

**Rochester Joint Schools Construction Board  
Minutes  
October 6, 2014  
4:30 PM**

**Present**

Chair Tom Richards, Charles Benincasa, Vice Chair Bob Brown, Joe Brown (arrived 4:57 p.m.), José Coronas, Aaron Hilger, and ICO Brian Sanvidge. Member Chris Thomas was away. Also present were: Executive Director Tom Renauto, General Counsel Ray Miller, Program Director Tom Rogér from Gilbane and Pepin Accilien from Savin.

**Chair Richards convened the meeting at 4:30 pm**

**Approval of Minutes**

Monthly Meeting held on September 8, 2014

Motion by Member Hilger

Second by Member Benincasa

Approved 5-0 with Member Brown having yet to arrive and Member Thomas away

**Consent Agenda Items**

**Resolution 2014-15: 82**

**Amendment #7 to Young & Wright Architectural Agreement (Franklin)**

**By Board Member Coronas**

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 Young & Wright Architectural as the Architect for the Franklin Educational Campus project in Phase I (Resolution 2010-11: 35); and

WHEREAS, the RJSCB entered into an agreement with Young & Wright Architectural (Resolution 2010-11: 35) dated March 28, 2011, entitled Agreement Between Board and Architect (the "Agreement"); and

WHEREAS, following the execution of the Agreement, Young & Wright Architectural, along with the Program Manager, identified the need for additional scopes of design work and cost proposals and/or estimates were then obtained for these additional scope items and provided to the Program Manager for review; and

WHEREAS, the Program Manager thereafter recommended to the RJSCB's MWBE and Services Procurement Committee (the "Committee") that Young & Wright Architectural's Agreement should be amended to add these additional scope items in the total amount of \$2,860 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 October 2, 2014 meeting and after due deliberation, it approved the request to amend the Agreement;

THEREFORE, BE IT RESOLVED:

1. The proposed amendment to the Young & Wright Architectural's Agreement Between Board and Architect dated March 28, 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 Member Brown having yet to arrive and Member Thomas away**

**Resolution 2014-15: 83**

**Amendment #10 to LaBella Associates Agreement – Edison Technology Campus**

**By Board Member Coronas**

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 LaBella Associates, P.C. ("LaBella") as the Architect for the Edison Technology Campus project in Phase I (Resolution 2011-12: 39); and

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

WHEREAS, following the execution of the Agreement, LaBella, along with the Program Manager, identified the need for additional design work and cost proposals were then obtained for these additional scope items and provided to the Program Manager for review; and

WHEREAS, the Program Manager thereafter recommended to the RJSCB's MWBE and Services Procurement Committee (the "Committee") that LaBella's Agreement should be amended to add these additional scope items in the total amount of \$7,800 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 October 2, 2014 meeting, and after due deliberation, it approved the request to amend the Agreement;

THEREFORE, BE IT RESOLVED:

1. The proposed amendment to the LaBella Associates P.C. 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 Member Brown having yet to arrive and Member Thomas away**

**Resolution 2014-15: 84**

**Move Manager Additional Services – Amendment #18**

**By Board Member Coronas**

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, and Resolution 2014-15: 51); 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 October 2, 2014 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 \$4,650; 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 Hilger**

**Approved 5-0 with Member Brown having yet to arrive and Member Thomas away**

**Resolution 2014-15: 85**

**Supplemental FF&E Purchase Orders – Phase 1 projects**

**By Board Member Coronas**

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's Program Manager, with the advice of Vargas Associates (the "Move Manager"), the RJSCB's general counsel, and the RJSCB's Independent Compliance Officer, prepared a request for bids ("Request for Bids") package for Furniture, Fixtures, and Equipment ("FF&E") (Resolution 2012-13: 124); and

WHEREAS the Request for Bids included FF&E items categorized into eleven primary groups and several non-grouped items; and

WHEREAS, the RJSCB awarded the following groups to FM Resources: Group 4 – Conference Furniture, Group 5 – Desks, Group 6 – Lounge Furniture, Group 9 – Storage, and Group 11 Task Seating (Resolution 2012-13: 162); and

WHEREAS, the RJSCB awarded the following groups to School Specialty, Inc.: Group 1 – Activity Tables, Group 2 – Art Room, and non-grouped items: Carpet (solid), Cubby Units, Sand and Water Table, Computer Tables, First Aid Couch, Metal Shelving, and Podium (Resolution 2012-13: 166); and

WHEREAS, the RJSCB awarded the following groups to Facilities Equipment and Service, Inc.: Group 3 – Cafeteria Tables and Group 7 – Library Furniture (Resolution 2012-13: 166); and

WHEREAS, the RJSCB awarded the following groups to Hertz Furniture: Group 8 – Music Furniture, Group 10 – Student Furniture, and non-grouped items: Carpet (elementary)(Resolution 2012-13: 166); and

WHEREAS, the original bid documents stipulated that the awarded firms would hold their pricing for the remainder of 2013; and

WHEREAS, the RJSCB authorized a bulk FF&E purchase at the end of 2013 (Resolution 2013-14: 138) at the discounted rates achieved in the prior bid, for the next group of projects in Phase 1b of the RSMP (School 5, School 28, School 58, and Edison Technology Campus); and

WHEREAS, subsequent to the bulk purchase in December 2013, the Move Manager determined that additional furniture could still be purchased within the existing budget as a result of significant bid day savings; and

WHEREAS, the pricing received from each firm on bid day will be used again when placing orders for these additional FF&E items except with a markup per the bid form price sheet in the Request for Bids; and

WHEREAS, following the initial purchase orders for the bulk of the furniture, the Move Manager along with the Program Manager and the architect for each project, performed a detailed review of each school's needs and were able to determine that all new furniture could be purchased for each project within the existing budget; and

WHEREAS, in addition to the additional FF&E items, the Move Manager sought pricing from State Contract for unique and/or special furniture items for specific schools which will be included in these supplemental purchase orders; and

WHEREAS, at its October 2, 2014 meeting, the MWBE Procurement and Services Committee considered the recommendation of the Move Manager and the Program Manager to make the additional FF&E purchases and approved the additional FF&E purchase orders to the firms as set forth in the table below:

**SUMMARY of SUPPLEMENTAL FURNITURE PURCHASE**

| <b>Firm</b>            | <b>Total Award</b> |
|------------------------|--------------------|
| School Specialty, Inc. | \$6,053.48         |
| Hertz Furniture        | \$16,936           |
| FM Office Supply       | \$6,902.89         |

THEREFORE, BE IT RESOLVED:

1. The RJSCB hereby approves the recommendation of the Move Manager that a supplemental Purchase Order shall be issued to the above named firms, in the amount specified to provide the necessary Furniture, Fixtures, and Equipment (delivered and installed at point of use) for the projects in Phase 1 of the RSMP; and
2. The RJSCB Chair is hereby authorized, to execute and deliver a Purchase Order to the firms named above, in substantially the form included in the Request for Bids for the Furniture, Fixtures, and Equipment 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 Hilger**

**Approved 5-0 with Member Brown having yet to arrive and Member Thomas away**

**Resolution 2014-15: 86**

**Small Appliance Order**

**By Board Member Coronas**

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"); and

WHEREAS, the Program Manager directed Vargas Associates, the RJSCB's Move Manager, to coordinate the purchase of small appliances for several Phase 1 projects (School 5, School 28, School 50, and School 58); and

WHEREAS, Vargas Associates worked with the Architects and the Construction Managers for each school and subsequently prepared a list of specifications and requirements for those small appliances that had not been purchased through the GC scope of work for each project; and

WHEREAS, the Executive Director received one bid on April 23, 2014, the bid date stipulated in the bid documents and the bid was opened and read aloud in an open public forum; and

WHEREAS, the RJSCB subsequently awarded the small appliances contract to Appliance Associates of Buffalo (Resolution 2013-14: 290); and

WHEREAS, the Move Manger has recently received additional requests from the District for small appliances that were not previously identified; and

WHEREAS, at its October 2, 2014 meeting, the MWBE and Services Procurement Committee ("Committee") considered and approved the recommendation by Vargas Associates that a new purchase order be issued to Appliance Associates of Buffalo for these additional small appliances;

THEREFORE, BE IT RESOLVED:

1. The RJSCB hereby approves the recommendation of the Move Manager that a purchase order shall be issued to Appliance Associates of Buffalo in the amount of \$814; and
2. The RJSCB Chair is hereby authorized, in the name and on behalf of the RJSCB, to execute and deliver a purchase order to the firm named above on the advice of the Program Manager and the RJSCB's general counsel.

**Second by Board Member Hilger**

**Approved 5-0 with Member Brown having yet to arrive and Member Thomas away**

**Resolution 2014-15: 87  
Additional Moving Services**

**By Board Member Coronas**

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 and FM have submitted proposals to the Move Manager for additional work based on the hourly rates included with the original bid; 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 October 2, 2014 meeting, the MWBE and Services Procurement Committee considered the Program Manager's and Move Manager's recommendation to accept the proposals from Clark to perform the additional work in the amount of \$757 and FM to perform the additional work in the amount of \$8,625, 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 proposals 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 firms 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 Hilger**

**Approved 5-0 with Member Brown having yet to arrive and Member Thomas away**

**Resolution 2014-15: 88**

**Change Order #9 to Kaplan Schmidt – Electrical Contractor (School 5)**

**By Board Member Coronas**

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 Kaplan Schmidt for the School 5 project in Phase I (Resolution 2012-13: 177); and

WHEREAS, the RJSCB entered into a contract with Kaplan Schmidt (Resolution 2012-13: 177) dated June 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, Kaplan Schmidt, 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 #9 includes the following items:

1. Provide additional Cat6 cable for the amount of \$4,231.51

The total amount of Change Order #9 is \$4,231.51; 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 Kaplan Schmidt's Contract should be amended to add these additional scope items in the total amount of \$4,231.51; and

WHEREAS, the Committee considered and discussed the Program Manager's recommendation at its October 2, 2014 meeting and after due deliberation, it approved the request to amend the Contract;

THEREFORE, BE IT RESOLVED:

1. The proposed Change Order to Kaplan Schmidt's 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 Hilger**

**Approved 5-0 with Member Brown having yet to arrive and Member Thomas away**

**Resolution 2014-15: 89**

**Change Order #11 to Nairy Mechanical – (Plumbing - School 28)**

**By Board Member Coronas**

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 plumbing contractor contract to Nairy Mechanical LLC ("Nairy Mechanical") for the School 28 project in Phase I (Resolution 2012-13: 106); and



WHEREAS, the RJSCB subsequently entered into a contract with Nairy Mechanical (Resolution 2012-13: 106) dated February 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, Nairy Mechanical, 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 #11 includes the following item:

1. Condensate drain lines for kitchen equipment for the amount of \$3,229.96
- The Total amount of Change Order #11 is \$3,229.96; 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 additional work; and

WHEREAS, the Program Manager thereafter recommended to the RJSCB's MWBE and Services Procurement Committee (the "Committee") that Nairy Mechanical's Contract should be amended to add these additional scope items in the total amount of \$3,229.96; and

WHEREAS, the Committee considered and discussed the Program Manager's recommendation at its October 2, 2014 meeting and after due deliberation, it approved the request to amend the Contract;

THEREFORE, BE IT RESOLVED:

1. The proposed Change Order to Nairy Mechanical's Contract between the Board and Contractor dated February 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 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 Member Brown having yet to arrive and Member Thomas away**

Tom Renauto stated that Resolution 2014-15: 90 was not advanced to the Board by the Procurement Committee. Tom Richards will be discussing this item with the District prior to the RJSCB taking action.

#### **Resolution 2014-15: 91**

#### **Amendment #3 to SEI Design Group Agreement – School 12**

**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 SEI Design Group ("SEI") as the Architect for the School 12 project in Phase I (Resolution 2011 12: 39); and

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

WHEREAS, following the execution of the Agreement, SEI, along with the Program Manager, identified the need for additional scopes of design work, and cost proposals were then obtained for these additional scope items and provided to the Program Manager for review; and

WHEREAS, the Program Manager thereafter recommended to the RJSCB's MWBE and Services Procurement Committee (the "Committee") that SEI's Agreement should be amended to add these additional scope items in the total amount of \$144,953 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 October 2, 2014 meeting, and after due deliberation, it approved the request to amend the Agreement;

THEREFORE, BE IT RESOLVED:

1. The proposed amendment to the SEI Design Group 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 Member Brown having yet to arrive and Member Thomas away**

**Resolution 2014-15: 92**

**Change Order #49 to Manning Squires Hennig – School 58**

**By Board Member Coronas**

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 #49 includes the following items:

1. Res. Appliances for the amount of \$4,461.00
2. Shower Revisions L404 A&B for the amount of \$1,978.00
3. Bearing Required At L45 and L149 for the amount of \$40,124.00
4. L112 Light Opening for the amount of \$1,200.00
5. Raise Slab Level for the amount of \$25,526.00
6. U131 and 128 Ceiling Issues for the amount of \$2,524.00
7. Window/ Roof Conflict Media for the amount of \$3,895.00
8. Display Cabinet Changes for the amount of \$4,775.00
9. Demo in Art Room G117 for the amount of \$12,656.00
10. Window Well in L142 for the amount of \$6,394.00

The total amount of Change Order #49 is \$103,533; 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 \$103,533; and

WHEREAS, the Committee considered and discussed the Program Manager's recommendation at its October 2, 2014 meeting and after due deliberation, it approved the request to amend the Contract;

THEREFORE, BE IT RESOLVED:

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

**Second by Vice Chair Brown**

**Approved 5-0 with Member Brown having yet to arrive and Member Thomas away**

**Resolution 2014-15: 93**

**Change Order #5 and #6 to Leo J. Roth – (Mechanical - School 58)**

**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 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 mechanical contractor contract to Leo J. Roth Corporation ("Leo J. Roth") for the School 58 project in Phase I (Resolution 2012-13: 120); and

WHEREAS, the RJSCB subsequently entered into a contract with Leo J. Roth (Resolution 2012-13: 120) dated March 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, Leo J. Roth, 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 #5 includes the following item:

1. Schedule extension for the amount of \$468,663

The total amount of Change Order #5 is \$468,663; and

WHEREAS, Change Order #6 includes the following item:

1. Lilly Pad Commons Ceiling Changes for the amount of \$1,642.00
2. G110 Ducktwork for the amount of \$1,476.00
3. FS Equipment Layout Changes for the amount of \$6,070.00
4. Exterior Elevation Wall Bump Out for the amount of \$14,528.00
5. Ground Level Ceiling Heights for the amount of \$6,723.00
6. Duct Revisions in Room G105 for the amount of \$4,985.00
7. Lower Level Lintel Issues for the amount of \$17,350.00
8. Lower Ceilings/Soffit for the amount of \$10,265.00
9. Dining Floor Joist Repair for the amount of \$8,658.00
10. North Gym Wall Relocation for the amount of \$7,585.00

The total amount of Change Order #6 is \$79,282; 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 Leo J. Roth's Contract should be amended to add these additional scope items in the total amount of \$547,945; and

WHEREAS, the MWBE and Services Procurement Committee considered and discussed the Program Manager's recommendation at its October 2, 2014 meeting and after due deliberation, it approved the request to amend the Contract;

THEREFORE, BE IT RESOLVED:

1. The proposed Change Orders to Leo J. Roth'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 Member Brown having yet to arrive and Member Thomas away**

**Resolution 2014-15: 94**

**Change Order #9 to The Pike Company – General Contractor (Edison Technology Campus)**

**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 general contractor contract to The Pike Company (“Pike”) for the Edison Technology Campus project in Phase I (Resolution 2012-13: 194); and  
WHEREAS, the RJSCB entered into a contract with Pike (Resolution 2012-13: 194) dated June 10, 2013 (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, Pike, along with LPCiminelli, 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 #9 includes the following items:

1. Firestopping of existing Walls and Penetrations for the amount of \$ 2,575.00
2. 3rd Floor Demolition Not on Documents for the amount of \$ 8,787.00
3. Plaza Structural Revisions & Sump Stations for the amount of \$ 9,519.00
4. Plaza Deck Grading Revisions for the amount of \$ 4,340.00
5. Existing Ceiling Repairs/Replacement for the amount of \$ 3,483.00
6. Provide a Door Frame with 2 Sidelights at New Security Office for the amount of \$ 2,357.00
7. Provide New Ceiling System at Kitchen Serving Line for the amount of \$ 2,945.00

The total amount for Change Order #9 is \$34,006; 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 Pike’s Contract should be amended to add these scope items for the total amount of \$34,006; and

WHEREAS, the Committee considered and discussed the Program Manager’s recommendation at its October 2, 2014 meeting and after due deliberation, it approved the request to amend the Contract;

**THEREFORE, BE IT RESOLVED:**

1. The proposed Change Order to The Pike Company’s Contract between the Board and Contractor dated June 10, 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 Vice Chair Brown**

**Approved 5-0 with Member Brown having yet to arrive and Member Thomas away**

**Resolution 2014-15: 95**

**Change Order #5 to Landry Mechanical Contractors – Mechanical Contractor (Edison Technology Campus)**

**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 mechanical contractor contract to Landry Mechanical Contractors (“Landry”) for the Edison Technology Campus project in Phase I (Resolution 2012-13: 194); and

WHEREAS, the RJSCB entered into a contract with Landry (Resolution 2012-13: 194) dated June 10, 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, Landry, along with LPCiminelli, 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 #5 includes the following items:

1. Relocate ETR Duct on 2nd/3rd Floors in Way of New Const for the amount of \$ 5,546.00
2. Repair Existing Insulation Valves and Heat Lines for the amount of \$ 6,470.00
3. Structural Changes at BasemenVPiazza Area for the amount of \$ 2,950.00
4. Auxiliary Generator Transfer Switch for the amount of \$ 1,550.00
5. Insulate Existing Condensate Lines for the amount of \$ 2,959.00
6. Provide Temporary Hot Water Tank for the amount of \$ 2,768.00
7. Demolish Boiler Room Catwalk and Demo Kitchen CUH's for the amount of \$ 2,653.00

The total amount for Change Order #5 is \$24,896; 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 Landry’s Contract should be amended to add these scope items in the amount of \$24,896; and

WHEREAS, the Committee considered and discussed the Program Manager’s recommendation at its October 2, 2014 meeting and after due deliberation, it approved the request to amend the Contract;

THEREFORE, BE IT RESOLVED:



1. The proposed Change Order to Landry Mechanical Contractors' Contract between the Board and Contractor dated June 10, 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 Vice Chair Brown**

**Approved 5-0 with Member Brown having yet to arrive and Member Thomas away**

**Resolution 2014-15: 96**

**Change Order #5 to M.A. Ferrauilo – Plumbing Contractor (Edison Technology Campus)**

**By Board Member Coronas**

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 Michael A. Ferrauilo Plumbing and Heating Inc. ("M.A. Ferrauilo") for the Edison Technology Campus project in Phase I (Resolution 2012-13: 194); and

WHEREAS, the RJSCB entered into a contract with M.A. Ferrauilo (Resolution 2012-13: 194) dated June 10, 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, M.A. Ferrauilo, along with LPCiminelli, 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 #5 includes the following items:

1. Reconnect Sprinkler Booster Pump disconnected for Column Work for the amount of \$ 1,012.00
2. Provide Rework to Drain Lines and Roof Drains for the amount of \$ 4,396.00
3. Provide New Kitchen Grease Trap for the amount of \$ 20,237.00

The total amount for Change Order #5 is \$25,645; 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 M.A. Ferrauilo's Contract should be amended to add and delete these scope items for a total amount of \$25,645; and

WHEREAS, the Committee considered and discussed the Program Manager's recommendation at its October 2, 2014 meeting and after due deliberation, it approved the request to amend the Contract;

THEREFORE, BE IT RESOLVED:



1. The proposed Change Order to M.A. Ferrauilo's Contract between the Board and Contractor dated June 10, 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 Member Brown having yet to arrive and Member Thomas away**

**Resolution 2014-15: 97**

**Change Order #1 to Steve General Contractor – (Jefferson)**

**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, in July 2014, the RJSCB approved the award of the general contractor contract to Steve General Contractor Inc, for the Jefferson High School project in Phase I (Resolution 2014-15: 7); and

WHEREAS, the RJSCB entered into a contract with Steve General Contractor Inc., (Resolution 2014-15: 7) dated July 7, 2014 (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, Steve General Contractor Inc., along with 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 Program Manager for review; and

WHEREAS, Change Order #1 includes the following item:

1. Additional patching and painting for the amount of \$13,338.23

The total amount for Change Order #1 is \$13,338.23; 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 Steve General Contractor's Contract should be amended to add these scope items in the amount of \$13,338.23; and

WHEREAS, the Committee considered and discussed the Program Manager's recommendation at its October 2, 2014 meeting and after due deliberation, it approved the request to amend the Contract;

THEREFORE, BE IT RESOLVED:

1. The proposed Change Order to Steve General Contractor Inc.'s Contract between the Board and Contractor dated July 7, 2014 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 Member Brown having yet to arrive and Member Thomas away**

**Resolution 2014-15: 98**

**Change Order #1 to M.A. Ferrauilo – (Jefferson)**

**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, in July 2014, the RJSCB approved the award of the plumbing contractor contract to M.A. Ferrauilo for the Jefferson High School project in Phase I (Resolution 2014-15: 7); and

WHEREAS, the RJSCB entered into a contract with M.A. Ferrauilo (Resolution 2014-15: 7) dated July 7, 2014 (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, M.A. Ferrauilo, along with 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 Program Manager for review; and

WHEREAS, Change Order #1 includes the following item:

1. Changes to piping for the amount of \$983

The total amount for Change Order #1 is \$983; 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 M.A. Ferrauilo's Contract should be amended to add these scope items in the amount of \$983; and

WHEREAS, the Committee considered and discussed the Program Manager's recommendation at its October 2, 2014 meeting and after due deliberation, it approved the request to amend the Contract;

**THEREFORE, BE IT RESOLVED:**

1. The proposed Change Order to M.A. Ferrauilo's Contract between the Board and Contractor dated July 7, 2014 as set forth above is hereby approved; and
2. The RJSCB's Chair is hereby authorized, in the name and on behalf of the RJSCB, to execute a Change Order to the Contract that is consistent with this approval and in an acceptable form to the Chair upon the advice of the Program Manager and the RJSCB's general counsel.

**Second by Vice Chair Brown**  
**Approved 6-0 with Member Thomas away**

**Resolution 2014-15: 99**  
**Pay Requisition Summary Acceptance (September 2014)**

**By Board Member Benincasa**

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 \$7,668,224.22 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 September 25, 2014; and

WHEREAS, the RJSCB Board Chair approved the Pay Requisition Summary on September 26, 2014; and

WHEREAS, the RJSCB's Executive Director reviewed the regular monthly Pay Requisition Summary with the RJSCB's Finance Committee at its meeting on October 2, 2014;

THEREFORE, BE IT RESOLVED:

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

**Second by Vice Chair Brown  
Approved 6-0 with Member Thomas away**

Tom Renauto described the recent information regarding environmental test results at School 12. The results have significantly changed the scope of the project by reducing the amount of abatement necessary. The Program Manager has recommended that the original bids and prior approval be rejected and that the architect re-package the scope of work for a re-bid. In lieu of waiting until the November Board meeting to take these actions, Tom Renauto provided the Board with a Resolution (Resolution 2014-15: 100) for discussion and approval.

**Resolution 2014-15: 100  
School 12 – Abatement and Demolition Award - Rejection of Bids and Authorization to Re-bid**

**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 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 Program Manager presented the School 12 design to the Board of Education ("BOE") and BOE approval took place on December 13, 2012 (BOE Resolution 2012-13: 364); and

WHEREAS, the Program Manager received State Education Department approval of the designs for School 12 on November 4, 2013; and

WHEREAS, following RJSCB approval, the Program Manager advertised and released the bid documents for the School 12 project in January 2014; and

WHEREAS, the schedule for the School 12 project had been modified to begin construction in late August 2014 in order to accommodate the District's need to use the building for summer school programs; and

WHEREAS, during the bid period, the Program Manager and the Construction Manager continued their evaluation of the School 12 project schedule as it related to the sequence or work and types of construction activities included in the project scope; and

WHEREAS, the Program Manager determined that the success of the project would be greatly improved by shifting the construction timeline to more closely align with a typical construction schedule where more activities would take place in better weather in lieu of a significant number of winter activities; and

WHEREAS, in early February 2014, the Program Manager discussed cancelation of the School 12 bid with the Executive Director, the District, and the RJSCB; and

WHEREAS, the Program Manager subsequently canceled the School 12 bid on February 14, 2014; and

WHEREAS, the RJSCB's Program Manager worked with the Architect, SEI Design Group ("SEI"), and the Construction Manager, The Pike Company ("Pike"), to prepare a new request for bids ("Request for Bids") package for the School 12 project; and

WHEREAS, the new Request for Bids package included an "early start" scope of work for abatement and demolition as a single prime GC package; and

WHEREAS, this "early start" package was bid prior to the main scope of work, allowing the work to begin in early Fall, and continue inside the building during the inclement weather conditions throughout the winter; and

WHEREAS, the RJSCB authorized the release of the "early start" package at its regular monthly meeting on August 4, 2014 (Resolution 2014-15: 36); and

WHEREAS, the RJSCB's Executive Director received bids on September 2, 2014 per the deadline stipulated in the Request for Bids, and those bids were subsequently publicly opened and read aloud at the location stated in the Request for Bids; and

WHEREAS, at the monthly meeting on September 8, 2014, the Program Manager recommended and the RJSCB approved the award of the "early start" package to Mark Cerrone Inc. (Resolution 2014-15:67) and;

WHEREAS, the award was approved by the RJSCB contingent on reaching mutual agreement on contract language and the contractor fulfilling certain requirements; and

WHEREAS, no contract has been executed between the RJSCB and Mark Cerrone Inc. and;

WHEREAS, in the intervening time, the Program Manager received updated governmental regulations related to testing of vermiculite materials, such as those found in the spray-on fire proofing at School 12; and

WHEREAS, instead of assuming that the materials contain asbestos, the updated regulations state that the Department of Health will allow the RJSCB to use new methods to test for the actual presence of asbestos; and

WHEREAS, the Program Manager directed the Architect to send samples of the existing spray-on fire proofing materials at School 12 to a laboratory for testing; and

WHEREAS, the test results are conclusive that the spray-on fire proofing found at School 12 does not contain asbestos; and

WHEREAS, the test results significantly reduce the overall scope of work needed on the project at School 12; and

WHEREAS, the reduction in scope of work will benefit the project by reducing the cost and shortening the scheduled duration for the work; and

WHEREAS, due to the substantial change in the scope of work and the fact that the RJSCB and Mark Cerrone Inc. have not signed a contract, the Program Manager has recommended that the RJSCB reject all bids and abandon the original procurement, have the Architect formulate a new set of project specifications and scope, and then re-bid the project as soon as possible; and

WHEREAS, at the monthly RJSCB meeting held on October 6, 2014, following the review and consideration of the above recommendation from the RJSCB's Program Manager and after due deliberation, the RJSCB agreed with the full recommendation;

THEREFORE, BE IT RESOLVED:

1. The RJSCB hereby approves the recommendation of the Program Manager that all bids received for the Abatement and Demolition "early start" package associated with the School 12 project be rejected and the original procurement abandoned; and
2. The RJSCB hereby directs the Program Manager to have the Architect formulate a new set of project specifications and scope for the School 12 Abatement and Demolition "early start" package and to re-bid the project as soon as possible.

**Second by Board Member Coronas  
Approved 6-0 with Member Thomas away**

### **Communication**

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

- 1b projects are complete and punchlist work is ongoing.
- Chair Tom Richards asked Tom Roger for a closeout schedule for all projects.

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

- 96% submissions received for August 2014.
- 98% submissions for July 2014.
- January 2014 → June 2014 is now 100% reported.
- a discussion took place regarding the women workforce goal falling short in the month of August. This is a result of how the workforce is counted. If, for example, minority women are counted in the "women" category, the project did meet the goal in August. However, each individual firm has the option to choose how they count minority women (either as a minority or as a woman)

The Budget reports are included in the Member's packets. The RSMP Budget was reviewed by Tom Rogér and noted that it does not include School 58 claims.

The MWBE and Services Procurement Committee Report for September 4, 2014 is included in the Members packets

The Finance Committee Report for September 4, 2014 is included in the Members packets.

### **Executive Session**

Chair Tom Richards called for an Executive Session per Section 105 1. (f) of the Open Meetings Law.

Motion by Member Benincasa

Second by Vice Chair Brown

Approved 6-0 with Member Thomas away

### **Adjournment**

**Approved at 6:10 pm**