

# Rochester Joint Schools Construction Board

## Minutes

### April 4, 2016

### 4:30 PM

**Present**

Chair Tom Richards, Charles Benincasa, Vice Chair Bob Brown, Mike Schmidt, Allen Williams, Wayne Williams, and ICO Brian Sanvidge. 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 4:35 pm**

**Approval of Minutes**

Monthly Meeting held on March 7, 2016

Motion by Member Brown

Second by Member Benincasa

Approved 6-0

**Presentation:** Business Opportunities Program (BOP)

Travis Miller and Kim Mitchell with Savin Engineers provided a handout, schedule overview, and gave a PowerPoint presentation. The presentation provided an overview of the plan for rolling out the Business Opportunities Program (BOP) for companies in the construction industry that are interested in or already participating in the RSMP. This Strategic Plan included:

- Marketing Outreach
  - Promote Bidder Interests in RSMP Projects
- Training & Mentoring
  - Small Businesses & M/WBEs
- Revolving Loan Program (RLP)
  - Financial Assistance to Eligible Participants
- Partnerships & Cooperation
  - Trades
  - Community Based Organizations
  - Vocational High Schools
  - Others

**Presentation:** Phase 2 Master Plan and draft Financial Plan

Rollie Coleman with Savin, Steve Rebholz with SWBR Architects, and Rick Ganci with Capital Market Advisors gave a presentation on the Phase 2 Master Plan and the draft Financial Plan.

The Master Plan outlines the 13 major renovation projects that have been recommended and approved by the Board of Education based on the District's Core Program Model and a pre-conceptual 'Test Fit'.

The second part of the presentation focused on the Financial Plan with discussion surrounding Bond issuance (COMIDA vs. DASNY). Tom Renauto has sent a formal request to both entities requesting fee quotes.

The local share was also discussed and is currently anticipated at approximately \$18 million.

**Action Items**

**Resolution 2015-16: 125**

**Contract Awards – Network Electronics and Interactive White Boards (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 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 worked with Millennium Strategies, the RJSCB’s Technology Consultant, to prepare requests for commodity bids (“Mini-Bids”) off of a New York State Office of General Services contract (“State Contract”) in conjunction with the District Wide Technology project; and

WHEREAS, the RJSCB approved the issuance of a Request for Bids at its monthly meeting on March 7, 2016 (Resolution 2015-16: 119); and

WHEREAS, the RJSCB’s Executive Director received bids for Network Electronics, Phone Handsets, and Interactive White Boards through the issuance of individual Mini-Bids on March 30, 2016 per the deadline stipulated in each of the Mini-Bid Documents, and those bids were subsequently publicly opened and read aloud at the location stated in each of the Mini-Bid Documents; and

WHEREAS, the Technology Consultant and the Program Manager have reviewed the bids and concluded that the apparent low bidders for Network Electronics, Phone Handsets, and Interactive White Boards are also a qualified and responsible supplier of each commodity; and

WHEREAS, at the MWBE and Services Procurement Committee (the “Committee”) meeting held on March 31, 2016, following the review and consideration of recommendations provided by the RJSCB’s Technology Consultant and the Program Manager and after due deliberation by the Committee, Dyntek, listed on the competitively bid State Contract PT64525 was identified as being the low responsible supplier of Network Electronics; and

WHEREAS, at the MWBE and Services Procurement Committee meeting held on March 31, 2016, following the review and consideration of recommendations provided by the RJSCB’s Technology Consultant and the Program Manager and after due deliberation by the Committee, TeQ, listed on the competitively bid State Contract PC64216, was identified as being the low responsible supplier of Interactive White Boards; and

WHEREAS, the Committee approved the recommendation of the Technology Consultant and the Program Manager to award the commodity Mini-Bids as follows:

<b>Vendor</b>	<b>Commodity</b>	<b>State Contract</b>	<b>Not to Exceed \$</b>
Dyntek	Network Elec	PT64525	\$245,065.60
TeQ	Smart Boards	PC64216	\$252,232.50

THEREFORE, BE IT RESOLVED:

1. The RJSCB hereby approves the recommendation of the Technology Consultant and the Program Manager to utilize State Contract PC64216 and State Contract PT64525 to procure the equipment and materials as indicated above and associated with the District Wide Technology project for School 12 in Phase 1 of the RSMP; and
2. The RJSCB hereby awards the Mini-Bids to Dyntek for Network Electronics and TeQ for Interactive White Boards, and the Chair, with the advice of the Program Manager and the RJSCB's general counsel, will develop and issue a purchase order to procure the commodities through the State Contracts from these firms; and
3. The RJSCB approves the re-issuance of the Request for Bids for the Phone Handsets given that there were no bids received.

**Second by Board Member Benincasa**  
**Approved 6-0**

**Resolution 2015-16: 126**  
**Moving Services Request for Bids – Summer 2016**

**By Board Member Brown**

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

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

WHEREAS, the Act authorized up to 13 projects in Phase I of the Rochester Schools Modernization Program ("RSMP") which involves the relocations of several schools into temporary "swing" space in order for the schools to continue to operate and to be fully functional during construction; 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, upon the recommendation of its Program Manager and move management consultant (Vargas Associates), has determined a need for a moving services firm to provide the labor and equipment to perform the physical moves in the summer of 2016 for all furniture and equipment that are included in and part of the RSMP; and

WHEREAS, the moves are scheduled to begin on or about July 1, 2015, and the RJSCB needs to secure its moving services as soon as possible; and

WHEREAS, the RJSCB's Program Manager, its Executive Director and move management consultant have prepared a scope of work for moving services ("Request for Bids") which will be used by the RJSCB to obtain bids from moving services firms using an open public bid process; and

WHEREAS, the MWBE and Services Procurement Committee (“the Committee”) discussed the Request for Bids for moving services and approved it at its meeting on March 31, 2016;

THEREFORE, BE IT RESOLVED:

1. The Request for Bids for moving services is approved for issuance by the RJSCB to obtain bids from moving service firms using an open public bid process; and
2. The Committee, with the advice and recommendations of the move management consultant and the Program Manager, is authorized on behalf of the RJSCB to review the bids from the move services firms and recommend one or more firms to the RJSCB for award.

**Second by Board Member Benincasa**  
**Approved 6-0**

**Resolution 2015-16: 127**  
**Supplemental FF&E Purchase Order – School 12 Wooden Lockers**

**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 District recently requested wooden lockers in the 4<sup>th</sup>, 5<sup>th</sup>, and 6<sup>th</sup> grade classrooms at School #12; and

WHEREAS, the District’s Facilities department informed the Program Manager that individual/exposed coat hooks in classrooms are no longer desired for students due to health concerns; and

WHEREAS, the Move Manager/FF&E Consultant, Vargas Associates, has obtained a quote for such lockers off of State Contract (State Contract PC66322), the design and functionality of which has been approved by the District’s facilities representatives; and

WHEREAS, at its March 31, 2016 meeting, the MWBE Procurement and Services Committee considered the recommendation of the the Program Manager to make the additional FF&E purchase and approved the additional FF&E purchase order to the firm as set forth below:

THEREFORE, BE IT RESOLVED:

1. The RJSCB hereby approves the recommendation of the Program Manager that a purchase order shall be issued to School Specialty Inc., in the amount of \$23,354 to provide the wooden lockers (delivered and installed at point of use) for the School 12 project in Phase 1 of the RSMP; and
2. The RJSCB Chair is hereby authorized, to execute and deliver a purchase order to the firm School Specialty Inc., as the Chair may approve (the Chair’s signature thereon being conclusive

evidence of such approval) on the advice of the Program Manager and the RJSCB's general counsel.

**Second by Board Member Brown**  
**Approved 6-0**

**Resolution 2015-16: 128**  
**Supplemental FF&E Purchase Order – School 12 IT Cabinets**

**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 District’s IM&T Department has informed the Program Manager and Technology Consultant (Millennium Strategies) that going forward the District no longer wishes to utilize the previously approved IT Podiums (mobile carts) in conjunction with its classroom interactive white boards; and

WHEREAS, the District’s IM&T Department has requested instead a custom wall mounted cabinet to store equipment and to be used as a work surface in conjunction with its classroom interactive white boards; and

WHEREAS, the Program Manager has obtained three quotes for the purchase and installation of such a cabinet at School 12, the design and functionality of which has been approved by the District’s IM&T representatives; and

WHEREAS, per the RJSCB’s procurement policy, purchase orders under \$35,000 for public works are not required to be bid, so long as three competitive quotes are obtained; and

WHEREAS, at its March 31, 2016 meeting, the MWBE Procurement and Services Committee considered the recommendation of the the Program Manager to make the additional FF&E purchase and approved the additional FF&E purchase order to the firm as set forth below;

THEREFORE, BE IT RESOLVED:

1. The RJSCB hereby approves the recommendation of the Program Manager that a purchase order be issued to Accent Woodworks, in the amount of \$29,275 to provide and install the IT Cabinets (delivered and installed at point of use) for the School 12 project in Phase 1 of the RSMP; and
2. The RJSCB Chair is hereby authorized, to execute and deliver a purchase order to the firm Accent Woodworks, as the Chair may approve (the Chair’s signature thereon being conclusive evidence of such approval) on the advice of the Program Manager and the RJSCB’s general counsel.

**Second by Board Member Brown**  
**Approved 6-0**

**Resolution 2015-16: 129  
Amendment #6 to Cannon Design Agreement**

**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 Cannon Design (“Cannon”) as the Architect for the East High School project in Phase I (Resolution 2011-12: 39); and

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

WHEREAS, following the execution of the Agreement, the District requested additional scopes of design work, including its request to make repairs to the existing softball field (the “East Lower Field Project”); and

WHEREAS, the funding for this additional project at East High School will come from unspent money from the East “Make Ready” Project completed in the summer of 2015 and is limited to \$250,000 as previously authorized by the RJSCB (Resolution 2015-16: 94); and

WHEREAS, in order to meet the schedule for bidding and summer construction for this scope of work, the RJSCB now wishes to authorize Cannon to prepare bid documents associated with this scope of work; and

WHEREAS, the Program Manager recommended to the RJSCB’s MWBE and Services Procurement Committee (the “Committee”) that Cannon’s Agreement should be amended to add these additional scope items in the total amount of \$37,368 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 31, 2016 meeting, and after due deliberation, it approved the request to amend the Agreement;

THEREFORE, BE IT RESOLVED:

1. The proposed amendment to the Cannon Design 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 6-0**

**Resolution 2015-16: 130**

**Amendment #12 to LeChase Construction Services, LLC - CM at School 28 and 58**

**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 selected LeChase Construction Services, LLC (“Construction Manager”) to provide Construction Management services for the School 28 and the School 58 projects in August of 2011 as a part of Phase 1 of the Rochester Schools Modernization Program (the “RSMP”) (Resolution 2011-12: 7) and the parties thereafter entered into an Agreement between the RJSCB and the Construction Manager dated August 3, 2011 (the “Agreement”); and

WHEREAS, subsequent to the execution of the Agreement, the Agreement was amended to provide for an allowance for miscellaneous reimbursable expenses; and

WHEREAS, there is a remaining balance of the reimbursable allowance in the amount of \$1,539.95 and this amount should now be credited back to the RSMP; and

WHEREAS, the RJSCB’s Program Manager recommended to the MWBE and Services Procurement Committee (the “Committee”) that the Construction Manager’s Agreement should be amended to reflect a credit in the amount of \$1,539.95 back to the RSMP; and

WHEREAS, the Committee considered and discussed the Program Manager’s recommendation at its March 31, 2016 meeting and after due deliberation, it approved the request to amend the Agreement;

THEREFORE, BE IT RESOLVED:

1. The proposed amendment to the Agreement between the RJSCB and the Construction Manager dated August 3, 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 Brown**

**Approved 6-0**

**Resolution 2015-16: 131**

**Amendment #5 to The Pike Company (CM – Schools 5 and 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 selected The Pike Company (“Construction Manager”) to provide Construction Management services for the School 5 and School 12 projects in September of 2012 as a part of Phase 1b of the Rochester Schools Modernization Program (the “RSMP”) (Resolution 2012-13: 36) and the parties thereafter entered into the Agreement between the RJSCB and the Construction Manager dated September 10, 2012 (the “Agreement”); and

WHEREAS, subsequent to the execution of the Agreement, the Program Manager directed the Construction Manager to provide additional services and the Program Manager has received and reviewed proposals for this additional work provided by the Construction Manager; and

WHEREAS, the RJSCB’s Program Manager recommended to the MWBE and Services Procurement Committee (the “Committee”) that the Construction Manager’s Agreement should be amended to add the not-to-exceed amount of \$38,400 for additional staff in support of the School 12 project; and

WHEREAS, the Committee considered and discussed the Program Manager’s recommendation at its March 31, 2016 meeting and after due deliberation, it approved the request to amend the Agreement;

THEREFORE, BE IT RESOLVED:

1. The proposed amendment to the Agreement between the RJSCB and The Construction Manager dated September 10, 2012 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 6-0**

**Resolution 2015-16: 132**  
**Move Manager Additional Services – Amendment #25**

**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 issued a request for proposals dated August 9, 2011 for move management services (“Move Manager”) (Resolution 2011-12: 8); and

WHEREAS, at the monthly meeting held on October 3, 2011, the RJSCB selected Vargas Associates as the finalist for Move Manager (Resolution 2011-12: 31) and subsequently entered into an agreement with Vargas Associates dated February 2, 2012, entitled “Agreement Between Owner and Consultant” (the “Agreement”); and



WHEREAS, the Agreement includes scope of work for the first five projects in Phase 1a of the Rochester Schools Modernization Program (“RSMP”) (School 17, School 28, School 50, School 58, and Charlotte High School); and

WHEREAS, the RJSCB thereafter added certain additional services to the Move Manager’s scope of work (Resolution 2012-13: 9, Resolution 2012-13: 49, Resolution 2012-13:118, Resolution 2012-13: 145, Resolution 2012-13: 172, Resolution 2012-13: 192, Resolution 2013-14: 8, Resolution 2013-14: 34, Resolution 2013-14: 100, Resolution 2013-14: 101, Resolution 2013-14: 160, Resolution 2013-14: 203, Resolution 2013-14: 204, Resolution 2013-14: 261, Resolution 2013-14: 287, Resolution 2013-14: 288, Resolution 2014-15: 51, Resolution 2014-15: 84, Resolution 2014-15: 150, Resolution 2014-15: 166, Resolution 2014-15: 190, Resolution 2014-15: 238, Resolution 2015-16: 20, and Resolution 2015-16: 27); and

WHEREAS, the RJSCB now wishes to add additional services to the Move Manager’s scope of work relating to School 12 and the Program Manager has received and reviewed a proposal for this additional work provided by the Move Manager; and

WHEREAS, based on the advice and recommendation of the Program Manager, the MWBE and Services Procurement Committee considered and discussed the proposal for additional services from the Move Manager at its March 31, 2016 meeting and after due deliberation, it approved the request to amend the Agreement;

THEREFORE, BE IT RESOLVED:

1. The RJSCB hereby accepts and approves the proposal from the Move Manager for additional services to the Agreement in an amount not to exceed \$22,150; 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 with Vargas Associates that is consistent with this approval and in an acceptable form to the Chair upon the advice of the RJSCB’s general counsel.

**Second by Board Member Benincasa  
Approved 6-0**

**Resolution 2015-16: 133  
Amendment #4 to Millennium Strategies**

**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 selected Millennium Strategies (“Technology Consultant”) to provide technology consulting and design services for the Phase 1 projects in March of 2011 as a part of the Rochester Schools Modernization Program (the “RSMP”) (Resolution 2010-11: 40) and the parties thereafter entered into an Agreement between the Board and the Technology Consultant dated March 28, 2011 (the “Agreement”); and

WHEREAS, following the execution of the Agreement, the Technology Consultant, along with the Program Manager, identified the need for additional scopes of work as requested by the District, and cost

proposals were then obtained for these additional scope items and provided to the Program Manager for review; and

WHEREAS, the Program Manager thereafter recommended to the RJSCB's MWBE and Services Procurement Committee (the "Committee") that the Technology Consultant's Agreement should be amended to add this additional scope item in the total amount of \$36,300; and

WHEREAS, the Committee considered and discussed the Program Manager's recommendation at its March 31, 2016 meeting and after due deliberation, it approved the request to amend the Agreement;

THEREFORE, BE IT RESOLVED:

1. The proposed amendment to the Agreement Between the RJSCB and The Technology Consultant 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 6-0**

**Resolution 2015-16: 134  
Amendment #3 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 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, 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 audio and lighting system evaluation and HVAC redesign 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 \$25,768, 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 31, 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 W. Williams  
Approved 6-0**

**Resolution 2015-16: 135  
Amendment #12 to Chaintreuil Jensen Stark Architects, LLP Agreement (Charlotte HS)**

**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 Chaintreuil Jensen Stark Architects, LLP ("CJS") as the Architect for the Charlotte High School project in Phase I (Resolution 2010-11: 35); and

WHEREAS, the RJSCB entered into an agreement with CJS (Resolution 2010-11: 35) dated March 28, 2011, entitled Agreement Between Board and Architect (the "Agreement"); 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, bidding, and construction administration work specifically related to the replacement of all existing wood doors; 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 \$9,500, 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 31, 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 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 W. Williams**  
**Approved 6-0**

**Resolution 2015-16: 136**  
**Change Order #33 through #38 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 #33 includes the following items:

1. Provide a vapor barrier for the amount of \$4,193.80
2. Provide door operators at vestibule for the amount of \$8,627.42

The Total amount of Change Order #33 is \$12,821.22; and

WHEREAS, Change Order #34 includes the following item:

1. Rebuild stairwell walls at 2<sup>nd</sup> and 3<sup>rd</sup> floors for the amount of \$36,629.56

The Total amount of Change Order #34 is \$36,629.56; and

WHEREAS, Change Order #35 includes the following items:

1. Repairs to existing walk-in coolers for the amount of \$1,547.34
2. Provide control joints at light court walls for the amount of \$404.94

The Total amount of Change Order #35 is \$1,952.28; and

WHEREAS, Change Order #36 includes the following items:

1. Work at office window & P-tac unit for the amount of \$4,674.61
2. Revisions to trophy cases for the amount of \$1,294.71

3. Changes to louver openings for the amount of \$3,313.91  
The Total amount of Change Order #36 is \$9,283.23; and

WHEREAS, Change Order #37 includes the following items:

1. Credit for CDS Rail doors in the amount of -\$800.70
  2. Changes to door hardware for the amount of \$7,272.60
- The Total amount of Change Order #37 is \$6,471.90; and

WHEREAS, Change Order #38 includes the following item:

1. Changes to soffit and ceiling height for the amount of \$1,614.80
- The Total amount of Change Order #38 is \$1,614.80; 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 and delete these scope items for a total of \$68,772.99; and

WHEREAS, the Committee considered and discussed the Program Manager's recommendation at its March 31, 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 6-0**

**Resolution 2015-16: 137**  
**Change Order #15 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 #15 includes the following item:

1. Clean and reinstall existing p-tac units for the amount of \$5,716.50

The Total amount of Change Order #15 is \$5,716.50; 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 \$5,716.50; and

WHEREAS, the Committee considered and discussed the Program Manager's recommendation at its March 31, 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 Board Member Benincasa  
Approved 6-0**

**Resolution 2015-16: 138  
Change Order #25 to MA Ferrauilo (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 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 #25 includes the following items:

1. Add hose bib at loading dock for the amount of \$2,271
  2. Changes to domestic hot water detail for the amount of \$0
- The Total amount of Change Order #25 is \$2,271; 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 \$2,271; and

WHEREAS, the Committee considered and discussed the Program Manager's recommendation at its March 31, 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 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 Board Member Benincasa**  
**Approved 6-0**

**Resolution 2015-16: 139**  
**Change Order #14 to Hewitt Young Electric (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 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 #14 includes the following item:

1. Door operator connections at vestibule for the amount of \$3,442.44
2. Additional sleeves at second floor for the amount of \$2,099.53

The Total amount of Change Order #14 is \$5,541.97; 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 \$5,541.97; and

WHEREAS, the Committee considered and discussed the Program Manager's recommendation at its March 31, 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 Electrical's Contract between the Board and Contractor dated March 17, 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 6-0**

**Resolution 2015-16: 140  
Change Order #6 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 #6 includes the following items:

1. Provide revised footing work for the amount of \$1,443
  2. Modify footers in fan room and girls locker room for the amount of \$3,686
  3. Provide demolition to facilitate reinforcing of structural concrete joists for the amount of \$21,349
  4. Provide fall protection at pool perimeter for the amount of \$1,954
  5. Remove wood floor and sleeper system to expose concrete deck for repairs for the amount of \$23,360
  6. Asbestos removal at roof level for the amount of \$139,717
  7. Remove unforeseen concrete roof structure at two existing skylights for the amount of \$21,403
- The Total amount of Change Order #6 is \$212,912; 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 \$212,912; and

WHEREAS, the Committee considered and discussed the Program Manager's recommendation at its March 31, 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 6-0**

**Resolution 2015-16: 141  
Change Order #3 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 #3 includes the following items:

1. RG&E Fee for design and relocation of gas service pipe for the amount of \$9,059
2. Remove all domestic water, sanitary, and natural gas piping in the mechanical room for the amount of \$897

The Total amount of Change Order #3 is \$9,956; 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 \$9,956; and

WHEREAS, the Committee considered and discussed the Program Manager's recommendation at its March 31, 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 Board Member Benincasa  
Approved 6-0**

**Resolution 2015-16: 142  
Change Order #4 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 #4 includes the following items:

1. Remove unforeseen utilities inside walls for the amount of \$7,579
2. Remove existing systems in conflict with new systems for the amount of \$2,922
3. Temporary support of existing conduits in conjunction with removal of existing ceiling for the amount of \$4,372

The Total amount of Change Order #4 is \$14,873; 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 these scope items for a total of \$14,873; and

WHEREAS, the Committee considered and discussed the Program Manager's recommendation at its March 31, 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 Board Member Benincasa  
Approved 6-0**

**Resolution 2015-16: 143  
Pay Requisition Summary Acceptance (March 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 \$3,455,996.32 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 March 28, 2016; and

WHEREAS, the Executive Director forwarded the Phase 2 monthly Pay Requisition Summary (attached to this Resolution) totaling \$315,791.10 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 March 28, 2016; and

WHEREAS, the RJSCB Board Chair approved the regular monthly Pay Requisition Summary and the Phase 2 monthly Pay Requisition Summary on March 28, 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 31, 2016;

THEREFORE, BE IT RESOLVED:

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

**Second by Board Member Brown**  
**Approved 6-0**

**Resolution 2015-16: 144**  
**Forwarding the Comprehensive School Facilities Modernization Plan, Phase 2,**  
**to Albany for review by Office of the State Comptroller and State Education Department**

**By Member of the Board 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 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 improvements which involves technology upgrades and infrastructure work at several of the possible projects; and

WHEREAS, the School Modernization Act calls for the District to develop a comprehensive school facilities modernization plan for Phase 2; and

WHEREAS, the RJSCB’s Program Manager for Phase 2, Savin Engineers P.C. (“Program Manager”), working with the District, has developed a list of proposed Phase 2 projects known as the Phase 2 Draft Comprehensive Master Plan dated March 2016 (the “Proposed Plan”); and

WHEREAS, the Board of Education approved the Proposed Plan at its monthly meeting on March 24, 2016 (BOE Resolution 2015-16: 630); and

WHEREAS, in furtherance of the School Modernization Act, the District conducted public meetings in January, February, and March 2016 for the purpose of seeking public comment on the Proposed Plan and incorporated said comments into the Proposed Plan;

NOW, THEREFORE, BE IT RESOLVED:

1. The RJSCB hereby acknowledges receipt of the Proposed Plan from the Program Manager and the District; and
2. Upon finalization of the financial plan and the preliminary diversity plan, and the incorporation of these items into the Proposed Plan document, the RJSCB shall distribute the Proposed Plan to the New York State Office of the State Comptroller and the New York State Education Department for review and consideration; and
3. Nothing herein commits the RJSCB, the New York State Office of the State Comptroller or the New York State Education Department to commence in, engage in, fund or approve any action.

**Second by Board Member Benincasa  
Approved 6-0**

**Resolution 2015-16: 145  
Phase 2 Independent Compliance Officer Services RFP**

**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 authorizing legislation for Phase 2 of the RSMP was signed into law by the Governor of the State of New York on December 17, 2014; and

WHEREAS, the amended Act for 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 Executive Director, with the advice of the general counsel, has prepared the RFP for the Phase 2 Independent Compliance Officer services, provided the draft of the RFP to the RJSCB for review, and it is ready to be issued; and

WHEREAS, the MWBE and Services Procurement Committee reviewed the RFP to be issued for Phase 2 Independent Compliance Officer services and approved the RFP at its meeting on March 31, 2016, for forwarding to the full Board;

THEREFORE, BE IT RESOLVED:

1. The RJSCB hereby approves the RFP for Phase 2 Independent Compliance Officer services and authorizes the Executive Director to issue the RFP on April 5, 2016; and
2. The MWBE and Services Procurement Committee, with the advice and recommendations of the Executive Director and its general counsel, is authorized on behalf of the RJSCB to review the RFP responses, conduct interview(s) if appropriate, and recommend a qualified firm to the RJSCB for award.

**Second by Board Member W. Williams  
Approved 6-0**

**Resolution 2015-16: 146  
Rejection of Proposals and Re-issue RFP for Legal Services – Phase 2**

**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 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 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, on February 22, 2016, the RJSCB's Executive Director received one proposal per the deadline stipulated in the RFP; and

WHEREAS, at its monthly meeting on March 7, 2016, the RJSCB discussed the RFP and subsequently concluded that although the RFP had been posted and advertised in multiple print and online outlets, there was not ample exposure of the RFP to gain sufficient awareness from local law firms; and

WHEREAS, the RJSCB wishes to re-issue the RFP for Phase 2 legal services as it is in the best interest of the public, the project, and the RJSCB;

THEREFORE, BE IT RESOLVED:

1. The RJSCB hereby rejects all proposals received for the original Phase 2 legal services RFP under the RJSCB's contractual right to do so; and
2. The RFP for legal services for Phase 2 is approved for re-issuance; and
3. 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 Board Member Brown  
Approved 6-0**

### **Communications**

- The Monthly Report is included in the Member's packets and was reviewed by Program Manager Tom Rogér.
  - School 12: The new west side stairs have been poured. Finishes (paint and tile) continue on the 1<sup>st</sup>, 2<sup>nd</sup> and 3<sup>rd</sup> floors.
  - Monroe: Revision to mechanical design of the rooms being reconfigured in Phase 2 continues (accelerated/prep work). Discovery of deteriorated or improperly constructed structural concrete joists/beams continues to be investigated. These conditions will need to be repaired.
- Terry LoConte will be transitioning out of the Program and that Robert Skeeel (Gilbane) will be the new Program Manager for Monroe High School.
- The Compliance Report from Baker Tilly is included in the Member's packets and was reviewed by ICO Brian Sanvidge.
  - Overall Workforce (EEO) Participation: Minority @ 22.97% (goal is 20%) and Women @ 7.38% (goal is 6.9%).
  - Overall Business Participation: Minority @ 15.62% (goal is 15%), Women @ 7.05% (goal is 5%), Disadvantaged @ 2.23% (goal is 2%) and Small @ 3.75 (goal is 5%).
  - Rochester Residents: 101 of the 294 workers for the February 2016 reporting period (or 31.82%). The average Rochester Resident workforce (construction) from inception (April 2011 through February 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: Owners Contingency is at about \$700K and contingencies are all zeroed out for Phase 1a and 1b with the exception of the Charlotte door replacement work and East field project. School 12 and Monroe still have adequate contingency.

- 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.

- The MWBE and Services Procurement Committee Report for March 31, 2016 is included in the Members packets.
- The Finance Committee Report for March 31, 2016 is included in the Members packets.
- Vice Chair Bob Brown suggested that Tom Renauto's current authorization limit of \$25K be increased to match the District Facilities limit of \$35K.
- Chair Tom Richards requested a special meeting to approve the Financial Plan and the Diversity Plan.

**Adjournment**

**Approved at 6:28 pm**