

**Rochester Joint Schools Construction Board  
Minutes  
January 13, 2014  
4:30 PM**

**Present**

Chair Lois Giess, Vice Chair Bob Brown, Jose Coronas arrived at 4:55, Ann McCormick, Richard Pifer, Brian Roulin, and ICO Windell Gray. Member Everton Sewell was away. Also present were: Executive Director Tom Renauto, General Counsel Peter Abdella, Program Director Tom Roger from Gilbane and Pepin Accilien from Savin.

**Chair Giess convened the meeting at 4:37pm**

**Approval of Minutes:**

Monthly Meeting held on December 16, 2013

Motion by Member Brown

Second by Member Pifer

Approved 5-0 with member Sewell away and member Coronas arrived at 4:55

**Presentation:** School #58 Project Update

Tom Roger discussed the 4 "areas" of work. The project will be ready for mid-school year move in December 2014.

**Executive Session:**

Pursuant to New York Public Officer's Law Section 105(1)(f), a motion was made by Board Chair Giess and seconded by Member Brown to enter into executive session.

**The RJSCB moved out of Executive Session at 5:16pm**

Chair Giess acknowledged the services of Brian Roulin to the RJSCB and the RSMP and thanked him for his many years of service as a charter member of the Board.

**Action Items**

**Resolution 2013-14: 130**

**Amendment #4 to Gilbane Building Company – IDC Services**

**By Board Chair Giess**

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

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

WHEREAS, the RJSCB selected Gilbane Building Company (“Program Manager”) to provide Program Management services to the Board in June of 2010 (Resolution 2009-10: 13) and thereafter the RJSCB and the Program Manager entered into the Program Management Agreement dated July 1, 2010 (the “Agreement”); and

WHEREAS, following the execution of the Agreement, the RJSCB now wishes to add certain additional services to the scope of work of the Program Manager related to Interdisciplinary Document Coordination (“IDC”) Review Services, and the Program Manager has proposed to provide such services for the Monroe High School project and the School 12 project; and

WHEREAS, after having seen the results of this service as provided under the architects for the Phase 1a and Phase 1b projects, the Executive Director has recommended to the RJSCB that these services be moved to the Program Manager for a more thorough and precise review of the project documents; and

WHEREAS, under the Program Manager’s scope of services in its Agreement with the RJSCB, the Program Manager already has the responsibility to perform a coordination review of the construction plans, but the IDC services are more extensive and would be an expansion of the Program Manager’s current scope under its Agreement; and

WHEREAS, these services were included in the scope of work of the Architect for the Monroe High School Project, Chaintreuil Jensen Stark Architects, as a part of their base services; and

WHEREAS, the RJSCB has received a full credit back from the Architect for not performing these services on the Monroe High School project under their base contract in the amount of \$30,000 (Resolution 2013-14: 133), which will offset the cost for the Program Manager to provide these services; and

WHEREAS, these services were not included in the scope of work of the Architect for the School 12 project; and

WHEREAS, following extensive discussions with the Program Manager and due diligence, the Executive Director recommended to the MWBE and Services Procurement Committee (the “Committee”) that the Program Manager’s Agreement should be amended to add the total amount of Not to Exceed \$67,039 for costs associated with IDC Review Services and these services will include a base document review in the amount of \$30,000 as well as a code review for an additional \$4,528 for the Monroe High School Project, and base document review in the amount of \$25,575 as well as a code review for an additional \$6,936 for the School 12 Project; and

WHEREAS, the Committee considered and discussed the Executive Director’s recommendation at its January 9, 2014 meeting and after due deliberation, agreed to forward the request to the full Board for consideration;

THEREFORE, BE IT RESOLVED:

1. The proposed amendment to the Agreement Between the RJSCB and the Program Manager dated July 1, 2010 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 RJSCB’s general counsel.

**Second by Board Member Brown**  
**Approved 6-0 with member Sewell away**

**Resolution 2013-14: 159**  
**Amendment #2 to SEI Design Group Agreement – School 12**

**By Board Chair Giess**

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 \$16,074.50 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 January 9, 2014 meeting, and after due deliberation, agreed to forward the request to the full Board for consideration;

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 Pifer**  
**Approved 6-0 with member Sewell away**

**Resolution 2013-14: 160**  
**Move Manager Additional Services**

**By Board Chair Giess**

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, and Resolution 2013-14: 101); and

WHEREAS, the Program Manager has identified the need to perform move management services at the School 12 project, and the Move Manager has provided the Program Manager with a proposal for the additional coordination, planning, and management in the amount of \$73,730; 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 January 9, 2014 meeting and after due deliberation, agreed to forward the request to the full Board for consideration;

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 \$73,730; 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 RJSCB’s general counsel.

**Second by Board Member Brown**

**Approved 5-0 with member Sewell away. Member Roulin left at 5:30pm**

**Resolution 2013-14: 161**

**Amendment #2 to OSO Inc. Contract (Phase 1b Projects)**

**By Board Chair Giess**

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

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

WHEREAS, the RJSCB issued a Request For Proposals (“RFP”) for Environmental Monitoring and Indoor Air Monitoring Agent Services on May 6, 2013 (Resolution 2012 – 2013: 175) which included work at four projects in Phase 1b (School 5, School 28, East High School, and Edison Educational Campus); and

WHEREAS, the RJSCB, at its monthly meeting on June 10, 2013 (Resolution 2012-13: 196), approved the selection of OSO, Inc., for Environmental Monitoring and Indoor Air Monitoring Agent Services for School 5, School 28, East High School, and Edison Educational Campus, and the parties thereafter entered into an Agreement between the RJSCB and Consultant dated June 28, 2013 (the “Agreement”); and

WHEREAS, following the execution of the Agreement, OSO, Inc., along with the Program Manager, identified the need for additional testing and monitoring work associated with unforeseen field conditions at various 1b projects, and cost proposals were then obtained for these additional scopes of work provided to the Program Manager for review; and

WHEREAS, OSO, Inc. has provided the Program Manager with a proposal for the additional services in the amount of \$77,355.47; 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 at its January 9, 2014 meeting and after due deliberation, agreed to forward the request to the full Board for consideration;

THEREFORE, BE IT RESOLVED:

1. The proposed amendment to the Agreement Between Board and OSO, Inc. dated June 28, 2013 as set forth above is hereby approved; and
2. The RJSCB’s Chair is authorized in the name and behalf of the RJSCB, to execute an amendment to the OSO, Inc.’s contract that is consistent with this approval and in an acceptable form to the Chair upon the advice of the Program Manager and the RJSCB’s general counsel.

**Second by Board Member Pifer**

**Approved 5-0 with member Sewell away. Member Roulin left at 5:30pm**

**Resolution 2013-14: 162**

**ICO Services Award**

**By Board Chair Giess**

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’s Executive Director and its general counsel prepared a Request for Proposals (an “RFP”) regarding Independent Compliance Officer (“ICO”) services related to Phase 1 of the RSMP entitled “Independent Compliance Officer Services”; and

WHEREAS, the RJSCB approved the RFP at its monthly meeting on November 4, 2013 and authorized the Executive Director to obtain proposals from qualified firms using a request for proposals process (Resolution 2013-14: 103); and

WHEREAS, the Executive Director received 4 proposal responses on December 13, 2013 as stipulated in the RFP, and thereafter these proposals were delivered to each of the RJSCB Members and the RJSCB's general counsel for review; and

WHEREAS, the RJSCB determined that all 4 firms had provided proposals that were responsive to the RFP and that all 4 firms merited an interview; and

WHEREAS, on January 6, 2014, the RJSCB conducted interviews with the 4 firms; and

WHEREAS, at the MWBE and Services Procurement Committee ("Committee") meeting on January 9, 2014, the Committee discussed the status of the interview and decision process and agreed to forward the matter to the full Board for final consideration;

THEREFORE, BE IT RESOLVED:

1. The RJSCB hereby awards the Phase 1 Independent Compliance Officer Services contract to the firm Baker Tilly Virchow Krause LLP, in the amount not to exceed \$780,000; and
2. The Chair is hereby authorized, in the name and on behalf of the RJSCB, to execute and deliver an Agreement (the "Agreement") with the firm named above for the Phase 1 – Independent Compliance Officer Services with the advice of the RJSCB's general counsel.

**Second by Board Member Pifer**

**Approved 5-0 with member Sewell away. Member Roulin left at 5:30pm**

**Resolution 2013-14: 163  
East High School Athletic Field – Award**

**By Board Chair Giess**

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

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

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

WHEREAS, the District has requested that an artificial turf field be added to the scope of the original East High School project; and

WHEREAS, the RJSCB received approval of the original East High School project by the Board of Education ("BOE") at their monthly meeting on September 27, 2012 (BOE Resolution 2012-13: 228) and

subsequently received approval for the additional athletic field project from the State Education Department as an amendment to the original submission for the East High School project; and

WHEREAS, the RJSCB's Program Manager, with the advice of Cannon Design (the "Architect"), LPCiminelli Inc., (the "Construction Manager"), the RJSCB's general counsel, and the RJSCB's Independent Compliance Officer, prepared a request for bids ("Request for Bids") package for the East High School athletic field project as a single prime general contractor package ("Single Prime GC"); and

WHEREAS, the RJSCB's Executive Director received three bids on December 19, 2013 per the deadline stipulated in the Request for Bids, and those bid was 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 for the general contractor scope of work package, conducted a de-scoping meeting with the apparent low bidder, and concluded that the bidder is qualified and responsible; and

WHEREAS, at the MWBE and Services Procurement Committee ("Committee") meeting held on January 9, 2014, the bid was discussed and the Program Manager recommended that the contract award should be made to the firm listed below in the amount stated; and

Scope	Firm	Address	Contract Value
General Contractor East High School Athletic Field	DiFiore Construction, Inc.	155 Pool Street Rochester, NY 14606	\$1,638,000 (includes Alternates 1-6)

THEREFORE, BE IT RESOLVED:

1. The RJSCB hereby approves the recommendation of the Program Manager that the contract award shall be made to the firm listed above and in the amount stated to provide all equipment, labor, materials, and plant necessary to execute the scope of work associated with the East High School Athletic Field project in Phase 1 of the RSMP; and
2. 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 listed above in substantially the form included in the Request for Bids for the East High School Athletic Field scope of work, 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 Brown**

**Approved 5-0 with member Sewell away. Member Roulin left at 5:30pm**

**Resolution 2013-14: 164**

**Request for Bids – DWT Mini-Bids (#2)**

**By Board Chair Giess**

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

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



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

WHEREAS, the RJSCB's Program Manager has been working with the Technology Consultant, Millennium Strategies ("Millennium"), to prepare a request for bid package for the District Wide Technology ("DWT") project associated with the next group of projects (School 5, School 28, School 58, and Edison Technology Campus) in Phase 1 of the RSMP to be collectively known as the "DWT Mini-Bid Package #2"; and

WHEREAS, the commodities procured as a part of the DWT Mini-Bid Package #2 will be bid off of a New York State Office of General Services contract ("State Contract"); and

WHEREAS, the DWT Mini-Bid Package #2 is proposed to be released for bid beginning in mid-January 2014 in order to meet the e-rate filing deadline in March 2014; and

WHEREAS, the items included in the DWT Mini-Bid Package #2 are broken down into the following categories: Network Electronics, Phone Hand Sets, and Interactive White Boards; and

WHEREAS, the Program Manager presented the DWT designs to the Board of Education ("BOE") for which subsequent BOE approval took place on December 13, 2012 (BOE Resolution 2012-13: 366); and

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

THEREFORE, BE IT RESOLVED:

1. The RJSCB, through its Program Manager, shall proceed with the issuance of a DWT Mini-Bid package #2 in order to maintain the overall project schedule and to meet the upcoming 2014 e-rate filing deadline; and
2. Also, prior to issuance, the Program Manager and the Technology Consultant will work with the RJSCB's general counsel to further develop and finalize the DWT Mini-Bid packages, including the General Conditions of the Contract and the Purchase Order forms; and
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 for this project and recommend to the RJSCB the lowest responsible bidders.

**Second by Board Member Pifer**

**Approved 5-0 with member Sewell away. Member Roulin left at 5:30pm**

**Resolution 2013-14: 165 (formerly Resolution 2013-14: 107, tabled at RJSCB meeting on 11/4/13)  
Request for Bids - School 12**

**By Board Chair Giess**

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

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



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

WHEREAS, the RJSCB's Program Manager has been working with the Architect, SEI Design Group ("SEI"), and the Construction Manager, The Pike Company ("Pike"), to prepare a request for bid ("Request for Bid") package for the School 12 project; and

WHEREAS, the School 12 project is proposed to be released for bid beginning in mid-January 2014; and

WHEREAS, the scope of work at the School 12 project is broken down into the following contracting plan: General Construction, Mechanical, Electrical, and Plumbing; and

WHEREAS, the schedule for this project has been modified to begin construction in late August 2014 in order to accommodate the District's need to use the building for summer school programs; and

WHEREAS, the overall schedule for construction will be approximately 20 months in duration; and

WHEREAS, the School 12 program will be relocated into temporary swing space at Jefferson High School for the duration of the construction; and

WHEREAS, the Program Manager presented the School 12 design to the Board of Education ("BOE") for which subsequent BOE approval took place on December 13, 2012 (BOE Resolution 2012-13: 364); and

WHEREAS, the Program Manager received State Education Department approval of the designs for School 12 on November 4, 2013; and

THEREFORE, BE IT RESOLVED:

1. The RJSCB, through its Program Manager, shall proceed with the issuance of a Request for Bids for the School 12 project in order to maintain the overall project schedule; and
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 packages, including the General Conditions of the Contract and the form of Contract; and
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 for this project and recommend to the RJSCB the lowest responsible bidders.

**Second by Board Member Brown**

**Approved 5-0 with member Sewell away. Member Roulin left at 5:30pm**

**Resolution 2013-14: 166**

**Change Order #6 and #7 to LeChase Construction – General Contractor (School 5)**

**By Board Chair Giess**

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 5 project in Phase I (Resolution 2012-13: 177); and

WHEREAS, the RJSCB entered into a contract with LeChase (Resolution 2012-13: 177) dated June 4, 2013 (the "Contract"), to perform the scope of services defined in the contract documents as the general contractor's scope of work; and

WHEREAS, following the execution of the Contract, LeChase, along with The Pike Company, the Construction Manager, and the Program Manager, identified the need for additional scopes of work, and cost proposals were then obtained for these additional scope items and provided to the Construction Manager and the Program Manager for review; and

WHEREAS, Change Order #6 includes the following items:

1. Demo Ceilings in room 120 and 122 for the amount of \$2,651
2. Demo Two layers of flooring for the amount of \$5,853
3. Additional flooring on 1<sup>st</sup> floor for the amount of \$7,012
4. Demo Existing soffits on room 205, 210, 211, and 217 for the amount of \$1,975
5. Additional ceilings on 1<sup>st</sup> floor for the amount of \$809

The Total amount of Change Order #6 is \$18,300; and

WHEREAS, Change Order #7 includes the following items:

1. Remove room 328 existing concrete at ceiling for the amount of \$2,344
2. Remove existing fence at low roof for the amount of \$1,393
3. Remove existing soffit in room 313 for the amount of \$459
4. Remove existing grating in room 325 and 328 for the amount of \$2,299
5. Remove existing finishes for the amount of \$3,190

The Total amount of Change Order #7 is \$9,685; 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's Contract should be amended to add these additional scope items in the amount of \$27,985; and

WHEREAS, the Committee considered and discussed the Program Manager's recommendation at its January 9, 2014 meeting and after due deliberation, agreed to forward the request to the full Board for consideration;

THEREFORE, BE IT RESOLVED:

1. The proposed Change Orders to LeChase Construction Services LLC's Contract between the Board and Contractor dated May 6, 2013 as set forth above are hereby approved; and
2. The RJSCB's Chair is hereby authorized, in the name and on behalf of the RJSCB, to execute Change Orders to the Contract that are consistent with this approval and in an acceptable form to the Chair upon the advice of the Program Manager and the RJSCB's general counsel.

**Second by Board Member Brown**

**Approved 5-0 with member Sewell away. Member Roulin left at 5:30pm**

**Resolution 2013-14: 167**

**Change Orders #29 and #31 to Manning Squires Hennig Co., Inc. – General Contractor (School 17)**

**By Board Chair Giess**

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 Co., Inc. (“Manning Squires”) for the School 17 project in Phase I (Resolution 2012-13: 14); and

WHEREAS, the RJSCB entered into a contract with Manning Squires (Resolution 2012-13: 14) dated July 2, 2012 (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 Pike Company, 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 #29 includes the following items:

1. Paint existing stairwell for the amount of \$3,844.39
2. UV opening infill for the amount of \$1,926.80
3. Chair storage floor credit in the amount of -\$491.64
4. Library revisions for the amount of \$9,148.53

The Total amount for Change Order #29 is \$14,428.08; and

WHEREAS, Change Order #31 includes the following items:

1. Elevator shaft smoke barrier for the amount of \$1,509.56
2. Gym partition enclosure for the amount of \$1,521.95
3. Display case for the amount of \$1,431.37
4. Delete exterior fencing for a credit of -\$3,165.80
5. Revisions to loading dock area for the amount of \$16,448.69

The Total amount for Change Order #31 is \$17,745.77; 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’ Contract should be amended to delete and add these scope items in the amount of \$32,173.85; and

WHEREAS, the Committee considered and discussed the Program Manager’s recommendation at its January 9, 2014 meeting and after due deliberation, agreed to forward the request to the full Board for consideration;

THEREFORE, BE IT RESOLVED:

1. The proposed Change Orders to Manning Squires Hennig Co., Inc.'s Contract between the Board and Contractor dated July 2, 2012 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 Pifer**

**Approved 5-0 with member Sewell away. Member Roulin left at 5:30pm**

**Resolution 2013-14: 168**

**Change Order #10 and #11 to M.A. Ferraulo Plumbing and Heating – Plumbing Contractor (School 17)**

**By Board Chair Giess**

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 M.A. Ferraulo Plumbing and Heating ("M.A. Ferraulo") for the School 17 project in Phase I (Resolution 2012-13: 14); and

WHEREAS, the RJSCB entered into a contract with M.A. Ferraulo (Resolution 2012-13: 14) dated July 2, 2012 (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. Ferraulo, along with The Pike Company, 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 #10 includes the following items:

1. Repair piping in the amount of \$6,026.69
  2. Enlarge column enclosures at main entry for the amount of \$3,660.90
- The Total amount of Change Order #10 is \$9,687.59; and

WHEREAS, Change Order #11 includes the following item:

1. Delete work / credit allowance at Jefferson swing space for a credit of -\$15,000
- The Total amount of Change Order #11 is a credit of -\$15,000; and

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

WHEREAS, the Program Manager thereafter recommended to the RJSCB's MWBE and Services Procurement Committee (the "Committee") that M.A. Ferraiulo's Contract should be amended to include these additional scope items for a credit in the total amount of -\$5,312.41; and

WHEREAS, the Committee considered and discussed the Program Manager's recommendation at its January 9, 2014 meeting and after due deliberation, agreed to forward the request to the full Board for consideration;

THEREFORE, BE IT RESOLVED:

1. The proposed Change Orders to M.A. Ferraiulo Plumbing and Heating's Contract between the Board and Contractor dated July 2, 2012 as set forth above are hereby approved; and
2. The RJSCB's Chair is hereby authorized in the name and on behalf of the RJSCB, to execute Change Orders to the Contract that are consistent with this approval and in an acceptable form to the Chair upon the advice of the Program Manager and the RJSCB's general counsel.

**Second by Board Member Brown**

**Approved 5-0 with member Sewell away. Member Roulin left at 5:30pm**

**Resolution 2013-14: 169**

**Change Order #18, #19, and #20 to Eastcoast Electric LLC – Electrical Contractor (School 17)**

**By Board Chair Giess**

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 School 17 project in Phase I (Resolution 2012-13: 14); and

WHEREAS, the RJSCB entered into a contract with Eastcoast (Resolution 2012-13: 14) dated July 2, 2012, (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 Pike Company, 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 #18 includes the following item:

1. Bell tower striker for the amount of \$4,232.63
- The Total amount of Change Order #18 is \$4,232.63; and

WHEREAS, Change Order #19 includes the following item:

1. Delete work / credit allowance at Jefferson swing space for a credit of -\$15,000
- The Total amount of Change Order #19 is a credit of -\$15,000; and

WHEREAS, Change Order #20 includes the following item:

1. Provide 208v power to rooms 138 and 214B for the amount of \$2,444.22  
The Total amount of Change Order #20 is \$2,444.22; 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's Contract should be amended to add these scope items for a credit in the amount of -\$8,323.15; and

WHEREAS, the Committee considered and discussed the Program Manager's recommendation at its January 9, 2014 meeting and after due deliberation, agreed to forward the request to the full Board for consideration;

THEREFORE, BE IT RESOLVED:

1. The proposed Change Orders to Eastcoast Electric LLC's Contract between the Board and Contractor dated July 2, 2012 as set forth above are hereby approved; and
2. The RJSCB's Chair is hereby authorized in the name and on behalf of the RJSCB, to execute Change Orders to the Contract that are consistent with this approval and in an acceptable form to the Chair upon the advice of the Program Manager and the RJSCB's general counsel.

**Second by Board Member Brown**

**Approved 5-0 with member Sewell away. Member Roulin left at 5:30pm**

**Resolution 2013-14: 170**

**Change Order #16 and #17 to M.A. Ferraiulo Plumbing and Heating – Mechanical Contractor (School 17)**

**By Board Chair Giess**

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 M.A. Ferraiulo Plumbing and Heating ("M.A. Ferraiulo") for the School 17 project in Phase I (Resolution 2012-13: 14); and

WHEREAS, the RJSCB entered into a contract with M.A. Ferraiulo (Resolution 2012-13: 14) dated July 2, 2012 (the "Contract"), to perform the scope of services defined in the contract documents as the mechanical contractor's scope of work; and

WHEREAS, following the execution of the Contract, M.A. Ferraiulo, along with The Pike Company, 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 #16 includes the following item:

1. Credit remaining balance of Jefferson Swing Space allowance in the amount of -\$403  
The Total amount of Change Order #16 is a credit on -\$403; and

WHEREAS, Change Order #17 includes the following item:

1. Schedule recovery cost in the amount of \$5,086  
The Total amount of Change Order #15 is \$5,086; and

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

WHEREAS, the Program Manager thereafter recommended to the RJSCB's MWBE and Services Procurement Committee (the "Committee") that M.A. Ferraiulo's Contract should be amended to add these additional scope items in the total amount of \$4,683; and

WHEREAS, the Committee considered and discussed the Program Manager's recommendation at its January 9, 2014 meeting and after due deliberation, agreed to forward the request to the full Board for consideration;

THEREFORE, BE IT RESOLVED:

1. The proposed Change Orders to M.A. Ferraiulo Plumbing and Heating's Contract between the Board and Contractor dated July 2, 2012 as set forth above are hereby approved; and
2. The RJSCB's Chair is hereby authorized, in the name and on behalf of the RJSCB, to execute Change Orders to the Contract that are consistent with this approval and in an acceptable form to the Chair upon the advice of the Program Manager and the RJSCB's general counsel.

**Second by Board Member Brown**

**Approved 5-0 with member Sewell away. Member Roulin left at 5:30pm**

**Resolution 2013-14: 171**

**Change Order #8 and #9 to Testa Construction Inc. General Contractor (School 17 - Clinic)**

**By Board Chair Giess**

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 Testa Construction Inc. ("Testa") for the School 17 Clinic project in Phase I (Resolution 2012-13: 51); and

WHEREAS, the RJSCB entered into a contract with Testa (Resolution 2012-13: 51) dated October 15, 2012 (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, Testa, along with The Pike Company, 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 #8 includes the following item:

1. Modifications to support structure for the amount of \$6,510.68

The Total amount of Change Order #8 is \$6,510.68; and

WHEREAS, Change Order #9 includes the following item:

1. Recessed sleeves for parking signs at clinic for the amount of \$3,205.08

The Total amount of Change Order #9 is \$3,205.08; 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 Testa's Contract should be amended to add these scope items in the amount of \$9,715.76; and

WHEREAS, the Committee considered and discussed the Program Manager's recommendation at its January 9, 2014 meeting and after due deliberation, agreed to forward the request to the full Board for consideration;

THEREFORE, BE IT RESOLVED:

1. The proposed Change Orders to Testa Construction Inc.'s Contract between the Board and Contractor dated October 15, 2012 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 Pifer**

**Approved 5-0 with member Sewell away. Member Roulin left at 5:30pm**

**Resolution 2013-14: 172**

**Change Order #4 to Bell Mechanical – (Mechanical - School 28)**

**By Board Chair Giess**

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 mechanical contractor contract to Bell Mechanical Contractor Inc. ("Bell Mechanical") for the School 28 project in Phase I (Resolution 2012-13: 106); and

WHEREAS, the RJSCB subsequently entered into a contract with Bell Mechanical (Resolution 2012-13: 106) dated February 4, 2013 (the "Contract"), to perform the scope of services defined in the contract documents as the mechanical contractor's scope of work; and

WHEREAS, following the execution of the Contract, Bell Mechanical, 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 #4 includes the following item:

1. Ductwork revisions for the amount of \$8,293.06

The Total amount of Change Order #4 is \$8,293.06; and

WHEREAS, the Construction Manager and the Program Manager believe that 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 Bell Mechanical's Contract should be amended to add these additional scope items in the total amount of \$8,293.06; and

WHEREAS, the MWBE and Services Procurement Committee considered and discussed the Program Manager's recommendation at its January 9, 2014 meeting and after due deliberation, agreed to forward the request to the full Board for consideration;

THEREFORE, BE IT RESOLVED:

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

**Second by Board Member Brown**

**Approved 5-0 with member Sewell away. Member Roulin left at 5:30pm**

**Resolution 2013-14: 173**

**Change Order #22 to Eastcoast Electric LLC – Electrical Contractor (School 50)**

**By Board Chair Giess**

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 School 50 project in Phase I (Resolution 2011-12: 101); and

WHEREAS, the RJSCB entered into a contract with Eastcoast (Resolution 2011-12: 101) dated June 4, 2012 (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 Pike Company, 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 #22 includes the following items:

1. Gym occupancy sensors for the amount of \$1,384
  2. Changes to the intrusion alarm system for the amount of \$4,139
- The Total amount of Change Order #22 is \$5,523; 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’s Contract should be amended to add these additional scope items in the total amount of \$5,523; and

WHEREAS, the Committee considered and discussed the Program Manager’s recommendation at its January 9, 2014 meeting and after due deliberation, agreed to forward the request to the full Board for consideration;

THEREFORE, BE IT RESOLVED:

1. The proposed Change Order to Eastcoast Electric LLC’s Contract between the Board and Contractor dated June 4, 2012 as set forth above is hereby approved; and
2. The RJSCB’s Chair is hereby authorized, in the name and on behalf of the RJSCB, to execute 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 Pifer**

**Approved 5-0 with member Sewell away. Member Roulin left at 5:30pm**

**Resolution 2013-14: 174**

**Change Order #12 to M.A. Ferrauilo Plumbing and Heating Inc. – Mechanical Contractor (Charlotte High School)**

**By Board Chair Giess**

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 contract to M.A. Ferraiulo Plumbing and Heating Inc. ("Ferraiulo") for the Charlotte High School Project in Phase I (Resolution 2011-12: 105); and

WHEREAS, the RJSCB entered into a contract with Ferraiulo (Resolution 2011-12: 105) dated June 4, 2012 (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, Ferraiulo, along with Campus Construction Group, the Construction Manager, and the Program Manager, identified the need for additional scopes of work, and cost proposals were then obtained for these additional scope items and provided to the Construction Manager and the Program Manager for review; and

WHEREAS, Change Order #12 includes the following items:

1. Condensate drain work for AHU #2 for the amount of \$1,603
2. Booster fan, vent, and ductwork at kitchen for the amount of \$7,562
3. Steam trap at fan room for the amount of \$1,332
4. Dryer vent and ductwork at the laundry room for the amount of \$2,141

The Total amount for Change Order #12 is \$12,638; and

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

WHEREAS, the Program Manager thereafter recommended to the RJSCB's MWBE and Services Procurement Committee (the "Committee") that M.A. Ferraiulo Plumbing and Heating Inc.'s Contract should be amended to add these scope items for the total amount of \$12,638; and

WHEREAS, the Committee considered and discussed the Program Manager's recommendation at its January 9, 2014 meeting and after due deliberation, agreed to forward the request to the full Board for consideration;

THEREFORE, BE IT RESOLVED:

1. The proposed Change Order to M.A. Ferraiulo Plumbing and Heating Inc.'s Contract between the Board and Contractor dated June 4, 2012 as set forth above is hereby approved; and
2. The RJSCB's Chair is hereby authorized, in the name and on behalf of the RJSCB, to execute 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 5-0 with member Sewell away. Member Roulin left at 5:30pm**

**Resolution 2013-14: 175**

**Change Order #6 to Leo J. Roth Corporation – Mechanical Contractor (Franklin Educational Campus)**

**By Board Chair Giess**

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 Leo J. Roth Corporation (“Leo J. Roth”) for the Franklin Educational Campus project in Phase I (Resolution 2011-12: 106); and

WHEREAS, the RJSCB entered into a contract with Leo J. Roth (Resolution 2011-12: 106) dated June 4, 2012 (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, Leo J. Roth, along with Campus Construction Group (the Construction Manager), and the Program Manager, identified the need for additional scopes of work, and cost proposals were then obtained for these additional scope items and provided to the Construction Manager and the Program Manager for review; and

WHEREAS, Change Order #6 includes the following items:

1. Replace existing exhaust fan for the amount of \$9,662
2. DOH requirements for radiators for the amount of \$6,600
3. DOH requirements for kitchen floor plates for the amount of \$2,700

The Total amount of Change Order #6 is \$18,962; and

WHEREAS, the Construction Manager and the Program Manager believe that the change order work was necessary and 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 Leo J. Roth Corporation’s Contract should be amended to add these additional scope items for a total amount of \$18,962; and

WHEREAS, the Committee considered and discussed the Program Manager’s recommendation at its January 9, 2014 meeting and after due deliberation, agreed to forward the request to the full Board for consideration;

THEREFORE, BE IT RESOLVED:

1. The proposed Change Order to Leo J. Roth Corporation’s Contract between the Board and Contractor dated June 4, 2012 as set forth above is hereby approved; and
2. The RJSCB’s Chair is hereby authorized in the name and on behalf of the RJSCB, to execute 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 5-0 with member Sewell away. Member Roulin left at 5:30pm**

**Resolution 2013-14: 176**  
**Pay Requisition Summary Acceptance (December 2013)**

**By Board Chair Giess**

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 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, 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 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 a Pay Requisition Summary (attached to this Resolution) totaling \$5,909,152.89 including all invoices to be paid by the Trustee using bond proceeds and those invoices to be paid by the District using Excel Aid funding, to the Board Chair with copy to the full Board on January 2, 2014; and

WHEREAS, the RJSCB Chair approved the Pay Requisition Summary on January 3, 2014;

THEREFORE, BE IT RESOLVED:

1. The Rochester Joint Schools Construction Board hereby accepts the Pay Requisition Summary for the month of December 2013 in the amount stated above and as shown in the Summary attached to this Resolution.

**Second by Board Member Brown**

**Approved 5-0 with member Sewell away. Member Roulin left at 5:30pm**

**Communication**

The Monthly Report is included in the Member's packets. The Board did not have any questions. The punch-list for School 50, School 17 and Charlotte are nearly complete.

The Compliance Report EEO and Business participation was reviewed. Overall goals are being met, including change orders. Jose requested that the compliance Reports be submitted prior to the Board meeting.

The Budget report is included in the Member's packets. This was reviewed.

The MWBE and Services Procurement Committee Report for January 9, 2014 is included in the Member's packets.

**Adjournment**

**Approved 5-0, at 6:24pm, with Member Sewell away and Member Roulin having left at 5:30pm**