

**Rochester Joint Schools Construction Board**  
**Minutes**  
**April 6, 2015**  
**4:30 PM**

**Present**

Chair Tom Richards, Charles Benincasa, Vice Chair Bob Brown, Joe Brown (arrived at 4:36 p.m.), José Coronas, Chris Thomas, Wayne Williams and ICO Brian Sanvidge. Also present were: Executive Director Tom Renauto, General Counsel Peter Abdella, and Program Managers Wayne Hermanson from Gilbane and Pepin Accilien from Savin.

**Chair Richards convened the meeting at 4:31 pm**

**Approval of Minutes**

Monthly Meeting held on March 9, 2015

Motion by Vice Chair Brown

Second by Member Benincasa

Approved 6-0 with Member Brown away

Special Meeting held on March 17, 2015

Motion by Vice Chair Brown

Second by Member Benincasa

Approved 6-0 with Member Brown away

**Consent Agenda Items**

**Resolution 2014-15: 203**

**Change Order #35 to Manning Squires Hennig – (GC - School 28)**

**By Vice Chair Brown**

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

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

WHEREAS, the Act authorized up to 13 projects in Phase I of the Rochester Schools Modernization Program (“RSMP”) including a District Wide Technology program which involves technology upgrades and infrastructure work at each of the 12 school projects identified in Phase 1; and

WHEREAS, the RJSCB approved the award of the general contractor contract to Manning Squires Hennig Co., Inc. (“Manning Squires”) for the School 28 project in Phase I (Resolution 2012-13: 106); and

WHEREAS, the RJSCB subsequently entered into a contract with Manning Squires (Resolution 2012-13: 106) dated February 4, 2013 (the “Contract”), to perform the scope of services defined in the contract documents as the general contractor’s scope of work; and

WHEREAS, following the execution of the Contract, Manning Squires, along with LeChase Construction, the Construction Manager, and the Program Manager, identified the need for additional scopes of work, and cost proposals were then obtained for these additional scope items and provided to the Construction Manager and the Program Manager for review; and

WHEREAS, Change Order #35 includes the following items:

1. Repairs and revisions to terrazzo floors for the amount of \$1,890.25  
The total amount of Change Order #35 is \$1,890.25; and

WHEREAS, the Construction Manager and the Program Manager believe that the change order work was necessary, the pricing is appropriate and the contract time will not be increased by this additional work; and

WHEREAS, the Program Manager thereafter recommended to the RJSCB's MWBE and Services Procurement Committee (the "Committee") that Manning Squires' Contract should be amended to add these additional scope items in the total amount of \$1,890.25; and

WHEREAS, the Committee considered and discussed the Program Manager's recommendation at its April 2, 2015 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' Contract between the Board and Contractor dated February 4, 2013 as set forth above is hereby approved;
2. The RJSCB's Chair is hereby authorized, in the name and on behalf of the RJSCB, to execute a Change Order that is consistent with this approval and in an acceptable form to the Chair upon the advice of the Program Manager and the RJSCB's general counsel.

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

**Resolution 2014-15: 204  
Change Order #13 to Bell Mechanical – (Mechanical - School 28)**

**By Vice Chair Brown**

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

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

WHEREAS, the Act authorized up to 13 projects in Phase I of the Rochester Schools Modernization Program ("RSMP") including a District Wide Technology program which involves technology upgrades and infrastructure work at each of the 12 school projects identified in Phase 1; and

WHEREAS, the RJSCB approved the award of the mechanical contractor contract to Bell Mechanical Contractor Inc. ("Bell Mechanical") for the School 28 project in Phase I (Resolution 2012-13: 106); and

WHEREAS, the RJSCB subsequently entered into a contract with Bell Mechanical (Resolution 2012-13: 106) dated February 4, 2013 (the "Contract"), to perform the scope of services defined in the contract documents as the mechanical contractor's scope of work; and

WHEREAS, following the execution of the Contract, Bell Mechanical, along with LeChase Construction, the Construction Manager, and the Program Manager, identified the need for additional scopes of work, and cost proposals were then obtained for these additional scope items and provided to the Construction Manager and the Program Manager for review; and

WHEREAS, Change Order #13 includes the following items:

1. Furnish and install controls on the building's make-up water system for the amount of \$9,506.53
- The Total amount of Change Order #13 is \$9,506.53; 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 Bell Mechanical's Contract should be amended to add these additional scope items in the total amount of \$9,506.53; and

WHEREAS, the MWBE and Services Procurement Committee considered and discussed the Program Manager's recommendation at its April 2, 2015 meeting and after due deliberation, it approved the request to amend the Contract;

THEREFORE, BE IT RESOLVED:

1. The proposed Change Order to Bell Mechanical Contractor's Contract between the Board and Contractor dated February 4, 2013 as set forth above is hereby approved; and
2. The RJSCB's Chair is hereby authorized, in the name and on behalf of the RJSCB, to execute a Change Order that is consistent with this approval and in an acceptable form to the Chair upon the advice of the Program Manager and the RJSCB's general counsel.

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

**Resolution 2014-15: 205  
Change Order #14 to Nairy Mechanical – (Plumbing - School 28)**

**By Vice Chair Brown**

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

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

WHEREAS, the Act authorized up to 13 projects in Phase I of the Rochester Schools Modernization Program ("RSMP") including a District Wide Technology program which involves technology upgrades and infrastructure work at each of the 12 school projects identified in Phase 1; and

WHEREAS, the RJSCB approved the award of the plumbing contractor contract to Nairy Mechanical LLC (“Nairy Mechanical”) for the School 28 project in Phase I (Resolution 2012-13: 106); and

WHEREAS, the RJSCB subsequently entered into a contract with Nairy Mechanical (Resolution 2012-13: 106) dated February 4, 2013 (the “Contract”), to perform the scope of services defined in the contract documents as the plumbing contractor’s scope of work; and

WHEREAS, following the execution of the Contract, Nairy Mechanical, along with LeChase Construction, the Construction Manager, and the Program Manager, identified the need for additional scopes of work, and cost proposals were then obtained for these additional scope items and provided to the Construction Manager and the Program Manager for review; and

WHEREAS, Change Order #14 includes the following items:

1. Emergency services related to waterline blockage for the amount of \$2,430.48
- The Total amount of Change Order #14 is \$2,430.48; and

WHEREAS, the Construction Manager and the Program Manager believe that the pricing is appropriate and the contract time will not be increased by this additional work; and

WHEREAS, the Program Manager thereafter recommended to the RJSCB’s MWBE and Services Procurement Committee (the “Committee”) that Nairy Mechanical’s Contract should be amended to add these scope items in the total amount of \$2,430.48; and

WHEREAS, the Committee considered and discussed the Program Manager’s recommendation at its April 2, 2015 meeting and after due deliberation, it approved the request to amend the Contract;

THEREFORE, BE IT RESOLVED:

1. The proposed Change Order to Nairy Mechanical’s Contract between the Board and Contractor dated February 4, 2013 as set forth above is hereby approved; and
2. The RJSCB’s Chair is hereby authorized, in the name and on behalf of the RJSCB, to execute a Change Order that is consistent with this approval and in an acceptable form to the Chair upon the advice of the Program Manager and the RJSCB’s general counsel.

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

**Resolution 2014-15: 206  
Change Order #8 to Hewitt Young Electric – Electrical Contractor (Edison Technology Campus)**

**By Vice Chair Brown**

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

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

WHEREAS, the RJSCB approved the award of the electrical contractor contract to Hewitt Young Electric (“HYE”) for the Edison Technology Campus project in Phase I (Resolution 2013-14: 15); and

WHEREAS, the RJSCB entered into a contract with HYE (Resolution 2013-14: 15) dated July 8, 2013 (the "Contract"), to perform the scope of services defined in the contract documents as the electrical contractor's scope of work; and

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

WHEREAS, Change Order #8 includes the following items:

1. Provide temporary electric to areas affected by construction for the amount of \$13,406
2. Provide 3<sup>rd</sup> floor emergency shut-off for the amount of \$5,525
3. Provide temporary feed to power panels for the amount of \$6,671
4. Provide relocations due to structural changes in the basement/plaza area for the amount of \$5,848
5. Plaza revisions and sump station for the amount of \$2,843
6. Boiler flue revisions for the amount of \$1,364
7. AHU electrical revisions for the amount of \$16,765
8. New light fixture in corridor for the amount of \$1,030
9. Additional lighting work for the amount of \$4,761
10. Trouble shoot existing fire alarm panel for the amount of \$4,578
11. Power changes at kitchen for the amount of \$19,466

The total amount for Change Order #8 is \$82,257; and

WHEREAS, the Construction Manager and the Program Manager believe that the change order work was necessary, the pricing is appropriate, and the contract time will not be increased by this additional work; and

WHEREAS, the Program Manager thereafter recommended to the RJSCB's MWBE and Services Procurement Committee (the "Committee") that HYE's Contract should be amended to add these scope items in the amount of \$82,257; and

WHEREAS, the Committee considered and discussed the Program Manager's recommendation at its April 2, 2015 meeting and after due deliberation, it approved the request to amend the Contract;

THEREFORE, BE IT RESOLVED:

1. The proposed Change Order to Hewitt Young Electric's Contract between the Board and Contractor dated July 8, 2013 as set forth above is hereby approved; and
2. The RJSCB's Chair is hereby authorized, in the name and on behalf of the RJSCB, to execute a Change Order to the Contract that is consistent with this approval and in an acceptable form to the Chair upon the advice of the Program Manager and the RJSCB's general counsel.

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

## **Action Items**

### **Resolution 2014-15: 207**

#### **Amendment to SJB Services, Inc. Contract (Phase 1b and 1c Projects)**

##### **By Vice Chair Brown**

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

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

WHEREAS, the Program Manager recommended to the RJSCB that it engage the services of a Special Inspection and Testing Agent as a third party inspector during construction of the Phase 1 projects; and

WHEREAS, the RJSCB issued a Request For Proposals (“RFP”) for special inspection and materials testing services on April 9, 2012 (Resolution 2011-12: 92) which included work at the first five projects in Phase 1a (School 17, School 50, School 58, Charlotte High School and Franklin Educational Campus); and

WHEREAS, the RJSCB, at its monthly meeting on June 4, 2012 (Resolution 2011-12: 115), approved the selection of SJB Services, Inc. (“SJB”) for special inspection and materials testing services for School 17, School 50, School 58, Charlotte High School, and Franklin Educational Campus, and the parties thereafter entered into an Agreement between the RJSCB and SJB dated June 11, 2012; and

WHEREAS, the RJSCB issued an RFP for special inspection and material testing services on May 7, 2013 (Resolution 2012-13: 174) which included work at four projects in Phase 1b (School 5, School 28, East High School, and Edison Technology Campus); and

WHEREAS, the RJSCB, at its monthly meeting on June 10, 2013 (Resolution 2012-13: 195), approved the selection of SJB Services, Inc. (“SJB”) for special inspection and materials testing services for School 5, School 28, East High School, and Edison Technology Campus, and the parties thereafter entered into an Agreement between the RJSCB and SJB dated June 28, 2013 (the “Agreement”); and

WHEREAS, the contract between the RJSCB and SJB specifically allows for an extension of services if the Board elects to do so; and

WHEREAS, the RJSCB has previously extended the services of SJB to include work at the School 12 project in Phase 1c (Resolution 2014-15: 62); and

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

WHEREAS, the special inspections and testing services have been bid twice before through an RFP process by the RJSCB and on both occasions the firm SJB has been selected to provide these services based on quality and best value for the services; and

WHEREAS, the hourly rates and sampling/testing costs were previously negotiated for the Agreement and SJB has confirmed that it will honor these current rates, with the addition of the rate of \$85.00/hour - portal to portal - for an archaeologist; and

WHEREAS, the value for the Agreement was set by the RSMP based on previous project comparisons, and the contract value for Monroe High School will be \$50,000; and

WHEREAS, based on the advice and recommendation of the Program Manager, at its April 2, 2015 meeting, the MWBE and Services Procurement Committee considered and discussed the proposal to extend the SJB contract to include work at the Monroe High School project in Phase 1c of the RSMP and after due deliberation, it approved the request to amend the Agreement;

THEREFORE, BE IT RESOLVED:

1. The proposed amendment to the Agreement Between Board and SJB Services Inc. dated June 28, 2013, as set forth above is hereby approved; and
2. The RJSCB's Chair is authorized in the name and behalf of the RJSCB, to execute an amendment to the SJB Services Inc. 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 Coronas  
Approved 6-0 with Member Brown away**

**Resolution 2014-15: 208  
Amendment #5 to OSO Inc. Contract (Phase 1b and 1c Projects)**

**By Board Member Thomas**

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 issued a Request For Proposals ("RFP") for environmental monitoring and indoor air monitoring services on June 5, 2012 (Resolution 2011-12: 107) which included work at the first five projects in Phase 1a (School 17, School 50, School 58, Charlotte High School and Franklin High School); and

WHEREAS, the RJSCB, at its monthly meeting on July 2, 2012 (Resolution 2012-13: 13), approved the selection of OSO, Inc., for environmental monitoring and indoor air monitoring services for School 17, School 50, School 58, Charlotte High School, and Franklin High School, and the parties thereafter entered into the Agreement between the RJSCB and Consultant dated July 2, 2012; and

WHEREAS, the RJSCB issued an RFP for environmental monitoring and indoor air monitoring services on May 6, 2013 (Resolution 2012-13: 175) which included work at four projects in Phase 1b (School 5, School 28, East High School, and Edison Educational Campus); and

WHEREAS, the RJSCB, at its monthly meeting on June 10, 2013 (Resolution 2012-13: 196), approved the selection of OSO, Inc., for environmental monitoring and indoor air monitoring services for School 5, School 28, East High School, and Edison Educational Campus, and the parties thereafter entered into an Agreement between the RJSCB and Consultant dated June 28, 2013 (the "Agreement"); and

WHEREAS, the contract between the RJSCB and OSO specifically allows for an extension of services if the Board elects to do so; and

WHEREAS, the RJSCB has previously extended the services of OSO to include work at the School 12 project in Phase 1c (Resolution 2014-15: 63); and

WHEREAS, the RJSCB now wishes to extend the services of OSO, Inc. to include work at the Monroe High School project in Phase 1 which is scheduled to begin in July 2015 and be completed in August 2016; and

WHEREAS, the environmental monitoring and indoor air monitoring services have been bid twice before through an RFP process by the RJSCB and on both occasions the firm OSO, Inc. has been selected to provide these services based on quality and best value for the services; and

WHEREAS, the hourly rates and sampling/testing costs were previously negotiated for the Agreement and OSO, Inc. has confirmed that it will honor these current rates; and  
WHEREAS, the value for the Agreement was set by the RSMP based on previous project comparisons, and the contract value for Monroe High School will be \$60,000.00; and

WHEREAS, the Program Manager met with OSO, Inc to discuss lessons learned and OSO has agreed to incorporate additional scope to include: holding a preconstruction meeting to review submittals, verification of licenses and certifications of the remediation company employees, defining and following a protocol for an inspections, defining and following a protocol for time & material documentation, utilizing a daily report log to document each day's labor, progress, and work areas and the timely issuance of inspection reports; and

WHEREAS, based on the advice and recommendation of the Program Manager, at its April 2, 2015 meeting, the MWBE and Services Procurement Committee considered and discussed the proposal to extend the OSO, Inc. contract to include work at Monroe High School in Phase 1 of the RSMP and after due deliberation, it approved the request to amend the Agreement;

THEREFORE, BE IT RESOLVED:

1. The proposed amendment to the Agreement Between Board and OSO, Inc. dated June 28, 2013 as set forth above is hereby approved; and
2. The RJSCB's Chair is authorized in the name and behalf of the RJSCB, to execute an amendment to the OSO, Inc.'s contract that is consistent with this approval and in an acceptable form to the Chair upon the advice of the Program Manager and the RJSCB's general counsel.

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

**Resolution 2014-15: 209**  
**Amendment #17 to Chaintreuil Jensen Stark Architects, LLP – Monroe High School**

**By Vice Chair Brown**

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

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



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

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

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

WHEREAS, the Program Manager thereafter recommended to the RJSCB’s MWBE and Services Procurement Committee (the “Committee”) that CJS’s Agreement should be amended to add these additional scope items in the total amount of \$47,330 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 April 2, 2015 meeting, and after due deliberation, it approved the request to amend the Agreement;

THEREFORE, BE IT RESOLVED:

1. The proposed amendment to the Chaintreuil Jensen Stark Architects Agreement between Board and Architect dated November 15, 2011 as set forth above is hereby approved; and
2. The RJSCB’s Chair is hereby authorized in the name and on behalf of the RJSCB, to execute an amendment to the Agreement that is consistent with this approval and in an acceptable form to the Chair upon the advice of the Program Manager and the RJSCB’s general counsel.

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

**Resolution 2014-15: 210  
Moving Company Awards – Summer 2015 Moves**

**By Board Member Brown**

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

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

WHEREAS, the Act authorized up to 13 projects in Phase I of the Rochester Schools Modernization Program (“RSMP”) including a District Wide Technology program which involves technology upgrades and infrastructure work at each of the 12 school projects identified in Phase 1; and

WHEREAS, Vargas Associates (the “Move Management Consultant”), with the advice of the RJSCB’s Executive Director and its general counsel, prepared a request for bids (“Request for Bids”) package for furniture, equipment, and box moves at Monroe High School and the RSMP warehouse in the summer of 2015; and

WHEREAS, the RJSCB previously authorized the release of the Request for Bids at its monthly meeting on March 9, 2015 (Resolution 2014-15: 192); and

WHEREAS, the RJSCB's Executive Director received bids on March 25, 2015 per the deadline stipulated in the Request for Bids, and those bids were subsequently publicly opened and read aloud at the location stated in the Request for Bids; and

WHEREAS, the RJSCB's Program Manager and the Move Management Consultant have reviewed the bids, conducted de-scoping meetings and made assessments on the sufficiency of staffing for the moves, and concluded that the apparent low bidder is capable to perform the scope of work package and is also qualified and a responsible bidder; and

WHEREAS, at its April 2, 2015 meeting, the MWBE Procurement and Services Committee considered the recommendation of the Program Manager and Move Manager and following due deliberation, approved the firm as follows:

<u>Scope of Work</u>	<u>Name of Mover</u>	<u>Address</u>	<u>Award Amount</u>
Summer 2015 Moves	FM Resources	106 Despatch Drive East Rochester, NY 14445	\$133,808

THEREFORE, BE IT RESOLVED:

1. The RJSCB hereby approves the recommendation of the Program Manager and Move Management Consultant that a 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 scope of work associated with Monroe High School and the RSMP warehouse moves in the summer of 2015; and
2. The Chair is hereby authorized, in the name and on behalf of the RJSCB, to execute and deliver a Purchase Order to the firm named above in substantially the form included in the Request for Bids (dated March 10, 2015) with such changes as the Chair may approve (the Chair's signature thereon being conclusive evidence of such approval) on the advice of the Program Manager and the RJSCB's general counsel.

**Second by Vice Chair Brown  
Approved 7-0**

**Resolution 2014-15: 211  
Change Order #19 to Bell Mechanical Contractors Inc. – Mechanical Contractor (School 5)**

**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 mechanical contractor contract to Bell Mechanical Contractors Inc. ("Bell") for the School 5 project in Phase I (Resolution 2012-13: 177); and

WHEREAS, the RJSCB entered into a contract with Bell (Resolution 2012-13: 177) dated June 4, 2013 (the "Contract"), to perform the scope of services defined in the contract documents as the mechanical contractor's scope of work; and

WHEREAS, following the execution of the Contract, Bell, along with The Pike Company, the Construction Manager, and the Program Manager, identified the need for additional scopes of work, and cost proposals were then obtained for these additional scope items and provided to the Construction Manager and the Program Manager for review; and

WHEREAS, Change Order #19 includes the following items:

1. Corridor ceiling smoke seals for the amount of \$1,104.77
2. Anchors due to existing conditions for the amount of \$8,748.56

The total amount of Change Order #19 is \$9,853.33; and

WHEREAS, the Construction Manager and the Program Manager believe that the change order work was necessary, the pricing is appropriate, and the contract time will not be increased by this additional work; and

WHEREAS, the Program Manager thereafter recommended to the RJSCB's MWBE and Services Procurement Committee (the "Committee") that Bell's Contract should be amended to add these additional scope items in the total amount of \$9,853.33; and

WHEREAS, the Committee considered and discussed the Program Manager's recommendation at its April 2, 2015 meeting and after due deliberation, it approved the request to amend the Contract;

THEREFORE, BE IT RESOLVED:

1. The proposed Change Order to Bell Mechanical Contractors' Contract between the Board and Contractor dated June 4, 2013 as set forth above is hereby approved; and
2. The RJSCB's Chair is hereby authorized, in the name and on behalf of the RJSCB, to execute Change Order to the Contract that is consistent with this approval and in an acceptable form to the Chair upon the advice of the Program Manager and the RJSCB's general counsel.

**Second by Vice Chair Brown  
Approved 7-0**

**Resolution 2014-15: 212  
Change Order #6 to Steve General Contractor – Roofing General Contractor (School 5)**

**By Vice Chair Brown**

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

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

WHEREAS, in July 2014, the RJSCB approved the award of the roofing general contractor contract to Steve General Contractor Inc, for the School 5 project in Phase I (Resolution 2014-15: 8); and

WHEREAS, the RJSCB entered into a contract with Steve General Contractor Inc., (Resolution 2014-15: 8) dated July 7, 2014 (the "Contract"), to perform the scope of services defined in the contract documents as the roofing general contractor's scope of work; and

WHEREAS, following the execution of the Contract, Steve General Contractor, Inc., along with The Pike Company, the Construction Manager, and the Program Manager, identified the need for additional scopes of work, and cost proposals were then obtained for these additional scope items and provided to the Construction Manager and the Program Manager for review; and

WHEREAS, Change Order #6 includes the following item:

1. Shoring and concrete removal at upper roof for the amount of \$13,322.61  
The total amount of Change Order #6 is \$13,322.61; and

WHEREAS, the Construction Manager and the Program Manager believe that the change order work was necessary and the pricing is appropriate; and

WHEREAS, the Program Manager thereafter recommended to the RJSCB's MWBE and Services Procurement Committee (the "Committee") that Steve General Contractors' Contract should be amended to add these additional scope items in the total amount of \$13,322.61; and

WHEREAS, the Committee considered and discussed the Program Manager's recommendation at its April 2, 2015 meeting and after due deliberation, it approved the request to amend the Contract;

THEREFORE, BE IT RESOLVED:

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

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

**Resolution 2014-15: 213  
Change Order #59 through #63 to Manning Squires Hennig – School 58**

**By Vice Chair Brown**

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

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

WHEREAS, the Act authorized up to 13 projects in Phase I of the Rochester Schools Modernization Program ("RSMP") including a District Wide Technology program which involves technology upgrades and infrastructure work at each of the 12 school projects identified in Phase 1; and

WHEREAS, the RJSCB approved the award of the general contractor contract to Manning Squires Hennig Co., Inc. ("Manning Squires") for the School 58 project in Phase I (Resolution 2012-13: 35); and

WHEREAS, the RJSCB subsequently entered into a contract with Manning Squires (Resolution 2012-13:35) dated September 10, 2012 (the "Contract"), to perform the scope of services defined in the contract documents as the general contractor's scope of work; and

WHEREAS, following the execution of the Contract, Manning Squires, along with LeChase Construction, the Construction Manager, and the Program Manager, identified the need for additional scopes of work, and cost proposals were then obtained for these additional scope items and provided to the Construction Manager and the Program Manager for review; and

WHEREAS, Change Order #59 includes the following items:

1. Repairs to damaged framing for the amount of \$1,421
  2. Masonry lintel support for the amount of \$1,820
  3. Changes to chase for the amount of \$2,450
  4. Enclose existing columns for the amount of \$2,775
  5. Media center ceiling repairs for the amount of \$3,264
  6. Door changes at G400 and G401 for the amount of \$1,495
  7. Changes to canopy for the amount of \$8,725
  8. Bathroom wall sealant for the amount of \$8,273
  9. Lighting conflict revisions for the amount of \$2,161
  10. Revisions to room SL104 for the amount of \$1,850
  11. Changes in room G110 for the amount of \$1,962
- The total amount of Change Order #59 is \$36,196; and

WHEREAS, Change Order #60 includes the following items:

1. Lily pad steel supports for the amount of \$37,287
  2. Change corridor ceiling height for the amount of \$2,166
  3. Changes to ceiling in commons room U401 for the amount of \$4,761
  4. Changes to ceiling in room SG107 for the amount of \$1,583
  5. Changes due to piping conflicts for the amount of \$1,702
  6. Add ramp o G101 for the amount of \$8,375
  7. Changes to drywall in greenhouse for the amount of \$4,592
  8. Add door closure to L153B for the amount of \$838
  9. Changes to masonry at stage storage for the amount of \$1,676
  10. Floor elevation changes at room G409 for the amount of \$5,446
  11. Delete wood for a credit in the amount of -\$3,825
  12. Modify entrance gate for the amount of \$2,184
  13. Additional underpinning at foundation for the amount of \$95,345
  14. Revisions to structural steel for the amount of \$1,155
  15. Changes to stage door hardware for the amount of \$1,453
- The total amount of Change Order #60 is \$164,738; and

WHEREAS, Change Order #61 includes the following items:

1. Changes to SG106 ceiling for the amount of \$4,168
  2. Modify exposed insulated panel for the amount of \$2,930
  3. Remove acoustical wall panels, patch, paint for the amount of \$10,119
  4. Add washer/dryer for the amount of \$6,282
  5. Replace hardware for the amount of \$5,085
  6. OH&P on fuel for the amount of \$35,297
- The total amount of Change Order #61 is \$63,881; and

WHEREAS, Change Order #62 includes the following items:

1. Reclaim unused allowance funds associated with terrazzo repairs for a credit of -\$10,275
- The total amount of Change Order #62 is a credit of -\$10,275; and

WHEREAS, Change Order #63 includes the following items:

1. Access door and ladder for the amount of \$9,421
2. Blinds at main office for the amount of \$1,566
3. Interior wood trim, in excess of allowance, for the amount of \$85,790
4. White Board and tack board changes for the amount of \$17,670

The total amount of Change Order #63 is \$114,447; and

WHEREAS, the Construction Manager and the Program Manager believe that the change order work is necessary, the pricing is appropriate and the contract time will not be increased by this additional work; and

WHEREAS, the Program Manager thereafter recommended to the RJSCB's MWBE and Services Procurement Committee (the "Committee") that Manning Squires's Contract should be amended to add and delete these additional scope items in the total amount of \$368,987; and

WHEREAS, the Committee considered and discussed the Program Manager's recommendation at its April 2, 2015 meeting and after due deliberation, it approved the request to amend the Contract;

THEREFORE, BE IT RESOLVED:

1. The proposed Change Orders to Manning Squires Hennig's Contract between the Board and Contractor dated September 10, 2012 as set forth above are hereby approved; and
2. The RJSCB's Chair is hereby authorized, in the name and on behalf of the RJSCB, to execute Change Orders that are consistent with this approval and in an acceptable form to the Chair upon the advice of the Program Manager and the RJSCB's general counsel.

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

**Resolution 2014-15: 214  
Change Order #19 to Eastcoast Electric – Electrical Contractor (School 58)**

**By Board Member Brown**

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

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

WHEREAS, the Act authorized up to 13 projects in Phase I of the Rochester Schools Modernization Program ("RSMP") including a District Wide Technology program which involves technology upgrades and infrastructure work at each of the 12 school projects identified in Phase 1; and

WHEREAS, the RJSCB approved the award of the electrical contractor contract to Eastcoast Electric LLC ("Eastcoast") for the School 58 project in Phase I (Resolution 2012-13: 120); and

WHEREAS, the RJSCB subsequently entered into a contract with Eastcoast (Resolution 2012-13: 120) dated March 4, 2013 (the "Contract"), to perform the scope of services defined in the contract documents as the electrical contractor's scope of work; and

WHEREAS, following the execution of the Contract, LeChase Construction, the Construction Manager, and the Program Manager, identified the need for changes to the scope of work; and

WHEREAS, Change Order #19 includes the following items:

1. Fire caulk data sleeves for the amount of \$1,401
2. Additional hold open devices for the amount of \$1,500
3. Additional hold open devices for the amount of \$1,465

The total amount of Change Order #19 is \$4,366; and

WHEREAS, the Construction Manager and the Program Manager believe that the pricing is appropriate and the contract time will not be increased by this scope change; and

WHEREAS, the Program Manager thereafter recommended to the RJSCB's MWBE and Services Procurement Committee (the "Committee") that Eastcoast's Contract should be amended to add these scope items for a total of \$4,366; and

WHEREAS, the Committee considered and discussed the Program Manager's recommendation at its April 2, 2015 meeting and after due deliberation, it approved the request to amend the Contract;

THEREFORE, BE IT RESOLVED:

1. The proposed Change Order to Eastcoast Electric's Contract between the Board and Contractor dated March 4, 2013 as set forth above is hereby approved; and
2. The RJSCB's Chair is hereby authorized, in the name and on behalf of the RJSCB, to execute a Change Order that is consistent with this approval and in an acceptable form to the Chair upon the advice of the Program Manager and the RJSCB's general counsel.

**Second by Vice Chair Brown**  
**Approved 7-0**

**Resolution 2014-15: 215**  
**Pay Requisition Summary Acceptance (March 2015)**

**By Board Member Brown**

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

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

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

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

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

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

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

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

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

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

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

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

WHEREAS, in compliance with the Pay Requisition Approval Procedure, the RJSCB's Executive Director has reviewed the individual pay applications from each of the consultants and suppliers for accuracy and completeness; and

WHEREAS, the Executive Director forwarded a special monthly Pay Requisition Summary (attached to this Resolution) totaling \$114,537.23 including all invoices to be paid by the Trustee using bond proceeds and those invoices to be paid by the District using Excel Aid funding, to the RJSCB Board Chair with copy to the full Board on March 6, 2015; and

WHEREAS, the RJSCB Board Chair approved the special Pay Requisition Summary on March 8, 2015; and

WHEREAS, the Executive Director forwarded the regular monthly Pay Requisition Summary (attached to this Resolution) totaling \$3,287,092.26 including all invoices to be paid by the Trustee using bond proceeds and those invoices to be paid by the District using Excel Aid funding, to the RJSCB Board Chair with copy to the full Board on March 30, 2015; and

WHEREAS, the RJSCB Board Chair approved the Pay Requisition Summary on March 31, 2015; and

WHEREAS, the RJSCB's Executive Director reviewed the regular monthly Pay Requisition Summary with the RJSCB's Finance Committee at its meeting on April 2, 2015;

THEREFORE, BE IT RESOLVED:

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

**Second by Vice Chair Brown  
Approved 7-0**



**Resolution 2014-15:216 (Resolution tabled)**

**Resolution 2014-15:217 (Resolution tabled)**

**Communication**

The Monthly Report is included in the Member's packets and was reviewed by Program Manager Pepin Accilien.

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

- 82.95% submissions for the February reporting period (as of March 30, 2015).
- 99.1% of all data has been received and approved (January 2014 through February 2015).
- Meeting all workforce goals year-to-date with Minority (goal 20%) at 22.10% and Women (goal 6.9%) at 8.88%.
- SBE (goal 5%) achieving 3.56%. Baker Tilly is working with a few firms to get them certified (ex. Millennium). A few firms have grown as a result of the Program and no longer qualify as an SBE. Baker Tilly is working on tracking this to report back to the Board. Also, several MBE and/or WBE firms are also SBEs. The Program only allows a firm to count in one category. School 12 and Monroe could help increase the SBE number.

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

The MWBE and Services Procurement Committee Report for April 2, 2015 is included in the Members packets

The Finance Committee Report for April 2, 2015 is included in the Members packets.

**Executive Session**

**Approved at 5:51 pm**

Chair Tom Richards called for an Executive Session

Motion by Member Brown  
Second by Member Williams  
Approved 7-0

**Adjournment**

**Approved at 6:52 pm**