

Rochester Joint Schools Construction Board
Minutes
March 6, 2017
4:30 PM

Present

Chairman Allen Williams, Charles Benincasa, Bob Brown, I. Geena Cruz (left at:57 pm), Norman Jones (left at :36 pm), Tom Richards, and ICO Brian Sanvidge. Vice Chair Mike Schmidt was away. Also present: General Counsel Edward Hourihan, Program Managers Pépin Accilien and Roland Coleman from Savin, and Tom Rogér from Gilbane.

Chairman Williams convened the meeting at 4:33 pm.

Approval of Minutes

Monthly Meeting held on February 6, 2017

Motion by Member Brown

Second by Member Benincasa

Approved 6-0 with Member Schmidt away

Presentation: Edison Technology Campus

Architect Michael Short of LaBella Associates stated that the project is ready to move into Schematic Design, and that the team has been conducting meetings with the RCSD Facilities Team and user groups. At this time the current scope includes the following: Structural repairs to the 2nd floor; 1st floor reconstruction; bathroom upgrades/accessibility; mechanical upgrades/replacements; roof replacement/restoration; window and exterior door replacement; PA and fire alarm upgrades; and plumbing upgrades. They are \$65K over the current budget of \$18.6M and they believe that the amount of overage is acceptable and will be addressed through the Design Phase and subsequent estimates. Some of the 'priority 2' items may end up as alternates when bidding and some may need to be addressed with the educators (priority 2 = their requests). They are on schedule and plan to submit to SED in August and bid in September 2017.

Presentation: John Walton Spencer School No. 16

Steve Rebholz with SWBR Architects and Steve Dechert with LPCiminelli discussed the development of this project and how it will need to run (design and construction). Steve Rebholz stated that the Strategic Plan did not call for a gym and that the current design is a 2 station gym with after-hours access. SWBR is moving into Design Development with the same occupancy date (no mid-year moves per the RCSD), and a compressed design schedule (cut down to a third of the time). Steve Dechert stated that there will be an expedited foundation and steel package going out to bid June 2017 with the main project going out to bid July 2017 - the early Abatement & Demolition package is out now with bids due March 15, 2017.

Consent Agenda Items

Resolution 2016-17: 147

Independent Compliance Officer, Additional Services – Third Amendment to Phase 1 Agreement

By Board Member Brown

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

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

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

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

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

WHEREAS, the RJSCB now wishes to add certain additional scopes of services to the Agreement (i.e., document review from 10/2016 through 8/2017, government investigation services, out-of-scope monitoring activities, reviewing workforce data, analyze and report residency data, and project wage analysis), a cost proposal, dated February 27, 2017, for said additional services was obtained from the ICO and reviewed by the Phase 1 Program Manager; and

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

WHEREAS, at its March 2, 2017 meeting, the MWBE and Services Procurement Committee considered and discussed the proposal from the ICO and after due deliberation, it approved the request to amend the Agreement in accordance with the ICO’s cost proposal.

THEREFORE, BE IT RESOLVED:

1. The RJSCB hereby approves the additional services added to the Agreement between the Board and Baker Tilly in an amount not-to-exceed \$156,846.44 in accordance with the ICO’s cost proposal.
2. The RJSCB’s Chair is hereby authorized, in the name and on behalf of the RJSCB, to execute an Amendment that is consistent with this approval and in an acceptable form to the Chair upon the advice of the RJSCB’s General Counsel.

Second by Board Member Jones

Approved 6-0 with Member Schmidt away

Resolution 2016-17: 148

Purchase Order – Monroe H.S. Phase 2a Building Controls (Day Automation Systems)

By Board Member Brown

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

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

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

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

WHEREAS, the RJSCB's procurement policy allows for the issuance of purchase orders from centralized contracts let by the New York State Office of General Services ("OGS"); and

WHEREAS, the RJSCB is an authorized purchaser from OGS centralized contracts and was issued a customer identification number (Customer ID #8174) by OGS in 2012; and

WHEREAS, in 2001, the Board of Education for the District passed Resolution number 2001-2002: 176, which standardized the use of Anderson Controls products for energy management, video and access systems in District facilities; and

WHEREAS, the RJSCB's Program Manager recommends the purchase of building controls equipment off of an OGS contract ("State Contract") in conjunction with the Monroe High School Phase 2a project; and

WHEREAS, the OGS State Contract PT 64059 includes materials meeting the specifications for the Monroe High School Phase 2a project in accordance with the District's standardization policy and also accords with the RJSCB's procurement policy; and

WHEREAS, the RJSCB has been advised that the firm Schneider Electric acquired Andover Controls in 2014; and

WHEREAS, the RJSCB has been advised that the firm Day Automation Systems, Inc. ("Day Automation") is the sole distributor of Schneider/Anderson controls in the Rochester, NY area; and

WHEREAS, the Program Manager recommends that a purchase order be issued to Day Automation as the authorized distributor of Schneider/Andover products pursuant to State Contract PT 64059 in the amount of \$124,215.03; and

WHEREAS, at the MWBE and Services Procurement Committee ("Committee") meeting held on March 2, 2017, following the review and consideration of the recommendations provided by the Program Manager and after due deliberation, the Committee approved the recommendation to issue a purchase order to the distributor Day Automation, listed on the competitively bid State Contract PT 64059, and identified as being the provider of the District mandated building controls.

THEREFORE, BE IT RESOLVED:

1. The RJSCB hereby approves the recommendation of the Program Manager to utilize State Contract PT 64059 to procure the building controls equipment as indicated above and associated with the Monroe High School project in Phase 2a of the RSMP; and
2. The RJSCB hereby awards the purchase order to Day Automation for building controls, and the Chair, with the advice of the Program Manager and the RJSCB's general

counsel, will issue a purchase order to procure the commodities through the State Contract from this firm in the amount of \$124,215.03.

Second by Board Member Jones
Approved 6-0 with Member Schmidt away

Resolution 2016-17: 149
Purchase Order – Monroe H.S. Phase 2a Access Controls (Day Automation Systems)

By Board Member Brown

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

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

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

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

WHEREAS, the RJSCB’s procurement policy allows for the issuance of purchase orders from centralized contracts let by the New York State Office of General Services (“OGS”); and

WHEREAS, the RJSCB is an authorized purchaser from OGS centralized contracts and was issued a customer identification number (Customer ID #8174) by OGS in 2012; and

WHEREAS, in 2001, the Board of Education for the District passed Resolution number 2001-2002: 176, which standardized the use of Anderson Controls products for energy management, video and access systems in District facilities; and

WHEREAS, the RJSCB’s Program Manager recommends the purchase of access controls equipment off of an OGS contract (“State Contract”) in conjunction with the Monroe High School Phase 2a project; and

WHEREAS, the OGS State Contract PT 64059 includes materials meeting the specifications for the Monroe High School Phase 2a project in accordance with the District’s standardization policy and also accords with the RJSCB’s procurement policy; and

WHEREAS, the RJSCB has been advised that the firm Schneider Electric acquired Andover Controls in 2014; and

WHEREAS, the RJSCB has been advised that the firm Day Automation Systems, Inc. (“Day Automation”) is the sole distributor of Schneider/Anderson controls in the Rochester, NY area; and

WHEREAS, the Program Manager recommends that a purchase order be issued to Day Automation as the authorized distributor of Schneider/Andover products pursuant to State Contract PT 64059 in the amount of \$223,913.79; and

WHEREAS, at the MWBE and Services Procurement Committee (“Committee”) meeting held on March 2, 2017, following the review and consideration of the recommendations provided by the Program Manager and after due deliberation, the Committee approved the recommendation to issue a purchase order to the

distributor Day Automation, listed on the competitively bid State Contract PT 64059, and identified as being the provider of the District mandated access controls.

THEREFORE, BE IT RESOLVED:

1. The RJSCB hereby approves the recommendation of the Program Manager to utilize State Contract PT 64059 to procure the access controls equipment as indicated above and associated with the Monroe High School project in Phase 2a of the RSMP; and
2. The RJSCB hereby awards the purchase order to Day Automation for access, and the Chair, with the advice of the Program Manager and the RJSCB's general counsel, will issue a purchase order to procure the commodities through the State Contract from this firm in the amount of \$223,913.79.

**Second by Board Member Jones
Approved 6-0 with Member Schmidt away**

**Resolution 2016-17: 150
Authorization for School 50 Roof Replacement and Field Expansion with Maynard's Building
Abatement and Demolition (Phase 1)**

By Board Member Brown

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

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

WHEREAS, the School Modernization 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 Phase 1 Program Manager has been working with the School 50 Architect and Construction Manager to prepare request for bids ("Request for Bids") packages for the School 50 roof replacement and field expansion project and the Maynard's Building abatement and demolition project; and

WHEREAS, the Program Manager is expecting that the New York State Education Department will issue its approval of the designs of the School 50 and Maynard's Building projects on or about March 7, 2017; and

WHEREAS, the Program Manager recommended to the MWBE and Services Procurement Committee (the "Committee") that the RJSCB authorize the release of the Request for Bids for the School 50 and Maynard's Building projects; and

WHEREAS, the Committee considered and discussed the Program Manager's recommendation at its March 2, 2017 meeting, and after due deliberation, the Committee approved the request to release the Request for Bids for the School 50 and Maynard's Building projects.

THEREFORE, BE IT RESOLVED:

1. The RJSCB, through its Program Manager, shall proceed with the issuance of a Request for Bids for the School 50 roof replacement and field expansion projects and the Maynard's Building

abatement and demolition project in order to maintain the overall project schedule contingent upon approval by the New York State Education Department;

2. Prior to issuance of the Request for Bids, the Program Manager shall work with the RJSCB's general counsel to further develop and finalize the Request for Bids packages, including the General Conditions of the Contract and the form of Contract; and
3. 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 Board Member Jones
Approved 6-0 with Member Schmidt away**

**Resolution 2016-17: 151
Architect Selection – Phase 2c Projects**

By Board Member Brown

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

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

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

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

WHEREAS, the District's Board of Education ("BOE") has approved the comprehensive Master Plan for Phase 2 (BOE Resolution 2015-16: 630); and

WHEREAS, the Superintendent has identified and confirmed the projects for Phase 2 of the RSMP for which the RSJCB has started design and planning work in advance of the New York State Education Department and New York State Comptroller's approval of the comprehensive Master Plan for Phase 2; and

WHEREAS, these identified projects (the "Phase 2c Schools") include: Dag Hammarskjold School 6; Dr. Walter Cooper School 10; George Mather Forbes School 4; and Clara Barton School 2; and

WHEREAS, the RJSCB issued a request for proposals (the "RFP") for architectural services, renovation and addition projects for Phase 2c Schools (Resolution 2016-17: 136); and

WHEREAS, the Program Manager received a total of 13 proposals as of the date and time specified in the RFP, and promptly distributed those proposals to the RJSCB members and representatives from the District's facilities group; and

WHEREAS, the Program Manager subsequently recommended 9 finalists following an extensive review of the RFP proposals, and these 9 firms were then interviewed by a selection committee made up of RJSCB representatives, the Independent Compliance Officer and the Program Manager; and

WHEREAS, at the M/WBE and Services Procurement Committee (“Committee”) meeting held on March 2, 2017, after due deliberation by the Committee, the following firms were identified as being highly qualified and fiscally responsive to the RJSCB’s RFP for the specific projects set forth below:

Dag Hammarskjold School 6	Moody Nolan
Dr. Walter Cooper School 10	SEI Design Group
George Mather Forbes School 4	CJS Architects
Clara Barton School 2	Clark Patterson Lee

THEREFORE, BE IT RESOLVED:

1. The RJSCB hereby approves the named firms to provide architectural services as indicated above for the four schools in Phase 2c of the RSMP; and
2. The RJSCB Program Manager is hereby authorized, in the name and on behalf of the RJSCB, to execute and deliver individual agreements with each firm named above in substantially the form previously approved by the RJSCB as an attachment to the RFP, with such changes as the Chair may approved (his 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 Jones
Approved 6-0 with Member Schmidt away**

**Resolution 2016-17: 152
Phase 2b Site Security Services Request For Proposal**

By Board Member Brown

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

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

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

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

WHEREAS, the Board of Education (“BOE”) has approved the comprehensive Master Plan for Phase 2 (BOE Resolution 2015-16: 630); and

WHEREAS, the Superintendent has identified and confirmed the projects for Phase 2 of the RSMP for which the RSJCB has started design and planning work in advance of the New York State Education Department and New York State Comptroller’s approval of the comprehensive Master Plan for Phase 2; and

WHEREAS, these identified projects (the “Phase 2b Projects”) include: Monroe High School (Part B); Dr. Freddie Thomas Learning Center; School Without Walls; Martin B. Anderson School 15; and Edison Technical Campus; and

WHEREAS, it is understood by the District, the City, and the RJSCB that the Bond Anticipation Note (“BAN”) provided by the City, which closed on August 9, 2016 for the amount of \$32,000,000, will provide the funds for the design work associated with Phase 2 projects and to engage other professional service firms to begin Phase 2 planning and coordination work; and

WHEREAS, the City will be reimbursed for its BAN from the Phase 2 bond proceeds following approval of the Phase 2 Master Plan by the New York State Education Department and New York State Comptroller; and

WHEREAS, the RJSCB’s Phase 2 Program Manager has prepared a request for proposals for Site Security Services for Phase 2b Projects (the “RFP”), provided the draft of the RFP to the RJSCB for review, and it is ready to be issued; and

WHEREAS, the MWBE and Services Procurement Committee (the “Committee”) reviewed the RFP to be issued for Site Security Services for Phase 2b Projects and approved the RFP at its March 2, 2017 meeting for forwarding to the full Board.

THEREFORE, BE IT RESOLVED:

1. The RJSCB hereby approves the RFP for Phase 2b Site Security Services and authorizes the Program Manager to issue the RFP on March 7, 2017; and
2. The MWBE and Services Procurement Committee is authorized, on behalf of the RJSCB, with the advice and recommendations of the Program Manager, to review the Phase 2b Site Security Services RFP responses, select finalists, conduct interviews of the design services finalists along with other RJSCB board members, and recommend to the RJSCB the most qualified candidates.

**Second by Board Member Jones
Approved 6-0 with Member Schmidt away**

**Resolution 2016-17: 153
Change Order #16 to Manning Squires Hennig Contract (Monroe)**

By Board Member Brown

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

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

WHEREAS, the RJSCB approved the award of the general contractor contract to Manning Squires Hennig, Inc. (“Manning Squires”) for the Monroe High School project in Phase I (Resolution 2014-15: 242); and

WHEREAS, the RJSCB entered into a contract with Manning Squires (Resolution 2014-15: 242) dated June 9, 2015 (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 Campus Construction Management Group Inc. (the “Construction Manager”), and the Program Manager, identified changes in the scope of work, and cost proposals were then obtained for these changes in scope items and provided to the Construction Manager and the Program Manager for review; and

WHEREAS, Change Order #16 includes the following items:

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|----|---------------------------|-------------|
| 1. | Elevator Time Extension – | \$12,003.00 |
| 2. | Elevator Cab 1 Finishes – | \$12,585.00 |

The Total amount of Change Order #16 is \$24,588.00; 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 M/WBE and Services Procurement Committee (the "Committee") that Manning Squires' Contract should be amended to add these scope items for a total increase in the Contract Sum of \$24,588.00; and

WHEREAS, the Committee considered and discussed the Program Manager's recommendation at its March 2, 2017 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 June 9, 2015 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 Jones
Approved 6-0 with Member Schmidt away

Resolution 2016-17: 154
Change Order #14 to MA Ferrauilo Contract (Monroe)

By Board Member Brown

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

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

WHEREAS, the RJSCB approved the award of the mechanical contractor contract to Michael A. Ferrauilo Plumbing and Heating Inc. ("MA Ferrauilo") for the Monroe project in Phase I (Resolution 2014-15: 242); and

WHEREAS, the RJSCB entered into a contract with MA Ferrauilo (Resolution 2014-15: 242) dated June 9, 2015 (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, MA Ferrauilo, along with Campus Construction (the Construction Manager), and the Program Manager, identified changes in the scope of work, and cost proposals were then obtained for these changes in scope items and provided to the Construction Manager and the Program Manager for review; and

WHEREAS, Change Order #14 includes the following item:

1.	Screening Room Revisions –	(\$1,263.00)
2.	Ductwork Offset Rooms 328, 239, 330 –	\$5,530.00
3.	DDC Controls Raceway Revisions –	\$25,117.00
4.	HVAC Rework Second Floor –	\$129,220.00

The Total amount of Change Order #14 is \$158,604.00; 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 M/WBE and Services Procurement Committee (the "Committee") that MA Ferraulo's Contract should be amended to add and deduct these scope items for a total increase in the Contract Sum of \$158,604.00; and

WHEREAS, the Committee considered and discussed the Program Manager's recommendation at its March 2, 2017 meeting and after due deliberation, it approved the request to amend the Contract.

THEREFORE, BE IT RESOLVED:

1. The proposed Change Order to Michael A. Ferraulo Plumbing and Heating Inc.'s Contract between the Board and Contractor dated June 9, 2015 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 Jones
Approved 6-0 with Member Schmidt away**

**Resolution 2016-17: 155
Change Order #7 to Thurston Dudek Contract (Monroe)**

By Board Member Brown

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

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

WHEREAS, the RJSCB approved the award of the plumbing contractor contract to Thurston Dudek, LLC ("Thurston Dudek") for the Monroe High School project in Phase I (Resolution 2014-15: 242); and

WHEREAS, the RJSCB entered into a contract with Thurston Dudek (Resolution 2014-15: 242) dated June 9, 2015 (the "Contract"), to perform the scope of services defined in the contract documents as the plumbing contractor's scope of work; and

WHEREAS, following the execution of the Contract, Thurston Dudek, along with the Campus Construction (the Construction Manager), and the Program Manager, identified changes in the scope of work, and cost proposals were then obtained for these changes in scope items and provided to the Construction Manager and the Program Manager for review; and

WHEREAS, Change Order #7 includes the following items:

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|----|--|------------|
| 1. | School 15 Drain Water System – | \$4,223.00 |
| 2. | Condensate Offset Rooms 328, 329 330 – | \$4,181.00 |
- The Total amount of Change Order #7 is \$8,404.00; 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 M/WBE and Services Procurement Committee (the "Committee") that Thurston Dudek's Contract should be amended to add these scope items for a total increase in the Contract Sum of \$8,404.00; and

WHEREAS, the Committee considered and discussed the Program Manager's recommendation at its March 2, 2017 meeting and after due deliberation, it approved the request to amend the Contract;

THEREFORE, BE IT RESOLVED:

1. The proposed Change Order to Thurston Dudek's Contract between the Board and Contractor dated June 9, 2015 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 Jones
Approved 6-0 with Member Schmidt away**

**Resolution 2016-17: 156
Change Order #1 to Lloyd Mechanical Contracting LLC (Monroe Phase 2a)**

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 plumbing contractor contract to Lloyd Mechanical Contracting LLC ("Lloyd") for the Monroe High School project in Phase 2a (Resolution 2016-17: 61); and

WHEREAS, the RJSCB entered into a contract with Lloyd dated September 29, 2016 (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, Lloyd, along with the Campus Construction Management Group Inc. (the "Construction Manager"), and the Program Manager, identified changes in the scope of work, and cost proposals were then obtained for these changes in scope items and provided to the Construction Manager and the Program Manager for review; and

WHEREAS, Change Order #1 includes the following items:

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| 1. | Neutralization Basin Room 321 – | \$787.00 |
|----|---------------------------------|----------|

The Total amount of Change Order #1 is \$787.00; 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 Lloyd's Contract should be amended to add this scope item for a total increase in the Contract Sum of \$787.00; and

WHEREAS, the Committee considered and discussed the Program Manager's recommendation at its March 2, 2017 meeting and, after due deliberation, it approved the request to amend the Contract;

THEREFORE, BE IT RESOLVED:

1. The proposed Change Order #1 to Lloyd's Contract between the Board and Contractor dated September 29, 2016 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 Jones
Approved 6-0 with Member Schmidt away**

**Resolution 2016-17: 157
Pay Requisition Summary Acceptance (February 2017)**

By Board Member Brown

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

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

WHEREAS, the RJSCB developed a pay requisition approval procedure with input from its Counsel, the M/WBE and Services Procurement Committee, members of the accounting department of Rochester City School District, and the RJSCB's independent auditing firm; and

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

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

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

WHEREAS, the RJSCB, at its regularly monthly meeting on January 17, 2017, revised the Pay Requisition Approval Procedure (Resolution 2016-17: 118) to add certain additional internal controls to assist the

RJSCB by clarifying duties in absence of an Executive Director and by providing additional internal controls; and

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

WHEREAS, the COMIDA issued bond proceeds for the RSMP Phase 1b projects were deposited in the Trustee's account on June 6, 2013; and

WHEREAS, the COMIDA issued bond proceeds for the RSMP Phase 1c projects were deposited in the Trustee's account on February 4, 2015; and

WHEREAS, Excel Aid funding associated with the RSMP is currently in the final stages of review and certification by the Dormitory Authority of the State of New York ("DASNY"); and

WHEREAS, the intended purpose of the Excel Aid funding is to partially pay for costs associated with the design and/or construction of certain Phase 1a projects; and

WHEREAS, due to the late timing of the DASNY certification process for the Excel Aid, if necessary, the District has decided to establish and fund a special account for the RSMP ahead of the completion of the DASNY certification process to pay for certain invoices associated with the Phase 1a projects; and

WHEREAS, the District will be reimbursed for any payments made after the DASNY certification process has been completed and the Excel Aid funds are released; and

WHEREAS, in order to avoid a year delay in the start of Phase 2 construction at East High School, Monroe High School, and School 15 (the "Early Start Projects"), the District has advanced funds to the RSMP for Phase 2; and

WHEREAS, it is understood by the District, the City, and the RJSCB that the funds advanced by the District would be reimbursed by the City as soon as possible through a Bond Anticipation Note ("BAN") against the City's debt limit; and

WHEREAS, the District's counsel prepared a Board of Education ("BOE") resolution to authorize the advance of the funds based on the full faith and credit of the City (BOE Resolution 2014-15: 627); and

WHEREAS, a future BAN provided by the City would reimburse the funds advanced by the District for the design work associated with the Early Start Projects, as well as provide the interim financing necessary to begin other Phase 2 project designs and to engage other professional service firms to begin Phase 2 planning and coordination work; and

WHEREAS, the closing for the City BAN took place on August 9, 2016 for the amount of \$32,000,000; and

WHEREAS, the City will be reimbursed for its BAN from the Phase 2 bond proceeds following approval of the Phase 2 Master Plan by the Board of Education and approval of the first group of projects in Phase 2 by the New York State Education Department; and

WHEREAS, the District, the City and the RJSCB have executed a memorandum that sets forth the understanding that the District will advance funds to the RSMP for the payment of the expenses for the Early Start Projects and that the City will reimburse the District for these amounts through the BAN proceeds; and

WHEREAS, the Program Manager, Independent Compliance Officer and RJSCB Chair have reviewed the individual pay applications from each of the consultants, contractors and suppliers for accuracy and completeness; and

WHEREAS, the Program Manager forwarded the regular monthly Pay Requisition Summary (attached to this Resolution) totaling \$684,564.57, including all invoices to be paid by the Trustee using bond proceeds and those invoices to be paid by the District using other funding, to the RJSCB Chair with copy to the full Board on February 10, 2017; and

WHEREAS, the Program Manager forwarded the Phase 2 monthly Pay Requisition Summary (attached to this Resolution) totaling \$1,709,355.72, including all invoices to be paid by the District using funds advanced by the District to the RJSCB and those invoices to be paid out of the City BAN proceeds, to the RJSCB Chair with copy to the full Board on February 10, 2017; and

WHEREAS, the RJSCB Chair approved the regular monthly Pay Requisition Summary and the Phase 2 monthly Pay Requisition Summary on February 10, 2017; and

WHEREAS, the RJSCB's Phase 1 and Phase 2 Program Managers reviewed the regular monthly Pay Requisition Summary and the Phase 2 monthly Pay Requisition Summary with the RJSCB's Finance Committee at its meeting on March 2, 2017.

THEREFORE, BE IT RESOLVED:

1. The Rochester Joint Schools Construction Board hereby accepts the regular monthly Pay Requisition Summary for the month of February 2017 in the amount stated above and the Phase 2 monthly Pay Requisition Summary for the month of February 2017 in the amount stated above and as shown in the Summary sheets attached to this Resolution.

**Second by Board Member Jones
Approved 6-0 with Member Schmidt away**

**Resolution 2016-17: 159
Program Manager Change Order/Construction Change Directive Authorization**

By Board Member Brown

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

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

WHEREAS, the 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 selected Gilbane Building Company ("Phase 1 Program Manager") to provide Phase 1 Program Management services to the Board in June of 2010 (Resolution 2009-10: 13) and thereafter the RJSCB and the Program Manager entered into the Program Management Agreement dated July 1, 2010 (the "Agreement"); and

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

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

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

WHEREAS, pursuant to a Program Management Agreement dated December 15, 2015, by and between the RJSCB and Savin Engineers, P.C. ("Savin" or "Phase 2 Program Manager"), Savin is acting as program manager for Phase 2 of the RSMP; and

WHEREAS, construction contract change orders ("CCO") and construction change directives ("CCD") are tools for modifying construction contracts as needed to accommodate unforeseen conditions on the construction site and/or make necessary additions or deletions to complete the project work; and

WHEREAS, it is the responsibility of the RJSCB to evaluate and either approve or reject requested changes based on the acceptability and appropriateness of the change proposal; and

WHEREAS, the RJSCB's evaluation is performed in conjunction with the Program Manager, the Architect of Record and the Construction Manager; and

WHEREAS, the Program Managers believe that effective and efficient construction administration of the RSMP projects requires that the RSMP Program Managers be given authority to approve and sign CCOs and CCDs in amounts that do not exceed \$5,000; and

WHEREAS, the Program Managers recommended to the MWBE and Services Procurement Committee (the "Committee") that the RJSCB authorize the Program Manager to approve and sign CCOs and CCDs in amounts that do not exceed \$5,000, and the Committee considered and discussed the Program Managers' recommendation at its regular monthly meeting on March 2, 2017, and approved forwarding the recommendation to the full Board for review and consideration at its monthly meeting on March 5, 2017.

THEREFORE, BE IT RESOLVED:

1. The RSMP Program Managers are authorized to approve and sign CCOs and CCDs of up to \$5,000, so long as the CCO or CCD, when added to the original contract amount and all prior CCOs and CCDs, does not exceed the amount of the approved project contingency.

**Second by Board Member Jones
Approved 6-0 with Member Schmidt away**

**Resolution 2016-17: 160
Amendment #4 to JT Securities, Inc. Agreement**

By Board Member Brown

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

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

WHEREAS, in September 2012, as a result of repeated vandalism at the School 17 project site, the Rochester Schools Modernization Program ("RSMP") Phase I Program Manager recommended and the RJSCB approved that the Construction Manager for the School 17 project, The Pike Company ("Pike"), hire security guard services for after hours, weekend and holiday coverage (Resolution 2012-13: 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 of or are considered more vulnerable to vandalism; and

WHEREAS, the cost for security services for the RSMP 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 (the "Committee"), at its meeting on November 29, 2012, decided to contract directly with the security guard services firm; and

WHEREAS, in December 2012, the RJSCB approved that the Construction Manager for the School 58 project, LeChase Construction ("LeChase"), hire security guard services for the School 58 project site for a period of 90 days (Resolution 2012-13: 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 the School 17 and School 58 projects respectively; and

WHEREAS, in March 2013, the RJSCB approved Resolution 2012-13: 122 to authorize the Board to directly hire the security services firms for projects that were under construction at the time including the School 17, School 50 and School 58 projects and it then entered into an agreement with JT Securities, Inc. d/b/a Blackhawk Security and Investigation ("JT Securities") dated March 5, 2013 (the "Agreement"); and

WHEREAS, due to the schedule extension of the School 58 project, it became necessary to extend the services of JT Securities to provide additional security coverage at the School 58 project site; and

WHEREAS, the change in the schedule for the School 58 project resulted in a total increased cost of not-to-exceed \$100,000 under Amendment No. 1 (Resolution 2014-15: 3) and this was later extended in Amendment No. 2 (Resolution 2014-15: 123); and

WHEREAS, it has come to the attention of the RJSCB that the hourly rate that was being charged by JT Securities and paid to its employees for the work under the Agreement and Amendment No. 1 was not correct and that a higher rate should have been charged and paid; and

WHEREAS, the Program Manager has requested that JT Securities compile it certified payroll information for the RJSCB to show the correct amounts that are due for the applicable pay periods under the Agreement and Amendment No. 1; and

WHEREAS, based on the advice and recommendation of the Program Manager, the RJSCB approved an amendment to the Agreement in a not-to-exceed amount of \$100,000 subject to JT Securities providing a) the certified payroll information and b) the executed certification forms and proof of payment to the employees, all in an acceptable form per the Program Manager and the RJSCB (Resolution 2014-15: 132); and

WHEREAS, on November 24, 2014, Amendment No. 3 to the Agreement was executed by the Board and JT Securities; and

WHEREAS, the Program Manager has undertaken numerous efforts for more than eighteen months to obtain the certified payroll information and proof of payment from JT Securities but JT Securities has not provided all of the required information or the certifications of payment; and

WHEREAS, the RJSCB at its regular monthly meeting on February 6, 2017, considered and discussed JT Securities' failure to comply with the terms of the Agreement as amended by Amendment No. 3 and, after due deliberation, established February 24, 2017 as the deadline by which JT Securities must provide the required information and certifications failing which the RJSCB will close the Agreement without further payment; and

WHEREAS, by letter dated February 6, 2017, the RJSCB Chair once again requested the necessary information and certifications from JT Securities and further advised JT Securities that if such information was not provided by February 24, 2017, the Agreement would be closed without further payment; and

WHEREAS, JT Securities did not provide the required information and certifications to the RJSCB by the February 24, 2017 deadline; and

WHEREAS, the MWBE and Services Procurement Committee considered and discussed JT Securities' failure to provide the required information and certifications at its March 2, 2017 meeting and after due deliberation, it approved the closing of the Agreement and amending the Agreement to credit the amount of \$109,463.00 back to the RSMP.

THEREFORE, BE IT RESOLVED:

1. The proposed amendment to the Agreement between the RJSCB and JT Securities, Inc. dated March 5, 2013, as set forth above is hereby approved, decreasing the total amount of the Agreement by the sum of \$109,463.00; 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 RJSCB's general counsel.

**Second by Board Member Jones
Approved 6-0 with Member Schmidt away**

**Resolution 2016-17: 161
EBE Goals Waiver for MA Ferrauilo Contract (Monroe)**

By Board Member Brown

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

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

WHEREAS, for the Rochester Schools Modernization Program ("RSMP"), the Board implemented a Diversity Plan to create effective processes to increase the purchase of goods and services from diverse businesses and workforce members; and

WHEREAS, in the RSMP Phase 1 Diversity Plan, the Board established participation goals for Eligible Business Enterprises ("EBEs") as follows: MBE: 15% of each contract; WBE: 5% of each contract; DBE: 2% of each contract; and SBE: 5% of each contract; and

WHEREAS, the RJSCB approved the award of the mechanical contractor contract to Michael A. Ferrauilo Plumbing and Heating Inc. ("MA Ferrauilo") for the Monroe project in Phase 1 of the RSMP (Resolution 2014-15: 242); and

WHEREAS, the RJSCB entered into a contract with MA Ferrauilo (Resolution 2014-15: 242) dated June 9, 2015 (the "Contract"), to perform the scope of services defined in the contract documents as the mechanical contractor's scope of work; and

WHEREAS, the Contract requires MA Ferrauilo to comply with the requirements for EBE participation set forth in the Phase 1 Diversity Plan; and

WHEREAS, following the execution of the Contract, MA Ferrauilo, along with Campus Construction (the Construction Manager), and the Program Manager, identified changes in the scope of work, and thereafter fourteen (14) change orders were issued to MA Ferrauilo increasing the Contract Sum by \$737,843; and

WHEREAS, MA Ferrauilo has requested a waiver of the EBE participation requirements set forth under the Contract due to its stated inability to meet the EBE goals with regard to certain change order work; and

WHEREAS, pursuant to Section 004331 of the Specifications for the Monroe project, the Independent Compliance Officer ("ICO") has the discretion to waive the requirement to meet the EBE goals; and

WHEREAS, MA Ferrauilo has certified that it has taken every good faith effort to promote EBE participation set forth under the Contract; and

WHEREAS, MA Ferrauilo has projected that at project completion it will attain the following EBE performance: MBE: 14.80%; WBE: 4.60%; SBE: 4.53%; and DBE: 1.80%; and

WHEREAS, the ICO has reviewed MA Ferrauilo's waiver request and has determined that it has adequately demonstrated its good faith efforts to promote EBE participation and meet the EBE goals; and

WHEREAS, the ICO has exercised its discretion to waive MA Ferrauilo's requirement to meet the EBE goals; and

WHEREAS, the ICO has recommended to the MWBE and Services Procurement Committee (the "Committee") that MA Ferrauilo's request for an EBE goal waiver should be granted; and

WHEREAS, the Committee considered and discussed the Independent Compliance Officer's recommendation at its March 2, 2017 meeting and after due deliberation, it approved the request to grant the EBE goal waiver to MA Ferrauilo.

THEREFORE, BE IT RESOLVED:

1. The RJSCB hereby grants MA Ferrauilo's waiver of the EBE goal requirements established in the Contract between the RJSCB and MA Ferrauilo dated dated June 9, 2015.

**Second by Board Member Jones
Approved 6-0 with Member Schmidt away**

Action Item

**Resolution 2016-17: 158
Program Verification Approval – Edison Educational Campus (Phase 2b)**

By Board Member Brown

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

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

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

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

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

WHEREAS, the Edison Educational Campus ("Edison") is one of the projects included in Phase 2b of the RSMP as provided in the Phase 2 Master Plan; and

WHEREAS, June 29, 2016, the RJSCB issued a request for proposals for architectural services for Phase 2b Schools (Resolution 2015-16: 158); and

WHEREAS, the RJSCB approved the selection of LaBella Associates D.P.C. ("LaBella" or "Architect") as the Architect for the Phase 2b Edison project (Resolution 2016-17: 41); and

WHEREAS, the RJSCB entered into an agreement with Edison (Resolution 2016-17: 41) dated September 12, 2016, entitled Agreement Between Board and Architect (the "Agreement"); and

WHEREAS, the Agreement authorized LaBella to begin the program verification and planning associated with the Edison project; and

WHEREAS, the Agreement requires that upon completion of the Program Verification Phase, LaBella will provide an update to the RJSCB and to the District, and the Program Manager will seek authorization from the RJSCB and the District to proceed to the next phase in the design process, the Schematic Design Phase; and

WHEREAS, on February 8, 2017, LaBella and the Program Manager presented the Phase 2b Edison program verification plans to the Superintendent and and/or her designated representatives and received authorization to proceed to the next step in the design process; and

WHEREAS, at its regular monthly meeting on March 5, 2017, the Architect and Program Manager presented the Phase 2b Edison program verification plans to the RJSCB.

THEREFORE, BE IT RESOLVED:

1. The Program Verification Documents for the Phase 2b Edison project are approved; and
2. The Program Manager is hereby authorized to direct the Architect for Phase 2b Edison project (LaBella) to proceed with the next phase in the design process, the Schematic Design Phase.

**Second by Board Member Cruz
Approved 6-0 with Member Schmidt away**

Communications

The Phase 1 Monthly Report is included in the Member's packets.

- **Charlotte:** Door replacement will be done over Spring (April) Break. The doors were not received in time to install over Winter (February) Break.
- **Monroe:** Remaining Phase 1 activities include: fire alarm without device installation and chiller screening. Activities being delayed by Phase 2a work sequence include: Elevators and HVAC and Fire Alarm Commissioning. See notes below w/r/t Phase 1 closeout.

The Phase 2 Monthly Report is included in the Member's packets.

- **Monroe:** SHPO response submitted and demolition package for School 15 and Cafeteria development underway, 2a schedule has been finalized and integrated with remaining 1c activities, and 2b SD estimate reconciled and design is progressing into DD. A safety incident has been reported and claim filed for a Lloyd Mechanical employee - Lloyd to put their carrier on notice.
- **East:** RSMP Leadership, East Leadership and AoR are conducting a presentation to the East staff and community on March 6, 2017 (two possible paths).
- **School 7:** Abatement & Demolition work is underway and the main project bid package is being prepared for SED review.
- **School 16:** Abatement & Demolition package is out with bids due March 15, 2017. See additional comments in the 'Presentation' section.
- **School 1:** BAC and User Group meetings ongoing, and the Tay House Lodge road is being discussed.
- **SWW:** BAC and User Group meetings ongoing, and CDs are being prepared for review with SED.
- **DFTLC:** The Board reviewed and discussed a District request for BCS (CIP) work to be addressed within the current 'make ready' project w/r/t replacement of the cooling tower and chiller plant. A formal response will be sent to RCSD Facilities Director Tom Keysa from the Board.
- **Edison:** See comments in 'Presentation' section.
- **Procurement Status:** Recommendations for Design Services for Phase 2c projects were awarded at this meeting. Site Security Phase 2b RFP to go out March 7, 2017. School 16 Abatement & Demolition package is out now with bids due March 15, 2017.
- **BOP:** Second cycle of the Instructional Series (module added) began February 20, 2017 with five businesses participating. One graduate from the first Series was included in 4 of the 13 Design Services proposals submitted and 2 that were awarded at this meeting. The second newsletter is in progress.

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

Phase 1:

- 93.33% submissions for the January 2017 reporting period.
- 97.98% of all data requested has been received and approved (April 2011 through January 2017).
- Overall Workforce (EEO) Participation: Minority @ 22.83% (goal is 20%) and Women @ 7.24% (goal is 6.9%).
- Overall Business Participation: Minority @ 15.71% (goal is 15%), Women @ 7.41% (goal is 5%), Disadvantaged @ 2.33% (goal is 2%) and Small @ 3.75% (goal is 5%).
- Rochester Residents: 20 of the 61 workers for the January 2017 reporting period (or 32.79%). The average Rochester Resident workforce (construction) from inception (April 2011 through January 2017) is 27.41%.

Phase 2:

- 13 months of data have been collected and it predominately reflects the involvement of professional service firms during the planning of Phase 2 and the Business Opportunity Program (BOP).
- 96.52% of all data requested has been received and approved (January 2016 through January 2017).
- Overall Workforce (EEO) Participation: Minority @ 35.48% (goal is 22%) and Women @ 19.35% (goal is 8%).
- Overall Business Participation: Minority @ 43.52% (goal is 17%), Women @ 14.72% (goal is 10%), Disadvantaged @ 1.12% (goal is 3%) and Small @ 1.30% (goal is 3%).
- Rochester Residents: 21 of the 55 workers for the December 2016 reporting period (or 38.18%). The average Rochester Resident workforce (construction) from inception (April 2011 through December 2016) is 27.33%.

The Phase 1 Budget Report is included in the Member's packets and was reviewed at the Finance Committee Meeting March 2, 2017.

- Updated since the Finance Committee Meeting on March 2, 2017 to include the Monroe Change Orders, the J&T Securities Amendment, and the Baker Tilly Amendment.
- Total contingency is \$2.48M. Charlotte has contingency for the doors, DWT is carrying contingency for the Consultant (Millennium) and Contractor (HYE) contracts still open, School 12 is in closeout, Monroe is still in construction, and the Owner's contingency is holding at \$1.55M.
- Monroe Closeout: Planning to close out Phase 1 on June 1, 2017 (as is date is January 31, 2018) and push the additional work into Phase 2a. This will allow for savings on owing additional General Requirements as well as recapturing about \$300K back into Phase 1 for the School 50/Maynard work.

The Phase 2 Budget Report is included in the Member's packets and was reviewed at the Finance Committee Meeting March 2, 2017.

– No additional updates since the Finance Committee Meeting on March 2, 2017 - any notes are included in the Finance Committee Report included in the Members' meeting packets.

The M/WBE and Services Procurement Committee Report for March 2, 2017 is included in the Members packets.

The Finance Committee Report for March 2, 2017 is included in the Members packets.

Executive Session

Approved at 6:13 pm

Chairman Williams called for an Executive Session pursuant to News York Public Officer's Law Section 108(3), to consult with the Board's general counsel on matters subject to attorney client privilege.

Motion by Member Benincasa

Second by Member Brown

Approved 4-0 with Members Cruz, Jones, and Schmidt away

The Board came out of Executive Session at 6:28 pm

Motion by Member Brown

Second by Member Richards

Approved 4-0 with Members Cruz, Jones, and Schmidt away

Adjournment

Approved at 6:33 pm

Motion by Member Brown

Second by Member Benincasa

Approved 4-0 with Members Cruz, Jones, and Schmidt away