bid with extended bid date of 3APR18. SED approval still pending.
- List of items to be salvaged re-confirmed with RCSD facilities.
- The CM's Design Development estimate is currently within Budget with Sewer relocation, Maker-space and key Alternates, (Staff Parking, Enlarged Bus Pull off, Replacement of Classroom Ceilings, replacement of UVs in existing classrooms, Boiler Room combustion air and new AHU-1).
- Scheduling Move Management informational sessions with school staff regarding packing and move out process.

– School 4:

- Final Design at SED waiting approval.
- Smart Bond remains open issue. \$2M value in question until smart bond is approved.
- Construction documents at SED waiting approval.
- Alternate list developed for review and comment. Latest CM estimate has project under budget including alternates.
- List of revised potential alternates (preliminary list) needing review with RCSD Facilities:

1. Ornamental fencing, light at flagpole, curved benches & walkways at front entrance.
 2. Resurface playground area and equipment upgrades
 3. Upgrade to terrazzo flooring 1st floor corridors in lieu of VCT
 4. Adding water vapor reduction throughout School
 5. Adding exterior areaway modifications to add lighting in cafeteria.
 6. Upgrade roof membrane to three-ply in lieu of 90 mil EPDM Adding exterior areaway modifications to add lighting in cafeteria.
 7. Adding 12 Type W3 windows to Storage Room 16.
 8. Adding Toilet Rooms to Special Ed Classrooms 110A, 210A and 226A.
- 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.
 - In process of starting biweekly meetings to review and coordinate the relocation of School 4 to DFTLC, utilizing the area that School 16 is currently occupying.

– School 6:

- Final SED Face-to-Face meeting occurred on 28FEB18 in Albany. Waiting for comments from SED reviewers.
- 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.
- Architect (Moody Nolan) has retained Ravi Engineering to design remediation project. DEC requested installation of monitoring wells within the School 6 right of way.
- Construction Manager (BCC) completing front ends [div 00 & 01] documents & logistics plan. BCC has also completed the preliminary project milestone schedule.

– School 10:

- Bids were opened on 3/19. Bidders included 1 General Trades, 2 Plumbing, 3 HVAC and 3 Electrical contractors. The total amount of the bids of the apparent low bidders was about \$4 million over the Project's budget. The majority of the overage, just over \$3 million, is in the General Trades package.
- Our post bid research indicates this overage, although partly due to the current construction market conditions, requires some redesign of the building and adjustments to the scope of work.
- At this time we are recommending that the Board allow us to reject all 9 bids received on March 19, 2018 and rebid all four Prime contracts.
- The team is diligently reviewing redesign and value engineering options to get the project back on budget.
- SMART Bond work will be shown as a separate informational price on each Prime Contractor Schedule of Values. Waiting for approval of Supplemental SSIP Plan.

– School 30/54:

- Architect (LaBella) completed with Program Verification site visits and interviews.
- Bi- Weekly meeting with Design Team held on 26MAR18.
- Meeting with Principal, Assistant Principal, and Facilities Representatives, to discuss overall project and plans. Coordinated User Groups and identified staff to participate in BAC. Principal to provide feedback to LaBella on room usage.
- Site surveying started. Subsurface exploration and geotechnical testing scheduled for Spring Break starting 2APR18.
- CM Services proposals received and interviews conducted on 20MAR18. CM will be selected by the RJSCB at the 10APR18 meeting.

– DWT:

- Continued DWT-2B design coordination with all Phase 2c/d design teams.
- Demonstration of the RCSD "Modern Classroom" occurred on 26MAR18 at 2: pm at the RCSD Admin Building.

– BOP:

- Instructional Series 4 continues. Approximately 29 EBE firms attending the current cycle.

– IDC:

- Phase 2a Reports: Received - Monroe, School 7, and School 16 - still need East (not scheduled as the project was on hold - working toward DD level drawings now; need 90% CD level prior to delivering for review).
- Phase 2b Reports: Received - Monroe, SWW, School 1/15, DFTLC, and Edison.
- Phase 2c Reports: Received School 10, School 2 and School 6 (final received March 2018); School 4 (interim received April 2018, final due mid-April 2018).

The M/WBE and Services Procurement Committee Report for April 5, 2018 is included in the Members Packets.

The M/WBE and Services Procurement Committee Report includes the Board Chair Report for Authorized Change Orders and is articulated below for this month:

Project	Contractor	Number	Amount
CSR 1/15	GC Holdsworth Klimowski	9	\$31,493.00
	MC Ferraulo	2	\$20,762.05
	EC Concord Electric	5	\$6,826.73
	EC Concord Electric	6	\$9,769.06
	EC Concord Electric	7	\$6,402.50
DFTLC	PC Ferraulo	1	\$444.00
Monroe 1c	PC Thurston Dudek	12	\$4,530.26
Monroe 2a	GC Manning Squires	34	\$9,985.38
	GC Manning Squires	35	\$10,913.67
	GC Manning Squires	36	\$15,040.36
	GC Manning Squires	39	\$8,066.62
	GC Manning Squires	40	(\$23,081.64)
Monroe 2b	PC Lloyd Mechanical	4	\$6,420.25
	EC Concord Electric	5	\$17,114.17
School 7	GC DiPasquale	16	(\$1,112.00)
	MC John W. Danforth	5	\$11,238.00
	EC Eastcoast Electric	7	\$31,584.00
School 16	DC Mark Cerrone	1	(\$24,610.00)
	GC Manning Squires	3	\$29,176.00
SWW	GC Javen Construction	3	\$9,870.47
	GC Javen Construction	4	\$19,090.46
	EC Eastcoast Electric	2	\$31,604.00
	EC Eastcoast Electric	3	\$1,913.00

The Finance Committee Report for April 5, 2018 is included in the Members packets.

Executive Session

Approved at 5:49 pm.

Chairman Williams called for an Executive Session pursuant to New 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 Cruz

Second by Member Benincasa

Approved 6-0 with Member Richards away

The Board came out of Executive Session at 6:03 pm.

Motion by Member Jones

Second by Vice Chair Schmidt

Approved 6-0 with Member Richards away

Adjournment

Approved at 6:04 pm.

Motion by Member Jones

Second by Member Cruz

Approved 6-0 with Member Richards away