

Rochester Joint Schools Construction Board
Minutes
July 18, 2016
4:00 PM

Present

Chair Tom Richards, Charles Benincasa (left at 4:52 pm), Ineabelle G. Cruz, Mike Schmidt (arrived at 5:37 pm), Allen Williams, Wayne Williams (arrived at 4:11 pm), and ICO Brian Sanvidge. Vice Chair Bob Brown 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 4:02 pm.

Approval of Minutes

Monthly Meeting held on June 6, 2016

Motion by Member Benincasa

Second by Member A. Williams

Approved 4-0 with Member Brown away, and Members Schmidt and W. Williams not yet present

Special Meeting held on June 20, 2016

Motion by Member Benincasa

Second by Member Brown

Approved 4-0 with Member Brown away, and Members Schmidt and W. Williams not yet present

Special Meeting held on June 28, 2016

Motion by Member Benincasa

Second by Member Brown

Approved 4-0 with Member Brown away, and Members Schmidt and W. Williams not yet present

Presentation: School 7

Ted Mountain with SEI Design gave an overview of the project including: an existing aerial view of the site, the existing site plan showing the modular and open space on the east side, and the existing floor plans. Work will include abatement, a secure main entry, creation of a gymnasium, improving daylighting and circulation, a 2 story addition on the west side, removal of modulars and the addition of 28 parking spaces. A comparison was shown of the original program budget at \$18.8M vs the current option (Option 2a) at approximately \$18M not including \$1.3M for air-conditioning (which is known to be a strong desire from all parties). Chair Richards asked about the schedule. They are on schedule to design throughout the end of this year and submit to SED in January of 2017.

Presentation: School 16

Steve Rebolz with SWBR Architects explained that the proposed design meets or exceeds program intent. Steve also noted that this is one of the oldest structures in the District, the infrastructure/MEP has reached the end of its useful life, the existing classrooms are at 60% below SED minimum usable area, and the floor systems and non-confirming wood structure are deteriorating. The current option (Option C.2) includes a 2nd story classroom addition above the existing building (this was considered optimal due to the tight site and the desire to maintain existing green space). The work also includes: removing

modular classrooms, gym/auditorium alternate for expansion, and a kitchen/servery expansion as a proposed addition. There are \$5M in proposed alternates due to the extent of the infrastructure needs consuming most of the available budget. Chair Richards asked about the schedule. They are on schedule to design throughout the end of this year and submit to SED in January of 2017.

Consent Agenda Items

Resolution 2016-17: 1 Small Appliance Order – School 12

By Board Member Benincasa

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

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

WHEREAS, the Act authorized up to 13 projects in Phase I of the Rochester Schools Modernization Program (“RSMP”); and

WHEREAS, the Program Manager directed Vargas Associates, the RJSCB’s Move Manager, to coordinate the purchase of small appliances for the School 12 project in Phase 1; and

WHEREAS, Vargas Associates worked with the Architect and the Construction Manager for School 12 and subsequently prepared a list of specifications and requirements for those small appliances that had not been purchased through the GC scope of work for the project; and

WHEREAS, Vargas Associates contacted the New York State Office of General Services (“OGS”) to verify if a State contract for small appliances was available, and the OGS responded that no State contract for small appliances is currently in place; and

WHEREAS, Vargas Associates then prepared a document describing the details, specifications, and quantities of the appliances necessary for the School 12 project; and

WHEREAS, the RJSCB authorized the Move Manager to request quotes for the purchase of the small appliances required for the School 12 project at its monthly meeting on June 6, 2016 (Resolution 2015-16: 171); and

WHEREAS, the Move Manager has subsequently received and reviewed the quotes in detail and has contacted the supplier with the lowest price to discuss the logistics and coordination associated with the purchase and delivery of the small appliances, and now recommends the award to Appliance Associates of Buffalo; and

WHEREAS, at its July 14, 2016 meeting, the MWBE and Services Procurement Committee (“Committee”) considered and approved the recommendation by Vargas Associates to purchase the small appliances for the School 12 project from Appliance Associates of Buffalo;

THEREFORE, BE IT RESOLVED:

1. The RJSCB hereby approves the recommendation of the Move Manager that a purchase order shall be issued to Appliance Associates of Buffalo in the amount of \$9,915 to provide the necessary small appliances associated with the School 12 project; and

2. The RJSCB Chair is hereby authorized, in the name and on behalf of the RJSCB, to execute and deliver a purchase order to the firm named above on the advice of the Program Manager and the RJSCB's general counsel.

Second by Board Member A. Williams

Approved 4-0 with Member Brown away, and Members Schmidt and W. Williams not yet present

Resolution 2016-17: 2

Amendment #5 to Clark Patterson Lee's Agreement on SEQRA

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 RSJCB engaged the services of Clark Patterson Lee to provide SEQRA consulting services for Phase 1 of the RSMP (Resolution 2010-11: 18), and the parties thereafter entered into an agreement between Clark Patterson Lee and the RJSCB dated November 23, 2010 (the "Agreement"); and

WHEREAS, Clark Patterson Lee has completed the SEQRA consultant services for Phase 1 and the Program Manager has completed its reconciliation of all invoices for these services resulting in an unused balance remaining in the amount of \$970.83; and

WHEREAS, the MWBE and Services Procurement Committee considered and discussed the Program Manager's recommendation at its July 14, 2016 meeting to reduce Clark Patterson Lee's contract amount by \$970.83, and after due deliberation, it approved the request to amend the Agreement;

THEREFORE, BE IT RESOLVED:

1. The proposed amendment to the Clark Patterson Lee Agreement between Board and Consultant dated November 23, 2010, as set forth above is hereby approved, reducing the total amount of the Agreement by \$970.83; 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 A. Williams

Approved 4-0 with Member Brown away, and Members Schmidt and W. Williams not yet present

**Resolution 2016-17: 3
Amendment #5 to SEI Design Group Agreement – School 12**

By Board Member Benincasa

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

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

WHEREAS, the RJSCB approved the selection of SEI Design Group (“SEI”) as the Architect for the School 12 project in Phase I (Resolution 2011-12: 39); and

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

WHEREAS, following the execution of the Agreement, SEI, along with the Program Manager, identified the need for additional scopes of design work, 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 SEI’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 July 14, 2016 meeting, and after due deliberation, it approved the request to amend the Agreement;

THEREFORE, BE IT RESOLVED:

1. The proposed amendment to the SEI Design Group 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 A. Williams

Approved 4-0 with Member Brown away, and Members Schmidt and W. Williams not yet present

**Resolution 2016-17: 4
Amendment #16 to JCJ Architecture’s Agreement (School 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 approved the selection of JCJ Architecture, P.C. ("JCJ Architecture") as the Architect for the School 58 World of Inquiry project in Phase I (Resolution 2010-11: 35); and

WHEREAS, the RJSCB entered into an agreement with JCJ Architecture (Resolution 2010-11: 35) dated March 28, 2011, entitled Agreement between Board and Architect (the "Agreement"); and

WHEREAS, JCJ Architecture has completed the services for School 58 in Phase 1 and the Program Manager has completed its reconciliation of all invoices for these services resulting in an unused balance remaining in the amount of \$51,828; and

WHEREAS, the MWBE and Services Procurement Committee considered and discussed the Program Manager's recommendation at its July 14, 2016 meeting to reduce JCJ Architecture's contract amount by \$51,828, and after due deliberation, it approved the request to amend the Agreement;

THEREFORE, BE IT RESOLVED:

1. The proposed amendment to the JCJ Architecture Agreement between the Board and Architect dated March 28, 2011, as set forth above is hereby approved, reducing the total amount of the Agreement by \$51,828; 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 A. Williams

Approved 4-0 with Member Brown away, and Members Schmidt and W. Williams not yet present

Resolution 2016-17: 5

Amendment #2 to SJB Services, Inc. Contract (Phase 1a Projects)

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

WHEREAS, the RJSCB approved the selection of SJB Services, Inc. ("SJB") for Special Inspection and Testing Agent Services (Resolution 2011-12: 115), for School 17, School 50, School 58, Charlotte High School, and Franklin Educational Campus (the "1a projects"), and the parties thereafter entered into an Agreement dated June 11, 2012 between SJB and the RJSCB (the "Agreement"); and

WHEREAS, SJB has completed the special inspections and testing services for Phase 1a and the Program Manager has completed its reconciliation of all invoices for these services resulting in an unused balance remaining in the amount of \$3,137.55; and

WHEREAS, the MWBE and Services Procurement Committee considered and discussed the Program Manager's recommendation at its July 14, 2016 meeting to reduce SJB's contract amount by \$3,137.55, and after due deliberation, it approved the request to amend the Agreement;

THEREFORE, BE IT RESOLVED:

1. The proposed amendment to the Agreement between Board and SJB Services, Inc., as set forth above is hereby approved, reducing the total amount of the Agreement by \$3,137.55; and
2. The RJSCB's Chair is authorized in the name and behalf of the RJSCB, to execute an amendment to the SJB Services, Inc.'s 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 A. Williams

Approved 4-0 with Member Brown away, and Members Schmidt and W. Williams not yet present

Resolution 2016-17: 6

DWT Purchase Order Reconciliation – Phase 1 Projects

By Board Member Benincasa

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

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

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

WHEREAS, the RJSCB's Program Manager, with the advice of Millennium Strategies (the "DWT Consultant"), and the RJSCB's general counsel, prepared mini-bids packages for network electronics, phone hand sets, and interactive whiteboards for the projects in Phase 1; and

WHEREAS, the RSJCB subsequently awarded bids to several suppliers to provide network electronics, phone hand sets, and interactive whiteboards for projects in Phase 1 of the RSMP, including RONCO, Dyntek, Tequipment Inc., and Frontrunner Network Systems Inc.; and

WHEREAS, the firms RONCO, Dyntek, Tequipment Inc., and Frontrunner Network Systems Inc., have completed their respective services for Phase 1 and the Program Manager has completed its reconciliation of all invoices for these services resulting in an unused balance remaining for each firm as shown in the table below (which has been agreed to by the firms); and

Firm	Contract Value	Payments to Date	Balance
Ronco - 1a	\$ 1,539,762.04	\$ 915,749.35	\$ 624,012.69
Ronco - 1b	\$ 842,200.00	\$ 332,505.00	\$ 509,695.00
Dyntek	\$ 281,525.39	\$ 275,755.54	\$ 5,769.85

Equipment Inc.	\$ 1,139,550.00	\$ 1,077,499.50	\$ 62,050.50
Frontrunner Network Systems	\$ 148,076.25	\$ 129,060.65	\$ 19,015.60

WHEREAS, the MWBE and Services Procurement Committee considered and discussed the Program Manager's recommendation at its July 14, 2016 meeting to reduce the purchase order amounts to the firms listed above and after due deliberation, it approved the request by the Program Manager to reduce these purchase order amounts;

THEREFORE, BE IT RESOLVED:

1. The RJSCB hereby approves the recommendation of the DWT Consultant and the Program Manager to reduce the purchase orders to the above named firms, in the amounts specified, related to the network electronics, phone hand sets, and interactive whiteboard purchases in Phase 1 of the RSMP.

Second by Board Member A. Williams

Approved 4-0 with Member Brown away, and Members Schmidt and W. Williams not yet present

Resolution 2016-17: 7

FF&E Purchase Order Reconciliation – Phase 1 Projects

By Board Member Benincasa

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

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

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

WHEREAS, the RJSCB's Program Manager, with the advice of Vargas Associates (the "Move Manager"), the RJSCB's general counsel, the Construction Managers, the Architects, and the RJSCB's Independent Compliance Officer, prepared request for bids packages for Furniture, Fixtures, and Equipment ("FF&E") for the projects in Phase 1; and

WHEREAS, the RSJCB subsequently awarded bids to several suppliers to provide FF&E for projects in Phase 1 of the RSMP, including Hertz Furniture, JSJ Furniture Co., FM Office Products, and Main-Ford General Supply; and

WHEREAS, the firms Hertz Furniture, JSJ Furniture Co., FM Office Products, and Main-Ford General Supply have completed their respective FF&E services for Phase 1 and the Program Manager has completed its reconciliation of all invoices for these services resulting in an unused balance remaining for each firm as shown in the table below (which has been agreed to by the firms); and

Firm	Contract Value	Payments to Date	Balance
Hertz Furniture - 1a	\$ 356,475.74	\$ 355,735.35	\$ 740.39
Hertz Furniture - 1b	\$ 420,628.69	\$ 417,721.97	\$ 2,906.72
JSJ Furniture Co.	\$ 3,633.48	\$ 3,159.50	\$ 473.98

FM Office Products	\$ 649,822.96	\$ 647,941.61	\$ 1,881.35
Main-Ford General Supply	\$ 986,038.00	\$ 984,869.00	\$ 1,169.00

WHEREAS, the MWBE and Services Procurement Committee considered and discussed the Program Manager's recommendation at its July 14, 2016 meeting to reduce the purchase order amounts to the firms listed above and after due deliberation, it approved the request by the Program Manager to reduce these purchase order amounts;

THEREFORE, BE IT RESOLVED:

1. The RJSCB hereby approves the recommendation of the Move Manager and the Program Manager to reduce the purchase orders to the above named firms, in the amounts specified, related to the furniture, fixtures, and equipment purchases in Phase 1 of the RSMP.

Second by Board Member A. Williams

Approved 4-0 with Member Brown away, and Members Schmidt and W. Williams not yet present

Action Items

Resolution 2016-17: 8

Phase 2 Insurance and Bond Review Consultant Services – Request for Proposals

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 (the “Amended Act”); 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, has determined a need for the services of an Insurance and Bond Review Consultant as a third party reviewer of the insurance and bonds provided by professional service firms, contractors, and consultants hired by the RJSCB for Phase 2 of the RSMP; and

WHEREAS, on behalf of the RJSCB, the Insurance and Bond Review Consultant will verify compliance with the specifications set forth for the Phase 2 projects that are part of the RSMP; and

WHEREAS, the RJSCB's Program Manager has prepared a request for proposal (an “RFP”) for an Insurance and Bond Review Consultant that requires the responding firms to set forth their fee proposals for a specific scope of work; and

WHEREAS, the MWBE and Services Procurement Committee reviewed and discussed the RFP for an Insurance and Bond Review Consultant at its meeting on July 14, 2016, and after due deliberation, it approved the RFP for issuance by the Board ;

THEREFORE, BE IT RESOLVED:

1. The RFP for an Insurance and Bond Review Consultant is approved for issuance on July 19, 2016; and
2. The MWBE and Services Procurement Committee is authorized on behalf of the RJSCB to select finalists, conduct interviews as necessary, and recommend to the RJSCB the most qualified candidate.

Second by Board Member A. Williams

Approved 4-0 with Member Brown away, and Members Schmidt and W. Williams not yet present

Resolution 2016-17: 9

Phase 2 - Security Services RFP – 2a Projects

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 (the “Amended Act”); 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, has determined a need for a Security Services Firm to provide off-hours security services for the Phase 2 projects that are part of the RSMP; and

WHEREAS, the RJSCB’s Program Manager has prepared a request for proposals (an “RFP”) for a Security Services Firm that requires the responding firms to set forth their fee proposals for a specific scope of work related to the first group of projects in Phase 2 (School 7, School 16, East High School and Monroe High School Part A) (together the “2a projects”); and

WHEREAS, the MWBE and Services Procurement Committee reviewed and discussed the RFP for security services at its meeting on July 14, 2016, and after due deliberation, it approved the RFP for issuance by the Board;

THEREFORE, BE IT RESOLVED:

1. The Request for Proposals for Phase 2a (School 7, School 16, East High School and Monroe High School Part A) Security Services is approved for issuance on July 19, 2016; and

2. The MWBE and Services Procurement Committee is authorized on behalf of the RJSCB to select finalists, conduct interviews as necessary, and recommend to the RJSCB the most qualified candidate.

Second by Board Member Cruz

Approved 4-0 with Member Brown away, and Members Schmidt and W. Williams not yet present

Resolution 2016-17: 10

Phase 2 District Wide Technology Consultant - Request for Proposals

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 (the "Amended Act"); 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, has determined a need for a District Wide Technology Consultant to provide a single point of contact for all technology related components that are part of the RSMP, to ensure seamless technology integration in all schools, and to adhere to technology standards as set forth by the District; and

WHEREAS, the RJSCB's Program Manager has prepared a request for proposal (an "RFP") for a District Wide Technology Consultant that requires the responding firms to set forth their fee proposals for a specific scope of work; and

WHEREAS, the MWBE and Services Procurement Committee reviewed and discussed the RFP for a District Wide Technology Consultant at its meeting on July 14, 2016, and after due deliberation, it approved the RFP for issuance by the Board;

THEREFORE, BE IT RESOLVED:

1. The Request for Proposals for Phase 2 District Wide Technology Consultant is approved for issuance on July 19, 2016; and
2. The MWBE and Services Procurement Committee is authorized on behalf of the RJSCB to select finalists, conduct interviews as necessary, and recommend to the RJSCB the most qualified candidate.

Second by Board Member A. Williams

Approved 4-0 with Member Brown away, and Members Schmidt and W. Williams not yet present

Resolution 2016-17: 11
Phase 2 Food Service Consultant - Request for Proposals

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 (the “Amended Act”); 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, has determined a need for a Food Service Consultant to provide a single point of contact for all food service related components that are part of the RSMP, to ensure seamless integration in all schools, and to adhere to the Food Service Five Year Master Plan standards as set forth by the District; and

WHEREAS, the RJSCB’s Program Manager has prepared a request for proposal (an “RFP”) for a Food Service Consultant that requires the responding firms to set forth their fee proposals for a specific scope of work; and

WHEREAS, the MWBE and Services Procurement Committee reviewed and discussed the RFP for a Food Service Consultant at its meeting on July 14, 2016, and after due deliberation, it approved the RFP for issuance by the Board;

THEREFORE, BE IT RESOLVED:

1. The Request for Proposals for Food Service Consultant is approved for issuance on July 19, 2016; and
2. The MWBE and Services Procurement Committee is authorized on behalf of the RJSCB to select finalists, conduct interviews as necessary, and recommend to the RJSCB the most qualified candidate.

Second by Board Member A. Williams

Approved 4-0 with Member Brown away, and Members Schmidt and W. Williams not yet present

Resolution 2016-17: 12
Contract Award – School 12 “Parking Lot Project”

By Board Member Benincasa

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

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

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

WHEREAS, the RJSCB entered into an agreement with SEI Design ("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, in the spring of 2016, the District requested additional work at School 12 related to repairs to the existing parking lot; and

WHEREAS, the RJSCB authorized the Program Manager to issue the School 12 parking lot project for bids (Resolution 2015-16: 174) upon completion of the request for bid documents ("Request for Bids"); and

WHEREAS, the School 12 parking lot project Request for Bids was advertised on June 21, 2016, and bid documents were issued and posted by the Program Manager; and

WHEREAS, the RJSCB's Executive Director received bids on July 13, 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 July 14, 2016, the MWBE and Services Procurement Committee discussed the bids that have been received, but did not take any action; and;

WHEREAS, at the Board meeting on July 18, 2016, the Program Manager presented its recommendations to the Board, and after the deliberation, the Board 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	Louis Del Prince and Sons, Inc.	580 Cayuga Road Cheektowaga, NY 14225	\$119,200

THEREFORE, BE IT RESOLVED:

1. 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 School 12 parking lot project in Phase 1 of the RSMP; and
2. The RJSCB authorizes and approves a total budget amount up to \$130,000 for the construction work associated with the School 12 parking lot project; and
3. The RJSCB authorizes the Program Manager to transfer funds necessary from the Owner's contingency budget to fund this additional scope of work; and
4. 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 School 12 parking lot 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 A. Williams

Approved 5-0 with Member Brown away, Member Schmidt not yet present

Resolution 2016-17: 13

Change Order #11 to Mark Cerrone Inc. (School 12 Demo and Abatement)

By Board Member Benincasa

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

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

WHEREAS, the RJSCB approved the award of the demo and abatement contractor contract to Mark Cerrone Inc., ("Cerrone") for the School 12 project in Phase I (Resolution 2014-15: 107); and

WHEREAS, the RJSCB entered into a contract with Cerrone (Resolution 2014-15: 107) dated November 3, 2014 (the "Contract"), to perform the scope of services defined in the contract documents as the demo and abatement contractor's scope of work; and

WHEREAS, following the execution of the Contract, Cerrone, along with the Pike Company (the Construction Manager), and the Program Manager, identified reductions in the scope of work, and cost proposals were then obtained for these reductions in scope items and provided to the Construction Manager and the Program Manager for review; and

WHEREAS, Change Order #11 includes the following item:

1. Deduct for replacement of chiller wiring removed during demolition for the amount of -\$7,447.12
The Total amount of Change Order #9 is -\$7,447.12; 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 the deduction of this work; and

WHEREAS, the Program Manager thereafter recommended to the RJSCB's MWBE and Services Procurement Committee (the "Committee") that Mark Cerrone Inc.'s Contract should be amended to deduct a total of -\$7,447.12; and

WHEREAS, the Committee considered and discussed the Program Manager's recommendation at its July 14, 2016 meeting and after due deliberation, it approved the request to amend the Contract;

THEREFORE, BE IT RESOLVED:

1. The proposed Change Order to Mark Cerrone Inc.'s Contract between the Board and Contractor dated November 3, 2014 as set forth above is hereby approved; and

2. The RJSCB's Chair is hereby authorized in the name and on behalf of the RJSCB, to execute a Change Order to the Contract that is consistent with this approval and in an acceptable form to the Chair upon the advice of the Program Manager and the RJSCB's general counsel.

Second by Board Member A. Williams

Approved 5-0 with Member Brown away, Member Schmidt not yet present

Resolution 2016-17: 14

Change Order #43 and #44 to LeChase Construction (School 12)

By Board Member Benincasa

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

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

WHEREAS, the RJSCB approved the award of the 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 #43 includes the following items:

1. Changes to wave ceiling for the amount of \$7,236.34
2. Add parapet wall for the amount of \$6,740.81
3. Changes to ceiling height for no cost \$0
4. Changes to corridor 104 and 105 for the amount of \$820.08
5. Column enclosures for the amount of \$5,948.69

The Total amount of Change Order #43 is \$20,745.92; and

WHEREAS, Change Order #44 includes the following items:

1. Locker trim detail for the amount of \$3,898.95
2. Change display case for the amount of \$363.35

The Total amount of Change Order #44 is \$4,262.30; and

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

WHEREAS, the Program Manager thereafter recommended to the RJSCB's MWBE and Services Procurement Committee (the "Committee") that LeChase Construction Services' Contract should be amended to add these scope items for a total of \$25,008.22; and

WHEREAS, the Committee considered and discussed the Program Manager's recommendation at its July 14, 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 A. Williams

Approved 5-0 with Member Brown away, Member Schmidt not yet present

Resolution 2016-17: 15

Change Order #18 and #19 to Landry Mechanical Contractors (School 12)

By Board Member Benincasa

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

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

WHEREAS, the RJSCB approved the award of the 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 #18 includes the following item:

1. Provide 2 new cabinet unit heaters in the cafeteria – use allowance funds already in contract - \$0
- The Total amount of Change Order #18 is \$0; and

WHEREAS, Change Order #19 includes the following item:

1. Provide variable frequency drives to unit ventilators for the amount of \$3,857.20
- The Total amount of Change Order #18 is \$3,857.20; 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 these items for a total of \$3,857.20; and

WHEREAS, the Committee considered and discussed the Program Manager's recommendation at its July 14, 2016 meeting and after due deliberation, it approved the request to amend the Contract;

THEREFORE, BE IT RESOLVED:

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

Second by Board Member A. Williams

Approved 5-0 with Member Brown away, Member Schmidt not yet present

Resolution 2016-17: 16

Change Order #28 to MA Ferrauilo (School 12)

By Board Member Benincasa

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

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

WHEREAS, the RJSCB approved the award of the 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 #28 includes the following items:

1. Work top fill for \$0
2. Scope storm drain lines – use existing allowance funds already in contract - \$0
3. Gas piping supports – use remaining allowance funds already in contract, amount over allowance is \$309.36

The Total amount of Change Order #28 is \$309.36; 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 Ferraulo's Contract should be amended to add these scope items for a total of \$309.36; and

WHEREAS, the Committee considered and discussed the Program Manager's recommendation at its July 14, 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 W. Williams

Approved 5-0 with Member Brown away, Member Schmidt not yet present

Resolution 2016-17: 17

Change Order #18 to Hewitt Young Electric (School 12)

By Board Member Benincasa

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

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

WHEREAS, the RJSCB approved the award of the electrical contractor contract to Hewitt Young Electric, ("HYE") for the School 12 project in Phase I (Resolution 2014-15: 202); and

WHEREAS, the RJSCB entered into a contract with HYE (Resolution 2014-15: 202) dated March 17, 2015 (the "Contract"), to perform the scope of services defined in the contract documents as the electrical contractor's scope of work; and

WHEREAS, following the execution of the Contract, HYE, along with the Pike Company (the Construction Manager), and the Program Manager, identified changes in the scope of work, and cost proposals were then obtained for these changes in scope items and provided to the Construction Manager and the Program Manager for review; and

WHEREAS, Change Order #18 includes the following items:

1. Parking lot light pole bases – use existing allowance funds already included in contract - \$0
2. Revisions to cubbies – use existing allowance funds already included in contract - \$0
3. Changes to split coils at cafeteria – use existing allowance funds already included in contract - \$0

4. Add CO detectors to library – use existing allowance funds already included in contract - \$0
 5. Add sprinkler alarm strobe bell – use existing allowance funds already included in contract - \$0
 6. Add flow and tamper switches – use existing allowance funds already included in contract - \$0
- The Total amount of Change Order #18 is \$0; 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 \$0 (use existing allowance funds within the contract); and

WHEREAS, the Committee considered and discussed the Program Manager's recommendation at its July 14, 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 A. Williams

Approved 5-0 with Member Brown away, Member Schmidt not yet present

Resolution 2016-17: 18

Change Order #9 to Manning Squires Hennig (Monroe)

By Board Member Benincasa

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

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

WHEREAS, the RJSCB approved the award of the 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 #9 includes the following items:

1. Provide additional structural work for the amount of \$6,429
 2. Install ceiling grid in rooms 261 and 263 for the amount of \$5,464
- The Total amount of Change Order #9 is \$11,893; 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 \$11,893; and

WHEREAS, the Committee considered and discussed the Program Manager's recommendation at its July 14, 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 A. Williams
Approved 5-0 with Member Brown away, Member Schmidt not yet present

Resolution 2016-17: 19
Change Order #8 to MA Ferrauilo (Monroe)

By Board Member Benincasa

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

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

WHEREAS, the RJSCB approved the award of the 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 #8 includes the following items:

1. Increase louver flange size for the amount of \$1,082
 2. Re-support piping in boiler room following removals for the amount of \$2,280
- The Total amount of Change Order #8 is \$3,362; 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 Ferraulo's Contract should be amended to add these scope items for a total of \$3,362; and

WHEREAS, the Committee considered and discussed the Program Manager's recommendation at its July 14, 2016 meeting and after due deliberation, it approved the request to amend the Contract;

THEREFORE, BE IT RESOLVED:

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

Second by Board Member A. Williams

Approved 5-0 with Member Brown away, Member Schmidt not yet present

Resolution 2016-17: 20

Change Order #6 to Eastcoast Electric, LLC (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 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 #6 includes the following items:

1. Remove unforeseen utilities inside walls for the amount of \$7,937
 2. Smart Board installation at swing space for the amount of \$3,534
 3. Remove and reinstall conduit in the boiler room to clear area for other work for the amount of \$3,064
- The Total amount of Change Order #6 is \$14,535; 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 \$14,535; and

WHEREAS, the Committee considered and discussed the Program Manager's recommendation at its July 14, 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 A. Williams

Approved 5-0 with Member Brown away, Member Schmidt not yet present

Resolution 2016-17: 21

Change Order #24 to M.A. Ferraiulo – School 58

By Board Member W. Williams

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

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

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

WHEREAS, the RJSCB approved the award of the plumbing contractor contract to M.A. Ferraiulo Heating and Plumbing, Inc. ("M.A. Ferraiulo") for the School 58 project in Phase I (Resolution 2012-13: 120); and

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

WHEREAS, following the execution of the Contract, M.A. Ferraiulo, along with LeChase Construction, the Construction Manager, and the Program Manager, identified the need for additional scopes of work, and

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

WHEREAS, Change Order #24 includes the following item:

1. Remove three wall hung toilets, replace plumbing, install floor mounted toilets for the amount of \$11,820

The total amount of Change Order #24 is \$11,820; and

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

WHEREAS, the Program Manager thereafter recommended to the RJSCB's MWBE and Services Procurement Committee (the "Committee") that M.A. Ferraiulo's Contract should be amended to add this additional scope items in the total amount of \$11,820; and

WHEREAS, the Committee considered and discussed the Program Manager's recommendation at its July 14, 2016 meeting and after due deliberation, it approved the request to amend the Contract;

THEREFORE, BE IT RESOLVED:

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

Second by Board Member Benincasa

Approved 5-0 with Member Brown away, Member Schmidt not yet present

Resolution 2016-17: 22

Pay Requisition Summary Acceptance (June 2016)

By Board Member A. 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 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 \$3,648,777.40 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 June 28, 2016; and

WHEREAS, the Executive Director forwarded the Phase 2 monthly Pay Requisition Summary (attached to this Resolution) totaling \$674,849.50 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 June 28, 2016; and

WHEREAS, the RJSCB Board Chair approved the regular monthly Pay Requisition Summary and the Phase 2 monthly Pay Requisition Summary on June 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 July 14, 2016;

THEREFORE, BE IT RESOLVED:

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

Second by Board Member Cruz

Approved 5-0 with Member Brown away, Member Schmidt not yet present

Resolution 2016-17: 23 (Resolution tabled)

Member Benincasa made a motion to award the Phase 2 Legal Services to Bond Schoeneck & King. Second by Member A. Williams. Approved 4-1 (T. Richards) with Member Brown away and Member Schmidt not yet present.

**Resolution 2006-17: 24
Phase 2 Legal Services**

By 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 (the “Amended Act”); 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 the RJSCB authorized issuance of the RFP at its monthly meeting on February 8, 2016 (Resolution 2015-16: 103); 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 April 4, 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 rejected all proposals received for the original Phase 2 legal services RFP under the RJSCB’s contractual right to do so and authorized the Program Manager to re-issue the RFP as it is in the best interest of the public, the project, and the RJSCB (Resolution 2015-16: 146); and

WHEREAS, on April 20, 2016, the RJSCB’s Executive Director received four proposals per the deadline stipulated in the RFP; and

WHEREAS, a selection committee made up of RJSCB Members and City of Rochester representatives reviewed and discussed the four proposals and subsequently conducted interviews of two candidates; and

WHEREAS, following the interviews, the selection committee requested additional information from both firms; and

WHEREAS, the Executive Director received responses from both firms and provided those responses to the selection committee and the full Board for review on June 8, 2016; and

WHEREAS, at the monthly RJSCB meeting on July 18, 2016, Member Benincasa made a motion to select the firm Bond Schoeneck and King to provide legal services for Phase 2 and following discussion the motion was seconded by Member A. Williams; and

THEREFORE, BE IT RESOLVED:

1. The Chair of the RJSCB is hereby authorized to negotiate and enter into an Agreement with Bond Schoeneck and King, 350 Linden Oaks, Suite 310, Rochester, New York, for general legal services related to Phase 2 of the RSMP.

Second by Member A. Williams

Approved 4-1 (T. Richards) with Member Brown away and Member Schmidt not yet present

Chair Richards adjourned the Monthly meeting to convene the Organizational meeting at 4:37 pm.

Chair Richards convened the Organizational meeting at 4:37 pm.

Chair Richards adjourned the Organizational meeting at 4:38 pm (postponed until August’s Monthly meeting on August 9, 2016).

Chair Richards reconvened the Monthly meeting at 4:39 pm.

Communications

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

- School 12: Cleaning has started, site work still in progress, and the parking lot project has been awarded to Louis Del Prince & Sons.
- East: Work at the lower field began June 20, 2016 and will continue through the summer with substantial completion slated for August 15, 2016.
- Monroe: The \$1.6M in additional work is ongoing (Phase 2 prep work).

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

- General: The Master Plan is being reviewed by SED and the Financial Plan is being reviewed by the Comptroller's office (Tom Renauto is expecting to hear back this week).
- RFPs: The 4 RFP's approved at this meeting will be released tomorrow. The next 2 RFPs (Environmental Monitoring and Special Inspections) to be released at the August meeting need to be reviewed by Tom Renauto and forwarded to legal.
- 2a Projects: 3 projects are in design (East, School 7, and School 16) and are moving through presentations with the Superintendent's Cabinet as well as the Mayor's Office. 1 project is in bidding phase (Monroe) with the opening scheduled for August 9, 2016 (will most likely be extended) and awards slated for August 23, 2016.
- 2b Projects: 4 projects anticipated to start design - RFP's due today for Design Services / Architectural Services for 3 of the projects. Monroe 2b - after meeting with the Mayor to discuss both the 2a and 2b project scopes, she requested that the pool be added to the 2b phase.
- 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. There is an upcoming Networking Matchmaker Event at the RSMP Office on July 27, 2016 at 5:30pm.

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

- 93.89% submissions for the May 2016 reporting period.
- 98.09% of all data requested has been received and approved (April 2011 through May 2016).
- Overall Workforce (EEO) Participation: Minority @ 22.88% (goal is 20%) and Women @ 7.23% (goal is 6.9%).
- Overall Business Participation: Minority @ 15.71% (goal is 15%), Women @ 7.47% (goal is 5%), Disadvantaged @ 2.31% (goal is 2%) and Small @ 3.74 (goal is 5%).

- Rochester Residents: 130 of the 339 workers for the May 2016 reporting period (or 38.35%). The average Rochester Resident workforce (construction) from inception (April 2011 through May 2016) is 26.72%.

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

- Phase 1 Budget Update: Contingency is tracking well. The Owner's Contingency will be at about \$650K once money is moved to School 12 for the parking lot project. Contingencies are all zeroed out for Phase 1a and 1b with the exception of Charlotte where money is set aside for the door replacement. Phase 1c budgets have been updated and contingency added for the East field project. A potential claim at School 12 was noted. Monroe still has adequate contingency.

- Phase 2 Budget Update: The spreadsheet provides a snapshot of the current Phase 2 Contracts that have been committed and amounts paid to date. It also tracks the District funding provided (\$4.7M), the payments to date, and remaining balance (about \$1.6M). The invoices for July will be paid from the District's funds. The BAN will be in place August 9, 2016 which will repay the District and pay invoices up to the Bond sale (anticipated February 2017).

The MWBE and Services Procurement Committee Report for July 14, 2016 is included in the Members packets.

The Finance Committee Report for July 14, 2016 is included in the Members packets.

Adjournment

Approved at 5:50 pm