Rochester Joint Schools Construction Board
Monthly Meeting Minutes
SEPTEMBER 09, 2025
4:00 PM

Present - Called to Order by the Board Chair at 4:06 pm
The Meeting was attended by Board Chair Thomas Richards, Vice Chair Jacob Scott, Treasurer Kim Jones (Virtual), Ronald Gaither (Virtual), Jesse Dudley, Shawn Farr (Virtual), ICO Brian Sanvidge, State Fiscal Monitor Mark Potter, State Monitor Jaime Alicea (Virtual), Rochester City School District CFO Robert McDow, General Counsel Ed Hourihan

Approval of Minutes

Monthly Meeting held on August 12, 2025
Motion by Board Member: Jesse Dudley
Second by Board Member: Kim Jones
Approved 6-0

Action Item

Resolution 2025-26:11
Pay Requisition Summary Acceptance (September 2025)
Motion by: Kim Jones
Second by: Shawn Farr
Adopted 6-0

Resolution 2025-26:12
Approval of Approval of Amendment #2 to Buffalo Construction Consultants (BCC)
Motion by: Kim Jones
Second by: Ronal Gaither
Adopted 6–0

FUND BALANCE REPORT:

Consultant Kimberly Mitchell presented an update on the project's financial status as of the September meeting. The project's financial status has shifted significantly due to the Bond Anticipation Note (BAN). The BAN amount, totaling $15,775,549.56 after repayment of the loan from the District, was disbursed on July 31st. The Phase 3 account balance is now $17,061,497.30. After this month's payments, the remaining balance is $15,831,815.89, not including interest. RSMP administrative expenses now total $7,056,422, which is 17% of the budget. RSMP construction soft costs are at $7,848,930, representing 2% of the budget. The separate RJSCB held funds remain at $330,648, with no changes.

MEETING NOTES:

- Program Director Pépin Accilien discussed the approval of Amendment #2 to Buffalo Construction Consultants for services at Edison Technical High School. This amendment adds construction administration services for both the structural reinforcement of the post-tension system and the site work components, building upon the previously approved pre-construction services (Part A). Mr. Accilien explained that the team had conducted extensive negotiations with BCC to reduce costs to reasonable levels for both pre-construction and construction phases. Operations Manager Terry LoConte noted that this work addresses the structural remediation that is intermingled with the rest of Edison Tech's construction and includes the site work that was added to the project scope. The structural work remains critical as SGH (Simpson Gumpertz & Hegar), who conducted the original structural assessment, will provide continuity by working with BCC and the architect of record to ensure the remedial measures identified in their report are seamlessly translated into construction documents and implementation. Chairman Richards emphasized this amendment represents progress toward actually executing the necessary structural repairs and the long-awaited athletic field improvements at Edison Tech, the last high school in the District without adequate outdoor recreational facilities. He reminded the Board that funding for this necessary structural work was secured through the second budget transfer from East High School, previously approved by the Board.

- ICO Brian Sanvidge reported that, as of August 27, 2025, 100% of all required records for the month of July were received and analyzed. Total project hours worked increased to **39,491.** Workforce hours worked during July totaled just under 2,800, with a breakdown of **1,010 minority hours**, **626 non-minority women hours**, and **1,162 non-minority male hours**. Workforce diversity goals continue to be significantly exceeded:
  - **Total Minority Participation:** 41.5% (against a 23% goal).
  - **Minority Male Participation:** 28.17% (against a 23% goal).
  - **Total Female Participation:** 24.57% (against a 7% goal).
  - **Non-Minority Women:** 12.62% (against a 7% goal).

  Business participation on contracts awarded totaled $68,346,273. Business diversity goals were met or exceeded in some areas:

  - **MBE (Minority Business Enterprise):** 33.48% (against an 18% goal).
  - **WBE (Women's Business Enterprise):** 7.57% (against a 12% goal).
  - **SBE (Small Business Enterprise):** 2.11% (against a 2% goal).
  - **DBE (Disadvantaged Business Enterprise):** 3.85% (against a 2% goal).

  Although there is no City of Rochester residency requirement, 14 city residents were actively working in July, representing over 20% of the 69 total employees. In response to a question from the Board, Brian Sanvidge confirmed that four BOP graduates were currently working on Phase 3 – C&C Cleaning, Flood & Flood Photography, LaLew Public Relations and Press Clique.

- Program Director Pépin Accilien's provided a comprehensive overview of the project's financial status and progress. The legislation extending Phase 3 to 2033 with $125 million in additional funding continues to await the Governor's signature after unanimous passage by both legislative houses. Mr. Accilien explained that while the bill has been approved, it must be formally delivered to the Governor, who then has 10 days to sign or it automatically becomes law. Until this legislation is signed, the financial plan cannot be finalized. The revised financial plan will allocate the additional $125 million across five of the six projects (MLK Jr. School #9 is excluded as it is already compliant with the 95% aidability requirement and is currently stressed by State Education Department capacity calculation issues). The plan is being revised in coordination with Wells Fargo and Capital Markets Advisors and will require approval from the RJSCB Board, the District's Board of Education, the State Education Department, and the Office of the State Comptroller before implementation. Mr. Accilien also confirmed that application preparation for refunding the outstanding callable RJSCB bonds (originally issued in 2013 and 2015) is proceeding with Wells Fargo and Capital Markets Advisors, though final execution awaits the Governor's approval of separate refunding legislation that has also passed both houses unanimously.

Design progress remains essentially halted pending resolution of SED requirements and the critical September 11th virtual meeting. Operations Manager Terry LoConte explained that until the September 11th SED meeting provides clarity and approval to proceed, the team is conducting preparatory work within existing constraints—revised swing space concepts, additional field investigations, hazmat surveys, and construction logistics planning—but cannot advance design stages without violating statutory requirements. The team has assembled complete sample SED submission packages with all required forms for Board and District review.

Operations Manager Terry LoConte provided detailed updates on all six projects. **MLK Jr. School #9** is undergoing soft cleanup aspects including revised swing space concepts, with the architect conducting additional field investigations of existing conditions while awaiting SED resolution of the capacity and enrollment calculation issues that have reduced assessed aidability from the expected 95% to only 82%. **Wilson** is similarly addressing revised swing space concepts and cleaning up SED-required paperwork while monitoring the Instructional Space Review (ISR) signature process to keep that critical path project moving. **Padia at Franklin** is wrapping up the preliminary submission package pending Thursday's September 11th SED meeting and addressing swing space logistics, as testing reveals the full student population cannot fit at Marshall High School, requiring the District to determine alternative arrangements. **Edison Tech** has its preliminary submission well-controlled and the team is conducting a deep dive into construction logistics to determine how to keep the building fully occupied during major structural reconstruction—identifying which areas of the building can be freed up at given times to enable the post-tension remediation work. **Douglas** is being expedited as fast as possible for preliminary submission to SED by updating the strategic plan with current enrollment data and more detailed costing information, with the team working around the District's primary obligations for school opening. **East High School's** preliminary submission, which focuses essentially on major roof replacement, is moving along and will not be the driver of the overall schedule—Douglas will be the critical path for the later projects. Mr. LoConte emphasized that the team has assembled a complete sample SED paperwork submission package showing all required forms, which is under review by Chairman Richards and the District to ensure readiness for rapid submission once SED approval is received.

Chairman Richards requested that the Board be advised that the team is completing a comprehensive demographic and enrollment update study on a school-by-school basis to be submitted to SED in early November, rather than waiting until the originally scheduled 2026 date. Dr. Kristen Swan is reviewing the materials for District approval before submission. Vice Chair Jacob Scott confirmed he is working with State Monitor Jaime Alicea to secure a response to his June 12th letter to SED and to arrange an in-person meeting, noting the importance of resolving these issues promptly. Chairman Richards explained that while the demographic study is critical for the District's planning beyond just this construction program and impacts various District operations, the team wanted to ensure the District is comfortable with the projections before submission, as premature submission could create problems in other areas. Additionally, SED has requested a 10-year building closure plan from the District, which they originally indicated would be needed in 2026. However, Program Manager Terry LoConte explained that given SED's focus on overall seat availability and capacity utilization when they reviewed MLK Jr. School #9, it has become apparent that SED will want to see this plan sooner to understand the District's long-term facilities strategy before approving individual projects. The team recommended preparing this plan earlier than 2026 to expedite project approvals. Chairman Richards noted the inherent challenge in this requirement, stating that accurately predicting 10-year population numbers by individual school is nearly impossible, though some general statement about the District's approach can be made. He emphasized that the schools selected for Phase 3 renovation were chosen specifically because they would not be candidates for closure given their locations, populations served, and facility characteristics—School #9 being a prime example with its location, recreation center connection, large bilingual program serving Spanish-speaking students, and high utilization.

- Chairman Richards officially welcomed Robert McDow, the new Chief Financial Officer for the District, introduced by Vice Chair Jacob Scott.

ADJOURNMENT:
4:36 PM