

Rochester Joint Schools Construction Board
Minutes
March 9, 2015
4:30 PM

Present

Chair Tom Richards, Charles Benincasa, Vice Chair Bob Brown, Joe Brown (left at 5:24 p.m.), Aaron Hilger, Chris Thomas, and ICO Brian Sanvidge. Member José Coronas was away. Also present were: Executive Director Tom Renauto, General Counsel Peter Abdella, and Program Director Tom Rogér from Gilbane.

Chair Richards convened the meeting at 4:31 pm

Approval of Minutes

Monthly Meeting held on February 9, 2015

Motion by Member Brown

Second by Vice Chair Brown

Approved 6-0 with Member Coronas away

Special Meeting held on February 19, 2015

Motion by Member Brown

Second by Vice Chair Brown

Approved 6-0 with Member Coronas away

Presentation: Monroe High School Project

Mike Ellison of CJS Architects described the upcoming Monroe High School project including an overview of the scope and budget for Phase 1 and options and concepts for a possible future Phase 2. Several Alternates are planned for the Phase 1 bid. If the project can afford them now they will be included, if not, the work will be deferred to the future Phase 2 project.

Consent Agenda Items

Resolution 2014-15: 183

Amendment #15 to Chaintreuil Jensen Stark Architects, LLP Agreement – Monroe High School

By Board Member Brown

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

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

WHEREAS, the RJSCB approved the selection of Chaintreuil Jensen Stark Architects, LLP (“CJS”) as the Architect for the Monroe High School project in Phase I (Resolution 2011-12: 39); and

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

WHEREAS, following the execution of the Agreement, CJS, 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 CJS’s Agreement should be amended to add these additional scope items in the total amount of \$4,180 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 March 5, 2015 meeting, and after due deliberation, it approved the request to amend the Agreement;

THEREFORE, BE IT RESOLVED:

1. The proposed amendment to the Chaintreuil Jensen Stark Architects 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 Vice Chair Brown
Approved 6-0 with Member Coronas away

Resolution 2014-15: 184
Amendment #10 to LeChase Construction Services, LLC - CM at School 28 and School 58

By Board Member Brown

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

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

WHEREAS, the RJSCB selected LeChase Construction Services, LLC (“Construction Manager”) to provide Construction Management services for the School 28 and the School 58 projects in August of 2011 as a part of Phase 1 of the Rochester Schools Modernization Program (the “RSMP”) (Resolution 2011-12: 7) and the parties thereafter entered into an Agreement between the RJSCB and the Construction Manager dated August 3, 2011 (the “Agreement”); and

WHEREAS, subsequent to the execution of the Agreement, the Program Manager directed the Construction Manager to provide additional services associated with cleaning the School 58 building at the request of the District and the Program Manager has received and reviewed proposals for this additional work performed on a time and materials basis provided by the Construction Manager; and

WHEREAS, the RJSCB's Program Manager recommended to the MWBE and Services Procurement Committee (the "Committee") that the Construction Manager's Agreement should be amended to add the not-to-exceed amount of \$36,826; and

WHEREAS, the Committee considered and discussed the Program Manager's recommendation at its March 5, 2015 meeting and after due deliberation, it approved the request to amend the Agreement;

THEREFORE, BE IT RESOLVED:

1. The proposed amendment to the Agreement between the RJSCB and the Construction Manager dated August 3, 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 Vice Chair Brown
Approved 6-0 with Member Coronas away

Resolution 2014-15: 185
Amendment #1 to Campus Construction Management Group (CM – Monroe High School)

By Board Member Brown

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

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

WHEREAS, the RJSCB selected Campus Construction Management Group ("Construction Manager") to provide Construction Management services for the Monroe High School project in September of 2012 as a part of Phase 1 of the Rochester Schools Modernization Program (the "RSMP") (Resolution 2012-13: 36) and the parties thereafter entered into the Agreement between the RJSCB and the Construction Manager dated September 10, 2012 (the "Agreement"); and

WHEREAS, following the execution of the Agreement, and in keeping with the overall project schedule, the Program Manager has directed the Construction Manager to provide coordination and printing of the bid documents for the Monroe High School project, and under Section 4.2(c) of the Agreement, the Construction Manager is entitled to be reimbursed for these costs incurred on behalf of the RJSCB as a reimbursable expense; and

WHEREAS, the RJSCB's Program Manager recommended to the MWBE and Services Procurement Committee (the "Committee") that the Construction Manager's Agreement should be amended to add the Not to Exceed amount of \$20,000 as a reimbursable expense under the Agreement for printing and coordination of the bid documents for the Monroe High School project; and

WHEREAS, based on the advice and recommendation of the Program Manager, the Committee considered and discussed the proposal at its March 5, 2015 meeting and after due deliberation, it approved the request to amend the Agreement;

THEREFORE, BE IT RESOLVED:

1. The proposed amendment to the Agreement Between the RJSCB and the Construction Manager dated 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 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 Vice Chair Brown
Approved 6-0 with Member Coronas away

Resolution 2014-15: 186
Supplemental FF&E Purchase Orders – Phase 1 projects

By Board Member Brown

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

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

WHEREAS, the 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 obtained specific 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 March 5, 2015 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 order to the firm as set forth in the table below:

SUMMARY of SUPPLEMENTAL FURNITURE PURCHASE

Firm	Total Award
Hertz Furniture	\$5,005

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 firm, 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 firm 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 Vice Chair Brown
Approved 6-0 with Member Coronas away

**Resolution 2014-15: 187
Change Order #2 to Mark Cerrone Inc. (School 12 Demo and Abatement)**

By Board Member Brown

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

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

WHEREAS, the RJSCB approved the award of the demo and abatement contractor contract to Mark Cerrone Inc., ("Cerrone") for the School 12 project in Phase I (Resolution 2014-15: 107); and

WHEREAS, the RJSCB entered into a contract with Cerrone (Resolution 2014-15: 107) dated November 3, 2014 (the "Contract"), to perform the scope of services defined in the contract documents as the demo and abatement contractor's scope of work; and

WHEREAS, following the execution of the Contract, Cerrone, 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 #2 includes the following item:

1. ACM/PCB removals at windows for the amount of \$5,850.99

The Total amount of Change Order #2 is \$5,850.99; 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 Mark Cerrone Inc.'s Contract should be amended to add these additional scope items in the total amount of \$5,850.99; and

WHEREAS, the Committee considered and discussed the Program Manager's recommendation at its March 5, 2015 meeting and after due deliberation, it approved the request to amend the Contract;

THEREFORE, BE IT RESOLVED:

1. The proposed Change Order to Mark Cerrone Inc.'s Contract between the Board and Contractor dated November 3, 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 Coronas away**

Action Items

Resolution 2014-15: 188

Amendment #16 to Chaintreuil Jensen Stark Architects, LLP Agreement – Monroe High School

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 selection of Chaintreuil Jensen Stark Architects, LLP (“CJS”) as the Architect for the Monroe High School project in Phase I (Resolution 2011-12: 39); and

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

WHEREAS, following the execution of the Agreement, CJS, 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 CJS’s Agreement should be amended to add these additional scope items in the total amount of \$13,639 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 March 5, 2015 meeting, and after due deliberation, it approved the request to amend the Agreement;

THEREFORE, BE IT RESOLVED:

1. The proposed amendment to the Chaintreuil Jensen Stark Architects 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 Vice Chair Brown

Approved 6-0 with Member Coronas away

Resolution 2014-15: 189

Independent Compliance Officer, Additional Services

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 requires the Board is to engage an Independent Compliance Officer (“ICO”) to report directly to the Board; and

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

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

WHEREAS, the RJSCB now wishes to add certain additional scopes of services to the Agreement, a cost proposal for which was obtained from the ICO and reviewed by the Executive Director; and

WHEREAS, the Executive Director has distributed the proposal provided by the ICO to the full Board and the Board’s general counsel for review; and

WHEREAS, at its March 5, 2015 meeting, the MWBE and Services Procurement Committee considered and discussed the proposal from the Independent Compliance Officer and after due deliberation, it approved the request to amend Baker Tilly’s Agreement;

THEREFORE, BE IT RESOLVED:

1. The RJSCB hereby approves the additional services added to the Agreement between the Board and Baker Tilly Virchow Krause LLP in an amount Not to Exceed \$355,980.37; and
2. The RJSCB’s Chair is hereby authorized, in the name and on behalf of the RJSCB, to execute an Amendment that is consistent with this approval and in an acceptable form to the Chair upon the advice of the RJSCB’s General Counsel.

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

**Resolution 2014-15: 190
Move Manager Additional Services – Amendment #21**

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, Resolution 2014-15: 84, Resolution 2014-15: 150, and Resolution 2014-15: 166); 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 March 5, 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 \$24,800; 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 Brown
Approved 6-0 with Member Coronas away**

**Resolution 2014-15: 191
Amendment #1 to AP Safety and Security (1c Projects)**

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, in September 2012, as a result of repeated vandalism at the School 17 project site, the Program Manager recommended and the RJSCB approved that the Construction Manager ("CM") for School 17, The Pike Company ("Pike"), hire security guard services for after hours and weekend/holiday coverage (Resolution 2012-2013: 31); and

WHEREAS, thereafter, the District requested that all RSMP projects include security guard services for after hours, weekends, and holiday coverage for those projects where the school buildings have been vacated for construction or are located in areas that either have a history or are considered more vulnerable to vandalism; and

WHEREAS, the costs for security guard services for the overall project were later identified by the Program Manager as a “program wide expense” and the method of paying for these services through the Construction Manager’s contract did not lend itself easily to separation and tracking of these program costs; and

WHEREAS, based upon the Program Manager’s recommendation, the RJSCB MWBE and Services Procurement Committee (“Committee”) at its meeting on November 29, 2012, decided to contract directly with the security guard services firm; and

WHEREAS, in December of 2012, the RJSCB approved that the CM for School 58, LeChase Construction (“Lechase”), hire security guard services for the School 58 project site for a period of 90 days (Resolution 2012-2013: 72) in order to provide the RJSCB time to prepare a contract directly with the security services firms; and

WHEREAS, Pike and Lechase each solicited proposals for these services for School 17 and School 58 respectively; and

WHEREAS, in March 2013, the RJSCB approved Resolution 2012-2013: 122 to directly hire the security services firms for projects that were under construction at the time including School 17, School 50, and School 58; and

WHEREAS, in May 2013, the RJSCB issued a Request For Proposals (“RFP”) for Security Services (Resolution 2012 – 2013: 176) for work at three projects in Phase 1b (School 5, School 28, and Edison High School); and

WHEREAS, the RJSCB identified AP Safety and Security as the best candidate based on its qualifications, experience, ability to meet the demands and staffing for the project, and cost of services and the RJSCB subsequently awarded the contract at its monthly meeting on June 10, 2013 (Resolution 2012-13: 197) and then entered into an agreement with AP Safety and Security dated June 10, 2013 (the “Agreement”); and

WHEREAS, in September 2014, the RJSCB issued a Request For Proposals (“RFP”) for Security Services (Resolution 2014 – 2015: 66) for work at the School 12 project in Phase 1c; and

WHEREAS, the RJSCB identified AP Safety and Security as the best candidate based on its qualifications, experience, ability to meet the demands and staffing for the project, and cost of services and the RJSCB subsequently awarded the contract at its monthly meeting on November 3, 2014 (Resolution 2014-15: 108) and then entered into an agreement with AP Safety and Security dated November 3, 2014 (the “Agreement”); and

WHEREAS, the RJSCB now wishes to extend the services of AP Safety and Security to include work at the Monroe High School project in Phase 1c which is scheduled to begin in June 2015 and be completed in August 2016; and

WHEREAS, the current contract between the RJSCB and AP Safety and Security specifically allows for such an extension of services if the Board elects to do so; and

WHEREAS, the Security Services have been bid twice before by the RJSCB and on both occasions the firm AP Safety and Security has been selected to provide these services based on quality and best value for the services; and

WHEREAS, the Program Manager has confirmed that AP Safety and Security will honor the current rates for its services which are based on prevailing wages as set and referenced in Post Bid Addendum #1 dated September 18, 2014; and

WHEREAS, the value for the extension has been set by the RSMP based on previous project comparisons and an evaluation of the work hours required over the length of the project schedule for Monroe High School, and the value of the extension for Monroe High School will be \$166,756; and

WHEREAS, based on the advice and recommendation of the Program Manager, at its March 5, 2015 meeting, the MWBE and Services Procurement Committee considered and discussed the proposal to extend the AP Safety and Security contract to include work at the Monroe High School project in Phase 1c of the RSMP and after due deliberation, it approved the request to amend the Agreement;

THEREFORE, BE IT RESOLVED:

1. The proposed amendment to the Agreement between the RJSCB and AP Safety and Security dated November 3, 2014 as set forth above is hereby approved; and
2. The RJSCB's Chair is authorized in the name and behalf of the RJSCB, to execute an amendment to the AP Safety and Security 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 6-0 with Member Coronas away**

**Resolution 2014-15: 192
Moving Services Request for Bids – Summer 2015**

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") which involves the relocations of several schools into temporary "swing" space in order for the schools to continue to operate and to be fully functional during construction; and

WHEREAS, the RJSCB, upon the recommendation of its Program Manager and move management consultant (Vargas Associates), has determined a need for a moving services firm to provide the labor and equipment to perform the physical moves in the summer of 2015 for all furniture and equipment that are included in and part of the RSMP; and

WHEREAS, the moves are scheduled to begin on or about July 1, 2015, and the RJSCB needs to secure its moving services as soon as possible; and

WHEREAS, the RJSCB's Program Manager, its Executive Director and move management consultant have prepared a scope of work for moving services ("Request for Bids") which will be used by the RJSCB to obtain bids from moving services firms using an open public bid process; and

WHEREAS, the MWBE and Services Procurement Committee ("the Committee") reviewed the Request for Bids for moving services and approved it at its meeting on March 5, 2015;

THEREFORE, BE IT RESOLVED:

1. The Request for Bids for moving services is approved for use by the RJSCB to obtain bids from moving service firms using an open public bid process; and
2. The Committee, with the advice and recommendations of the move management consultant and the Program Manager, is authorized on behalf of the RJSCB to review the bids from the move services firms and recommend one or more firms to the RJSCB for award.

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

Resolution 2014-15: 193
Change Order #57 and #58 to Manning Squires Hennig – School 58

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 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 #57 includes the following items:

1. New agency office floor for the amount of \$219,800
2. Remove and replace existing slab in science rooms for the amount of \$21,526
3. Ceiling changes due to ductwork for the amount of \$1,936
4. Additional mailboxes at main office for the amount of \$1,129
5. Changes to south wall of the new gymnasium for the amount of \$36,566
6. Replace asphalt pad for the amount of \$22,971

7. Changes to columns and beams for the amount of \$10,022
 8. Add tile for the amount of \$7,194
 9. Changes to door hardware, add hold opens, for the amount of \$1,287
 10. Excavate pathway in basement for the amount of \$5,593
- The total amount of Change Order #57 is \$328,024; and

WHEREAS, Change Order #58 includes the following items:

1. Add railing at lilly pad for the amount of \$9,666
 2. Add whiteboards for the amount of \$3,431
 3. Remove bleachers for the amount of \$12,956
 4. Padlocks for instrument storage for the amount of \$463
 5. Teflon base at stage folding partition for the amount of \$1,091
 6. Add mini blinds at main office for the amount of \$1,486
 7. Add bike rack for the amount of \$3,850
 8. Add mirrors in toilet rooms for the amount of \$3,811
 9. Shoring at deteriorated columns and beams for the amount of \$16,257
- The total amount of Change Order #58 is \$53,011; 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 \$381,035; and

WHEREAS, the Committee considered and discussed the Program Manager's recommendation at its March 5, 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 Board Member Benincasa
Approved 5-0 with Members Brown and Coronas away

Resolution 2014-15: 194
Change Order #9 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 #9 includes the following items:

1. Changes to G15A and G116 for the amount of \$3,460
2. Route piping through beam for the amount of \$1,598
3. Added rescue ladders caused rework for the amount of \$1,505

The total amount of Change Order #9 is \$6,563; 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 \$6,563; and

WHEREAS, the MWBE and Services Procurement Committee considered and discussed the Program Manager's recommendation at its March 5, 2015 meeting and after due deliberation, it approved the request to amend the Contract;

THEREFORE, BE IT RESOLVED:

1. The proposed Change Order to Leo J. Roth's Contract between the Board and Contractor dated March 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 Vice Chair Brown

Approved 5-0 with Members Brown and Coronas away

Resolution 2014-15: 195

Change Order #21 to M.A. Ferrauilo – School 58

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 RJSCB approved the award of the plumbing contractor contract to M.A. Ferrauilo Heating and Plumbing, Inc. ("M.A. Ferrauilo") for the School 58 project in Phase I (Resolution 2012-13: 120); and

WHEREAS, the RJSCB subsequently entered into a contract with M.A. Ferrauilo (Resolution 2012-13: 120) dated March 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, M.A. Ferrauilo, 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 #21 includes the following items:

1. Repair/replace solenoids at 3 existing wash fountains for the amount of \$1,848
- The total amount of Change Order #21 is \$1,848; 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 additional scope items in the total amount of \$1,848; and

WHEREAS, the Committee considered and discussed the Program Manager's recommendation at its March 5, 2015 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 March 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 Members Brown and Coronas away**

**Resolution 2014-15: 196
Change Order #17 and #18 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 #17 includes the following items:

1. Rework associated with added rescue ladders for the amount of \$4,329.63
2. Add washer and dryer for the amount of \$4,709
3. Modify theatrical lighting for the amount of \$6,603
4. Modify doors/hardware (L403 and L141) for the amount of \$988.84
5. Deduct unused allowance in the amount of -\$30,000
6. Add security monitor for the amount of \$1,763
7. Relocate items associated with additional locker installation for the amount of \$4,180
8. Changes to doors/hardware (G400 and G401) for the amount of \$3,147

The total amount of Change Order #17 is a deduct of -\$4,279.53; and

WHEREAS, Change Order #18 includes the following items:

1. Add exit sign and hold open devices for the amount of \$5,839
2. Changes to wall at L121 for the amount of \$4,132
3. Misc electrical changes for the amount of \$5,328
4. Power for sterilizer for the amount of \$1,384

The total amount of Change Order #18 is \$16,683; 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 delete and add these scope items for a total of \$12,403.47; and

WHEREAS, the Committee considered and discussed the Program Manager’s recommendation at its March 5, 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: 197
Change Order #14 to The Pike Company – General Contractor (Edison Technology Campus)**

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 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 #14 includes the following items:

1. Provide Conduit from Pump Pits to Building for the amount of \$ 2,277
2. Plaza Structural Revisions & Sump Stations for the amount of \$ 6,377
3. Prep & Welding of Sign Support for the amount of \$ 2,628
4. Provide New Light Fixtures at Corridor for the amount of \$ 3,699
5. HVAC and Security Revisions at Entry Lobby for the amount of \$ 12,279
6. New Doors and Frame at Kitchen for the amount of \$ 1,679
7. Marker board Demo for the amount of \$ 8,251

The total amount for Change Order #14 is \$37,190; 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 \$37,190; and

WHEREAS, the Committee considered and discussed the Program Manager's recommendation at its March 5, 2015 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 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 Vice Chair Brown
Approved 5-0 with Members Brown and Coronas away

Resolution 2014-15: 198
2015-2016 RJSCB Operating Budget

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 implemented procedures for establishing and approving its operating budget ("Operating Budget") each fiscal year (the "Budget Policy") (Resolution 2011-12: 86); and

WHEREAS, consistent with the Budget Policy, the Chair and Treasurer have drafted a proposed Operating Budget for the 2015-2016 fiscal year, a copy of which is attached to this resolution; and

WHEREAS, the RJSCB's Operating Budget for the 2015-2016 fiscal year has been reviewed by members of the Finance Committee;

THEREFORE, BE IT RESOLVED:

1. The RJSCB hereby approves the Operating Budget for the 2015-2016 fiscal year; and
2. The RJSCB hereby authorizes the Executive Director to forward a copy of the approved Operating Budget to the District as so described in the Budget Policy.

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

**Resolution 2014-15: 199
Pay Requisition Summary Acceptance (February 2015)**

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 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 \$2,436,018.89 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 February 24, 2015; and

WHEREAS, the RJSCB Board Chair approved the Pay Requisition Summary on February 24, 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 March 5, 2015;

THEREFORE, BE IT RESOLVED:

1. The Rochester Joint Schools Construction Board hereby accepts the regular monthly Pay Requisition Summary for the month of February 2015 in the amounts stated above and as shown in the Summary sheets attached to this Resolution.

Second by Vice Chair Brown

Approved 5-0 with Members Brown and Coronas away

Resolution 2014-15: 200

Contract Awards – 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 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 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, 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, 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 fireproofing at School 12; and

WHEREAS, all bids received by the RJSCB related to the “early start” package were subsequently rejected and on October 14, 2014, and then the revised School 12 Abatement and Demolition documents were issued for re-bid; and

WHEREAS, following the re-bid, the RJSCB awarded the “early start” package to Mark Cerrone Inc. (Resolution 2014-15: 107); and

WHEREAS, the RJSCB’s Program Manager worked with the Architect, SEI Design Group, and the Construction Manager, The Pike Company, to prepare the remaining scopes of work and a request for bids (“Request for Bids”) package for the four prime contracts (general contractor, mechanical contractor, plumbing contractor, and electrical contractor) for the School 12 project; and

WHEREAS, the Program Manager advertised and released the bid documents for the four prime contracts associated with the School 12 project in January 2015; and

WHEREAS, the RJSCB’s Executive Director received bids on February 27, 2015 per the deadline stipulated in the Request for Bids, and those bids were subsequently publicly opened and read aloud at the location stated in the Request for Bids; and

WHEREAS, the Program Manager, Architect, Construction Manager, and Independent Compliance Officer have reviewed the bids, conducted de-scoping meetings, and concluded that the apparent low bidders for each scope of work package are also qualified and responsible bidders; and

WHEREAS, at the MWBE and Services Procurement Committee meeting held on March 5, 2015, following the review and consideration of recommendations provided by the RJSCB’s Program Manager and after due deliberation by the Committee, the following contract awards were approved:

<u>Scope of Work</u>	<u>Name of Contractor</u>	<u>Address</u>	<u>Bid Amount (Incl. accepted alternates)</u>
General Contractor	LeChase Construction Services, LLC	205 Indigo Creek Drive Rochester, NY 14626	\$10,680,000
Mechanical Contractor	Landry Mechanical Contractors	164 Flint Hill Road LeRoy, NY 14482	\$3,701,700
Plumbing Contractor	Michael A. Ferrauilo Plumbing and Heating Inc	1600 Jay Street Rochester, NY 14611	\$1,219,000

THEREFORE, BE IT RESOLVED:

1. The RJSCB hereby approves the recommendations of the Program Manager that contract awards shall be made to the above named firms and bid amounts to provide all equipment, labor, materials, and plant necessary to execute the scopes of work associated with the School 12 project in Phase 1 of the RSMP; and
2. The Mechanical Contractor award is subject to the ICO’s final approval; and
3. The Electrical Contractor award is tabled by the RJSCB pending further review; and
4. The Chair is hereby authorized, in the name and on behalf of the RJSCB, to execute and deliver an Agreement (the “Agreement”) to the firms named above in substantially the form included in the Request for Bids for the School 12 project, with such changes as the Chair may approve

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

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

**Resolution 2014-15: 201
Request for Bids – Monroe High School**

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 entered into an agreement with Chaintreuil Jensen Stark Architects, LLP ("CJS"), dated November 15, 2011, (Resolution 2011-12: 39) with respect to the renovations to occur at Monroe High School (Agreement between Board and Architect); and

WHEREAS, pursuant to the Agreement between Board and Architect, CJS performed and completed the Program Verification Phase and submitted the Schematic Design Documents to the Program Manager and Building Advisory Committee members for review; and

WHEREAS, the RJSCB approved the Schematic Design documents for the Monroe High School project at its regular monthly meeting on January 7, 2013 (Resolution 2012-2013: 92); and

WHEREAS, the RJSCB received approval of the Monroe High School project by the Board of Education ("BOE") at their monthly meeting on January 24, 2013 (BOE Resolution 2012-13: 424); and

WHEREAS, following RJSCB and BOE approval, the District requested several significant program changes to the Monroe High School project; and

WHEREAS, because of the level and significance of the changes, the Program Manager and the Architect have recommended that new designs be presented to the RJSCB for review and approval; and

WHEREAS, CJS presented revised Schematic Design Documents for Monroe High School to the RJSCB at its regular monthly meeting on May 6, 2013 and the RJSCB approved the revised Schematic Design Documents (Resolution 2012-13: 188); and

WHEREAS, the RJSCB received approval of the Monroe High School project by the New York State Education Department ("SED") on December 3, 2013; and

WHEREAS, in the fall of 2014, the District requested additional work at East High School related to their partnership with University of Rochester and directed and authorized the RJSCB to reallocate funds from the Monroe High School project budget for this purpose; and

WHEREAS, the Program Manager, Architect, and Construction Manager have modified the scope of work associated with the Monroe High School project by taking approximately \$2 million dollars in scope and deferring that work to a future phase 2 project at Monroe High School; and

WHEREAS, because of the level and significance of the changes, the Program Manager and the Architect recommended that a revised scope of work be presented to the District and to the RJSCB for review and approval; and

WHEREAS, CJS presented the revised scope of work for the Monroe High School project to the Superintendent and Senior Cabinet at a meeting on March 3, 2015; and

WHEREAS, CJS presented the revised scope of work for the Monroe High School project to the RJSCB at its regular monthly meeting on March 9, 2015;

THEREFORE, BE IT RESOLVED:

1. The revised scope of work for the Monroe High School project is approved.
2. The RJSCB, through its Program Manager, shall proceed with the issuance of a Request for Bids for the Monroe High School project in order to maintain the overall project schedule.
3. Also, prior to issuance, the Program Manager will work with the RJSCB's general counsel to further develop and finalize the Request for Bid package, including the General Conditions of the Contract and the form of Contract.
4. The MWBE and Services Procurement Committee, with the advice and recommendations of the Program Manager, is authorized on behalf of the RJSCB to review the bid responses and recommend to the RJSCB the lowest responsible bidders.

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

Communication

During the meeting the following discussions took place prior to Resolution approval:

Resolution 193: The Open Change Order list was discussed. Tom Richards requested that additional efforts be made to reduce the open items and to get the change orders processed. The Board discussed and agreed that no more additional work/requests will be approved for School 58 beyond those which are known today.

Resolution 200: Tom Richards asked for an explanation of why the bids came in higher than the estimates. Tom Richards stated that the timing of the estimates was poor and gave little time to react to the issues. There was some "scope creep" additional work added, additional work clarified, and as the building was revealed during demo some work was discovered. Tom Richards asked that SEI Design come to the next Board meeting to review these issues.

Brian Sanvidge reported that Landry is just short of the SBE and DBE goals. The Landry award will be made contingent on final approval by Baker Tilly. Also, LeChase is over the goals in total, but short on the SBE. Ferrauilo is meeting all goals. HYE is not being recommended at this time. Baker Tilly is working with them. A special Board meeting may be called prior to the April meeting to make the award.

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

The Lessons Learned Report is included in the Member's packets and was reviewed by Linda Graves from Gilbane.

- Linda Graves described the feedback from attendees. Linda stated that there were about 25 businesses present from trades to professional services and engineering firms.

- At the session Gilbane recorded potential action items regarding what worked well and where there are opportunities for improvement.

- Once the School 12 M/W/D/SBEs are identified, a meeting will be held by Gilbane/Savin to help educate the Subcontractors on what to expect (ex. insurance, access to specs, documentation required, safety standards, etc).

- A Lessons Learned for the 1b projects (contractor and professional service firms) will take place in April 2015.

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

- 98% of all records for the project are shown reporting from January 2014 to date.

- This month is at 83.78% reported and the goals are being met for workforce participation.

- The overall Program is meeting and/or exceeding all goals for business and workforce except SBE at 3.44% (vs. 5%). There are firms that have succeeded in our Program and no longer qualify as SBE. Focus on School 12 and Monroe can help increase this number for the overall program.

The Budget reports are included in the Member's packets and were reviewed.

- Tom Rogér has updated this spreadsheet with School 12 bid information.

- Tom Rogér noted: all projects have a positive contingency, Local Share remains under the approved limit (at \$37.78 million), East's summer budget is \$2 million (design, construction and contingency), Funds for School 12 have been reallocated from Monroe.

The MWBE and Services Procurement Committee Report for March 5, 2015 is included in the Members packets

The Finance Committee Report for March 5, 2015 is included in the Members packets.

Adjournment

Approved at 6:36 pm