

Rochester Joint Schools Construction Board
Special Meeting Minutes
June 29, 2017
4:30 PM

Present

Chairman Allen Williams, Vice Chair Michael Schmidt (arrived at 4:39 pm), Charles Benincasa, Bob Brown, Norman Jones, and Thomas Richards. I. Geena Cruz and ICO Brian Sanvidge were away. Also present: General Counsel Edward Hourihan and Greg McDonald; Savin Program Directors Pépin Accilien and Roland Coleman.

Chairman Williams convened the meeting at 4:33 pm.

Presentation

Edison Educational Campus

Michael Short, LaBella Associates, provided an update of work this summer to be awarded this meeting, and the proposed work for the main project that will be bid this fall. Work this summer consists of the south parking lot, recoating of the entrance plaza, and the south roof. Proposed work for the main project includes Area A reconfiguration, structural rehabilitation in the Area A lower level, select bathroom renovations, window replacement, exterior door replacement, and stairway door replacement. Michael also noted that he will be bringing in natural light (with the structural already taking down walls) with the new windows and also creating a Makerspace at the request of the District.

Board member Tom Richards asked about the basis for reconfiguring area A to create spaces for the Art studio and classes, painting, sculpture, ceramics, photography, Audio and video production, interactive media, studio-in-fibers, automotive shops and a state of the art "Makerspace." Vice-Chair Mike Schmidt and Program Director Pepin Accilien answered that the School District's programmatic needs for Edison Tech is currently to align the Career and Technical Education (CTE) program with the Facilities Modernization Program, so Edison Tech Administrators and Educators can offer a sequence of rigorous courses to prepare students for relevant technical knowledge and skills needed for current and emerging trades and professions in their career pathways.

George Mather Forbes School No. 4

Antonino Borgese, CJS Architects, provided a program verification update as meetings have been taking place with user groups and District Facilities. Plans were shown for site, basement, first floor, and second floor with scope items such as the recreation of the loading dock area, new service elevator, and creating a basement level (for heat rest and storage) as the current area is a crawlspace. Program spaces will remain the same as shown on the test fits. The team is on schedule to submit to SED by the end of the year, bid February 2018, move the school into swing space, and begin work summer 2018.

Action Items

Resolution 2016-17: 239

Contract Awards – General Construction, Mechanical, Electrical and Plumbing – School Without Walls (Phase 2b)

By Board Member Benincasa

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 School Without Walls Commencement Academy (“School Without Walls”) is one of the projects included in Phase 2b of the RSMP as provided in the Phase 2 Master Plan; and

WHEREAS, Phase 2b of the RSMP includes general construction, mechanical, plumbing and electrical work at School Without Walls; and

WHEREAS, the Program Manager worked with the School Without Walls Architect and Construction Manager to prepare requests for bids for general construction, mechanical, electrical and plumbing bidding documents package; 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: 172); and

WHEREAS, the Program Manager received bids on June 19, 2017 per the deadline stipulated in the Request for Bids for the School Without Walls 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, the Construction Manager and the Independent Compliance Officer (“ICO”) reviewed the bids submitted for the School Without Walls project, conducted de-scoping meetings, and concluded that the apparent low bidders are also qualified and responsible bidders; and

WHEREAS, on June 27, 2017, the apparent low bidder for the mechanical work contract, Crosby-Brownlie, Inc., advised the Program Manager that it did not meet the RSMP Phase 2 Diversity Plan requirements; and

WHEREAS, the Program Manager, Construction Manager, ICO, and the RJSCB general counsel determined that Crosby-Brownlie’s bid did not meet the diversity requirements of the Contract Documents and, as such, was non-responsive; and

WHEREAS, it was subsequently determined that the second lowest bidder, Michael A. Ferrauilo Plumbing & Heating, was the lowest responsive and responsible bidder that is qualified and capable to perform the scope of work for the mechanical contract; and

WHEREAS, on June 29, 2017, the Program Manager, ICO and Construction Manager provided their award recommendations regarding the general construction, mechanical, electrical and plumbing work contracts for School Without Walls project to the RJSCB; and

WHEREAS, at its June 29, 2017 special meeting, the Board considered and discussed the recommended awards and, after due deliberation, determined that Crosby-Brownlie, Inc.'s bid was non-responsive and should be rejected on that basis and approved the contract awards as follows:

<u>Scope of Work</u>	<u>Name of Contractor</u>	<u>Address</u>	<u>Bid Amount</u>
General	Javen Construction Inc.	2575 Baird Road Penfield, NY 14526	\$3,915,000.00
Mechanical	Michael A. Ferrauilo Plumbing & Heating	1600 Jay Street Rochester, NY 14611	\$442,000.00
Electrical	Eastcoast Electric LLC	546 Lyell Avenue Rochester, NY 14606	\$979,150.00
Plumbing	Michael A. Ferrauilo Plumbing & Heating, Inc.	1600 Jay Street Rochester, NY 14611	\$869,000.00

THEREFORE, BE IT RESOLVED:

1. The RJSCB hereby determines that the bid of Crosby-Brownlie on the School Without Walls mechanical contract is non-responsive in that it fails to comply with the diversity requirements of the Bidding Documents and, therefore, rejects the bid of Crosby-Brownlie, Inc. on said contract; and
2. 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 general construction, mechanical, electrical and plumbing scopes of work associated with the School Without Walls project; and
3. 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 School Without Walls 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 Vice Chair Schmidt
Approved 6-0 with Member Cruz away

Resolution 2016-17: 240
Contract Award Roof and Site Work Contracts – Edison Technology Campus (Phase 2b)

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, Edison Technology Campus (“Edison”) 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 Edison Architect and Construction Manager to prepare requests for bids for the Roof and Site Work bidding documents package; and

WHEREAS, the RJSCB authorized the release of the Roof and Site Work bidding documents for the Phase 2b Edison project at its meeting on May 8, 2017 (Resolution 2016-17: 196); and

WHEREAS, the Program Manager received bids on June 22, 2017 per the deadline stipulated in the Request for Bids for the Edison Roof project, and the bids were subsequently publicly opened and read aloud at the location stated in the Request for Bids; and

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

WHEREAS, on or about June 26, 2017, the Program Manager, Construction Manager and ICO provided their award recommendations regarding the Roof and Site contracts for Edison to the RJSCB; and

WHEREAS, on June 28, 2017, the apparent low bidder for the Roof contract work, Groove Roofing Services, Inc., advised the Program Manager that, due to a clerical error, had submitted a mistaken bid and could not meet the requirements of the Phase 2 Diversity Plan, and therefore requested permission to withdraw its bid without penalty; and

WHEREAS, it was subsequently determined that the second lowest bidder, Elmer W. Davis, Inc., was the lowest responsive and responsible bidder that is qualified and capable to perform the scope of work package for the Edison Roof contract; and

WHEREAS, under the applicable provisions of the General Municipal Law, a bidder can withdraw a bid containing an excusable mistake as defined therein; and

WHEREAS, at the RJSCB special meeting held on June 29, 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 Groove Roofing Services, Inc.’s request to withdraw its bid and award the Roof and Site work contracts to the following lowest responsible bidders:

Scope of Work	Name of Contractor	Address	Bid Amount
Site (Contract #100)	Zoladz Construction Co., Inc.	13600 Railroad Street, PO Box 157 Alden, NY 14004	\$945,372.83 (including alternates 2 and 3)
Roof (Contract #200)	Elmer W. Davis, Inc.	1217 Clifford Avenue Rochester, NY 14621	\$1,049,277.00 (including alternate 1)

THEREFORE, BE IT RESOLVED:

1. The RJSCB hereby accepts the withdrawal of the Roof contract bid of Groove Roofing Services, Inc. due to an excusable mistake, and directs that its bid security be returned; and
2. The RJSCB hereby approves the above-stated recommendations that the contract award shall be made to the above named firms and bid amounts to provide all equipment, labor, materials, and plant necessary to execute the Roof and Site scope of work associated with the Phase 2b Edison Technology Campus project; and
3. 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 2b Edison Technology Campus 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 Richards
Approved 6-0 with Member Cruz away**

Resolution 2016-17: 241

Contract Award - School 7 (Part B) Environmental & Indoor Air Quality Monitoring/Sampling Services

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 (the "Amended Act"); 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, upon the recommendation of its Program Manager, has determined a need for a Environmental Monitoring and Testing Services firm to provide services for the Virgil Grissom School 7 (Part B) project (the "School 7 (Part B) project"); and

WHEREAS, the RJSCB issued a Request for Proposals ("RFP") for Environmental Monitoring and Testing Services for the School 7 (Part B) project (Resolution 2016-17: 219); and

WHEREAS, the RJSCB's Program Manager received five proposals as of the date and time specified in the RFP, and promptly distributed the proposals to the RJSCB members; and

WHEREAS, the RJSCB Chair, the Program Manager and Independent Compliance Officer ("ICO") subsequently interviewed all five of the respondent firms; and

WHEREAS, following the interviews, the RJSCB Chair, Program Manager and ICO identified LaBella Associates, D.P.C. as the best candidate for the School 7 (Part B) project based on its qualifications, experience, ability to meet the demands and staffing for the project, and cost of services; and

WHEREAS, the Board, at its special meeting held on June 29, 2017, considered the recommendations from the Program Manager and ICO to award the contract for the School 7 (Part B) project to LaBella Associates, D.P.C. and, after due deliberation, it approved the recommendation.

THEREFORE, BE IT RESOLVED:

1. The contract for Environmental Monitoring and Testing Services for the School 7 (Part B) project of Phase 2a of the Rochester Schools Modernization Program in the amount of \$55,992.00 is hereby awarded to LaBella Associates, D.P.C.; and

2. The RJSCB Chair is hereby authorized, in the name and on behalf of the RJSCB, to execute and deliver an Agreement to the firm named above in substantially the form included in the Request for Proposals, 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 Richards
Approved 6-0 with Member Cruz away

Resolution 2016-17: 242
Contract Award – Foundation and Structural Steel – John Walton Spencer School No. 16 (Phase 2a)

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 John Walton Spencer School No. 16 ("School 16") 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 School 16 Architect and Construction Manager to prepare requests for bids for the Foundation and Structural Steel prime contract; and

WHEREAS, the RJSCB authorized the release of the Foundation and Structural Steel bidding documents package at its regular meeting on April 10, 2017 (Resolution 2016-17: 174); and

WHEREAS, the Program Manager received bids on June 29, 2017 per the deadline stipulated in the Request for Bids for the School 16 Foundation and Structural Steel 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 Construction Manager determined that the apparent lowest bidder was Manning Squires Hennig Co. Inc. ("MSH"), and recommended that the Board approve the award of the Foundation and Structural Steel prime contract to MSH subject to satisfactory de-scoping by the Program Manager and Construction Manager and approval of its diversity and workforce utilization plan by the Independent Compliance Officer ("ICO"); and

WHEREAS, at a special meeting held on June 29, 2017, following review and consideration of the recommendations from the Program Manager, Construction Manager and ICO, and after due deliberation by the RJSCB, and contingent upon the post de-scoping determination by the Program Manager and Construction

Manager that MSH is a qualified and responsible bidder and approval of MSH's diversity and workforce utilization plan by the ICO, the RJSCB approved the contract award as follows:

Scope of Work	Name of Contractor	Address	Bid Amount
Foundation and Structural Steel	Manning Squires Hennig Co. Inc.	8426 Seven Springs Road, PO Box 685 Batavia, NY 14021	\$1,785,000.00

THEREFORE, BE IT RESOLVED:

1. The RJSCB hereby approves the above-stated recommendation that the contract award shall be made to the above named firm and bid amount to provide all equipment, labor, materials, and plant necessary to execute the Foundation and Structural Steel scope of work associated with the School 16 project contingent upon the post de-scoping determination by the Program Manager and Construction Manager that MSH is a qualified and responsible bidder and approval of MSH's diversity and workforce utilization plan by the ICO; and
2. The RJSCB Chair is hereby authorized, subject to the foregoing, 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 School 16 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 Brown
Approved 6-0 with Member Cruz away

Communication

Phase 2 Update: East Campus

Program Manager Jeff Hatten stated that the Steve General Contractor was awarded the Roof/Abatement Contract at the June 16, 2017 meeting. For the main project, resizing of the classrooms (which would have required an addition) is out of the design. A swing space update will be provided at the next monthly meeting (July 2017).

Phase 1 Update: School 50-B (& Maynard's)

Program Manager Mark AuClair stated that for the School 50 part they have broken out 5 alternates consisting of roof sections and a door between the Principals Office and Conference Room. For the Maynard's project/demolition, RGRTA is awaiting an Appraisal of their parcel. The current scope with the favored option (out of 3 provided) consists of the following: soccer field, baseball field, two benches/dugouts, two 50' bleachers, and full 6' ornamental fencing and gates for the 2 fields. They will be bidding an alternate for the sidewalk (resilient).

Adjournment

Approved at 5:57 pm

Motion by Member Benincasa
Second by Member Schmidt
Approved 6-0 with Member Cruz away