

**Rochester Joint Schools Construction Board
Minutes
February 8, 2016
4:30 PM**

Present

Chair Tom Richards, Charles Benincasa, Vice Chair Bob Brown, Mike Schmidt, and ICO Brian Sanvidge. Members Allen Williams and Wayne Williams were away. Also present were: Executive Director Tom Renauto, General Counsel Peter Abdella, and Program Managers Tom Rog r from Gilbane and Pepin Accilien from Savin.

Chair Richards convened the meeting at 4:31 pm

Approval of Minutes

Monthly Meeting held on January 11, 2016

Motion by Member Brown

Second by Member Benincasa

Approved 4-0 with Members A. Williams and W. Williams away

Presentation: Master Plan Update

Roland A. Coleman, II, Deputy Program Director for Phase 2, gave an overview of the PowerPoint that will be presented to the Board of Education at their Committee Meeting tomorrow. The first half of the PowerPoint follows the public information sessions held over the past month, and the second half of the PowerPoint identifies the recommended Phase 2 projects. The projects were broken down by Zone as well as sub-Phase (2-a through 2d). A master schedule was included which shows the 'Extended MCA' preferred option – allowing the Program to do complete projects (vs. doing partial/phased projects). The last side identifies the key decisions needed from the BOE to move forward with the 'Extended MCA' (complete projects) approach. The Board made suggestions to improve the PowerPoint – strategic edits to be made before presenting to the Board of Education.

Action Items

Resolution 2015-16: 95

RJSCB Intent to Act as SEQRA Lead Agency for Phase 2 of the Schools Modernization Program

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 proposed projects and the Board's decisions related to the projects are or may be subject to the State Environmental Quality Review Act ("SEQRA"); and

WHEREAS, the RJSCB, acting through its SEQRA consultant, has prepared Environmental Assessment Forms ("EAFs") on the project components and has prepared a list of potentially involved and interested agencies; and

WHEREAS, copies of the EAFs and agency list have been presented to the RJSCB; and

WHEREAS, the RJSCB wishes to act as SEQRA lead agency for the project components;

THEREFORE, BE IT RESOLVED THAT:

1. The RJSCB hereby declares its intent to act as SEQRA lead agency for the project components;
2. The RJSCB hereby authorizes and directs that the Chair execute the "Intent to Act as Lead Agency" letter in the form presented at this meeting; and
3. The Intent to Act as Lead Agency letter and appropriate attachments shall be promptly forwarded by the RJSCB's SEQRA consultant to the involved agencies listed on the agency list and appropriate correspondence forwarded to all interested agencies.

Second by Member Benincasa

Approved 4-0 with Members A. Williams and W. Williams away

Resolution 2015-16: 96

Change Order #11 to Landry Mechanical Contractors (School 12)

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 Landry Mechanical Contractors, ("Landry") for the School 12 project in Phase I (Resolution 2014-15: 200); and

WHEREAS, the RJSCB entered into a contract with Landry (Resolution 2014-15: 200) dated March 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, Landry, along with the Pike Company (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 #11 includes the following item:

1. Chilled water serviceability valves for the amount of \$2,211.45
2. Condenser pump location close-pump material for the amount of \$10,559.47

The Total amount of Change Order #11 is \$12,770.92; 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 Landry Mechanical Contractors' Contract should be amended to add this item for a total of \$12,770.92; and

WHEREAS, the Committee considered and discussed the Program Manager's recommendation at its February 4, 2016 meeting and after due deliberation, it approved the request to amend the Contract;

THEREFORE, BE IT RESOLVED:

1. The proposed Change Order to Landry Mechanical Contractors' Contract between the Board and Contractor dated March 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 Member Benincasa

Approved 4-0 with Members A. Williams and W. Williams away

Resolution 2015-16: 97

Change Order #25 through #29 to LeChase Construction (School 12)

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 general contractor contract to LeChase Construction Services LLC, ("LeChase") for the School 12 project in Phase I (Resolution 2014-15: 200); and

WHEREAS, the RJSCB entered into a contract with LeChase (Resolution 2014-15: 200) dated March 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, LeChase, along with the Pike Company (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 #25 includes the following items:

1. Ceiling conflict with transoms corridor C121 for the amount of \$412.69
 2. Interior door interchangeable cores for the amount of \$13,491.85
 3. Wall in room 135 for the amount of \$517.27
- The Total amount of Change Order #25 is \$14,421.81; and

WHEREAS, Change Order #26 includes the following item:

1. Shaft closure for the amount of \$18,819
- The Total amount of Change Order #26 is \$18,819; and

WHEREAS, Change Order #27 includes the following item:

1. Relief angle at 4, 5, 6, 8, 9 and A for the amount of \$2,355
 2. Louver sill flash detail for the amount of \$4,218.72
- The Total amount of Change Order #27 is \$6,573.72; and

WHEREAS, Change Order #28 includes the following items:

1. Provide finish selections for the amount of \$0
- The Total amount of Change Order #28 is \$0; and

WHEREAS, Change Order #29 includes the following item:

1. Added plumbing chases for the amount of \$2,151.18
- The Total amount of Change Order #29 is \$2,151.18; 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 LeChase Construction Services' Contract should be amended to add these scope items for a total of \$41,965.71; and

WHEREAS, the Committee considered and discussed the Program Manager's recommendation at its February 4, 2016 meeting and after due deliberation, it approved the request to amend the Contract;

THEREFORE, BE IT RESOLVED:

1. The proposed Change Orders to LeChase Construction Services LLC's Contract between the Board and Contractor dated March 9, 2015 as set forth above are hereby approved; and
2. The RJSCB's Chair is hereby authorized in the name and on behalf of the RJSCB, to execute Change Orders to the Contract that are consistent with this approval and in an acceptable form to the Chair upon the advice of the Program Manager and the RJSCB's general counsel.

Second by Member Benincasa

Approved 4-0 with Members A. Williams and W. Williams away

Resolution 2015-16: 98

Change Order #3 to MA Ferrauilo (Monroe)

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 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 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 #3 includes the following items:

1. Remove filters and clean up the mechanicals rooms from leftover materials for the amount of \$3,391
2. Remove and dispose of plaster and soffit ceiling for the amount of \$9,529
3. Provide temporary controls to the boilers for the amount of \$2,423
4. Remove the abandoned steam piping and heating systems at the roof vent shafts for the amount of \$8,339
5. Infill the 13 auditorium mushroom vents located below the rear rows of seating for the amount of \$3,874
6. Remove the abandoned pool dehumidification unit and all associated controls for the amount of \$26,458

The Total amount of Change Order #3 is \$54,014; 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 MA Ferrauilo's Contract should be amended to add these scope items for a total of \$54,014; and

WHEREAS, the Committee considered and discussed the Program Manager's recommendation at its February 4, 2016 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. Ferrauilo 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 Member Benincasa

Approved 4-0 with Members A. Williams and W. Williams away

**Resolution 2015-16: 99
Change Order #3 to Eastcoast Electric, LLC (Monroe)**

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 electrical contractor contract to Eastcoast Electric, LLC, (“Eastcoast”) for the Monroe High School project in Phase I (Resolution 2014-15: 242); and

WHEREAS, the RJSCB entered into a contract with Eastcoast (Resolution 2014-15: 242) dated June 9, 2015 (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, Eastcoast, 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 #3 includes the following items:

1. Disconnect/remove electrical equipment, conduits, and devices on walls and ceilings for the amount of \$5,706
2. Credit to omit protection and maintenance for smartboards left in place for the amount of -\$544
3. Remove conflicting electrical systems and plaster ceilings for the amount of \$15,320
4. Add TVSS (surge protection) to electrical panels for the amount of \$120
5. Remove all of the remaining 4”, 400A feeder to the Pool Pak from the source panel for the amount of \$3,135

The Total amount of Change Order #3 is \$23,737; 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 Eastcoast Electric, LLC’s Contract should be amended to add and delete these scope items for a total of \$23,737; and

WHEREAS, the Committee considered and discussed the Program Manager’s recommendation at its February 4, 2016 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, LLC’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 Member Benincasa
Approved 4-0 with Members A. Williams and W. Williams away

Resolution 2015-16: 100
Change Order #2 to Thurston Dudek (Monroe)

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 Thurston Dudek, (“Thurston”) for the Monroe High School project in Phase I (Resolution 2014-15: 242); and

WHEREAS, the RJSCB entered into a contract with Thurston (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, 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 #2 includes the following item:

1. Provide temporary water service in the basement for use during construction for the amount of \$7,009
2. Remove 1,150’ of vacuum piping and remove abandoned pipe for the amount of \$20,056
3. Remove 3,000’ of water piping and remove abandoned pipe for the amount of \$20,788
4. Remove visible gas piping mains and branches in basement ceiling and perimeter for the amount of \$11,999
5. Remove gas, sanitary, vent, etc. piping for floor structure removal for the amount of \$6,957
6. Provide dowels every 2’ for the amount of \$3,295

The Total amount of Change Order #2 is \$70,104; 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 Thurston Dudek’s Contract should be amended to add these scope items for a total of \$70,104; and

WHEREAS, the Committee considered and discussed the Program Manager’s recommendation at its February 4, 2016 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 Member Benincasa

Approved 4-0 with Members A. Williams and W. Williams away

Resolution 2015-16: 101

Pay Requisition Summary Acceptance (January 2016)

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, the COMIDA issued bond proceeds for the Rochester Schools Modernization program Phase 1c projects were deposited in the Trustee's account on February 4, 2015; 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 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 Phase 2 projects at Monroe High School, School 15, and East High School (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 City will be reimbursed for its BAN from the Phase 2 bond proceeds (anticipated to occur in the summer of 2016) 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, in compliance with the Pay Requisition Approval Procedure, the RJSCB's Executive Director has reviewed the individual pay applications from each of the consultants and suppliers for accuracy and completeness; and

WHEREAS, the Executive Director forwarded the regular monthly Pay Requisition Summary (attached to this Resolution) totaling \$3,554,454.05 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 Board Chair with copy to the full Board on January 25, 2016; and

WHEREAS, the Executive Director forwarded the Phase 2 monthly Pay Requisition Summary (attached to this Resolution) totaling \$197,938.56 including all invoices to be paid by the District using funds advanced by the District to the RJSCB, to the RJSCB Board Chair with copy to the full on January 25, 2016; and

WHEREAS, the RJSCB Board Chair approved the regular monthly Pay Requisition Summary and the Phase 2 monthly Pay Requisition Summary on January 27, 2016; and

WHEREAS, the RJSCB's Executive Director 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 February 4, 2016;

THEREFORE, BE IT RESOLVED:

1. The Rochester Joint Schools Construction Board hereby accepts the regular monthly Pay Requisition Summary for the month of January 2016 in the amount stated above and the Phase 2 monthly Pay Requisition Summary for the month of January 2016 in the amount stated above and as shown in the Summary sheets attached to this Resolution.

Second by Member Benincasa

Approved 4-0 with Members A. Williams and W. Williams away

Resolution 2015-16: 102

Architect Selection - Phase 2a Projects

By Board Member Brown

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

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

WHEREAS, the 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 2a Schools (Resolution 2015-16: 82); and

WHEREAS, the RJSCB’s Executive Director received a total of nine 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, a recommendation committee, including members from the RJSCB, the City, the District’s facilities group, the Executive Director, and the Program Manager, selected four finalists following an extensive review of the RFP proposals, and these four firms were then interviewed; and

WHEREAS, after due deliberation by the RJSCB and on the advice of the City and District representatives, the following firms were identified as being highly qualified and fiscally responsive to the RJSCB’s RFP for the specific projects set forth below;

Virgil S. Grissom School No. 7	SEI Design Group
John Walton Spencer School No. 16	SWBR Architects

THEREFORE, BE IT RESOLVED:

1. The RJSCB hereby approves the named firms to provide architectural services as indicated above for the two schools in Phase 2a of the RSMP; and
2. The Chair is hereby authorized, in the name and on behalf of the RJSCB, to execute and deliver

individual agreements (the "Agreement") 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 approve (his signature thereon being conclusive evidence of such approval) on the advice of the Program Manager and the RJSCB's general counsel.

**Second by Member Benincasa
Approved 4-0 with Members A. Williams and W. Williams away**

Communications

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

- Phase 1a: School 17's door issue is being resolved. Tom Richards asked that the District facilities department sign off on the fix.
- The Charlotte door issue was discussed. Many of the doors are original and were only refinished in Phase 1. Some of the doors are now failing. More discussion to follow.
- Phase 1b: The Franklin auditorium medallion repair has been on hold (waiting for a week when students won't be in the building) and School 5's truss work has been completed except the finish – need color selection and a break in weather.
- Phase 1c: School 12 – schedule update today and tracking on schedule (7/1/16), final paint has started on the 3rd floor and tile is going up on bathroom walls on the 2nd floor. Program Manager Wayne Hermanson will present a photo tour of the building at the next Board Meeting.
- Monroe – Mechanicals are going into place in the 2nd and 3rd floor corridors (running into unforeseen conditions – mostly in the walls between the classrooms and corridor) and steel is starting this week.

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

- 94.74% submissions for the December 2015 reporting period.
- 98.07% of all data requested has been received and approved (April 2011 through December 2015).
- Overall Workforce (EEO) Participation: Minority @ 22.97% (goal is 20%) and Women @ 7.45% (goal is 6.9%).
- Overall Business Participation: Minority @ 15.67% (goal is 15%), Women @ 7.04% (goal is 5%), Disadvantaged @ 2.21% (goal is 2%) and Small @ 3.74% (goal is 5%).
- Rochester Residents: 96 of the 263 workers for the December 2015 reporting period (or 36.5%). The average Rochester Resident workforce (construction) from inception (April 2011 through December 2015) is 25.39% or 131 workers per month on average.
- Rochester Careers in Construction: Discussion held regarding the RCIC dollars (\$0.15/hour) collected in Phase 1 – total amount anticipated is \$190,051 based on over 1.7 million hours worked by contractors. There is approximately \$20,000 that has not been verified yet. Baker Tilly is working on verification.

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

- Overall Budget Update: As Construction Managers and Contractors are being closed out and released, the contingency is being zeroed out of Phase 1a and 1b projects – Owners Contingency is up to

\$2.5M. Monroe still has a contingency of \$2.4M and School 12 has about \$300K which will likely need to be increases. Overall Program contingency remains strong (\$5.5M).

The MWBE and Services Procurement Committee Report for February 4, 2016 is included in the Members packets.

The Finance Committee Report for February 4, 2016 is included in the Members packets.

Executive Session
Approved at 5:45 pm

Chair Tom Richards called for an Executive Session per Section 105 1. (f) of the Open Meetings Law.

Motion by Member Brown
Second by Member Benincasa
Approved 4-0 with Members A. Williams and W. Williams away

Motion by Member Brown
Second by Member Benincasa
Approved 4-0 with Members A. Williams and W. Williams away

The Board came out of Executive Session at 5:57 pm

Additional Action Items

Resolution 2015-16: 103
RFP for Legal Services – Phase 2

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’s Program Manager has prepared a request for proposals for general legal services for the RJSCB and its representatives for the duration of Phase 2 (the “RFP”); and

WHEREAS, the RFP was discussed and considered by the RJSCB’s MWBE and Services Procurement Committee (the “Committee”) at its February 4, 2016 meeting;

THEREFORE, BE IT RESOLVED:

1. The RFP for legal services for Phase 2 is approved for issuance; 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 2 RFP responses, select finalists, conduct interviews of the law firm finalists along with other RJSCB board members, and recommend to the RJSCB the most qualified candidates.

Second by Member Benincasa

Approved 4-0 with Members A. Williams and W. Williams away

Adjournment

Approved at 5:59 pm