

**Rochester Joint Schools Construction Board
Minutes
June 6, 2016
4:30 PM**

Present

Chair Tom Richards, Charles Benincasa, Vice Chair Bob Brown, Ineabelle G. Cruz (arrived at 4:42 pm), Mike Schmidt (arrived at 4:42 pm), Wayne Williams, and ICO Brian Sanvidge. Member Allen Williams was away. Also present were: Executive Director Tom Renauto, General Counsel Peter Abdella, and Program Managers Pepin Accilien from Savin and Tom Rog r from Gilbane.

Chair Richards convened the meeting at 4:35 pm

Presentation: Monroe High School

Mike Ellison with CJS Architects presented the Phase 2a final design including a floor by floor review of spaces, grade configuration, program spaces/shared spaces, budget, and schedule. These included the accessibility and circulation issues, upgrades to finishes, new FF&E, and separation of the 7th and 8th grade from 9-12. Mike Ellison also noted the Phase 2b scope which will mostly be sitework: athletic fields, tennis courts, gym addition, and survery/kitchen addition. The 2b work will require the demo of the existing cafeteria and the School 15 building.

Consent Agenda Items

**Resolution 2015-16: 170
Additional FF&E – 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 final furniture layout for School 12 has recently been confirmed with the District and it has resulted in the need to purchase miscellaneous FF&E items to complete the program needs; and

WHEREAS, the Move Manager/FF&E Consultant, Vargas Associates, has obtained pricing from the suppliers previously awarded these groups of furniture; and

WHEREAS, the Move Manager/FF&E Consultant, Vargas Associates, has obtained pricing from the supplier FM Office Products in the amount of \$5,592.34; and

WHEREAS, the Move Manager/FF&E Consultant, Vargas Associates, has obtained pricing from the supplier Hertz Furniture in the amount of \$5,652.58; and

WHEREAS, at its June 2, 2016 meeting, the MWBE Procurement and Services Committee considered the recommendation of the Program Manager to make the additional FF&E purchases and approved the additional FF&E purchase orders to the firms 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 FM Office Products, in the amount of \$5,592.34 to provide additional FF&E (delivered and installed at point of use) for the School 12 project in Phase 1 of the RSMP; and
2. The RJSCB hereby approves the recommendation of the Program Manager that a purchase order shall be issued to Hertz Furniture, in the amount of \$5,652.58 to provide additional FF&E (delivered and installed at point of use) for the School 12 project in Phase 1 of the RSMP; and
3. The RJSCB Chair is hereby authorized, to execute and deliver purchase orders to the firms above, 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 4-0 with Member A. Williams away and members Cruz and Schmidt not yet present

Resolution 2015-16: 171

Amendment #27 to Vargas Associates

By Board Member W. Williams

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, Resolution 2015-16: 27, Resolution 2015-16: 132 and 2015-16: 157); 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 May 2, 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 \$5,950; 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 Brown

Approved 4-0 with Member A. Williams away and members Cruz and Schmidt not yet present

Resolution 2015-16: 172

Amendment #5 to Young + Wright Architectural Agreement (School 5)

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 selection of Young + Wright Architectural ("Young + Wright") as the Architect for the School 5 project in Phase I (Resolution 2011-12: 39); and

WHEREAS, the RJSCB entered into an agreement with Young + Wright (Resolution 2011-12: 39) dated November 15, 2011, entitled Agreement Between Board and Architect (the "Agreement"); and

WHEREAS, the Program Manager has received and reviewed information provided by the Architect related to the unused portions of allowance and reimbursable funds under the Agreement; and

WHEREAS, the amount of \$14,506.04 in unused allowance and reimbursable funds will be credited back to the RMSP; and

WHEREAS, the RJSCB's Program Manager recommended to the MWBE and Services Procurement Committee (the "Committee") that the Architect's Agreement should reflect a reduction in the amount of \$14,506.04; and

WHEREAS, the Committee considered and discussed the Program Manager's recommendation at its May 2, 2016 meeting, and after due deliberation, it approved the request to amend the Agreement;

THEREFORE, BE IT RESOLVED:

1. The proposed amendment to the Young + Wright Architectural Agreement 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 Brown

Approved 4-0 with Member A. Williams away and members Cruz and Schmidt not yet present

Resolution 2015-16: 173

Amendment #2 to Career Compliance Placement Agreement

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 selection of Career Compliance Placement ("CCP") as the Pre-Apprentice Program Provider in Phase 1 (Resolution 2011 12: 40); and

WHEREAS, the RJSCB subsequently entered into an agreement with CCP (Resolution 2011 12: 40) dated December 19, 2011, entitled Consulting Services Agreement (the "Agreement"); and

WHEREAS, the Program Manager has identified an unused balance of funds remaining on the contract and recommends that the contract value be reduced by the amount of the unused funds; and

WHEREAS, the amount of \$29,243.65 in unused funds will be credited back to the RMSP; and

WHEREAS, the RJSCB's Program Manager recommended to the MWBE and Services Procurement Committee (the "Committee") that CCP's Agreement should reflect a reduction in the amount of \$29,243.65; and

WHEREAS, the Committee considered and discussed the Program Manager's recommendation at its May 2, 2016 meeting, and after due deliberation, it approved the request to amend the Agreement;

THEREFORE, BE IT RESOLVED:

1. The proposed amendment to the Career Compliance Placement Consulting Services Agreement dated December 5, 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 4-0 with Member A. Williams away and members Cruz and Schmidt not yet present

Resolution 2015-16: 174

Authorization to Bid - School 12 Parking Lot Resurfacing

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 entered into an agreement with SEI Design Group (“SEI”), dated November 15, 2011, (Resolution 2011-12: 39) with respect to the renovations to occur at School 12 (Agreement between Board and Architect); and

WHEREAS, the District has recently requested additional work at School 12 related to resurfacing the existing parking lot; and

WHEREAS, due to the estimated cost of the work, the Program Manager recommends that the work be publicly bid; and

WHEREAS, the qualifying work associated with the parking lot resurfacing, which is considered site work, will be aided due to the fact that the project will be within the incidental maximum cost allowance (“MCA”) established for School 12 by the State Education Department; and

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

WHEREAS, the work will take place in the summer of 2016; and

WHEREAS, the Program Manager and SEI are prepared to begin the design process immediately;

WHEREAS, the RJSCB MWBE and Services Procurement Committee considered and discussed the Program Manager’s recommendation at its May 2, 2016 meeting, and after due deliberation, it approved bidding the additional work at School 12 related to the resurfacing of the parking lot;

THEREFORE, BE IT RESOLVED:

1. The RJSCB, through its Program Manager, shall proceed with the design and bid for the School 12 “Parking Lot Resurfacing”; 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
3. The RJSCB has allocated an amount not-to-exceed \$225,000 for the design and bid of this project and will evaluate the bids received based upon this budget; 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 Member A. Williams away and members Cruz and Schmidt not yet present

Resolution 2015-16: 175

Request for Bids – Monroe High School Phase 2a

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 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, in order to avoid a year delay in the start of Phase 2 construction, in May of 2015, the Board of Education (“BOE”) advanced funds to the RJSCB for certain design and planning associated with Phase 2 including the design of the Phase 2a project at Monroe High School (BOE Resolution 2014-15: 627); and

WHEREAS, the RJSCB entered into an agreement with Chaintreuil Jensen Stark Architects, LLP (“CJS”), dated May 4, 2015, (Resolution 2014-15: 216) with respect to the Phase 2a renovations to occur at Monroe High School (the “Agreement between Board and Architect”); and

WHEREAS, the RJSCB approved the Program Verification documents for the Monroe High School Phase 2a project at its regular monthly meeting on September 14, 2015 (Resolution 2015-16: 44); and

WHEREAS, the BOE approved the comprehensive Master Plan for Phase 2 in March 2016 (BOE Resolution 2015-16: 630); and

WHEREAS, CJS presented the scope of work and budget for the Monroe High School Phase 2a project to the Superintendent and Senior Cabinet at a meeting on May 26, 2016; and

WHEREAS, the RJSCB anticipates approval of the Monroe High School Phase 2a project by the Board of Education at their monthly meeting on June 16, 2016; and

WHEREAS, the RJSCB anticipates SED approval of the Monroe High School Phase 2a project by the end of June 2016; and

WHEREAS, CJS presented the scope of work and budget for the Monroe High School Phase 2a project to the RJSCB at its regular monthly meeting on May 6, 2016;

THEREFORE, BE IT RESOLVED:

1. The RJSCB, through its Program Manager, shall proceed with the issuance of a Request for Bids for the Monroe High School Phase 2a project in order to maintain the overall project schedule contingent upon approval by the Board of Education and the New York State Education Department.
2. Also, 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.
3. 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 bidders.

Second by Board Member Brown

Approved 4-0 with Member A. Williams away and members Cruz and Schmidt not yet present

Resolution 2015-16: 176

Commissioning Agent Services Extension – Labella Associates (Monroe 2a)

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 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 RJSCB recognizes that experience, knowledge, and consistency are critical factors when completing the mechanical, electrical, and plumbing systems within a building; and

WHEREAS, as permitted by the Phase 2 legislation, the RJSCB wishes to extend the services of the Commissioning Agent for Monroe High School, LaBella Associates, which is most familiar with the Project and the mechanical, electrical, and plumbing systems within the building, having performed the specific Phase 1 scopes of work and to do so; and

WHEREAS, the RJSCB believes that the time necessary for a formal request for proposal and selection process for this service will not achieve any measurable cost savings where negotiations can achieve the same outcome in a more timely fashion; and

WHEREAS, the RJSCB approved the selection of Labella Associates as the Commissioning Agent for the Monroe High School project in Phase I (Resolution 2012-13: 67); and

WHEREAS, the RJSCB entered into an agreement with LaBella Associates (Resolution 2012-13: 67) dated November 5, 2012 and

WHEREAS, at the MWBE and Services Procurement Committee (“Committee”) meeting on June 2, 2016, the Program Manager recommended that Labella Associate be extended for commissioning services at the Monroe High School Phase 2a project; and

THEREFORE, BE IT RESOLVED:

1. The RJSCB hereby approves the Program Manager’s recommendation that the services of LaBella Associates be extended for Commissioning Agent Services at the Monroe High School Phase 2a project based upon the finding that the extension is in the public interest for the reasons set forth above; and
2. The RJSCB hereby directs the Executive Director to engage LaBella Associates, and to obtain and review a proposal to provide commissioning services for the Monroe High School Phase 2a project; and
3. The RJSCB hereby approves the issuance of an Agreement to LaBella Associates to provide Commissioning Agent Services as a part of the Monroe High School Phase 2a project of the RSMP contingent upon satisfactory negotiations; and
4. The Chair is hereby authorized, in the name and on behalf of the RJSCB, to execute and deliver an Agreement 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 Brown

Approved 4-0 with Member A. Williams away and members Cruz and Schmidt not yet present

Action Items

Resolution 2015-16: 177

Change Order #3 and #4 to Steve General Contractor – (East “Make Ready Project”)

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, in June 2015, the RJSCB approved the award of the East High School “Make Ready Project” general contractor contract to Steve General Contractor Inc, in Phase I (Resolution 2014-15: 246); and

WHEREAS, the RJSCB entered into a contract with Steve General Contractor Inc., (Resolution 2014-15: 246) dated June 22, 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, Steve General Contractor, Inc., along with 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 Program Manager for review; and

WHEREAS, Change Order #3 includes the following items:

1. Deduct for unused allowance in the amount of -\$10,000.00
2. Deduct for deleted 4' x 12' tack board in the amount of -\$720.00
3. Credit for closer/holder unauthorized substitution for the amount of -\$1,904.00

The total amount of Change Order #3 is -\$12,624.00; and

WHEREAS, Change Order #4 includes the following items:

1. Shut off valves at two water lines for the amount of \$873.78
2. Reinsulate existing ductwork for the amount of \$778.62
3. Laminate new GWB on existing wall for the amount of \$1,174.57
4. One lockable wall cabinet for the amount of \$829.31
5. Add ACT ceilings in A-109B and A-109C for the amount of \$1,376.49
6. Add toilet accessories for the amount of \$229.32
7. Additional Abatement in B-140 for the amount of \$0
8. Additional bulkhead in B-102A for the amount of \$0
9. Remove wire mold in D-141 for the amount of \$314.46
10. Add a projector screen enclosure for the amount of \$1,216.46
11. Add 20 Grommets for the amount of \$500.00
12. Add temporary doors for the amount of \$6,858.53
13. Additional Glazing for the amount of \$3,890.00

The total amount of Change Order #4 is \$18,041.54; and

WHEREAS, the Program Manager believes 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 Contractors' Contract should be amended to add and delete these scope items in the total amount of \$5,417.54; and

WHEREAS, the Committee considered and discussed the Program Manager's recommendation at its June 2, 2016 meeting and after due deliberation, it approved the request to amend the Contract;

THEREFORE, BE IT RESOLVED:

1. The proposed Change Orders to Steve General Contractors' Contract between the Board and Contractor dated June 22, 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 Member A. Williams away and members Cruz and Schmidt not yet present

**Resolution 2015-16: 178
Change Order #4 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, LLC (“Thurston Dudek”) 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 Dudek, 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. Basement toilet room sanitary lateral for the amount of \$2,947
2. Deduct for shower head re-plumbing in the amount of -\$1,036
3. Existing piping removal for all science rooms for the amount of \$15,239
4. Provide rebar pins in the fan room for the amount of \$696

The Total amount of Change Order #4 is \$17,846; 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 and delete these scope items for a total of \$17,846; and

WHEREAS, the Committee considered and discussed the Program Manager’s recommendation at its June 2, 2016 meeting and after due deliberation, it approved the request to amend the Contract;

THEREFORE, BE IT RESOLVED:

3. 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
4. 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 Member A. Williams away and members Cruz and Schmidt not yet present

**Resolution 2015-16: 179
Change Order #6 and #7 to MA Ferrauilo (Monroe)**

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., (“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 #6 includes the following item:

1. Remove unforeseen utilities found inside chase/walls for the amount of \$6,990
The Total amount of Change Order #6 is \$6,990; and

WHEREAS, Change Order #7 includes the following item:

1. Wall openings and lintels due to unforeseen conditions for the amount of \$152,435
The Total amount of Change Order #7 is \$152,435; 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 \$159,425; and

WHEREAS, the Committee considered and discussed the Program Manager’s recommendation at its June 2, 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 June 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 Member A. Williams away and members Cruz and Schmidt not yet present

**Resolution 2015-16: 180
Change Order #8 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 #8 includes the following items:

1. Remove existing suspended acoustical ceiling for the amount of \$1,053
 2. Provide deteriorated joist repairs and fiber reinforcing for the amount of \$10,885
 3. Plaster ceiling patching on the 1st and 2nd floors for the amount of \$41,820
 4. Provide deteriorated joist repairs and fiber reinforcing for the amount of \$27,950
 5. Drapery pocket soffit removal for the amount of \$3,739
 6. Shotcrete repair of floor joists for the amount of \$82,744
 7. Window investigation for sampling and testing for the amount of \$2,530
- The Total amount of Change Order #8 is \$170,721; 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 \$170,721; and

WHEREAS, the Committee considered and discussed the Program Manager’s recommendation at its June 2, 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 Member A. Williams away and members Cruz and Schmidt not yet present

Resolution 2015-16: 181

Change Order #16 and #17 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 #16 includes the following item:

1. CO detectors at the Rec Center, nurse's area, and kindergarten rooms for the amount of \$21,818.21
The Total amount of Change Order #16 is \$21,818.21; and

WHEREAS, Change Order #17 includes the following item:

1. Cooling tower and condenser pipe for the amount of \$2,365.10
2. Delete power and data at the east wall of the Library for a credit of -\$886.54
3. CO detectors at the Nurse and Kindergarten rooms for the amount of \$4,571.97
4. Clarification of wave ceiling and light spacing added additional lights for the amount of \$7,861.36
The Total amount of Change Order #17 is \$13,911.89; 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 and delete these scope items for a total of \$35,730.10; and

WHEREAS, the Committee considered and discussed the Program Manager's recommendation at its June 2, 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 W. Williams

Approved 4-0 with Member A. Williams away and members Cruz and Schmidt not yet present

Resolution 2015-16: 182

Change Order #17 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 #17 includes the following items:

1. Vic fittings, seismic elimination, and mech gasket for the amount of \$0
2. Refrigerator relief valve piping for the amount of \$2,003.93
3. Cooling tower and condenser pipe for the amount of \$4,865.57
4. Chiller and boiler control wiring for the amount of \$12,217.15
5. Return air for UV-B in Room 322C for the amount of \$1,035.58
6. Transfer duct at Cafeteria and Kitchen for the amount of \$787.23
7. SS pipe covers in the Kitchen for the amount of \$1,067.57

The Total amount of Change Order #17 is \$21,977.03; 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 \$21,977.03; and

WHEREAS, the Committee considered and discussed the Program Manager's recommendation at its June 2, 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 4-0 with Member A. Williams away and members Cruz and Schmidt not yet present

Resolution 2015-16: 183

Change Order #27 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 #27 includes the following items:

1. S-6 sinks in Art and Science rooms for the amount of \$1,737
2. Vestibule V100 roof drain for the amount of \$1,099

The Total amount of Change Order #27 is \$2,836; 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 \$2,836; and

WHEREAS, the Committee considered and discussed the Program Manager's recommendation at its June 2, 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 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 Brown

Approved 4-0 with Member A. Williams away and members Cruz and Schmidt not yet present

Resolution 2015-16: 184

Change Order #40 and #41 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 #40 includes the following items:

1. Helical anchors for the amount of \$5,413.89
2. Changes to walls at 134A for the amount of \$3,968.82
3. Fill gap between louver and exterior wall for the amount of \$7,614.30
4. Schluter strip at door frames for the amount of \$2,123.79
5. Duct piping height conflict for the amount of \$3,075.08

The Total amount of Change Order #40 is \$22,195.88; and

WHEREAS, Change Order #41 includes the following items:

1. Accent paint and paint colors for the amount of \$2,584.70
2. Changes to door 108 for the amount of \$2,041.02

The Total amount of Change Order #41 is \$4,625.72; 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 \$26,821.60; and

WHEREAS, the Committee considered and discussed the Program Manager's recommendation at its June 2, 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 Member A. Williams away and members Cruz and Schmidt not yet present

**Resolution 2015-16: 185
RJSCB Annual Report FY2015-16**

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, under Section 21 of the Act, is required to submit an annual report to various State agencies noting the progress and status of the projects undertaken by the RJSCB;

THEREFORE, BE IT RESOLVED:

1. The FY2015-16 Annual Report of the RJSCB is hereby accepted pending final edits and corrections to be made by the Executive Director, with a final version to be circulated to the full Board prior to distribution on or before June 30, 2016.

Second by Board Member W. Williams

Approved 6-0 with Member A. Williams away

**Resolution 2015-16: 186
Contract Award – East High School "East Lower Field Project"
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 entered into an agreement with Cannon Design ("Cannon"), dated November 15, 2011, (Resolution 2011-12: 39) with respect to the renovations to occur at East High School (Agreement between Board and Architect); and

WHEREAS, in the winter of 2016, the District requested additional work at East High School related to repairs to a portion of the existing softball field (also known as the "lower field"); and

WHEREAS, the RJSCB approved an additional amendment to the Agreement with Cannon in April 2016 (Resolution 2015-16: 129) for design and construction administration services related to the repairs to the existing softball field (the "East Lower Field Project"); and

WHEREAS, the RJSCB had previously authorized the Program Manager to issue the East Lower Field Project for bids (Resolution 2015-16: 94) upon completion of the documents; and

WHEREAS, the East Lower Field Project was advertised on May 19, 2016 and bid documents were issued and posted by the Program Manager on May 24, 2016; and

WHEREAS, the RJSCB's Executive Director received bids on June 6, 2016 per the deadline stipulated in the Request for Bids, and those bids were subsequently publicly opened and read aloud at the location stated in the Request for Bids; and

WHEREAS, the Program Manager, Architect, Construction Manager, and Independent Compliance Officer have reviewed the bids, conducted a de-scoping meeting, and concluded that the apparent low bidder is also a qualified and responsible bidder; and

WHEREAS, at its monthly meeting on June 6, 2016, following review and consideration of recommendations provided by the Program Manager, the RJSCB approved the contract award to:

<u>Scope of Work</u>	<u>Name of Contractor</u>	<u>Address</u>	<u>Bid Amount (Incl. accepted alternates)</u>
Site Work	DiFiore Construction	155 Pool Street Rochester, NY 14606	\$294,500 (239,500 base bid plus \$55,000 for alternate #2)

THEREFORE, BE IT RESOLVED:

1. Contingent upon final approval of the firm's diversity plan by the Independent Compliance Officer, the RJSCB hereby approves the recommendation of the Program Manager that a contract award shall be made to the above named firm and bid amount to provide all equipment, labor, materials, and plant necessary to execute the scope of work associated with the East High School "East Lower Field Project" in Phase 1 of the RSMP; and
2. The RJSCB authorizes the acceptance of Alternate #2 "Playfield Drainage" into the base contract for this work; and
3. The RJSCB authorizes and approves a total budget amount up to \$325,000 for the construction work associated with the "East Lower Field Project"; and

4. The RJSCB authorizes the Program Manager to transfer funds from the DWT-2 budget, adding to the existing funds remaining from East High School of \$256,791, bringing the total available funds to the full amount authorized up to \$325,000; and
5. The Chair is hereby authorized, in the name and on behalf of the RJSCB, to execute and deliver an Agreement (the "Agreement") to the firm named above in substantially the form included in the Request for Bids for the East High School "East Lower Field Project", with such changes as the Chair may approve (his/her signature thereon being conclusive evidence of such approval) on the advice of the Program Manager and the RJSCB's general counsel.

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

**Resolution 2015-16: 187
Pay Requisition Summary Acceptance (May 2016)**

By Board Member Brown

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

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

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

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

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

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

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

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

WHEREAS, the COMIDA issued bond proceeds for the Rochester Schools Modernization program Phase 1c projects were deposited in the Trustee's account on February 4, 2015; and

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

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

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

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

WHEREAS, in order to avoid a year delay in the start of Phase 2 construction at East High School, Monroe High School, and School 15 (the "Early Start Projects"), the District has advanced funds to the RSMP for Phase 2; and

WHEREAS, it is understood by the District, the City, and the RJSCB that the funds advanced by the District would be reimbursed by the City as soon as possible through a Bond Anticipation Note ("BAN") against the City's debt limit; and

WHEREAS, the District's counsel prepared a Board of Education ("BOE") resolution to authorize the advance of the funds based on the full faith and credit of the City (BOE Resolution 2014-15: 627); and

WHEREAS, a future BAN provided by the City would reimburse the funds advanced by the District for the design work associated with Phase 2 projects at Monroe High School, School 15, and East High School (the Early Start Projects), as well as provide the interim financing necessary to begin other Phase 2 project designs and to engage other professional service firms to begin Phase 2 planning and coordination work; and

WHEREAS, the City will be reimbursed for its BAN from the Phase 2 bond proceeds (anticipated to occur in the summer of 2016) following approval of the Phase 2 Master Plan by the Board of Education and approval of the first group of projects in Phase 2 by the New York State Education Department; and

WHEREAS, the District, the City and the RJSCB have executed a memorandum that sets forth the understanding that the District will advance funds to the RSMP for the payment of the expenses for the Early Start Projects and that the City will reimburse the District for these amounts through the BAN proceeds; and

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

WHEREAS, the Executive Director forwarded the regular monthly Pay Requisition Summary (attached to this Resolution) totaling \$4,957,262.89 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 May 26, 2016; and

WHEREAS, the Executive Director forwarded the Phase 2 monthly Pay Requisition Summary (attached to this Resolution) totaling \$950,381.83 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 May 26, 2016; and

WHEREAS, the RJSCB Board Chair approved the regular monthly Pay Requisition Summary and the Phase 2 monthly Pay Requisition Summary on May 26, 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 June 2, 2016;

THEREFORE, BE IT RESOLVED:

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

**Second by Board Member Benincasa
Approved 6-0 with Member A. Williams away**

**Resolution 2015-16: 188
RJSCB Monthly Meeting Schedule 2016-2017**

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 has identified dates for the 2016-17 Meeting Schedule (listed below) at their monthly meeting held on June 6, 2016 as follows; and

MWBE and Services Procurement Meeting And Finance Committee Meeting Meetings take place at 1776 N Clinton Ave 7:30am, 9:00am	Monthly Board Meeting Meetings take place at 1776 N Clinton Ave 4:30pm
July 14, 2016 (4:00pm)	July 18, 2016 (4:00pm)
August 4, 2016	August 9, 2016 (Tuesday)
September 8, 2016	September 12, 2016
October 6, 2016	October 17, 2016
November 3, 2016	November 7, 2016
December 8, 2016	December 13, 2016 (Tuesday)
January 12, 2017	January 16, 2017
February 2, 2017	February 6, 2017
March 2, 2017	March 6, 2017
April 6, 2017	April 10, 2017
May 4, 2017	May 8, 2017
June 1, 2017	June 5, 2017

THEREFORE, BE IT RESOLVED:

1. The Rochester Joint Schools Construction Board hereby approves the meeting schedule above for the Fiscal Year 2016-17.

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

**Resolution 2015-16: 189
Updating the Phase 2 Municipal Agreement**

This Resolution was tabled by the Board.

Approval of Minutes

Special Meeting held on April 25, 2016
Motion by Member Benincasa
Second by Member Brown
Approved 6-0 with Member A. Williams away

Monthly Meeting held on May 2, 2016
Motion by Member Benincasa
Second by Member Brown
Approved 6-0 with Member A. Williams away

Special Meeting held on May 10, 2016
Motion by Member Benincasa
Second by Member Brown
Approved 6-0 with Member A. Williams away

Special Meeting held on May 18, 2016
Motion by Member Benincasa
Second by Member Brown
Approved 6-0 with Member A. Williams away

Special Meeting held on May 23, 2016
Motion by Member Benincasa
Second by Member Brown
Approved 6-0 with Member A. Williams away

Communications

The Phase 1 Monthly Report is included in the Member's packets and was reviewed by Program Manager Tom Rogér.

– School 12: Project is nearing completion. The 2nd and 3rd floors are almost done – stripping and waxing the classroom floors. The 1st floor is completing finishes. Library FF&E delivery on 6/27/16 and office FFE delivery on 7/6/16 with completion by the end of July.

– East: Bids were opened today for the lower field project and awarded to DiFiore Construction – base bid and the alternate for field drainage totaling \$294,500. The current budget is \$256,791 and was permitted

to be increased to \$325,000 to provide for the field drainage component and to allot for project contingency.

The Phase 2 Monthly Report is included in the Member's packets and was reviewed by Program Manager Pepin Accilien.

– Monroe: Final Construction Documents and submission to SED this month with the intent to go out-to-bid (authorization at this meeting) by early July.

– East: Into Schematic Design and working on options for the new addition, parking lot / bus loop, school circulation, reviewing Building Conditions Survey vs. current MEP infrastructure replacement and scope.

– School 7: Reaching Program Verification consensus (one of the three concepts for the new addition), HazMat analysis verified the presence of ACM which needs to be abated,

– School 16: Reaching Program Verification consensus on scheme for the new addition. HazMat survey underway. Digital survey underway to produce existing measured drawings in REVIT (3D), and Site/topo survey completed for existing base plan.

- The schedule for upcoming RFPs was discussed.

– BOP: The BOP team attended 11 outreach events to engage and/or promote MWSBEs including media outreach, strategic meetings, visits to community associations, and public and private agencies. The Kickoff event occurred on 5/12/16 at the Rochester Central Library, and the BOP team is working on follow up with attendees as well as those who did not attend (but were invited).

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

- 90.59% submissions for the April 2016 reporting period.

- 98.04% of all data requested has been received and approved (April 2011 through April 2016).

- Overall Workforce (EEO) Participation: Minority @ 22.93% (goal is 20%) and Women @ 7.26% (goal is 6.9%).

- Overall Business Participation: Minority @ 15.68% (goal is 15%), Women @ 7.48% (goal is 5%), Disadvantaged @ 2.23% (goal is 2%) and Small @ 3.74 (goal is 5%).

Bob Brown requested that a footnote be added to the SBE numbers because many of the MBEs and WBEs are also SBEs.

- Rochester Residents: 142 of the 397 workers for the April 2016 reporting period (or 35.77%). The average Rochester Resident workforce (construction) from inception (April 2011 through April 2016) is 25.93%.

The Budget reports are included in the Member's packets and were reviewed by Tom Rog r, Pepin Accilien, and Tom Renauto.

- Phase 1 Budget Update: Owners Contingency is at about \$800K and contingencies are all zeroed out for Phase 1a and 1b with the exception of the Charlotte and School 17 door replacement. Phase 1c has a contingency for the East field project (awarded at this meeting), and School 12 (with a potential claim noted) 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 (about \$295K). The District will need to provide additional seed money in order to pay for costs already incurred in June. We will also need funding for upcoming costs in July and August to keep the project going.

The MWBE and Services Procurement Committee Report for June 2, 2016 is included in the Members packets.

The Finance Committee Report for June 2, 2016 is included in the Members packets.

Adjournment

Approved at 6:12 pm