

**Rochester Joint Schools Construction Board**  
**Minutes**  
**March 7, 2016**  
**4:30 PM**

**Present**

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

**Chair Richards convened the meeting at 4:35 pm**

**Approval of Minutes**

Monthly Meeting held on February 8, 2016

Motion by Member Brown

Second by Member Benincasa

Approved 4-0 with Members M. Schmidt and A. Williams away

Special Meeting held on February 18, 2016

Motion by Member Brown

Second by Member Benincasa

Approved 4-0 with Members M. Schmidt and A. Williams away

**Presentation:** School 12 - Program Manager Wayne Hermanson gave an overview of the project's current progress including pictures and floor by floor updates including:

- 3rd floor: Wall tile, wiring for technology, fire suppression system, final coat of paint, stairwell, and bathroom progress of toilets and fixtures.

- 2nd floor: Showed the progress difference from the 3rd floor. A typical classroom (some above ceiling work yet to be completed), library circulation desk, and corridors.

- 1st floor: Main office (transaction desk), flooring work in progress, mailbox area which will have a storefront fa ade, main entry which will have a vestibule entrance, elevator lobby, kitchen servery, and Kindergarten space.

- The light court which was created within the building was shown and how it provides a significant amount of natural light throughout the building.

## **Action Items**

### **Resolution 2015-16: 105**

#### **Amendment #11 to Clark Patterson Lee Agreement - School 50**

##### **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 selection of Clark Patterson Lee (“CPL”) as the Architect for the School 50 project in Phase I (Resolution 2010-11: 35); and

WHEREAS, the RJSCB entered into an agreement with Clark Patterson Lee (Resolution 2010-11: 35) dated March 28, 2011, entitled Agreement Between Board and Architect (the “Agreement”); and

WHEREAS, following the completion of the project, Clark Patterson Lee, along with the Program Manager, identified unused funds associated with various scopes of design work; and

WHEREAS, the Program Manager has confirmed the values of these items with the Architect; and

WHEREAS, the Program Manager thereafter recommended to the RJSCB’s MWBE and Services Procurement Committee (the “Committee”) that Clark Patterson Lee’s Agreement should be amended to deduct and return the unused contract funds to the program in the total amount of \$58,950.17; and

WHEREAS, the Committee considered and discussed the Program Manager’s recommendation at its March 3, 2016 meeting, and after due deliberation, it approved the request to amend the Agreement;

THEREFORE, BE IT RESOLVED:

1. The proposed amendment to the Clark Patterson Lee Agreement Between Board and Architect dated March 28, 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 Benincasa**

**Approved 4-0 with Members Schmidt and A. Williams away**

### **Resolution 2015-16: 106**

#### **Amendment #6 to OSO Inc. Contract (Phase 1b and 1c Projects)**

##### **By Board Member W. Williams**

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 Monroe High School in Phase 1c (Resolution 2014-15: 208); and

WHEREAS, following the execution of the Agreement, OSO, along with the Program Manager, identified the need for additional scopes of work at both School 12 and Monroe High School, 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 OSO’s Agreement should be amended to add these additional scope items in the total amount of \$17,000 and that this amount shall be treated as a not-to-exceed allowance under the Agreement; and

WHEREAS, based on the advice and recommendation of the Program Manager, at its March 3, 2016 meeting, the MWBE and Services Procurement Committee considered and discussed the proposal to add these scopes of work, 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 Board Member Brown  
Approved 4-0 with Members Schmidt and A. Williams away**

**Resolution 2015-16: 107**

**Amendment #12 to LaBella Associates Agreement – Edison Technology Campus**

**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 selection of LaBella Associates, P.C. (“LaBella”) as the Architect for the Edison Technology Campus project in Phase I (Resolution 2011-12: 39); and

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

WHEREAS, following the completion of the project, LaBella, along with the Program Manager, identified unused funds associated with various scopes of design work; and

WHEREAS, the Program Manager has confirmed the values of these items with the Architect; and

WHEREAS, the Program Manager thereafter recommended to the RJSCB’s MWBE and Services Procurement Committee (the “Committee”) that LaBella’s Agreement should be amended to deduct and return the unused allowance funds to the program in the total amount of \$26,653.60; and

WHEREAS, the Committee considered and discussed the Program Manager’s recommendation at its March 3, 2016 meeting, and after due deliberation, it approved the request to amend the Agreement;

THEREFORE, BE IT RESOLVED:

1. The proposed amendment to the LaBella Associates P.C. 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 Benincasa**

**Approved 4-0 with Members Schmidt and A. Williams away**

**Resolution 2015-16: 108**

**Amendment #2 to Chaintreuil Jensen Stark Architects, LLP – Monroe High School (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 Superintendent has identified and confirmed several projects for Phase 2 of the RSMP for which the District would like the RSJCB to begin design work immediately, in parallel to the work being done on the Master Plan for Phase 2, and in advance of formal Board of Education and New York State Comptroller approval; and

WHEREAS, the RJSCB recognized that in order to maintain the proposed Phase 2 activity schedule it was necessary to engage the design services for these Early Start Projects immediately; and

WHEREAS, as permitted by the Phase 2 legislation, the RJSCB extended the services of certain architectural firms which are most familiar with the Early Start Project buildings, having performed the Phase 1 designs associated with those buildings; 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 approved the selection of CJS as the Architect for the Monroe High School project in Phase 2 (Resolution 2014-15: 216); and

WHEREAS, the RJSCB entered into an agreement with CJS (Resolution 2014-15: 216) dated June 2, 2015, entitled Agreement Between Board and Architect (the “Agreement”); and

WHEREAS, based on the recommendation of the Program Manager, the RJSCB has determined that a more prudent method for executing the design, drawing coordination, bidding, and execution of the District Wide Technology work associated with each Phase 2 project is to have the design work and bid documents prepared by the Architect of Record for each project in lieu of a third-party consultant; and

WHEREAS, following the execution of the Agreement, the Program Manager requested, and cost proposals were then obtained and reviewed, for the scope of design work specifically related to the design of the District Wide Technology associated with the Phase 2 project at Monroe High School; 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 \$197,820, 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 March 3, 2016 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 June 2, 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 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 Benincasa  
Approved 4-0 with Members Schmidt and A. Williams away**

**Resolution 2015-16: 109  
Change Order #4 to Hewitt Young Electric – District Wide Technology (1b)**

**By Board Member W. Williams**

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 District Wide Technology Phase 1b contract to Hewitt Young Electric, LLC (“HYE”) for the District Wide Technology Phase 1b projects in Phase I (Resolution 2012-13: 119); and

WHEREAS, the RJSCB subsequently entered into a contract with HYE (Resolution 2012-13: 119) dated March 12, 2013 (the “Contract”), to perform the scope of services defined in the contract documents as the District Wide Technology Phase 1b contractor’s scope of work; and

WHEREAS, following the execution of the Contract, HYE, along with Millennium Strategies, the Technology Consultant, and the Program Manager, identified the need for changes to the scope of work, and cost proposals were then obtained for these scope items and provided to the Technology Consultant and the Program Manager for review; and

WHEREAS, Change Order #4 includes the following item:

1. Provide sound amplification systems at School #12. Originally bid in February 2013, unit pricing for 50 classrooms at \$1,615, for the amount of \$80,750.  
The Total amount of Change Order #4 is \$80,750; and

WHEREAS, the Technology Consultant 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 Hewitt Young Electric, LLC’s Contract should be amended to add these scope items for a total in the amount of \$80,750; and

WHEREAS, the MWBE and Services Procurement Committee considered and discussed the Program Manager’s recommendation at its March 3, 2016 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, LLC’s Contract between the Board and Contractor dated March 12, 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 Brown**

**Approved 4-0 with Members Schmidt and A. Williams away**

**Resolution 2015-16: 110**

**Change Order #5 to Steve General Contractor Inc. – General Contractor (Franklin High School - Auditorium)**

**By Board Member W. Williams**

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 Steve General Contractor Inc., ("Steve General") for the Franklin High School Auditorium Project in Phase I (Resolution 2013-14: 128); and

WHEREAS, the RJSCB entered into a contract with Steve General (Resolution 2013-14: 128) dated November 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, Steve General, along with Campus Construction Group (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 #5 includes the following items:

1. Repairs to ceiling medallion minus 1/3 of the cost as a back charge for the amount of \$17,650
- The Total amount of Change Order #5 is \$17,650; 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 Steve General's Contract should be amended to add these additional scope items in the total amount of \$17,650; and

WHEREAS, the Committee considered and discussed the Program Manager's recommendation at its March 3, 2016 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 Contractor Inc.'s Contract between the Board and Contractor dated November 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 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 Benincasa**  
**Approved 4-0 with Members Schmidt and A. Williams away**

**Resolution 2015-16: 111**  
**Change Order #6 to M.A. Ferrauilo – Mechanical Contractor (Franklin High School - Auditorium)**

**By Board Member W. Williams**

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., ("M.A. Ferrauilo") for the Franklin High School Auditorium project in Phase I (Resolution 2013-14: 128); and

WHEREAS, the RJSCB entered into a contract with M.A. Ferrauilo (Resolution 2013-14: 128) dated November 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, M.A. Ferrauilo, along with Campus Construction Group (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. Back charge for 1/3 the cost of ceiling medallion repairs for a deduct of -\$8,825
- The Total amount of Change Order #6 is a deduct of -\$8,825; 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 M.A. Ferrauilo's Contract should be amended to credit this scope item in the total deduct amount of -\$8,825; and

WHEREAS, the Committee considered and discussed the Program Manager's recommendation at its March 3, 2016 meeting and after due deliberation, it approved the request to amend the Contract;

THEREFORE, BE IT RESOLVED:

1. The proposed Change Order to M.A. Ferrauilo's Contract between the Board and Contractor dated November 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 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 Brown  
Approved 4-0 with Members Schmidt and A. Williams away**

**Resolution 2015-16: 112  
Change Order #5 to Kaplan Schmidt – Electrical Contractor (Franklin High School - Auditorium)**

**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 Kaplan Schmidt Electric ("Kaplan Schmidt") for the Franklin High School Auditorium Project in Phase I (Resolution 2013-14: 128); and

WHEREAS, the RJSCB entered into a contract with Kaplan Schmidt (Resolution 2013-14: 128) dated November 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, Kaplan Schmidt, along with Campus Construction Group (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 #5 includes the following items:

1. Back charge for 1/3 the cost of ceiling medallion repairs for a deduct of -\$8,825  
The Total amount of Change Order #5 is a deduct of -\$8,825; 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 Kaplan Schmidt's Contract should be amended to credit this scope item in the total deduct amount of -\$8,825; and

WHEREAS, the Committee considered and discussed the Program Manager's recommendation at its March 3, 2016 meeting and after due deliberation, it approved the request to amend the Contract;

THEREFORE, BE IT RESOLVED:

1. The proposed Change Order to Kaplan Schmidt's Contract between the Board and Contractor dated November 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 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 W. Williams**  
**Approved 4-0 with Members Schmidt and A. Williams away**

**Resolution 2015-16: 113**  
**Change Order #5 to Manning Squires Hennig (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 general contractor contract to Manning Squires Hennig, Inc. ("Manning Squires"), for the Monroe High School project in Phase I (Resolution 2014-15: 242); and

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

WHEREAS, following the execution of the Contract, Manning Squires, along with 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 #5 includes the following items:

1. Remove plaster ceiling for the amount of \$9,469
2. Repair existing lintel beam for the amount of \$1,925
3. Remove/abate wall tiles for the amount of \$8,762
4. Provide brick infill for the amount of \$1,610
5. Abate pipe insulation for the amount of \$1,985
6. Abate additional pipe insulation for the amount of \$1,466
7. Spray fireproofing infill for the amount of \$10,733
8. Remove and dispose of existing coal bunker not shown on documents for the amount of \$22,929

The Total amount of Change Order #5 is \$58,879; 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 Hennig's Contract should be amended to add these scope items for a total of \$58,879; and

WHEREAS, the Committee considered and discussed the Program Manager's recommendation at its March 3, 2016 meeting and after due deliberation, it approved the request to amend the Contract;

THEREFORE, BE IT RESOLVED:

1. The proposed Change Order to Manning Squires Hennig's Contract between the Board and Contractor dated June 9, 2015 as set forth above is hereby approved; and
2. The RJSCB's Chair is hereby authorized in the name and on behalf of the RJSCB, to execute a Change Order to the Contract that is consistent with this approval and in an acceptable form to the Chair upon the advice of the Program Manager and the RJSCB's general counsel.

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

**Resolution 2015-16: 114  
Change Order #4 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 #4 includes the following items:

1. Remove existing ductwork for the amount of \$1,566
  2. Furnish and install roof "dog houses" in connection with District standards for the amount of \$21,978
- The Total amount of Change Order #4 is \$23,544; 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 \$23,544; and

WHEREAS, the Committee considered and discussed the Program Manager's recommendation at its March 3, 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. Ferraulo Plumbing and Heating Inc.'s Contract between the Board and Contractor dated June 9, 2015 as set forth above is hereby approved; and
2. The RJSCB's Chair is hereby authorized in the name and on behalf of the RJSCB, to execute a Change Order to the Contract that is consistent with this approval and in an acceptable form to the Chair upon the advice of the Program Manager and the RJSCB's general counsel.

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

**Resolution 2015-16: 115**  
**Change Order #30, #31, and #32 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 #30 includes the following items:

1. Changes to wall treatment and base for the amount of \$629.14
  2. Add side lite at Special Ed. room for the amount of \$1,365.36
  3. Changes to 3<sup>rd</sup> floor display cases for the amount of \$4,201.38
- The Total amount of Change Order #30 is \$6,195.88; and

WHEREAS, Change Order #31 includes the following items:

1. Add toilet partitions and mirrors for the amount of \$7,005.36
  2. Add/change toilet accessories for the amount of \$10,438.68
- The Total amount of Change Order #31 is \$17,444.04; and

WHEREAS, Change Order #32 includes the following items:

1. Changes to west wall at room 141 and 142 for the amount of \$7,490.44
  2. Extend parapet bracing for the amount of \$7,632.88
- The Total amount of Change Order #32 is \$15,123.32; 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 \$38,763.24; and

WHEREAS, the Committee considered and discussed the Program Manager's recommendation at its March 3, 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 Board Member Benincasa  
Approved 4-0 with Members Schmidt and A. Williams away**

**Resolution 2015-16: 116  
Change Order #12, #13, and #14 to Landry Mechanical Contractors (School 12)**

**By Board Member W. Williams**

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 #12 includes the following item:

1. Provide a solids separator for the amount of \$4,762.93
- The Total amount of Change Order #12 is \$4,762.93; and

WHEREAS, Change Order #13 includes the following item:

1. Provide condenser water piping for the amount of \$37,166.84  
The Total amount of Change Order #13 is \$37,166.84; and

WHEREAS, Change Order #14 includes the following items:

1. Repairs to existing system leaks for the amount of \$8,894.86
2. Change existing exhaust and return grilles for the amount of \$697.94
3. Changes to fin tube for the amount of \$989.81

The Total amount of Change Order #14 is \$10,582.61; 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 \$52,512.38; and

WHEREAS, the Committee considered and discussed the Program Manager's recommendation at its March 3, 2016 meeting and after due deliberation, it approved the request to amend the Contract;

THEREFORE, BE IT RESOLVED:

1. The proposed Change Orders to Landry Mechanical Contractors' 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 Board Member Brown**  
**Approved 4-0 with Members Schmidt and A. Williams away**

**Resolution 2015-16: 117**  
**Change Order #23 and #24 to MA Ferrauilo (School 12)**

**By Board Member W. Williams**

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 Michael A. Ferrauilo Plumbing and Heating, Inc. ("MA Ferrauilo"), for the School 12 project in Phase I (Resolution 2014-15: 200); and

WHEREAS, the RJSCB entered into a contract with MA Ferrauilo (Resolution 2014-15: 200) dated March 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, MA Ferrauilo, 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 #23 includes the following item:

1. Provide main line sprinkler valves for the amount of \$4,947.63

The Total amount of Change Order #23 is \$4,947.63; and

WHEREAS, Change Order #24 includes the following items:

1. Changes to roof drains for a credit in the amount of -\$1,188

2. Changes to piping at millwork for the amount of \$1,141

3. Add sinks for the amount of \$4,698.27

The Total amount of Change Order #24 is \$4,651.27; 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 and delete these scope items for a total of \$9,598.90; and

WHEREAS, the Committee considered and discussed the Program Manager's recommendation at its March 3, 2016 meeting and after due deliberation, it approved the request to amend the Contract;

THEREFORE, BE IT RESOLVED:

1. The proposed Change Orders to Michael A. Ferrauilo Plumbing and Heating Inc.'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 Board Member Brown**

**Approved 4-0 with Members Schmidt and A. Williams away**

**Resolution 2015-16: 118**

**Change Order #11, #12, and #13 to Hewitt Young Electric (School 12)**

**By Board Member Benincasa**

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 School 12 project in Phase I (Resolution 2014-15: 202); and

WHEREAS, the RJSCB entered into a contract with HYE (Resolution 2014-15: 202) dated March 17, 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, HYE, 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. Provide UV neutral wiring for all units for the amount of \$13,891.84

The Total amount of Change Order #11 is \$13,891.84; and

WHEREAS, Change Order #12 includes the following item:

1. Provide low voltage pathways for the amount of \$11,238.69

The Total amount of Change Order #12 is \$11,238.69; and

WHEREAS, Change Order #13 includes the following items:

1. Add smart board wiring at two rooms for the amount of \$1,279.46

2. Add carbon monoxide detection for the amount of \$7,069.88

3. Add receptacles at reception desk for the amount of \$2,600.87

4. Changes to recessed lighting for the amount of \$743.04

5. Changes to vestibule lighting for the amount of \$3,496.42

The Total amount of Change Order #13 is \$15,189.67; 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 Hewitt Young Electrical's Contract should be amended to add these scope items for a total of \$40,320.20; and

WHEREAS, the Committee considered and discussed the Program Manager's recommendation at its March 3, 2016 meeting and after due deliberation, it approved the request to amend the Contract;

THEREFORE, BE IT RESOLVED:

1. The proposed Change Orders to Hewitt Young Electrical's Contract between the Board and Contractor dated March 17, 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 Board Member Brown**

**Approved 4-0 with Members Schmidt and A. Williams away**



**Resolution 2015-16: 119  
Request for Bids – DWT Mini-Bids (School 12)**

**By Board Member W. Williams**

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’s Program Manager has been working with the Technology Consultant, Millennium Strategies (“Millennium”), and the Board’s General Counsel to prepare a request for bid package for the District Wide Technology (“DWT”) project associated with School 12 in Phase 1 of the RSMP to be collectively known as the “DWT Mini-Bid Package”; and

WHEREAS, the commodities procured as a part of the DWT Mini-Bid Package will be bid off of a New York State Office of General Services contract (“State Contract”); and

WHEREAS, the DWT Mini-Bid Package is proposed to be released for bid beginning in March 2016; and

WHEREAS, the categories of items included in the DWT Mini-Bid Package are network electronics, phone hand sets, and interactive white boards; and

WHEREAS, the Program Manager originally presented the DWT designs to the Board of Education (“BOE”) and thereafter the BOE approval occurred on December 13, 2012 (BOE Resolution 2012-13: 366); and

WHEREAS, the Program Manager received State Education Department approval of the designs for the DWT 1b projects on February 4, 2013; and

THEREFORE, BE IT RESOLVED:

1. The RJSCB, through its Program Manager, shall proceed with the issuance of a DWT Mini-Bid Package in order to maintain the overall project schedule; and
2. The MWBE and Services Procurement Committee, with the advice and recommendations of the Program Manager, is authorized on behalf of the RJSCB to review the bid responses for this project and recommend to the RJSCB the lowest responsible bidder(s).

**Second by Board Member Brown  
Approved 4-0 with Members Schmidt and A. Williams away**

**Resolution 2015-16: 120**

**Monroe High School – Request for Bids - Additional Scopes of Work**

**By Board Member Benincasa**

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 entered into an agreement with Chaintreuil Jensen Stark Architects (“CJS”), dated November 15, 2011, (Resolution 2011-12: 39) with respect to the renovations to occur at Monroe High School (Agreement between Board and Architect); and

WHEREAS, the Program Manager has recently identified additional work at Monroe High School such as ceiling grid installation, plaster ceiling patching and other potential work items that were not included in the Phase 1 project however are necessary to complete in Phase 1 in preparation for the Phase 2 project; and

WHEREAS, the Program Manager has identified funding available for this additional work from unspent contingency funds associated with the Monroe High School project and from uncommitted contingency; and

WHEREAS, the anticipated cost of these additional scope items will benefit from a competitive bidding process (final determination on specific scopes of work is pending); and

WHEREAS, it is critical to bid these items at this time in order to maintain the overall project schedule; and

WHEREAS, the qualifying work associated with the additional scopes will be subject to aid from the State Education Department (“SED”) due to the fact that the project will be within the maximum cost allowance (“MCA”) established for Monroe High School by the SED; and

WHEREAS, bid documents will be prepared, and the Program Manager has recommended that the project be bid and awarded as a single prime GC contract; and

WHEREAS, the work will occur beginning as soon as the contract award is made (anticipated at the monthly RJSCB meeting in April 2016); and

WHEREAS, the Program Manager and CJS are prepared to begin the design process and prepare bid documents immediately; and

WHEREAS, the RJSCB MWBE and Services Procurement Committee considered and discussed the Program Manager’s recommendation at its March 3, 2016 meeting, and after due deliberation, it approved commencement of the design for additional scopes of work at Monroe High School and the subsequent single prime GC bid;

THEREFORE, BE IT RESOLVED:

1. The RJSCB, through its Program Manager, shall proceed with the design and bid for the Monroe High School additional scopes of work; and
2. Prior to issuance, the Program Manager will work with the RJSCB's general counsel to further develop and finalize the request for bid package, including the general conditions of the contract and the form of contract; and
4. The MWBE and Services Procurement Committee, with the advice and recommendations of the Program Manager, is authorized on behalf of the RJSCB to review the bid responses and recommend to the RJSCB the lowest responsible bidder.

**Second by Board Member Brown  
Approved 4-0 with Members Schmidt and A. Williams away**

**Resolution 2014-15: 121  
Phase 2 CM – Monroe High School**

**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 legislation for Phase 2 of the RSMP states that "the RJSCB may extend the contracts of the providers of professional services for Phase One upon the adoption of findings that doing so would be in the public interest; the contracts of the Program Manager and the independent Compliance Officer for Phase Two will be rebid, and provided further that the Program Manager and the Independent Compliance Officer and any new or different providers of professional services shall be engaged in compliance with the provisions of Section Eight of this Act"; and

WHEREAS, the Superintendent has identified and confirmed several projects for Phase 2 of the RSMP for which the District would like the RSJCB to begin design work immediately, in parallel to the work being done on the Master Plan for Phase 2, and in advance of formal Board of Education and New York State Comptroller approval; 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 is prepared to advance funds to the RSMP; 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 has prepared a Board of Education resolution (BOE Resolution 2014-2015: 627) to authorize the advance of the funds based on the full faith and credit of the City; and

WHEREAS, the 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, the RJSCB believes a formal request for proposal and selection process for Construction Management ("CM") associated with the Monroe High School project will not achieve any measurable cost savings where negotiations can achieve the same outcome in a more timely fashion; and

WHEREAS, the continuity of the current CM team is critical to the overall coordination between the Phase 1 and Phase 2 scopes of work which will have significant overlap; and

WHEREAS, as permitted by the Phase 2 legislation, the RJSCB wishes to extend the services of the current CM firm which is most familiar with the Monroe High School building, having performed the CM services associated with the building for Phase 1; and

WHEREAS, the RJSCB approved the selection of Campus Construction ("Campus") as the CM for the Monroe High School project in Phase I (Resolution 2012-13: 36); and

WHEREAS, the RJSCB entered into an agreement with Campus (Resolution 2012-13: 36) dated September 10, 2012, entitled Construction Management Agreement (the "Agreement"); and

WHEREAS, the RJSCB has directed the Executive Director to engage the CM for the Monroe High School project and to obtain and review a proposal to provide CM services for a Phase 2 program associated with Monroe High School based on the available Maximum Cost Allowance ("MCA"); and WHEREAS, the assumed available Phase 2 MCA anticipated for Monroe High School is \$19 million; and

WHEREAS, for this Early Start Project, the RJSCB's Executive Director and Program Manager will review the individual pay applications from the professional service firm for accuracy and completeness and will forward those invoices to the District for payment directly the firm; and

WHEREAS, the District will maintain the official accounting records for Phase 2 of the RSMP; and

WHEREAS, Campus has submitted a written proposal for the proposed CM services which has been reviewed and analyzed by the Program Manager, and the Program Manager has subsequently entered into negotiations with the CM; and

WHEREAS, at the MWBE and Services Procurement Committee ("Committee") meeting on March 3, 2016, the Program Manager recommended that upon the completion of negotiations the professional services of Campus Construction Management be extended in Phase 2 for Monroe High School; and

WHEREAS, the Committee discussed the Program Manager's recommendation, and after due deliberation, the Committee voted to approve the requested extension of CM services;

THEREFORE, BE IT RESOLVED:

1. The RJSCB hereby approves the Program Manager's recommendation that the services of Campus Construction Management be extended in Phase 2 for Monroe High School based upon the finding that the extension is in the public interest for the reasons set forth above; and
2. The RJSCB hereby approves the issuance of an Agreement to Campus Construction Management, pending final negotiations and subject to final approval by the Board, to provide CM services for Monroe High School as a part of Phase 2 of the RSMP; and
4. The Chair is hereby authorized, in the name and on behalf of the RJSCB, to execute and deliver the Agreements to the firm named above, with such changes as the Chair may approve on the advice of the Program Manager and the RJSCB's general counsel; and

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

**Resolution 2015-16: 122**  
**2016-2017 RJSCB Operating Budget**

**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 implemented procedures for establishing and approving its operating budget ("Operating Budget") each fiscal year (the "Budget Policy") (Resolution 2011-12: 86); and

WHEREAS, consistent with the Budget Policy, the Chair and Treasurer have drafted a proposed Operating Budget for the 2016-2017 fiscal year, a copy of which is attached to this resolution; and

WHEREAS, the RJSCB's Operating Budget for the 2016-2017 fiscal year has been reviewed by members of the Finance Committee;

THEREFORE, BE IT RESOLVED:

1. The RJSCB hereby approves the Operating Budget for the 2016-2017 fiscal year; and
2. The RJSCB hereby authorizes the Executive Director to forward a copy of the approved Operating Budget to the District as so described in the Budget Policy.

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

**Resolution 2015-16: 123**  
**SEQRA Lead Agency**

**By Member of the Board Brown**

WHEREAS, the Rochester Schools 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, under the School Modernization Act, the RJSCB is authorized to implement a comprehensive District facilities modernization program ("RSMP"), the goal of which is to develop a system-wide strategy to identify capital investments for the modernization and renovation of District schools in several phases over a multi-year period; and

WHEREAS, as authorized by the School Modernization Act, the District previously selected 13 building projects for inclusion in the first phase of the RSMP ("Phase I"), and the RJSCB selected a Program Manager to oversee Phase I, understanding that additional phases of work were envisioned; and

WHEREAS, following an environmental review pursuant to the State Environmental Quality Review Act ("SEQRA") of the funding associated with Phase I, project architects were chosen and the 13 Phase I projects were duly implemented; and

WHEREAS, under the School Modernization Act, the District has the power to select no more than twenty-four (24) projects up to a total cost of Four Hundred and Thirty Five Million Dollars (\$435,000,000) as part of Phase II of the RSMP ("Phase II") and the RJSCB has selected a Program Manager to oversee Phase II; and

WHEREAS, the RJSCB now seeks to procure funding for Phase II of the RSMP (the "Action") and its project components; and

WHEREAS, 6 NYCRR Part 617.5 categorizes the Action as Type I, which requires a coordinated SEQRA environmental review of the Action and its project components and lead agency designation in accordance with Article 8 of the New York State Environmental Conservation Law; and

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

WHEREAS, copies of the EAFs and Agency List were presented to the RJSCB; and

WHEREAS, on February 8, 2016 the RJSCB adopted a Resolution declaring its intent to act as SEQRA Lead Agency for the Action and its project components; and

WHEREAS, Notices of RJSCB's intent to be SEQRA Lead Agency (including copies of the EAFs) were either forwarded, or access to the Notices and EAFs was otherwise provided, to all Involved Agencies on February 9, 2016; and

WHEREAS, more than thirty (30) days have passed since the Notices of Intent were circulated and no other Involved Agency has objected to RJSCB acting as Lead Agency.

THEREFORE, BE IT RESOLVED:

1. The RJSCB will act as SEQRA Lead Agency for the Action and its project components.
2. The RJSCB as SEQRA Lead Agency will determine the significance of the Action within 20 days of its receipt of all information it may reasonably need to make such determination and will make such determination pursuant to 6 NYCRR Part 617.
3. Copies of this Resolution shall be promptly forwarded by the SEQRA Consultant to the Involved Agencies listed on the Agency List and to all interested agencies.

**Second by Member of the Board Benincasa  
Approved 4-0 with Members Schmidt and A. Williams away**

**Resolution 2015-16: 124  
Pay Requisition Summary Acceptance (February 2016)**

**By Board Member Benincasa**

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 \$2,878,830.20 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 February 24, 2016; and

WHEREAS, the Executive Director forwarded the Phase 2 monthly Pay Requisition Summary (attached to this Resolution) totaling \$371,905.21 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 February 24, 2016; and

WHEREAS, the RJSCB Board Chair approved the regular monthly Pay Requisition Summary and the Phase 2 monthly Pay Requisition Summary on February 24, 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 March 3, 2016;



THEREFORE, BE IT RESOLVED:

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

**Second by Board Member Brown**

**Approved 4-0 with Members Schmidt and A. Williams away**

### **Communications**

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

- Phase 1a and 1b: Working on closeout and filing Final Cost Reports with the District's Accounting personnel.

- Phase 1c: School 12 – updated during the presentation.

- Phase 1c: Monroe – Program Manager Terry LoConte provided a list of additional work items they are requesting approval for. Many items were already discussed and the rest were reviewed describing why they will help the Phase 2 schedule.

-Phase 1c: East – The softball field project is on schedule to go out to bid in April 2016.

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

- 88.09% submissions for the January 2016 reporting period.

- 98.03% of all data requested has been received and approved (April 2011 through January 2016).

- Overall Workforce (EEO) Participation: Minority @ 22.95% (goal is 20%) and Women @ 7.42% (goal is 6.9%).

- Overall Business Participation: Minority @ 15.58% (goal is 15%), Women @ 7.05% (goal is 5%), Disadvantaged @ 2.21% (goal is 2%) and Small @ 3.74% (goal is 5%).

- Rochester Residents: 91 of the 286 workers for the January 2016 reporting period (or 31.82%). The average Rochester Resident workforce (construction) from inception (April 2011 through January 2016) is 25.69%.

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

- Phase 1 Budget Update: Updated since the March 3, 2016 Finance Committee Meeting - \$500K was moved from Owners Contingency to DWT leaving it at about \$1M.

- Phase 2 Budget Update: The spreadsheet provided a snapshot of the current Phase 2 Contracts that have been committed and paid to date. It also summarized the initial District funding provided (\$2.7M) showing the payments to date, and remaining balance. We will use this format until we are further down the road (end of summer, 6 months).

The MWBE and Services Procurement Committee Report for March 3, 2016 is included in the Members packets.

The Finance Committee Report for March 3, 2016 is included in the Members packets.

Bob Brown asked for an update on Phase 2 status. Tom Renauto stated that another BOE meeting is being held tomorrow night as a work session. Public meetings at School 6 (for 15) and Franklin (for 22) went well. We do not have any new information regarding the MCA relief.

Tom Richards stated that he received and reviewed the HSE memo regarding the draft preliminary diversity plan. Tom Renauto and Peter Abdella to go over the notations and clean up the document.

**Adjournment**

**Approved at 5:47 pm**