

Rochester Joint Schools Construction Board
Minutes
January 12, 2015
4:30 PM

Present

Chair Tom Richards, Charles Benincasa, Vice Chair Bob Brown, Aaron Hilger, Chris Thomas, and ICO Brian Sanvidge. Member Joe Brown was away. Member José Coronas was away but listened to the meeting on speaker phone. Also present were: Executive Director Tom Renauto, General Counsel Peter Abdella, Program Director Tom Rog r from Gilbane and Pepin Accilien from Savin.

Chair Richards convened the meeting at 4:30 pm

Discussion

RJSCB Financial Audit Report – Kathy Barrett and Chris Pedici of Freed Maxick Battaglia described the audit process and procedures. The RJSCB had no deficiencies or weakness.

Approval of Minutes

Monthly Meeting held on December 8, 2014

Motion by Vice Chair Brown

Second by Member Thomas

Approved 5-0 with Members Brown and Coronas away

Committee Appointments

Ethics Committee

(Hold) Re-enact certain policies at the February Board Meeting.

Consent Agenda Items

Resolution 2014-15: 150

Move Manager Additional Services – Amendment #19

By Board Member Hilger

WHEREAS, the Rochester School Facilities Modernization Program Act (“School Modernization 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 School Modernization Act, the RJSCB has certain enumerated powers to act as agent for the District, the City, or both; and

WHEREAS, the RJSCB issued a request for proposals dated August 9, 2011 for move management services (“Move Manager”) (Resolution 2011-12: 8); and

WHEREAS, at the monthly meeting held on October 3, 2011, the RJSCB selected Vargas Associates as the finalist for Move Manager (Resolution 2011-12: 31) and subsequently entered into an agreement with Vargas Associates dated February 2, 2012, entitled "Agreement Between Owner and Consultant" (the "Agreement"); and

WHEREAS, the Agreement includes scope of work for the first five projects in Phase 1a of the Rochester Schools Modernization Program ("RSMP") (School 17, School 28, School 50, School 58, and Charlotte High School); and

WHEREAS, the RJSCB thereafter added certain additional services to the Move Manager's scope of work (Resolution 2012-13: 9, Resolution 2012-13: 49, Resolution 2012-13:118, Resolution 2012-13: 145, Resolution 2012-13: 172, Resolution 2012-13: 192, Resolution 2013-14: 8, Resolution 2013-14: 34, Resolution 2013-14: 100, Resolution 2013-14: 101, Resolution 2013-14: 160, Resolution 2013-14: 203, Resolution 2013-14: 204, Resolution 2013-14: 261, Resolution 2013-14: 287, Resolution 2013-14: 288, Resolution 2014-15: 51, and Resolution 2014-15: 84); and

WHEREAS, the RJSCB now wishes to add additional services to the Move Manager's scope of work and the Program Manager has received and reviewed proposals for this additional work provided by the Move Manager; and

WHEREAS, based on the advice and recommendation of the Program Manager, the MWBE and Services Procurement Committee considered and discussed the proposal for additional services from the Move Manager at its January 8, 2015 meeting and after due deliberation, it approved the request to amend the Agreement;

THEREFORE, BE IT RESOLVED:

1. The RJSCB hereby accepts and approves the proposal from the Move Manager for additional services to the Agreement in an amount not to exceed \$19,970; 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 with Vargas Associates 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 Thomas
Approved 5-0 with Members Brown and Coronas away

Resolution 2014-15: 151
Additional Moving Services

By Board Member Hilger

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 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 approved the selection of FM Office Express ("FM"), Corrigan Moving Systems ("Corrigan"), and Clark Moving and Storage ("Clark") as the moving companies associated with the Phase 1 - Summer 2014 moves (Resolution 2013-14: 234); and

WHEREAS, Clark has submitted a proposal to the Move Manager for additional work as requested by the District; and

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

WHEREAS, at its January 8, 2015 meeting, the MWBE and Services Procurement Committee considered the Program Manager's and Move Manager's recommendation to accept the proposal from Clark to perform the additional work in the amount of \$9,522 and after due deliberation, it approved the proposals for the additional services;

THEREFORE, BE IT RESOLVED:

1. The RJSCB hereby approves the recommendation of the Program Manager and Move Management Consultant to accept the proposal for additional moving services as set forth above; and
2. The Chair is hereby authorized, in the name and on behalf of the RJSCB, to execute and deliver a purchase order to the above named firm and in the amount listed 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 Thomas
Approved 5-0 with Members Brown and Coronas away**

**Resolution 2014-15: 152
Change Order #28 to Eastcoast Electric LLC – Electrical Contractor (School 50)**

By Board Member Hilger

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 RJSCB approved the award of the electrical contractor contract to Eastcoast Electric LLC ("Eastcoast") for the School 50 project in Phase I (Resolution 2011-12: 101); and

WHEREAS, the RJSCB entered into a contract with Eastcoast (Resolution 2011-12: 101) dated June 4, 2012 (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, Eastcoast, along with The Pike Company, the Construction Manager, and the Program Manager, identified the need for additional scopes of work, and cost proposals were then obtained for these additional scope items and provided to the Construction Manager and the Program Manager for review; and

WHEREAS, Change Order #28 includes the following item:

1. Wiring for range hoods for the amount of \$1,109.39

The Total amount of Change Order #28 is \$1,109.39; and

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

WHEREAS, the Program Manager thereafter recommended to the RJSCB's MWBE and Services Procurement Committee (the "Committee") that Eastcoast's Contract should be amended to add these additional scope items in the total amount of \$1,109.39; and

WHEREAS, the Committee considered and discussed the Program Manager's recommendation at its January 8, 2015 meeting and after due deliberation, it approved the request to amend the Contract;

THEREFORE, BE IT RESOLVED:

1. The proposed Change Order to Eastcoast Electric LLC's Contract between the Board and Contractor dated June 4, 2012 as set forth above is hereby approved; and
2. The RJSCB's Chair is hereby authorized, in the name and on behalf of the RJSCB, to execute a Change Order to the Contract that is consistent with this approval and in an acceptable form to the Chair upon the advice of the Program Manager and the RJSCB's general counsel.

Second by Board Member Thomas

Approved 5-0 with Members Brown and Coronas away

Action Items

Resolution 2014-15: 146

2013-2014 Financial Audit

By Board Member Benincasa

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

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

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

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

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

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

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

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

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

WHEREAS, Freed Maxick & Battaglia has now completed the financial audit report (the "Report") for the time period ending June 30, 2014 (attached to this resolution), and the RJSCB's Executive Director and its General Counsel have reviewed and considered the Report; and

WHEREAS, the RJSCB's Executive Director has recommended to the RJSCB that it accept the Report, and the RJSCB discussed the recommendation and considered the Report at its Finance Committee meeting on December 4, 2014 and its regular Board meeting on December 8, 2014;

THEREFORE, BE IT RESOLVED:

1. The RJSCB hereby accepts the 2013-2014 Financial Audit Report in the form attached to this Resolution.

**Second by Board Member Hilger
Approved 5-0 with Members Brown and Coronas away**

**Resolution 2014-15: 153
Amendment #5 to Cannon Design Agreement**

By Vice Chair 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 RJSCB approved the selection of Cannon Design ("Cannon") as the Architect for the East High School project in Phase I (Resolution 2011-12: 39); and

WHEREAS, the RJSCB entered into an agreement with Cannon (Resolution 2011-12: 39) dated November 15, 2011, entitled Agreement Between Board and Architect (the "Agreement"); and

WHEREAS, following the execution of the Agreement, the District requested additional scopes of design work, including its request to provide support related to the University of Rochester's plan to "re-start" the East High School programmatic and teaching & learning plan; and

WHEREAS, the RJSCB amended the Agreement with Cannon to provide for consultation and programming services in September 2014 (Resolution 2014-15: 65); and

WHEREAS, at its monthly meeting on December 18, 2014, the Board of Education ("BOE") approved the University of Rochester's implementation plan for East High School (BOE Resolution 2014-15: 390); and

WHEREAS, the RJSCB, on the advice of the Program Manager, has set a budget limit of \$1.5 million for construction and \$500,000 for soft costs associated with this additional work at East High School in Phase 1 of the RSMP, and these budget limits were recommended by the Program Manager based on the amount of work that could reasonably be accomplished in the eight weeks available for construction in the summer of 2015, with the scope limited to only that work which is deemed "critical" by the University of Rochester for the start of school in September 2015; and

WHEREAS, the District has agreed with and has authorized the funding for this additional project at East High School through a reduction in scope at other Phase 1 projects; and

WHEREAS, in order to meet the schedule for bidding and summer construction for this scope of work, the RJSCB now wishes to authorize Cannon to prepare bid documents associated with the scope of work that was developed with the University of Rochester during the planning design phase; and

WHEREAS, the Program Manager recommended to the RJSCB's MWBE and Services Procurement Committee (the "Committee") that Cannon's Agreement should be amended to add these additional scope items in the total amount of \$90,000 to Exhibit I of the Agreement and that this amount shall be treated as a not-to-exceed allowance under Section 11.1.1 of the Agreement; and

WHEREAS, the Committee considered and discussed the Program Manager's recommendation at its January 8, 2015 meeting, and after due deliberation, it approved the request to amend the Agreement;

THEREFORE, BE IT RESOLVED:

1. The proposed amendment to the Cannon Design Agreement Between Board and Architect dated November 15, 2011 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 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 Hilger
Approved 5-0 with Members Brown and Coronas away

Resolution 2014-15: 154
Change Order #16 to Bell Mechanical Contractors Inc. – Mechanical Contractor (School 5)

By Board Member Thomas

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 RJSCB approved the award of the mechanical contractor contract to Bell Mechanical Contractors Inc. ("Bell") for the School 5 project in Phase I (Resolution 2012-13: 177); and

WHEREAS, the RJSCB entered into a contract with Bell (Resolution 2012-13: 177) dated June 4, 2013 (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, Bell, along with The Pike Company, the Construction Manager, and the Program Manager, identified the need for additional scopes of work, and cost proposals were then obtained for these additional scope items and provided to the Construction Manager and the Program Manager for review; and

WHEREAS, Change Order #16 includes the following item:

1. Replacement PRV at Boiler for the amount of \$2,052.19

The total amount of Change Order #16 is \$2,052.19; and

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

WHEREAS, the Program Manager thereafter recommended to the RJSCB's MWBE and Services Procurement Committee (the "Committee") that Bell's Contract should be amended to add these additional scope items in the total amount of \$2,052.19; and

WHEREAS, the Committee considered and discussed the Program Manager's recommendation at its January 9, 2015 meeting and after due deliberation, it approved the request to amend the Contract;

THEREFORE, BE IT RESOLVED:

1. The proposed Change Order to Bell Mechanical Contractors' Contract between the Board and Contractor dated June 4, 2013 as set forth above is hereby approved; and
2. The RJSCB's Chair is hereby authorized, in the name and on behalf of the RJSCB, to execute a Change Order to the Contract that is consistent with this approval and in an acceptable form to the Chair upon the advice of the Program Manager and the RJSCB's general counsel.

Second by Board Member Benincasa
Approved 5-0 with Members Brown and Coronas away

Resolution 2014-15: 155
Change Order #13 and #14 to Thurston Dudek – Plumbing Contractor (School 5)

By Vice Chair 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 RJSCB approved the award of the plumbing contractor contract to Thurston Dudek for the School 5 project in Phase I (Resolution 2012-13: 177); and

WHEREAS, the RJSCB entered into a contract with Thurston Dudek (Resolution 2012-13: 177) dated June 4, 2013 (the "Contract"), to perform the scope of services defined in the contract documents as the plumbing contractor's scope of work; and

WHEREAS, following the execution of the Contract, Thurston Dudek, along with The Pike Company, the Construction Manager, and the Program Manager, identified the need for additional scopes of work, and cost proposals were then obtained for these additional scope items and provided to the Construction Manager and the Program Manager for review; and

WHEREAS, Change Order #13 includes the following items:

1. Condensate pumps for the amount of \$1,424.39
 2. New PRVs at Boiler for the amount of \$678.73
 3. Replace water cooler for the amount of \$816.73
 4. Add eyewash station for the amount of \$1,417.15
 5. Clean out existing basement line for the amount of \$1,357
- The total amount of Change Order #13 is \$5,694; and

WHEREAS, Change Order #14 includes the following item:

1. Replace existing booster pump for the amount of \$17,397.32
- The total amount of Change Order #14 is \$17,397.32; and

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

WHEREAS, the Program Manager thereafter recommended to the RJSCB's MWBE and Services Procurement Committee (the "Committee") that Thurston Dudek's Contract should be amended to add these additional scope items in the total amount of \$23,091.32; and

WHEREAS, the Committee considered and discussed the Program Manager's recommendation at its January 8, 2015 meeting and after due deliberation, it approved the request to amend the Contract;

THEREFORE, BE IT RESOLVED:

1. The proposed Change Orders to Thurston Dudek's Contract between the Board and Contractor dated June 4, 2013 as set forth above are hereby approved; and
2. The RJSCB's Chair is hereby authorized, in the name and on behalf of the RJSCB, to execute Change Orders to the Contract that are consistent with this approval and in an acceptable form to the Chair upon the advice of the Program Manager and the RJSCB's general counsel.

Second by Board Member Hilger
Approved 5-0 with Members Brown and Coronas away

**Resolution 2014-15: 156
Change Order #14 and #15 to Eastcoast Electric – Electrical Contractor (School 58)**

By Board Member Hilger

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 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 approved the award of the electrical contractor contract to Eastcoast Electric LLC (“Eastcoast”) for the School 58 project in Phase I (Resolution 2012-13: 120); and

WHEREAS, the RJSCB subsequently entered into a contract with Eastcoast (Resolution 2012-13: 120) dated March 4, 2013 (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, LeChase Construction, the Construction Manager, and the Program Manager, identified the need for changes to the scope of work; and

WHEREAS, Change Order #14 includes the following items:

1. Changes to rooms G115a and G116 for the amount of \$9,993.75
 2. Changes to ceiling heights for the amount of \$526
 3. Lighting conflict changes for the amount of \$1,491
 4. Temporary electric panel relocation for the amount of \$4,856.35
 5. Additional work at cooler for the amount of \$1,111
- The total amount of Change Order #14 is \$17,978.10; and

WHEREAS, Change Order #15 includes the following items:

1. Change to existing elevator power for the amount of \$611
 2. OT premium time beyond original contract extension agreement for the amount of \$6,764
 3. Changes to ceilings/lights in SG107 for the amount of \$3,683
 4. Final completion of sub-slab depressurization system for the amount of \$34,423.83
 5. Power at existing wash stations for the amount of \$9,129
 6. Changes to ceilings/lights in L157 for the amount of \$1,288
 7. Rework due to additional rescue ladders for the amount of \$1,573
 8. Changes to millwork for the amount of \$1,197
 9. Added ceilings/lights in SL112 for the amount of \$1,484
 10. Rework existing post lights for the amount of \$6,988
- The total amount of Change Order #15 is \$67,140.83; and

WHEREAS, the Construction Manager and the Program Manager believe that the pricing is appropriate and the contract time will not be increased by this scope change; and

WHEREAS, the Program Manager thereafter recommended to the RJSCB’s MWBE and Services Procurement Committee (the “Committee”) that Eastcoast’s Contract should be amended to add these scope items for a total of \$85,118.93; and

WHEREAS, the Committee considered and discussed the Program Manager's recommendation at its January 8, 2015 meeting and after due deliberation, it approved the request to amend the Contract;

THEREFORE, BE IT RESOLVED:

1. The proposed Change Orders to Eastcoast Electric's Contract between the Board and Contractor dated March 4, 2013 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 that are consistent with this approval and in an acceptable form to the Chair upon the advice of the Program Manager and the RJSCB's general counsel.

**Second by Vice Chair Brown
Approved 5-0 with Members Brown and Coronas away**

**Resolution 2014-15: 157
Change Order #52 and #53 to Manning Squires Hennig – School 58**

By Board Member Thomas

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 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 approved the award of the general contractor contract to Manning Squires Hennig Co., Inc. ("Manning Squires") for the School 58 project in Phase I (Resolution 2012-13: 35); and

WHEREAS, the RJSCB subsequently entered into a contract with Manning Squires (Resolution 2012-13: 35) dated September 10, 2012 (the "Contract"), to perform the scope of services defined in the contract documents as the general contractor's scope of work; and

WHEREAS, following the execution of the Contract, Manning Squires, along with LeChase Construction, the Construction Manager, and the Program Manager, identified the need for additional scopes of work, and cost proposals were then obtained for these additional scope items and provided to the Construction Manager and the Program Manager for review; and

WHEREAS, Change Order #52 includes the following items:

1. Demolition of door at elevator vestibule for the amount of \$6,080
 2. Add flooring to the greenhouse for the amount of \$9,468
 3. Additional flooring at corridor L136 for the amount of \$5,336
 4. Additional roof ladders for the amount of \$11,503
 5. Evacuation Map sign holders for the amount of \$9,551
 6. Added ceilings in SL 122 for the amount of \$3,887
 7. Thresholds at gymnasium exits for the amount of \$8,411
- The total amount of Change Order #52 is \$54,236; and

WHEREAS, Change Order #53 includes the following items:

1. Steel at Lilly pad area for the amount of \$5,786
 2. Changes and additional ceilings and soffits for the amount of \$5,474
 3. Structural changes for the amount of \$30,000
 4. Add soap dispensers for the amount of \$1,228
 5. Transition strips at tile for the amount of \$1,116
 6. Exterior post lights for the amount of \$884
 7. Door hardware and access changes for the amount of \$14,236
 8. Gym locker padlocks for the amount of \$1,958
 9. Lower ceilings for the amount of \$2,686
 10. Locker modifications for the amount of \$17,321
 11. Furnish and install 109 full height lockers and 167 two tier lockers for the amount of \$143,034
 12. Modify railings for the amount of \$13,565
- The total amount of Change Order #53 is \$237,288; and

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

WHEREAS, the Program Manager thereafter recommended to the RJSCB's MWBE and Services Procurement Committee (the "Committee") that Manning Squires's Contract should be amended to add these additional scope items in the total amount of \$291,524; and

WHEREAS, the Committee considered and discussed the Program Manager's recommendation at its January 8, 2015 meeting and after due deliberation, it approved the request to amend the Contract;

THEREFORE, BE IT RESOLVED:

1. The proposed Change Orders to Manning Squires Hennig's Contract between the Board and Contractor dated September 10, 2012 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 that are consistent with this approval and in an acceptable form to the Chair upon the advice of the Program Manager and the RJSCB's general counsel.

**Second by Vice Chair Brown
Approved 5-0 with Members Brown and Coronas away**

**Resolution 2014-15: 158
Pay Requisition Summary Acceptance (December 2014)**

By Vice Chair Brown

WHEREAS, the Rochester School Facilities Modernization Program Act ("School Modernization 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 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 MWBE and Services Procurement Committee, members of the accounting department of Rochester City School District, and the RJSCB's independent auditing firm; and

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

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

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

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

WHEREAS, the COMIDA issued bond proceeds for the Rochester Schools Modernization Program Phase 1b projects were deposited in the Trustee’s account on June 6, 2013; and

WHEREAS, Excel Aid funding associated with the Rochester Schools Modernization Program 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 compliance with the Pay Requisition Approval Procedure, the RJSCB’s Executive Director has reviewed the individual pay applications from each of the consultants and suppliers for accuracy and completeness; and

WHEREAS, the Executive Director forwarded the regular monthly Pay Requisition Summary (attached to this Resolution) totaling \$2,631,631.96 including all invoices to be paid by the Trustee using bond proceeds and those invoices to be paid by the District using Excel Aid funding, to the RJSCB Board Chair with copy to the full Board on January 8, 2015; and

WHEREAS, the RJSCB’s Executive Director reviewed the regular monthly Pay Requisition Summary with the RJSCB’s Finance Committee at its meeting on January 8, 2015, and the Finance Committee, along with the Board Chair, approved the Pay Requisition Summary;

THEREFORE, BE IT RESOLVED:

1. The Rochester Joint Schools Construction Board hereby accepts the regular monthly Pay Requisition Summary for the month of December 2014 in the amounts stated above and as shown in the Summary sheets attached to this Resolution.

**Second by Board Member Benincasa
Approved 5-0 with Members Brown and Coronas away**

Communication

The Monthly Report is included in the Member's packets.

- 1a projects: Some additional work has been completed at School 17. School 50 is done.
- 1b projects: Punchlist and new work is ongoing at 5, 28, and Edison.
- 1c projects: The Monroe team is evaluating a revised scope of work based on \$2 million moved to East for the summer project. School 12 is 90% done with abatement and 75% done with demo. Prime contract bids are scheduled go out next week.
- School 58: Training has taken place on most systems. The Certificate of Occupancy documentation is in the District's hands (awaiting signature). The bleacher issue and parking issues were discussed. Punchlist work is ongoing. There are outstanding claims that need to be resolved.

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

- Workforce Hours are above Program goals.
- Business goals are over the 27% goal but SBE is at 3.55% (should be 5.0%).

The Budget reports are included in the Member's packets and were reviewed by Program Manager Tom Rogér.

- There is \$19 million left in Bond funds to cover project costs until the final financing in February.
- \$2 million was moved from Monroe to East in the latest budget report.

The MWBE and Services Procurement Committee Report for January 8, 2015 is included in the Members packets

The Finance Committee Report for January 8, 2015 is included in the Members packets.

Adjournment

Approved at 6:08 pm

Executive Session

Motion by Vice Chair Brown

Second by Member Benincasa

Approved 5-0 with Members Brown and Coronas away