

**Rochester Joint Schools Construction Board**  
**Special Meeting Minutes**  
**May 16, 2017**  
**3:30 PM**

**Present**

Chairman Allen Williams, Vice Chair Michael Schmidt (left at 4:48 pm), Charles Benincasa, Bob Brown, I. Geena Cruz, Norman Jones (left at 4:48 pm), and Thomas Richards. ICO Brian Sanvidge was away. Also present: General Counsel Edward Hourihan and Program Managers P  pin Accilien and Roland Coleman from Savin.

**Chairman Williams convened the meeting at 3:34 pm.**

**Action Items**

**Resolution 2016-17: 201 (*Resolution tabled*)**

**Resolution 2016-17: 204**

**Contract Award – Abatement and Demolition – School 15 and Cafeteria Addition Work at Monroe H.S. Phase 2b**

**By Board Member Richards**

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, 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 James Monroe High School (“Monroe 2b”) is one of the projects included in Phase 2b of the RSMP as provided in the Phase 2 Master Plan; and

WHEREAS, the Program Manager worked with the Monroe 2b Architect and Construction Manager to prepare requests for bids for the Abatement and Demolition contract for School 15 and Cafeteria Addition work at Monroe H.S.; and

WHEREAS, the RJSCB authorized the release of the Abatement and Demolition package at its regular meeting on April 10, 2017 (Resolution 2016-17: 171); and

WHEREAS, the Program Manager received bids on May 3, 2017 per the deadline stipulated in the Request for Bids for the Abatement and Demolition package for School 15 and Cafeteria Addition work at Monroe H.S., and those bids were subsequently opened and read aloud at the location stated in the Request for Bids; and

WHEREAS, the Program Manager, the Architect, Construction Manager and ICO have reviewed the bids, conducted de-scoping meetings of the lowest bidder and determined that Mark Cerrone, Inc. is the lowest

responsive and responsible bidder that is qualified and capable to perform the scope of work package for the Phase 2b School 15 and Cafeteria Addition Abatement and Demolition project at Monroe H.S.; and

WHEREAS, on May 5, 2017, the Program Manager provided its award recommendation regarding the Abatement and Demolition work for the Phase 2b School 15 and Cafeteria Addition project at Monroe H.S. to the RJSCB; and

WHEREAS, at the RJSCB regular meeting held on May 8, 2017, following the review and consideration of the recommendations from the Program Manager, Construction Manager and ICO, and after due deliberation by the RJSCB, the RJSCB approved the contract award to:

<b>Scope of Work</b>	<b>Name of Contractor</b>	<b>Address</b>	<b>Bid Amount</b>
Abatement and Demolition	Mark Cerrone, Inc.	2368 Maryland Ave Niagara Falls, NY 14305	\$1,583,000.00

THEREFORE, BE IT RESOLVED:

1. The RJSCB hereby approves the above-stated recommendation and awards the contract to Mark Cerrone, Inc. in the amount of \$1,583,000.00 to provide all equipment, labor, materials, and plant necessary to execute the Abatement and Demolition scope of work associated with the Phase 2b School 15 and Cafeteria Addition project at Monroe H.S.; and
2. The RJSCB Chair is hereby authorized, in the name and on behalf of the RJSCB, to execute and deliver an Agreement to Mark Cerrone, Inc. in substantially the form included in the Request for Bids for the Phase 2b School 15 and Cafeteria Addition project at Monroe H.S., 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 Brown  
Approved 7-0**

**Resolution 2016-17: 205  
Contract Award – Mechanical, Electrical and Plumbing – School 7 (Phase 2a Project)**

**By Board Member Jones**

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, 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 Virgil I. Grissom School No. 7 ("School 7") is one of the projects included in Phase 2a of the RSMP as provided in the Phase 2 Master Plan; and

WHEREAS, Phase 2a of the RSMP includes general construction, mechanical, plumbing and electrical work at School 7; and

WHEREAS, the Program Manager worked with the Architect of Record and Construction Manager for the School 7 project to prepare a Request for Bids for general construction, mechanical, plumbing and electrical work for the School 7 project; and

WHEREAS, the RJSCB authorized the release of the general construction, mechanical, plumbing and electrical work package at its regular meeting on April 10, 2017 (Resolution 2016-17: 173); and

WHEREAS, the Program Manager received bids on May 4, 2017 per the deadline stipulated in the Request for Bids for the School 7 project, and those bids were subsequently publicly opened and read aloud at the location stated in the Request for Bids; and

WHEREAS, the Program Manager and the Independent Compliance Officer (“ICO”) reviewed the bids submitted for the School 7 project, conducted de-scoping meetings, and concluded that the apparent low bidders are also qualified and responsible bidders; and

WHEREAS, on May 5, 2017, the Program Manager provided its award recommendation regarding the general construction, mechanical, electrical and plumbing work contracts for School 7 to the RJSCB; and

WHEREAS, at the RJSCB special meeting held on May 16, 2017, following the review and consideration of the recommendations from the Program Manager, Construction Manager and ICO, and after due deliberation by the RJSCB, the RJSCB approved the contract awards as follows:

<b>Scope of Work</b>	<b>Name of Contractor</b>	<b>Address</b>	<b>Bid Amount</b>
Mechanical	John W. Danforth Company	930 Old Dutch Road Victor, NY 14564	\$3,821,000.00
Electrical	East Coast Electric, LLC	546 Lyell Ave Rochester, NY 14606	\$2,284,731.00
Plumbing and Fire Protection	Michael A. Ferraulo Plumbing & Heating, Inc.	1600 Jay Street Rochester, NY 14611	\$1,176,000.00

THEREFORE, BE IT RESOLVED:

1. The RJSCB hereby approves the above-stated recommendations that the 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 mechanical, electrical and plumbing scopes of work associated with the Phase 2a School 7 project;
2. The RJSCB Chair is hereby authorized, in the name and on behalf of the RJSCB, to execute and deliver an Agreement to the firms named above in substantially the form included in the Request for Bids for the Phase 2a School 7 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; and
3. The RJSCB hereby “tables” the award for the general construction contract pending additional discussion and additional information from the Program Manager and the RJSCB general counsel.

**Second by Board Member Brown**  
**Approved 7-0**

**Resolution 2016-17: 210**  
**Amendment #2 to MEH Consulting, LLC Agreement – Virgil I. Grissom School No. 7 (Phase 2a)**

**By Board Member Richards**

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 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 RJSCB issued a Request for Proposals (“RFP”) for Environmental Monitoring Agent Services (Resolution 2016 – 2017: 30), which included work at the first projects in Phase 2a; and

WHEREAS, the RJSCB approved the selection of ME Holvey Consulting, LLC (“MEH”) as the Environmental Monitoring Agent for the Virgil I. Grissom School No. 7 (“School 7”) project in Phase 2a (Resolution 2016-17: 47); and

WHEREAS, the RJSCB entered into an agreement with MEH (Resolution 2016-17: 47) dated September 12, 2017, entitled Agreement Between Board and Consultant (the “Agreement”); and

WHEREAS, following the execution of the Agreement, the Program Manager requested, and cost proposals were then obtained and reviewed, for additional scopes of work at School 7; and

WHEREAS, the Program Manager thereafter recommended to the RJSCB that MEH’s Agreement should be amended to adjust the original not-to-exceed allowance and add additional scope items in the total amount of \$30,00.00 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 May 16, 2017 meeting, and after due deliberation, it approved the request to amend the MEH Agreement.

THEREFORE, BE IT RESOLVED:

1. The proposed amendment to the MEH Agreement between Board and Consultant dated September 12, 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 an amendment to the MEH 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 Cruz**  
**Approved 7-0**

**Resolution 2016-17: 211**  
**Watts Architecture & Engineering – Dr. Freddie Thomas Learning Center (Phase 2b) Cooling Tower, Chiller, Pool Equipment and Dehumidification System Assessment**

**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 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 RJSCB issued a request for proposals (the "RFP") for architectural services, renovation and addition projects for Phase 2b Schools (Resolution 2015-16: 158); and

WHEREAS, the RJSCB approved the selection of Watts Architecture & Engineering, D.P.C. ("Watts") as the Architect for the Dr. Freddie Thomas Learning Center ("DFTLC") project in Phase 2a (Resolution 2016-17: 41); and

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

WHEREAS, following the execution of the Agreement, the Board authorized Watts, as additional services, to produce an assessment to determine the scope, budget and schedule for an expedited replacement of the chiller system and pool equipment at DFTLC (Resolution 2016-17: 187 and Resolution 2016-17: 192); and

WHEREAS, Watts presented its Cooling Tower, Chiller, Pool Equipment and Dehumidification System Assessment, dated April 28, 2017 (the "Assessment") at a special meeting of the RJSCB held on May 16, 2017; and

WHEREAS, the RJSCB considered and discussed the Assessment at its May 16, 2017 meeting, and after due deliberation, it accepted the Assessment.

THEREFORE, BE IT RESOLVED:

1. The RJSCB hereby accepts the Assessment prepared by Watts, including the findings and recommendations therein.

**Second by Board Member Cruz**  
**Approved 7-0**

**Adjournment**  
**Approved at 5:18 pm**

Motion by Member Brown  
Second by Member Richards  
Approved 5-0 with Vice Chair Schmidt and Member Jones away