

# Rochester Joint Schools Construction Board

## Minutes

### May 7, 2018

### 4:30 PM

#### **Present**

Chairman Allen Williams, Vice Chair Michael Schmidt, Charles Benincasa, Bob Brown, I. Geena Cruz, Norman Jones, Thomas Richards and ICO Brian Sanvidge. Also present: General Counsel Gregory McDonald; Savin Program Directors P pin Accilien and Roland Coleman.

**Chairman Williams convened the meeting at 4:33 pm.**

#### **Approval of Minutes**

Monthly Meeting held on April 10, 2018

Motion by Member Brown

Second by Member Schmidt

Approved 6-0 with Member Benincasa not yet arrived

#### **Presentation:** Flower City School 30/54 (Program Verification) – LaBella Associates

Mike Short of LaBella Associates introduced his team which included Mike Place the Project Associate of LaBella and Sarah Hogan Landscape Architect of EDR. Mike Place gave the Program Verification Presentation after several site visits with his team and several meetings and reviews with the Principal, school BAC, RSMP, and RCSD representatives were held during the Program Verification effort to refine / confirm program organization and anticipated building scope. The current Program Verification reflects the final program design prepared and further developed to meet the anticipated needs of student population being taught. Program highlights include: a 2-Story addition which compose of (3) three Pre-K classrooms and a new library on the first floor, and (3) three 6<sup>th</sup> grade classrooms and an Art Room located on the 2<sup>nd</sup> floor as part of design basis. Renovation throughout all student educational spaces, new windows throughout, all new MEP systems with A/C, and roofing. The Design Team with the RSMP met on several occasions with the school Principal and BAC to discuss school priorities and operations as well as any obligations to Community activities. Additionally, the Design Team with the RSMP met with RCSD Facilities Group to discuss overall project scope and MEP systems options. The consensus with the RCSD Facilities group was that Flower City is a great candidate for a Chilled Beam Air Conditioning System based on limited available ceiling space. Furthermore, LaBella was tasked to develop a Campus Master Plan that would incorporate (6) six property acquisitions located on Aab St, Chace Street, and Sherman St. Ms. Hogan provided the RJSCB with (4) four options that will show future campus expansion, building addition and additional green space/play area, highlighting the pros and cons for each phase. The overall project scope design is based on the RFP and proposal which has been estimated by LaBella at \$18.8M, which is on budget with a Fixed Limit of Construction Cost of \$19M.

The Program Verification Report was approved by the RJSCB and has a target date for Schematic Design completion on 31 May 2018 for June Board Presentation/Approval and a SED submission on 28 September 2018. Initial Program Verification estimate shows initial RFP scope on budget, while carrying design & construction contingencies. Property acquisitions will need to be confirmed prior to proceeding forward with items on Campus Master Plan. Proposed Campus Master Plan rough order of cost will be \$700K more than budget. The project design estimate will be further refined during SD through CD phases and will be executed by Buffalo Construction Consultants the CM for the Project.

## **Consent Agenda Items**

### **Resolution 2017-18: 174 Amendment #5 to Baker Tilly Contract (ICO -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 School Modernization Act requires the Board is to engage an Independent Compliance Officer ("ICO") to report directly to the Board; and

WHEREAS, in November of 2013, the RJSCB issued a request for proposals regarding ICO services for the remainder of Phase 1 of the RSMP entitled "Independent Compliance Officer Services" (Resolution 2013-2014: 103); and

WHEREAS, in January 2014, the RJSCB awarded the remainder of Phase 1 Independent Compliance Officer Services contract to the firm Baker Tilly Virchow Krause LLP ("Baker Tilly") (Resolution 2013-14: 162) and entered into an agreement with Baker Tilly dated January 13, 2014 ("Agreement"); and

WHEREAS, the RJSCB now wishes to add additional services for out of scope and additional activities with the monitoring of Phase 1C to the Agreement and a cost proposal, dated April 17, 2018, for said additional services was provided by Baker Tilly and reviewed by the Chair and the Phase 1 Program Manager; and

WHEREAS, the Phase 1 Program Manager has distributed the proposal provided by the ICO to the full Board and the Board's general counsel for review; and

WHEREAS, at its May 3, 2018 meeting, the MWBE and Services Procurement Committee considered and discussed the proposal from the ICO and after due deliberation, it approved the request to amend the Agreement in accordance with the ICO's cost proposal.

THEREFORE, BE IT RESOLVED:

1. The RJSCB hereby approves the additional services added to the Agreement between the Board and Baker Tilly in an amount not-to-exceed \$33,540.35 in accordance with the ICO's cost proposal.
2. The RJSCB's Chair is hereby authorized, in the name and on behalf of the RJSCB, to execute an Amendment 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 Benincasa Approved 7-0**

### **Resolution 2017-18: 175 Change Order #12 to Holdsworth Klimowski (CSR 1/15 - Phase 2b)**

#### **By Board Member Brown**

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

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

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

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

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

WHEREAS, the 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 a cost proposal was 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 item:

1. Addition of Graffiti Resistant Coating to Buildings Addition Exterior CMU                      \$82,102.00

The total amount of Change Order #12 is \$82,102.00; and

WHEREAS, the Construction Manager and the Program Manager believe that the change order work are necessary, the pricing is appropriate and the Contract Time will not be increased by the foregoing change; 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 this scope item for an increase in the Contract Sum of \$82,102.00; and

WHEREAS, the Committee considered and discussed the Program Manager’s recommendation at its May 3, 2018 meeting and after due deliberation, it approved the request to amend the Contract.

THEREFORE, BE IT RESOLVED:

1. The proposed Change Order to HKC’s Contract between the Board and Contractor dated August 7, 2017, as set forth above is hereby approved; and
2. The RJSCB’s Chair is hereby authorized, in the name and on behalf of the RJSCB, to execute 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 Benincasa**  
**Approved 7-0**

**Resolution 2017-18: 176**  
**Updated Phase 2 Swing Space Schedule**

**By Board Member Brown**

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

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

WHEREAS, the 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 District Wide Technology improvements which involves technology upgrades and infrastructure work at several of the possible projects; and

WHEREAS, the RJSCB’s Program Manager for Phase 2, Savin Engineers P.C. (“Program Manager”), working with the District, developed a list and description of proposed Phase 2 projects known as the Phase 2 Comprehensive Master Plan dated March 2016 (the “Master Plan”); and

WHEREAS, the Board of Education approved the Master Plan at its monthly meeting on March 24, 2016 (BOE Resolution 2015-16: 630); and

WHEREAS, the RJSCB approved the forwarding of the Master Plan to the New York State Office of the State Comptroller (“Comptroller”) and the New York State Education Department (“SED”) for review and consideration in April 2016 (Resolution 2015-16: 144); and

WHEREAS, the Comptroller and SED each subsequently approved, as applicable, certain components of the Master Plan in accordance with the Act; and

WHEREAS, the Master Plan included a Master Schedule that provided, among other things, a schedule for the use of swing space during Phase 2; and

WHEREAS, certain scheduling requirements have necessitated adjustment to the Master Schedule; and

WHEREAS, the Program Manager has prepared an updated swing space schedule, entitled Rochester Schools Phase 2 with a revision date of April 13, 2018: Updated Master Schedule for Swing Spaces (the “Updated Master Schedule”) to accommodate the scheduling and location requirements; and

WHEREAS, the Program Manager thereafter recommended to the RJSCB that the Updated Master Schedule be adopted and implemented; and

WHEREAS, the M/WBE and Services Procurement Committee (“Committee”) considered and discussed the Updated Master Schedule at its meeting held on May 3, 2018, and after due deliberation by the Committee, it accepted and approved the Updated Master Schedule; and

THEREFORE, BE IT RESOLVED:

1. The RJSCB hereby accepts and approves the Updated Master Schedule; and
2. The RJSCB hereby directs that the Updated Master Schedule be distributed to the District’s Board of Education for review and consideration.

**Second by Board Member Benincasa**  
**Approved 7-0**

**Resolution 2017-18: 177**  
**Phases 2c and 2d Site Security Services Selection**

**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 (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, these identified projects (the “Phase 2c/d Schools”) include: Clara Barton School No. 2; George Mather Forbes School No. 4; Dag Hammarskjold School No. 6; Dr. Walter Cooper Academy School No. 10; and Flower City School 54/30; and

WHEREAS, the RJSCB issued a request for proposals for Site Security Services for the Phase 2c/d Schools (Resolution 2017-18: 147); and

WHEREAS, the RJSCB’s Program Manager subsequently received five responses to the RFP as of the date and time specified in the RFP and promptly distributed the proposals to the RJSCB; and

WHEREAS, an Interview Committee composed of RJSCB Chair Allen Williams, RJSCB Member I. Geena Cruz, the RSMP Program Director, a representative of the Independent Compliance Officer (ICO), and members of RSMP Program Management team, interviewed all five respondents to the RFP on April 16 and 18, 2018; and

WHEREAS, following the interviews, the Program Manager and ICO identified AP Safety & Security as the best candidate for the School 2, School 4 and School 10 projects based on its qualifications, experience, ability to meet the demands and staffing for these projects, and cost of services; and

WHEREAS, following the interviews, the Program Manager and ICO identified Armor Security and Protection as the best candidate for the Flower City School 30/54 project based on its qualifications, experience, ability to meet the demands and staffing for the project, and cost of services; and

WHEREAS, following the interviews, the Program Manager and ICO identified Executive Investigations and Security as the best candidate for the School 6 project based on its qualifications, experience, ability to meet the demands and staffing for the project, and cost of services; and

WHEREAS, the M/WBE and Services Procurement Committee (“Committee”) considered the recommendations from the Program Manager and ICO to award the contracts for Phase 2c/d Schools at the Committee meeting held on May 3, 2018, after due deliberation by the Committee, the following firms were identified as being highly qualified and fiscally responsive to the RJSCB’s Rochester Schools Modernization Program for the specific project set forth below:

<b>School Name (Phase 2c/d Site Security Services)</b>	<b>Firm</b>
School 2 (Clara Barton), School 4 (George M. Forbes) School 10 (Dr. Walter Cooper Academy)	AP Safety & Security (AP),
Flower City School 30/54	Armor Security and Protection
School 6 (Dag Hammarskjold)	Executive Investigations & Security

THEREFORE, BE IT RESOLVED:

1. The RJSCB hereby approves the above-stated recommendations for Site Security Services for Phase 2c/d projects (Clara Barton School No. 2; George Mather Forbes School No. 4; Dag Hammarskjold School No. 6; Dr. Walter Cooper Academy School No. 10; and Flower City School 54/30); and
2. The RJSCB Chair is hereby authorized, in the name and on behalf of the RJSCB, to execute and deliver an agreement to each of the firms named above, in substantially the form previously approved by the RJSCB and included in the RFP, for Site Security Services for Phase 2c/d Schools projects, 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 Benincasa  
Approved 7-0**

**Resolution 2017-18: 178**  
**Phases 2c/d Materials Testing & Special Inspection Services Consultant Selection**

**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 (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, these identified projects include the following schools: Clara Barton School No. 2; George Mather Forbes School No. 4; Dag Hammarskjold School No. 6; Dr. Walter Cooper Academy School No. 10; and Flower City School 54/30 (together the “Phase 2c/d projects”); and

WHEREAS, the RJSCB issued a request for proposals (“RFP”) at its regular meeting on March 6, 2018 for Phase 2c/d Materials Testing & Special Inspection Services firms (Resolution 2017-18: 148); and

WHEREAS, the RJSCB’s Program Manager subsequently received one response to the RFP as of the date and time specified in the RFP and promptly distributed the proposal to the RJSCB; and

WHEREAS, an Interview Committee composed of RJSCB Chair Allen Williams, RJSCB Member I. Geena Cruz, the RSMP Program Director, a representative of the Independent Compliance Officer (ICO), and members of RSMP Program Management team, interviewed the respondent to the RFP on April 18, 2018; and

WHEREAS, following the interview, the Program Manager and ICO identified SJB Services, Inc. as the best candidate for the Phase 2c/b projects based on its qualifications, experience, prior performance on RSMP projects, ability to meet the demands and staffing for the Phase 2c/d projects, and cost of services; and

WHEREAS, the M/WBE and Services Procurement Committee (“Committee”) considered the recommendations from the Program Manager and ICO to award the contract for Phase 2c/d Materials Testing and Special Inspections Services to SJB Services, Inc. at its meeting on May 3, 2018, and, after due deliberation, it approved the recommendation.

THEREFORE, BE IT RESOLVED:

1. The RJSCB hereby approves the award of the contract Materials Testing & Special Inspection Services for the Phase 2c/d projects (Clara Barton School No. 2; George Mather Forbes School No. 4; Dag Hammarskjold School No. 6; Dr. Walter Cooper Academy School No. 10; and Flower City School 54/30) to SJB Services, Inc.; and
2. The RJSCB Chair is hereby authorized, in the name and on behalf of the RJSCB, to execute and deliver an agreement to the firm named above, in substantially the form previously approved by the RJSCB and included in the RFP, for Materials Testing & Special Inspection Services for Phase 2c/d projects, 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 Benincasa**  
**Approved 7-0**

**Resolution 2017-18: 179**  
**Pay Requisition Summary Acceptance (May 2018)**

**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 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 \$177,231.95, 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 April 27, 2018; and

WHEREAS, the Program Manager forwarded the Phase 2 monthly Pay Requisition Summary (attached to this Resolution) totaling \$12,245,131.38, 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 April 27, 2018; and

WHEREAS, the RJSCB Chair approved the regular monthly Pay Requisition Summary and the Phase 2 monthly Pay Requisition Summary on or about April 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 May 3, 2018.

THEREFORE, BE IT RESOLVED:

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

**Second by Board Member Benincasa  
Approved 7-0**

**Resolution 2017-2018: 180  
Approval of Closing Documents for Issuance of County of Monroe Industrial Development Agency School  
Facility Revenue Bonds (Series 2018)**

**By Board Member Brown**

WHEREAS, the New York State Industrial Development Agency Act, constituting Title 1 of Article 18-A of the General Municipal Law, Chapter 24 of the Consolidated Laws of New York, as amended (the "Enabling Act") authorizes and provides for the creation of industrial development agencies in the several counties, cities, villages and towns in the State of New York (the "State"); and

WHEREAS, pursuant to and in accordance with the provisions of the Enabling Act, the County of Monroe Industrial Development Agency (the "Agency") was established by Chapter 55 of the 1972 Laws of New York, as amended (together with the Enabling Act, the "IDA Act"), for the benefit of the County of Monroe, New York (the "County") and the inhabitants thereof; and

WHEREAS, many of the public schools of the Rochester City School District (the "District") are in need of substantial improvement, renovation and reconstruction in order to improve the quality of education in the City of Rochester (the "City"); and

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"), a seven voting member board consisting of equal representation by the City and the 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, pursuant to the Rochester Schools Act and a Cooperative Agreement among the District, the RJSCB and the City, executed on February 22, 2010, as amended on August 4, 2016 (the "Cooperative Agreement"), the RJSCB has developed a comprehensive school facilities modernization plan for Phase II (the "Phase II Master Plan") and the State Comptroller has approved the Phase II Master Plan, all as contemplated by Section 5 of the Rochester Schools Act; and

WHEREAS, the RJSCB has selected the 13 existing school building sites listed below for modernization in the Phase II Master Plan (the "Phase II Existing Site Facilities"):

1. James Monroe High School, 164 Alexander Street;
2. East School (formerly known as East High School), 1801 East Main Street;
3. Edison Technology Campus, 655 Colfax Street;
4. Dr. Freddie Thomas Learning Center, 625 Scio Street;
5. School Without Walls Commencement Academy, 480 Broadway Street;
6. Children's School of Rochester (formerly known as Martin B. Anderson School No. 1), 85 Hillside Avenue;
7. Clara Barton School No. 2, 190 Reynolds Street;
8. George Mather Forbes School No. 4, 198 Dr. Samuel McCree Way;
9. Dag Hammarskjold School 6, 595 Upper Falls Boulevard;
10. Virgil I. Grissom School No. 7, 31 Bryan Street;
11. Dr. Walter Cooper Academy School No. 10, 353 Congress Avenue;
12. John Walton Spencer School No. 16, 321 Post Avenue;
13. Flower City School No. 30/54 (formerly known as The Flower City School No. 54), 36 Otis Street; and

WHEREAS, in addition to the Phase II Existing Site Facilities, the City and the District have acquired or may acquire additional ancillary real property for purposes of facilitating the modernization of the Phase II Existing Site Facilities pursuant to the Phase II Master Plan and to facilitate their subsequent use as school buildings (such real property, together with the Phase II Existing Site Facilities, the "Phase II Facilities"); and

WHEREAS, the RJSCB has presented the plans and specifications for the modernization and improvement of the Phase II Facilities in accordance with the Phase II Master Plan, including the implementation of the District-wide technology project at such facilities (the "Phase II Project") to the Commissioner of Education of the State (the "Commissioner") for approval as contemplated by Section 6 of the Rochester Schools Act; and

WHEREAS, the Phase II Project collectively constitutes a "project" within the meaning of the IDA Act by reason of Section 16 of the Rochester Schools Act; and

WHEREAS, the RJSCB, exercising its properly authorized powers conferred upon it for such purposes by the Rochester Schools Act, has selected Savin Engineers, P.C. a New York professional corporation, as its independent program manager under Section 10 of the Rochester Schools Act (the "Program Manager") to implement the Phase II Master Plan for the Phase II Project, and the Program Manager and the RJSCB (acting for itself and as agent for the District and the City) have entered into a Program Management Agreement effective as of December 15, 2015, as amended (the "Program Management Agreement"); and

WHEREAS, the RJSCB declared its intent to serve as State Environmental Quality Review Act ("SEQRA") Lead Agency for the Phase II Master Plan on February 8, 2016 (Resolution 2015-16:95), and subsequently confirmed its Lead Agency status on March 7, 2016 (Resolution 2015-16:123); and

WHEREAS, after having reviewed the completed long-form Environmental Assessment Forms for the Phase II Project, the RJSCB formally issued a Negative Declaration to all interested and involved parties on June 20, 2016 (Resolution 2015-16:190); and

WHEREAS, to accomplish the purposes of the IDA Act, the Agency, in response to an application from the RJSCB requesting Agency financing for the Phase II Project, adopted a resolution on December 6, 2016 authorizing the issuance of up to \$435,000,000 of bonds therefor; and

WHEREAS, the Agency previously issued its School Facility Revenue Bonds (Rochester Schools Modernization Project) on behalf of the City, the District and the RJSCB for the Phase I projects authorized under the Rochester Schools Act (the "Phase I Bonds"), pursuant to an Amended and Restated Indenture of Trust (the "Amended and Restated Indenture") dated as of February 1, 2015, between the Agency and U.S. Bank National Association, as trustee (the "Trustee"); and

WHEREAS, the Agency previously issued its School Facility Revenue Bonds (Rochester Schools Modernization Project), Series 2017 (the "Series 2017 Bonds"), to finance a portion of the costs of the Phase II Project (the "Series 2017 Project"), incidental and related costs therefor and costs of issuance of the Series 2017 Bonds, pursuant to the Amended and Restated Indenture and the Third Supplemental Indenture of Trust, dated as of August 1, 2017, between the Agency and the Trustee; and

WHEREAS, the Agency will authorize the issuance of the Agency's School Facility Revenue Bonds (Rochester Schools Modernization Project), Series 2018 (the "Series 2018 Bonds"), to finance a portion of the costs of the Phase II Project that have received the approval of the New York State Education Department (the "Series 2018 Project"), incidental and related costs therefor and costs of issuance of the Series 2018 Bonds, pursuant to a resolution of the Agency, the Amended and Restated Indenture and the Fourth Supplemental Indenture of Trust (the "Fourth Supplemental Indenture") between the Agency and the Trustee; and

WHEREAS, the District and the City have leased, pursuant to a ground lease dated as of June 1, 2012, as amended and restated as of August 1, 2017 (the "Amended and Restated Ground Lease"), the Phase II Facilities and certain additional property described in the Amended and Restated Ground Lease (collectively, the "Ground Lease Facilities") to the Agency; and

WHEREAS, the District and the City have subleased the Ground Lease Facilities from the Agency, pursuant to a Sublease Agreement dated June 1, 2012, as amended and restated as of June 1, 2013, February 1, 2015 and August 1, 2017 (the "Amended and Restated Sublease Agreement"); and

WHEREAS, payments to be made by the District under the Amended and Restated Sublease Agreement are expected to be sufficient to pay the principal and interest on the Phase I Bonds, the Series 2017 Bonds and the Series 2018 Bonds (collectively, the "Bonds"); and

WHEREAS, the District and the City have entered into a State Aid Trust Agreement dated as of June 1, 2012, as amended and restated as of February 1, 2015 and August 1, 2017 (the "Amended and Restated State Aid Trust Agreement"), with U.S. Bank National Association, as depository bank (the "Depository Bank"), to provide for, among other things, the payment of all State Aid Revenues (as defined therein) into the State Aid Depository Fund (as defined therein) maintained with the Depository Bank for periodic transfer to the Bond Fund (as defined in the Amended and Restated Indenture) toward payment of the Bonds, and the balance to the General Fund (as defined therein); and

WHEREAS, such State Aid Revenues deposited to the Bond Fund shall be credited against Sublease Payments otherwise payable by the District under the Amended and Restated Sublease Agreement; and

WHEREAS, it is expected that the proceeds of the Series 2018 Bonds will be used to (i) finance costs of the Series 2018 Project, (ii) fund capitalized interest for the Series 2018 Bonds, and (iii) finance costs of issuance of the Series 2018 Bonds; and

WHEREAS, the Series 2018 Bonds will be marketed pursuant to a Preliminary Official Statement and an Official Statement, each containing certain information relating to the Agency, the District, the City and the RJSCB, and will be sold pursuant to a contract of purchase; and

WHEREAS, the respective counsels to the Agency, the City, the District, the RJSCB, Citigroup Global Markets Inc., as representative of the Underwriters (the "Underwriter"), the Depository Bank, and the Trustee, have prepared or reviewed, and/or will prepare or review, the following documents relating to the issuance of the Series 2018 Bonds (and together with all other documents and certificates in connection therewith, the "Transaction Documents"):

1. Fourth Supplemental Indenture between the Agency and the Trustee;
2. Amended and Restated Ground Lease between the Agency, the District and the City;
3. Amended and Restated Sublease Agreement between the Agency, as sublessor, and the City and the District, as sublessees;
4. Amended and Restated Indenture between the Agency and the Trustee;
5. Amended and Restated State Aid Trust Agreement between the District, the City, the Depository Bank and the Trustee;
6. Preliminary Official Statement and an Official Statement of the Agency and the District prepared in connection with the offering of the Series 2018 Bonds;
7. Purchase Contract between the Underwriter, the Agency and the District;
8. Continuing Disclosure Agreement between the District and the Trustee; and

WHEREAS, the Agency is expected to adopt a resolution authorizing the issuance by the Agency of the Series 2018 Bonds, the execution and delivery of the Transaction Documents to which the Agency is a party, and the approval of all other Transaction Documents; and

WHEREAS, the District is expected to adopt a resolution authorizing the issuance by the Agency of the Series 2018 Bonds, the execution and delivery of the Transaction Documents to which the District is a party, and the approval of all other Transaction Documents; and

WHEREAS, the City is expected to adopt a resolution authorizing the issuance by the Agency of the Series 2018 Bonds, the execution and delivery of the Transaction Documents to which the City is a party, and the approval of all other Transaction Documents; and

WHEREAS, the Rochester Schools Act requires the RJSCB and the District to compare the financing available for the Rochester Schools Modernization Project through the Agency with the financing available through the Dormitory Authority of the State of New York (“DASNY”) and employ the financing mechanism that will result in the lowest cost to taxpayers of the City and State.

THEREFORE, BE IT RESOLVED:

1. The RJSCB hereby ratifies and confirms that the RJSCB, acting on behalf of the District and the City, has filed an application with the Agency, requesting the Agency to provide financing for the Phase II Project, which includes the Series 2018 Project.
2. In order to finance the costs of the Series 2018 Project, the RJSCB hereby approves the issuance by the Agency of the Series 2018 Bonds in an amount not to exceed \$250,000,000.
3. The RJSCB hereby ratifies and confirms that the RJSCB, acting on behalf of the District and the City, has compared or will compare prior to closing the financing available for the Rochester Schools Modernization Project through the Agency with financing through DASNY and has determined, or will determine prior to closing, that financing through the Agency will result in the lowest cost to the taxpayers of the City and State.
4. The RJSCB acknowledges that the President of the Board of Education of the District and in his absence his appointed designees (individually and collectively, the “District’s Authorized Officer”), is expected to be authorized on behalf of the District to approve, execute and deliver documents necessary to facilitate the financing of the Series 2018 Project, including without limitation any Transaction Documents to which the District is a party, draft forms of Transaction Documents which are to be executed by the District’s Authorized Officer have been provided to the RJSCB and the final forms of which shall be approved by the Executive Director, Chair, or Vice Chair, all of which are expected to be approved by the Board of Education of the District.
5. The RJSCB acknowledges that (i) pursuant to the Rochester Schools Act and the Cooperative Agreement, the RJSCB will serve as the City’s and the District’s agent with respect to the Phase II Project, and (ii) pursuant to the Transaction Documents, the RJSCB will serve as an authorized representative of the District with respect to certain obligations and responsibilities of the District in connection with the Phase II Project and the Series 2018 Bonds, as further described in the Transaction Documents.
6. Each of the Chair, Vice Chair, and Executive Director of the RJSCB is hereby authorized on behalf of the RJSCB to enter into such agreements and execute such certificates and documents as may be appropriate to facilitate the issuance of the Series 2018 Bonds.
7. The RJSCB affirms that it will continue to act as SEQRA Lead Agency.
8. Citigroup Global Markets Inc., as representative of the Underwriters, is authorized to utilize information about the RJSCB and the Program Manager in connection with the distribution of the Preliminary Official Statement and final Official Statement with respect to the offering and sale of the Series 2018 Bonds, the forms of which shall be approved by the Executive Director, Chair, or Vice Chair.
9. This Resolution shall take effect immediately.

**Second by Board Member Benincasa**  
**Approved 7-0**

**Resolution 2017-18: 181**  
**Contract Awards – General, Mechanical, Electrical & Plumbing (Clara Barton School 2 - Phase 2c)**

**By Board Member Brown**

WHEREAS, the Rochester School Facilities Modernization Program Act (the “Act”) established the Rochester Joint Schools Construction Board (“RJSCB” or “Board”), a seven voting member board consisting of equal representation by

the City of Rochester (“City”) and the Rochester City School District (“District”), as well as a member jointly selected by the City and the District; and

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

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

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

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

WHEREAS, the Clara Barton School No. 2 (“School 2”) is one of the projects included in Phase 2c of the RSMP as provided in the Phase 2 Master Plan; and

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

WHEREAS, the Program Manager worked with the School 6 Architect and Construction Manager to prepare requests for bids for general construction, mechanical, electrical and plumbing bidding documents package; and

WHEREAS, the RJSCB authorized the release of the School 2 general construction, mechanical, plumbing and electrical work packages at its regular meeting on February 6, 2018 (Resolution 2017-18: 136); and

WHEREAS, the Program Manager received bids on April 3, 2018 per the deadline stipulated in the Request for Bids for the School 2 project, and those bids were subsequently publicly opened and read aloud at the location stated in the Request for Bids; and

WHEREAS, the Program Manager, Independent Compliance Officer (“ICO”) and the Construction Manager reviewed the bids submitted for the School 2 project, conducted de-scoping meetings, and concluded that the apparent low bidders are also qualified and responsible bidders; and

WHEREAS, on April 24, 2018, the Program Manager, Construction Manager and ICO provided their recommendations regarding the general construction, mechanical, electrical and plumbing work contracts for the School 2 project to the RJSCB; and

WHEREAS, at the M/WBE and Services Procurement Committee (the “Committee”) meeting held on May 3, 2018, following the review and consideration of the recommendations from the Program Manager, Construction Manager and ICO, and after due deliberation by the Committee, the Committee approved the contract awards as follows:

<b><u>Scope of Work</u></b>	<b><u>Name of Contractor</u></b>	<b><u>Address</u></b>	<b><u>Bid Amount</u></b>
General Construction	DiPasquale Construction, Inc.	5138 West Ridge Rd. Spencerport, NY 14559	\$14,250,824 (which includes Alternates 1, 2, 3 and 4)
Mechanical	John W. Danforth Company	930 Old Dutch Road Victor, NY 14564	\$2,675,000 (which included Alternates 4, 5 and 6)
Electrical	Concord Electric Corp.	705 Maple Street Rochester, NY 14611	\$1,639,000 (which included Alternates 1, 4, 5 and 6)
Plumbing	Michael A. Ferrauilo Plumbing & Heating, Inc.	1600 Jay Street Rochester, NY 14606	\$961,000

THEREFORE, BE IT RESOLVED:

1. The RJSCB hereby approves the above-stated recommendations that the contract awards shall be made to the

above named firms and bid amounts to provide all equipment, labor, materials, and plant necessary to execute the general construction, mechanical, electrical and plumbing scopes of work associated with the School 2 Phase 2c project; and

2. The RJSCB Chair is hereby authorized, in the name and on behalf of the RJSCB, to execute and deliver an Agreement to the firms named above for the general construction, mechanical, electrical and plumbing scopes of work in substantially the form included in the Request for Bids for the School 2 Phase 2c project, with such changes as the Chair may approve (his/her signature thereon being conclusive evidence of such approval) on the advice of the Program Manager and the RJSCB's general counsel.

**Second by Board Member Benincasa**  
**Approved 7-0**

**Resolution 2017-18: 182**  
**Contract Awards – General, Mechanical, Electrical & Plumbing (Dag Hammarskjold School 6 - Phase 2c)**

**By Board Member Brown**

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

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

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

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

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

WHEREAS, Dag Hammarskjold School 6 ("School 6") is one of the projects included in Phase 2c of the RSMP as provided in the Phase 2 Master Plan; and

WHEREAS, Phase 2c of the RSMP includes general construction, mechanical, plumbing and electrical work at School 6; and

WHEREAS, the Program Manager worked with the School 6 Architect and Construction Manager to prepare requests for bids for general construction, mechanical, electrical and plumbing bidding documents package; and

WHEREAS, the RJSCB authorized the release of the School 6 general construction, mechanical, plumbing and electrical work packages at its regular meeting on March 6, 2018 (Resolution 2017-18: 150); and

WHEREAS, the Program Manager received bids on April 26, 2018 per the deadline stipulated in the Request for Bids for the School 6 project, and those bids were subsequently publicly opened and read aloud at the location stated in the Request for Bids; and

WHEREAS, the Program Manager, Independent Compliance Officer ("ICO") and the Construction Manager reviewed the bids submitted for the School 6 project, conducted de-scoping meetings, and concluded that the apparent low bidders are also qualified and responsible bidders; and

WHEREAS, on May 2, 2018, the Program Manager, Construction Manager and ICO provided their recommendations regarding the general construction, mechanical, electrical and plumbing work contracts for the School 6 project to the RJSCB; and

WHEREAS, at the M/WBE and Services Procurement Committee (the "Committee") meeting held on May 3, 2018,

following the review and consideration of the recommendations from the Program Manager, Construction Manager and ICO, and after due deliberation by the Committee, the Committee approved the contract awards as follows:

<u>Scope of Work</u>	<u>Name of Contractor</u>	<u>Address</u>	<u>Bid Amount</u>
General Construction	Steve General Contractor, Inc.	3774 Telephone Road Caledonia, NY 14423	\$11,590,000 (which includes Alternates 1, 2, 3, 4, 5, 6a, 7 and 8)
Mechanical	Nairy Mechanical LLC	105 Commercial Street Webster, NY 14580	\$3,180,200 (which includes Alternate 6a)
Electrical	Concord Electric Corp.	705 Maple Street Rochester, NY 14611	\$3,734,000
Plumbing	D.V. Brown & Associates, Inc.	567 Vickers Street Tonawanda, NY 14150	\$1,373,000

THEREFORE, BE IT RESOLVED:

1. The RJSCB hereby approves the above-stated recommendations that the contract awards shall be made to the above named firms and bid amounts to provide all equipment, labor, materials, and plant necessary to execute the general construction, mechanical, electrical and plumbing scopes of work associated with the School 6 Phase 2c project; and
2. The RJSCB Chair is hereby authorized, in the name and on behalf of the RJSCB, to execute and deliver an Agreement to the firms named above for the general construction, mechanical, electrical and plumbing scopes of work in substantially the form included in the Request for Bids for the School 6 Phase 2c project, with such changes as the Chair may approve (his/her signature thereon being conclusive evidence of such approval) on the advice of the Program Manager and the RJSCB's general counsel.

**Second by Board Member Benincasa**  
**Approved 7-0**

**Action Item**

**Resolution 2017-18: 183**  
**Contract Award: Phase 3 Master Planning Support Services**

**By Board Member Benincasa**

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

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

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

WHEREAS, the School Modernization Act calls for the calls for the development of comprehensive school facilities modernization plans for Phase and Phase 2; and

WHEREAS, the RJSCB approved a comprehensive Facilities Modernization Plan ("FMP" or "Master Plan") in January 2011, which was subsequently approved by the State Education Department ("SED") and the State Comptroller in May 2011; and

WHEREAS, the RJSCB authorized the Master Plan update in January/February 2012, and the Board of Education approved the Master Plan update in March 2013; and

WHEREAS, the RJSCB authorized the Master Plan update for Phase 2 of the RSMP in August 2014, and the Board of Education approved Phase 2 Master Plan in March 2016; and

WHEREAS, the RJSCB, upon the recommendation of its Program Manager, determined a need for Master Planning Support Services to assist the RJSCB and District in the further development of the long-range District Strategic Plan for Phase 3 of the RSMP including a District-Wide strategic plan, buildings infrastructure review, long range program evaluations and a District-Wide capacity study; and

WHEREAS, on March 20, 2018, the RJSCB issued a request for proposal (“RFP”) for Master Planning Support Services to assist the RJSCB and District in the further development of the long-range District Strategic Plan for Phase 3 of the RSMP including a District-Wide strategic plan, buildings infrastructure review, long range program evaluations and a District-Wide capacity study (Resolution 2017-18: 146); and

WHEREAS, the RJSCB’s Program Manager subsequently received two responses to the RFP as of the date and time specified in the RFP and promptly distributed the proposal to the RJSCB; and

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

WHEREAS, following the selection committee interviews, the Program Manager identified Watts Architecture and Engineering as the best candidate for the Master Planning Support Services based upon its qualifications, experience, ability to meet the demands and staffing for such services, and the cost of services; and

WHEREAS, the RJSCB considered the recommendation from the Program Manager to award the contract of Master Planning Support Services to Watts Architecture and Engineering at its meeting on May 7, 2018, and after due deliberation, it approved the recommendation.

THEREFORE, BE IT RESOLVED:

1. The RJSCB hereby awards the contract for Phase 3 Master Planning Support Services to Watts Architecture and Engineering contingent upon the passage of legislation for Phase 3 of the RSMP by the New York State Legislature during the New York State Legislative Session ending June 20, 2018 and the signing of such legislation into law by the Governor of the State of New York; and
2. The RJSCB Program Manager is hereby authorized, in the name and on behalf of the RJSCB, to negotiate and an agreement with the firm named above, in consultation with the RJSCB Chair and its general counsel, for approval and execution by the Chair on behalf of the RJSCB.

**Second by Board Member Cruz  
Approved 7-0**

### **Communications**

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

### **Phase 1:**

- 100% submissions for the March 2018 reporting period.
- 97.91% of all data requested has been received and approved (April 2011 through March 2018).
- Overall Workforce (EEO) Participation: Minority @ 22.88% (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: 0 of the 4 workers for the March 2018 reporting period (or 0%). The average Rochester Resident workforce (construction) from inception (April 2011 through March 2018) is 27.3%.

## **Phase 2:**

- 93.03% submissions for the March 2018 reporting period.
- 93.69% of all data requested has been received and approved (January 2016 through March 2018).
- Overall Workforce (EEO) Participation: Minority @ 29.51% (goal is 22%) and Women @ 7.3% (goal is 8%).
- Overall Business Participation: Minority @ 29.11% (goal is 17%), Women @ 11.97% (goal is 10%), Small @ 3.71% (goal is 3%) and Disadvantaged @ 2.36% (goal is 3%).
- Rochester Residents: 131 of the 501 workers for the March 2018 reporting period (or 26.15%).

**The Phase 2 Monthly Report is included in the Members packets and was reviewed by Program Director P  pin Accilien.**

## **Monroe 1c/2a/2b:**

### **Phase 1c:**

- Phase 1c closeout with SED anticipated for this month.

### **Phase 2a:**

- Final Cleaning throughout the building continuing as needed.
- Floor Protection and Classroom furniture loading starting 30APR18.
- Partial Certificate of Occupancy process continues with completion of Phase 2a life safety systems. Final C of O to be issued with Phase 2b in July/August 2018.
- Move management coordination continues with building administration. Meeting held with Lori Baldwin and Joe Griffin regarding staffing of building with Custodian 3 days a week.
- Preliminary Commissioning work to conclude this month, except for the Chilled Water system which will follow in June / July 2018.
- Obtaining cost proposal from Contractor to power-wash other exposed elevations of the existing building.

### **Phase 2b:**

- The project is back on schedule with masons, steel erectors, roofers, and electricians working extended hours and Saturdays. On-site weekly meetings continue in order to keep pressure on the General Trades Contractor to maintain schedule.
- Permanent water service installation resuming this week.
- Athletic Field materials order released. Confirmed delivery dates received from most suppliers and manufacturers. Installation start time of the synthetic Turf is confirmed for 4JUN18
- Community meeting held on 10APR18. Residents shared concerns about excessive silting and tracking of sediments on side roads. Some residents are asking for their houses to be washed down from construction dust. Working on solutions.
- Town Hall meeting held at Marshall on 17APR18 at 5 pm with the Community to provide update on the Monroe.
- Overall Project completion is scheduled for 21 August 2018.

## **School 7:**

- Work continues on all levels and the Project is currently on schedule with an average of 70 workers on site each day.
- Installing all window and curtain wall framing. New Gym windows awaiting glazing. Installation of south facing window in addition slightly behind schedule. No impact on the overall project schedule.
- Addition roof is watertight. Installation of permanent roofing continues.
- Kitchen wall tile 100% complete and ceiling grid in progress. Mockup of Kitchen resinous flooring will be inspected by Gemma Humphries on Monday 30APR18.
- Decorative CMU and brick being installed, as well as spray applied vapor barrier.
- MEP work in Boiler Room nearing completion
- Continued Fire Alarm, low voltage cabling, and ceiling devices.
- Gym – Continue Fire sprinkler and painting



- Site development work continues – Parking subbase material installed waiting for asphalt binder.

– **East:**

- Bi-weekly meetings continued on 23APR18 with the East EPO, RJSCB Chair, and RSMP staff to review the Design Development progress and prioritize the alternates. RCSD could not attend the 23APR18 review meeting.
- The DD Estimate shows the project at approximately \$190K under budget. Request made by the RJSCB and the East EPO to provide Air conditioning in the Gym and lockers rooms being accommodated.
- Construction to start in Summer 2018 and scheduled to run until 2021. East EPO Leadership insists on remaining in the building during construction (not willing to move to swing space off-site). Depending on logistics and how actual internal swing space moves occur, construction 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/July 2018
  - SED Approval and Bid Awards – August/September 2018
  - Construction starts - September/October 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 add workers and work additional hours. The RSMP management team (PM, CM, & A/E) is holding weekly meetings with ECE to review schedule and manpower. ECE's Bonding Co. has been put on notice and their Representative is working with the ECE Owner to improve performance. Savin has contacted Dave Young from IBEW Local 86 for assistance, and Dave is searching for electricians in Rochester and in Buffalo to work with ECE on the project.
- Gym Addition - Roof is watertight. Temporary enclosure is complete. Curtainwall framing 60% complete. MEP rough-in complete except for electrical. Ceiling/deck painting 50% complete.
- Classroom Addition – Mechanical rough in is completed. Drywall is 95% complete. Ceiling grid is complete. SMART bond has moved from “Program Review” to
- 3rd Floor - VCT in classrooms is complete. Ceramic tile in corridors and bathrooms is complete. Window installation is complete. Casework installation is 75% complete. Painting primer and 1st coat 95% complete. Lights are installed in the grid in the classrooms. Electrical rough in, data, power, security and fire alarm work is slightly behind schedule.
- 2nd Floor - Drywall work 98% complete. Above ceiling rough in complete for the classrooms, except for electrical device work. Corridor mechanical rough-in complete, except for electrical. Ceiling grid has been installed in classrooms. MEP above ceiling punch list work for classrooms is ongoing. VCT installation in classrooms is complete. Ceramic tile in corridors and bathrooms is 90% complete. Window installation is 80% complete. Painting primer and 1st coat 95% complete. Electrical rough-in, data, power, security and fire alarm work is behind schedule. Electrical schedule recovery plan being implemented.
- 1st Floor - Mechanical rough in ongoing in areas A, B and C. Metal stud and drywall 98% complete. Above ceiling punch list work ongoing. Ceiling grid is 40% complete. Ceramic tile in corridors and bathrooms is 50% complete. VCT has started in Area “A” classrooms. Window installation has started in Area C. Painting primer and 1st coat is 75% complete. Electrical rough in, data, power, security and fire alarm work is behind schedule.
- Equipment has been placed in the Boiler room and rough-in is ongoing.
- Fan room ductwork is complete and equipment has been placed. Connections are ongoing.
- Smart Bond Supplemental SSIP Application – Additional information requested by SED this week. Another Summary Update was prepared in conjunction with RJSCB Vice-Chair Mike Schmidt and delivered to NYSED. The 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, but still not sure whether or not RCSD was placed on the agenda for this quarterly meeting.

– **Children’s School of Rochester 1/15:**

- Work generally on schedule and on budget
- Above grade, Exterior Masonry Walls in the classroom addition is complete.

- Finishes is in progress including Painting in the Gym and Classrooms, ceilings and devices.

– **School Without Walls:**

- Main Office, Classrooms and Gym occupancy July 2018.
- Roofing continues weather permitting.
- Curtain wall framing and glazing completed

– **Dr. Freddie Thomas Learning Center:**

**Phase 2b.1 - Main Office:**

- Project Completed. Both School Principals agree on the following:
  - School 16 will move up to the 3rd floor office by end of day Friday 29JUN18
  - School 4 main office will be moved to the 1st floor on Monday 2JUL18
- Received contractor quote for installation of durable surface over current countertop. Working with Architect (Watts Architecture) on review/approval.
- Dead data ports in the main office re-patched per Robb Schmitt of RCSD.
- Gathering Contractor closeout paperwork for this phase of the work.

**Phase 2b.2 - Mechanical Equipment Replacement:**

- Overall Project is on budget and on schedule.
- Pool filtration equipment, Cooling Tower, and existing Chillers demolished;
- The Cooling plant equipment is on site. Installation is proceeding on schedule.
- The Pool filtration system equipment is on site. Installation is proceeding on schedule.
- The Pool dehumidification unit ship date is delayed until 5MAY18.
- Some locker removal done in preparation for new ceramic tile and Handicap bench in the Boys locker room.
- Masonry rework at outdoor mechanical area completed
- New pumps installed, cold water piping and replacement of water coolers underway
- Three of the workers' cars have had windows broken during business hours when parked over at the public market public lot. Nothing of value was stolen, only broken windows.
- Substantial completion is 15JUN18

– **Edison:**

**Part A Project:**

- Substantial completion inspection for the roof project was completed on 26 APR18. This inspection included BCC, Architect, Architect's roof consultant, RSMP and the Roof Manufacturer's Representative.
- The Construction Manager (BCC) is preparing closeout documents for the roof and site contracts.

**Part B Project:**

- RSMP Team met with the Edison Tech Robotics group this past week regarding the Group's need to review relocation of this program. This area is scheduled for new foundation wall, structural steel upgrades.
- Structural steel fabrication commenced this week. Independent steel inspector has been assigned to the sub-contractor's fabrication shop to perform required code inspections.
- MEP Primes mobilized. GC working on shop drawings and critical submittals.
- Move coordination meetings continue on a bi-weekly schedule. Move Manager (Vargas Associates) is currently coordinating with the School Principal, 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.
- Sanitary plumbing work continues in the basement.
- Architect is finalizing mini-bid documents for electrical work related to the TV Studio. TV Studio equipment supply and install bid package is being procured through DWT.
- Muralist "Coloring On Canvas" is looking to paint murals on existing retaining walls. Final scope and locations coordinated with the Architect (LaBella) and the School Principal. The Muralist has been authorized to proceed with 5 murals throughout the school.
- Asbestos abatement RFP has been issued to GC for pricing.

– **School 2:**

- Bids received and are within budget. SED approval and issuance of Building Permit still pending. There is concern that SED approval may not be received until after the 45-day post bid period (Bids were received on 3APR18) that the bidders are required to honor their bids. Concord Electric has stated they will not honor their bid after the 45 days, i.e. after 17MAY18. If so, a re-bid may be required, or a request made to the 2nd low bidder to honor their bid.
- The Architect's Surveyor is completing exploratory work for the proposed re-routing of the sewer line as part of the permitting process. Other MCPWA permit paperwork is at RCSD Facilities for signature.
- Continuing Move Management informational meetings with the school staff regarding packing and move-out processes and procedures.

– **School 4:**

- Final Design at SED waiting approval. Project is out to bid.
- Bid opening date is 11MAY18. Addendum #1 was issued this past week Project cannot be awarded to Contractors until the supplemental SSIP Smart Bond application has been approved by New York State.
- RCSD Facilities Group have been issued a hard copy of this addendum for their review
- Smart Bond remains open issue. \$2M value in question until smart bond is approved.
- Alternate list developed for review and comment. Latest CM estimate has project under budget including alternates.
- Salvage list, revised chiller location and updated wall sections were issued to RCSD Facilities Group on 23APR18 for review and comment.
- 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:**

- Construction Documents at SED awaiting final approval. Bids came in within budget but cannot be awarded until SED approval is granted.
- 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.

– **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.
- Post-bid surveys indicate the overage, although partly due to the current construction market conditions, requires some redesign of the building and adjustments to the scope of work. All 9 bids received on 19MAR18 have been

rejected by the RJSCB. The team is diligently reviewing redesign and value engineering options to get the project back on budget.

- Waiting for approval of Supplemental SSIP Plan. NYSED is assuming a purchase order procurement process for the SSBA, requesting a room-by-room menu of individual “add-ons” instead of allowing the RSMP to take advantage of the economy of scale to obtain the best price in the competitive Bidding Process that delivers a complete Project, as intended in the Supplemental SSIP application.
- It was determined the receipt of bids will be towards the middle/end of September 2018 in anticipation of awarding the project at October 2018 Board meeting.
- The District will not entertain a mid-year move offered to RCSD as a concession for project delays due to the redesign effort and late SED approval.
- While a reduced construction period would reduce the impact to the community and surrounding neighborhood and would also reduce additional fees accrued by the architect and construction manager, a 2018-2019 winter construction is contingent on the weather. Additional months could help the contractor mitigate additional cost associated with the challenges of working in severe weather.
- The revised School 10 schedule is the following:
  - Redesign - July 2018
  - SED Submission & Addenda - August 2018
  - Bid - September 2018
  - Bid Award- October 2018
  - Start construction - October 2018
  - Complete construction - December 2019
  - Occupancy – Summer 2020

– **School 30/54:**

- Architect (LaBella) completed with Program Verification site visits and interviews.
- Schematics and site plan concepts being advanced with property acquisition in consideration.
- User Group meeting conducted with Teachers on 24 April 2018
- Meeting with Principal, Assistant Principal, and Facilities Representatives, to discuss overall project and plans. Principal to provide feedback to the Architect (LaBella) on room usage.
- Site surveying, subsurface exploration and geotechnical testing completed during the Spring Break.
- Construction Manager (BCC) selected by the RJSCB at the April 2018 meeting.

– **DWT:**

- Some brackets for installing amplifiers in back of monitors for the 2a/b projects are incorrect. New brackets are on order.
- Cables for speakers not shipped with recent Classroom Amp deliveries to Schools 7, 16 & CSR. Directed vendor to provide these cables at no additional cost to the Program. Vendor is shipping these cables.
- Millennium Strategies successfully overlaid FF&E overlaid with data drops for Monroe High School
- Continued DWT-2B design coordination with all Phase 2c/d design teams.
- Continuing the “Modern Classroom” furniture discussion with the School District’s IM&T and Facilities Department.

– **BOP:**

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

– **IDC:**

- Phase 2a Report Status: Received - Monroe, School 7, and School 16; In Progress - East (Drawings to be sent for IDC review on 25MAY18);
- Phase 2b Report Status: Received - Monroe, SWW, CSR 1/15, DFTLC, and Edison;
- Phase 2c Report Status: Received School 10, School 2 and School 6 and School 4;
- Phase 2d Report Status: In Progress - School 30/54 (in design).

**The M/WBE and Services Procurement Committee Report for May 3, 2018 is included in the Members Packets.**

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

<b>Project</b>	<b>Contractor</b>	<b>Number</b>	<b>Amount</b>
CSR 1/15	GC Holdworth Klimowski	13	\$12,096.00
	MC Ferrauilo	3	\$1,875.00
	EC Concord Electric	8	\$15,003.56
	EC Concord Electric	9	\$2,908.29
DFTLC - Part B	GC Manning Squires	1	\$10,525.00
	GC Manning Squires	2	(\$4,069.00)
	MC Nairy Mechanical	1	\$11,619.48
Monroe 2a	MC Ferrauilo	18	\$14,758.64
Monroe 2b	GC Manning Squires	3	\$10,782.28
	PC Lloyd Mechanical	5	\$8,791.59
	EC Concord Electric	6	\$14,416.07
	MC John W. Danforth	3	\$2,677.50
School 7	GC DiPasquale	17	\$29,184.00
	MC John W. Danforth	6	\$8,417.00
	PC Ferrauilo	8	\$11,283.00
School 16	GC Manning Squires	4	\$29,010.00
	PC DV Brown	2	\$18,990.00
SWW	GC Javen Construction	4	\$19,090.46
	GC Javen Construction	5	\$4,153.00
	MC Ferrauilo	6	\$870.00
	EC Eastcoast Electric	4	\$17,751.00

**The Finance Committee Report for May 3, 2018 is included in the Members packets.**

**Executive Session**

**Approved at 5:54 pm.**

At the request of Member Jones, Chairman Williams called for an Executive Session pursuant to Open Meetings Law Article 7, Section 105.1 (f), *to discuss contractual matters.*

Motion by Vice Chair Schmidt  
 Second by Member Benincasa  
 Approved 7-0

**The Board came out of Executive Session at 6:10 pm.**

Motion by Vice Chair Schmidt  
 Second by Member Jones  
 Approved 7-0

**Adjournment**

**Approved at 6:11 pm.**

Motion by Member Richards  
 Second by Member Jones  
 Approved 7-0