

Rochester Joint Schools Construction Board
Minutes
November 4, 2013
4:30 PM

Present

Chair Lois Giess, Vice Chair Bob Brown, Jose Coronas, Ann McCormick, Richard Pifer, Everton Sewell and ICO Windell Gray. Treasurer Brian Roulin 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 4:30pm

Chair Giess asked if anyone in the audience wished to address the Board – no one came forward.

Approval of Minutes:

Monthly Meeting held on October 7, 2013

Motion by Member Brown

Second by Member Pifer

Approved 6-0 with Member Roulin away

Tom Renauto stated that all action items have been discussed at the Committee Meeting held on October 31, 2013.

Action Items

Resolution 2013-14: 95

Amendment #15 to JCJ Architecture's Agreement (School 58)

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 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, following the execution of the Agreement, the Program Manager identified the need for additional scopes of design work requested by the District related to the design and subsequent redesign

of the Scio Street parking lot 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 JCJ Architecture's Agreement should be amended to add these additional scope items in the total amount of \$30,316 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 October 31, 2013 meeting 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; 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 Roulin away**

**Resolution 2013-14: 96
Amendment #11 to Chaintreuil Jensen Stark Architects, LLP Agreement – Monroe 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 selection of Chaintreuil Jensen Stark Architects, LLP ("CJS") as the Architect for the Monroe High School project in Phase I (Resolution 2011-12: 39); and

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

WHEREAS, following the execution of the Agreement, the 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 CJS's Agreement should be amended in the total amount of \$17,699 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 October 31, 2013 meeting and after due deliberation, it approved the request to amend the Agreement;

THEREFORE, BE IT RESOLVED:

1. The proposed amendment to the Chaintreuil Jensen Stark Architects Agreement Between Board and Architect dated November 15, 2011 as set forth above is hereby approved; and
2. The RJSCB's Chair is hereby authorized in the name and on behalf of the RJSCB, to execute an amendment to the Agreement that is consistent with this approval and in an acceptable form to the Chair upon the advice of the Program Manager and the RJSCB's general counsel.

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

**Resolution 2013-14: 97
Amendment #8 to LaBella Associates Agreement - 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 RJSCB approved the selection of LaBella Associates as the Architect for the Henry Hudson School #28 project in Phase I (Resolution 2010-11: 35); and

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

WHEREAS, following the execution of the Agreement, LaBella Associates, along with the Program Manager, identified the need for additional scopes of design work and cost proposals were then obtained for the additional scopes of work 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 LaBella Associates' Agreement should be amended to add these additional scope items in the total amount of \$6,200 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 October 31, 2013 meeting and after due deliberation, it approved the request to amend the Agreement;

THEREFORE, BE IT RESOLVED:

1. The proposed amendment to the LaBella Associates Agreement Between Board and Architect dated March 28, 2011 as set forth above is hereby approved; and
2. The RJSCB's Chair is hereby authorized in the name and on behalf of the RJSCB, to execute an amendment to the Agreement that is consistent with this approval and in an acceptable form to the Chair upon the advice of the Program Manager and the RJSCB's general counsel.

Second by Board Member Pifer
Approved 6-0 with members Roulin away

Resolution 2013-14: 98
Amendment #7 to LaBella Associates Agreement – Edison 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 selection of LaBella Associates, P.C. (“LaBella”) as the Architect for the Edison Educational Campus project in Phase I (Resolution 2011 12: 39); and

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

WHEREAS, following the execution of the Agreement, LaBella, along with the Program Manager, identified the need for additional 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 LaBella’s Agreement should be amended to add these additional scope items in the total amount of \$4,800 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 October 31, 2013 meeting, and after due deliberation, it approved the request to amend the Agreement;

THEREFORE, BE IT RESOLVED:

1. The proposed amendment to the LaBella Associates P.C. Agreement Between Board and Architect dated November 15, 2011 as set forth above is hereby approved; and
2. The RJSCB’s Chair is hereby authorized in the name and on behalf of the RJSCB, to execute an amendment to the Agreement that is consistent with this approval and in an acceptable form to the Chair upon the advice of the Program Manager and the RJSCB’s general counsel.

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

Resolution 2013-14: 99

Amendment to LaBella Associates Agreement – Commissioning Agent 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 approved the selection of LaBella Associates, P.C. (“LaBella”) as the Commissioning Agent for the School 17, School 58, and Monroe High School projects in Phase I (Resolution 2012-13: 67); and

WHEREAS, the RJSCB entered into an agreement with LaBella (Resolution 2012-13: 67) dated November 5, 2012, entitled Consultant Form of Agreement (the “Agreement”); and

WHEREAS, following the execution of the Agreement, LaBella, along with the Program Manager, identified the need for additional 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 LaBella’s Agreement should be amended to add these additional scope items in the total amount of \$2,113; and

WHEREAS, the Committee considered and discussed the Program Manager’s recommendation at its October 31, 2013 meeting, and after due deliberation, it approved the request to amend the Agreement;

THEREFORE, BE IT RESOLVED:

1. The proposed amendment to the LaBella Associates P.C. Agreement dated November 5, 2012 as set forth above is hereby approved; and
2. The RJSCB’s Chair is hereby authorized in the name and on behalf of the RJSCB, to execute an amendment to the Agreement that is consistent with this approval and in an acceptable form to the Chair upon the advice of the Program Manager and the RJSCB’s general counsel.

Second by Board Member Pifer

Approved 6-0 with member Roulin

Resolution 2013-14: 100

Move Manager Additional Services - Ninth Amendment

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); and

WHEREAS, the Program Manager has identified the need to procure additional FF&E for the Phase 1a projects and for additional move management services associated with District changes and construction delays, and the Move Manager has provided the Program Manager with a proposal for the additional coordination, planning, and management in the amount of \$36,650; and

WHEREAS, based on the advice and recommendation of the Program Manager, the MWBE and Services Procurement Committee considered and discussed the proposal from the Move Manager at its October 31, 2013 meeting and after due deliberation, it approved the request to amend the Agreement;

THEREFORE, BE IT RESOLVED:

1. The RJSCB hereby accepts and approves the proposal from the Move Manager for additional services to the Agreement in an amount not to exceed \$36,650; 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 Roulin away

Resolution 2013-14: 101
Move Manager Additional Services - Tenth Amendment

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

WHEREAS, the Program Manager has identified the need to perform inventory services at the Monroe High School project, and the Move Manager has provided the Program Manager with a proposal for the additional coordination, planning, and management in the amount of \$31,250; and

WHEREAS, the Move Manager has recently requested an hourly rate increase for its services (rate sheet attached to this Resolution) and the Executive Director has reviewed those rate increases for fairness and reasonableness and has determined the rate increases to be acceptable; and

WHEREAS, the RJSCB wishes to reallocate unused funds from previous Amendment #2 to the Move Manager (Resolution 2012-13: 49) in the amount of \$27,215 to fund other additional scope of work items including: coordination of additional FF&E at Edison, performing School 12 inventory services, updating and maintenance of the District’s FF&E standards, and the creation of classroom “typical layouts” for use during summer 2014 moves and for future use on all remaining Phase 1 projects; 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 including the rate increases from the Move Manager at its October 31, 2013 meeting and after due deliberation, it approved the request to amend the Agreement;

THEREFORE, BE IT RESOLVED:

1. The RJSCB hereby accepts and approves the proposal from the Move Manager for additional services to the Agreement in an amount not to exceed \$31,250; and
2. The RJSCB hereby approves the hourly rate increases for future Move Manager services per the attached chart; and
3. The RJSCB hereby approves the reallocation of previously approved funds (Resolution 2012-13: 49) to cover the costs associated with additional scopes of work per the attached memo; and
4. 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 Sewell
Approved 6-0 with member Roulin away

Resolution 2013-14: 102
Phase 1 – Third Party Review 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 a review of the Independent Compliance Officer (ICO) records related to Phase 1 of the RSMP entitled “Third Party Review Services”; and

WHEREAS, the RJSCB approved the RFP at its monthly meeting on October 7, 2013 and authorized the Executive Director to obtain proposals from qualified firms using a request for proposals process (Resolution 2013-14: 83); and

WHEREAS, the Executive Director received 4 proposal responses on October 25, 2013 as stipulated in the RFP, and thereafter these proposals were delivered to each of the RJSCB Members and the RJSCB’s general counsel; and

WHEREAS, the RJSCB determined that 2 of the 4 firms had provided proposals that were responsive to the RFP; and

WHEREAS, on October 30, 2013, the RJSCB conducted interviews with the 2 shortlisted firms - Northeast Preconstruction Ventures, Inc. and Freed Maxick CPAs, P.C.; and

WHEREAS, at the MWBE and Services Procurement Committee (“Committee”) meeting on October 31, 2013, the Committee discussed and approved the firm Northeast Preconstruction Ventures, Inc. of Fairport, New York, as the most qualified and responsive firm to perform the services requested, for an amount not to exceed \$27,500;

THEREFORE, BE IT RESOLVED:

1. The RJSCB hereby awards the Phase 1 Third Party Review Services contract to the firm Northeast Preconstruction Ventures, Inc., in the amount not to exceed \$27,500; 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 - Third Party Review Services on the advice of the RJSCB’s general counsel.

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

**Resolution 2013-14: 103
Independent Compliance Officer Services RFP**

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 have recommended that the RJSCB issue a request for proposals ("RFP") for the Independent Compliance Officer services for the remainder of Phase 1 of the RSMP, including current projects under construction - School 5, School 28, School 58, East High School, and Edison Technology Campus - as well as the remaining projects which are slated to begin in the summer of 2014 - School 12, Monroe High School, and Jefferson High School; and

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

WHEREAS, the MWBE and Services Procurement Committee reviewed the Executive Director's recommendation that an RFP be issued for Independent Compliance Officer services and approved the recommendation and the RFP at its meeting on October 31, 2013, for forwarding to the full Board;

THEREFORE, BE IT RESOLVED:

1. The RJSCB hereby approves the RFP for Independent Compliance Officer services and authorizes the Executive Director to issue the RFP on November 5, 2013; and
2. The MWBE and Services Procurement Committee, with the advice and recommendations of the Executive Director and its general counsel, is authorized on behalf of the RJSCB to review the RFP responses, conduct interview(s) if appropriate, and recommend a qualified firm to the RJSCB for award.

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

**Resolution 2013-14: 104
Additional Moving 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 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 selection of FM Office Express ("FM") as the moving company for the Group 1 scope of work packages associated with the Phase 1 - Summer 2013 moves (Resolution 2012-13: 165); and

WHEREAS, the RJSCB approved the selection of Corrigan Moving Systems ("Corrigan") as the moving company for the Group 2 and Group 3 scope of work packages associated with the Phase 1 - Summer 2013 moves (Resolution 2012-13: 165); and

WHEREAS, the RJSCB approved the selection of Lafayette Storage and Moving Corporation ("Lafayette") as the moving company for the Group 4 and Group 5 scope of work packages associated with the Phase 1 - Summer 2013 moves (Resolution 2012-13: 165); and

WHEREAS, the RJSCB issued Purchase Orders to FM, Corrigan, and Lafayette respectively (Resolution 2012-13: 165) each dated April 24, 2013 (the "Agreement"); and

WHEREAS, following the execution of these Agreements, the schedule and sequence of certain moves was changed to align with the updated construction schedules for the Phase 1a and Phase 1b projects; and

WHEREAS, FM, Corrigan, and Lafayette have submitted proposals to the Move Manager for the additional work based on the hourly rates included with the original bid; and

WHEREAS, the Program Manager and Move Manager reviewed the additional costs associated with the changes in the schedule and determined that they are fair and reasonable for the work being performed; and

WHEREAS, at its October 31, 2013 meeting, the MWBE and Services Procurement Committee considered and approved the Program Manager's and Move Manager's recommendation to accept the proposals from FM, Corrigan, and Lafayette to perform the additional work in the amounts listed in the table below; and

FIRM	Amount
FM Office Express	\$17,580
Corrigan Moving Systems	\$38,520
Lafayette Storage and Moving Corporation	\$19,508

THEREFORE, BE IT RESOLVED:

1. The RJSCB hereby approves the recommendation of the Program Manager and Move Management Consultant to accept the proposals for additional moving services as set forth above; and
2. The Chair is hereby authorized, in the name and on behalf of the RJSCB, to execute and deliver Purchase Orders to the above named firms and in the amounts listed above in substantially the form included in the Request for Bids (dated March 5, 2013) with such changes as the Chair may approve (the Chair's signature thereon being conclusive evidence of such approval) on the advice of the Program Manager and the RJSCB's general counsel.

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

**Resolution 2013-14: 105
Supplemental FF&E Purchase Orders**

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, with the advice of Vargas Associates (the “Move Manager”), the RJSCB’s general counsel, and the RJSCB’s Independent Compliance Officer, prepared a request for bids (“Request for Bids”) package for Furniture, Fixtures, and Equipment (“FF&E”) for the first three projects in Phase 1a of the RSMP (School 17, School 50, and Charlotte High School); and

WHEREAS the Request for Bids included FF&E items categorized into eleven primary groups and several non-grouped items; and

WHEREAS, the RJSCB awarded the following groups to FM Resources: Group 4 – Conference Furniture, Group 5 – Desks, Group 6 – Lounge Furniture, Group 9 – Storage, and Group 11 Task Seating (Resolution 2012-2013: 162); and

WHEREAS, the RJSCB awarded the following groups to School Specialty, Inc.: Group 1 – Activity Tables, Group 2 – Art Room, and non-grouped items: Carpet (solid), Cubby Units, Sand and Water Table, Computer Tables, First Aid Couch, Metal Shelving, and Podium (Resolution 2012-2013: 166); and

WHEREAS, the RJSCB awarded the following groups to Facilities Equipment and Service, Inc.: Group 3 – Cafeteria Tables and Group 7 – Library Furniture (Resolution 2012-2013: 166); and

WHEREAS, the RJSCB awarded the following groups to Hertz Furniture: Group 8 – Music Furniture, Group 10 – Student Furniture, and non-grouped items: Carpet (elementary)(Resolution 2012-2013: 166); and

WHEREAS, the Move Manager has determined that additional furniture can be purchased within the existing budget as a result of significant bid day savings; and

WHEREAS, the pricing received from each firm on bid day will be used when placing orders for additional FF&E items; and

WHEREAS, items that were not identified through the bid will be purchased using State Contract Pricing which will be honored by the firms that were previously awarded purchase orders for this project; and

WHEREAS, following the initial purchase orders for the bulk of the furniture, the Move Manager along with the Program Manager and the architect for each project, performed a detailed review of each school’s needs and were able to determine that all new furniture could be purchased for each project within the existing budget; and

WHEREAS, at its October 31, 2013 meeting, the MWBE Procurement and Services Committee considered the recommendation of the Move Manager and the Program Manager to make the additional

FF&E purchases and approved the additional FF&E purchase orders to the firms as set forth in the table below:

SUMMARY of SUPPLEMENTAL FURNITURE PURCHASE

Firm	Description of Supplemental Purchase	Total Award
School Specialty, Inc.	Activity carpets, activity tables, computer tables, science tables, metal shelving	\$18,319.92
Hertz Furniture	Classroom chairs, desks, additional labor	\$29,050.76
Facilities Equipment & Services Inc.	Library book trucks, grommets in furniture	\$3,735
FM Resources	Teacher desks, bookcases, storage cabinets, task chairs, file cabinets, guest chairs	\$17,492.29 (includes credit of \$15,746.08 from original PO due to revised/reduced quantities)

THEREFORE, BE IT RESOLVED:

1. The RJSCB hereby approves the recommendation of the Move Manager that a supplemental Purchase Order shall be issued to the above named firms, in the amount specified to provide the necessary Furniture, Fixtures, and Equipment (delivered and installed at point of use) for the first three projects in Phase 1a of the RSMP (School 17, School 50, and Charlotte High School); and
2. The RJSCB Chair is hereby authorized, to execute and deliver a Purchase Order to the firms named above, in substantially the form included in the Request for Bids for the Furniture, Fixtures, and Equipment with such changes as the Chair may approve (the Chair's signature thereon being conclusive evidence of such approval) on the advice of the Program Manager and the RJSCB's general counsel.

**Second by Board Member Pifer
Approved 6-0 with member Roulin away**

**Resolution 2013-14: 106
Fitness Mat Purchase - Charlotte**

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, at the request of the District, the RJSCB's Program Manager, with the advice of Vargas Associates (the "Move Manager"), the RJSCB's general counsel, and the RJSCB's Independent Compliance Officer, prepared a request for bids ("Request for Bids") package for fitness equipment associated with the Charlotte High School project in Phase 1 of the RSMP; and

WHEREAS, at its meeting on July 7, 2013 the RJSCB awarded the Fitness Equipment bid to Pro Maxima (Resolution 2013-14: 14) and issued a Purchase Order to Pro Maxima dated July 11, 2013; and

WHEREAS, following the award, the District has requested that fitness mats be purchased and installed in the rooms at Charlotte High School where the new fitness equipment has been installed; and

WHEREAS, the Move Manger and Program Manager have reviewed the pricing received from Pro Maxima in the amount of \$4,979.30 and found it to be fair and reasonable; and

WHEREAS, based on the advice and recommendation of the Program Manager, the MWBE and Services Procurement Committee considered and discussed the proposal from Pro Maxima at its October 31, 2013 meeting and after due deliberation, it approved the request to issue a Purchase Order;

THEREFORE, BE IT RESOLVED:

1. The RJSCB hereby approves the recommendation of the Move Manager that a supplemental Purchase Order shall be issued to Pro Maxima, to provide the necessary fitness mats (delivered and installed at point of use) for Charlotte High School;
2. The RJSCB Chair is hereby authorized, to execute and deliver a Purchase Order to the firm Pro Maxima, in substantially the form included in the Request for Bids for the Fitness Equipment with such changes as the Chair may approve (the Chair's signature thereon being conclusive evidence of such approval) on the advice of the Program Manager and the RJSCB's general counsel.

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

**Resolution 2013-14: 107
Request for Bids - School 12**

**Tabled by the RJSCB
Approved 6-0 with member Roulin away**

**Resolution 2013-14: 108
Change Order #1 and #2 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 #1 includes the following items:

1. Mold remediation for the amount of \$5,310
 2. Key system changes for a credit in the amount of -\$2443
- The Total amount of Change Order #1 is \$2,867; and

WHEREAS, Change Order #2 includes the following item:

1. Change Trustee in contract documents to U.S. Bank National Association for \$0
- The Total amount of Change Order #2 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 LeChase's Contract should be amended to add these additional scope items in the total amount of \$2,867; and

WHEREAS, the Committee considered and discussed the Program Manager's recommendation at its October 31, 2013 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 June 4, 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 Pifer
Approved 6-0 with member Roulin away

Resolution 2013-14: 109
Change Order #11 and #12 to M.A. Ferraulo 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. Ferrauilo Plumbing and Heating (“M.A. Ferrauilo”) for the School 17 project in Phase I (Resolution 2012-13: 14); and

WHEREAS, the RJSCB entered into a contract with M.A. Ferrauilo (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. Ferrauilo, 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 #11 includes the following item:

1. Provide a stainless steel cover at the kitchen for the amount of \$510
- The Total amount of Change Order #11 is \$510; and

WHEREAS, Change Order #12 includes the following item:

1. Install ball valve and replace pressure reducing valve for the amount of \$1,697
- The Total amount of Change Order #12 is \$1,697; and

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

WHEREAS, the Program Manager thereafter recommended to the RJSCB’s MWBE and Services Procurement Committee (the “Committee”) that M.A. Ferrauilo’s Contract should be amended to add these additional scope items in the total amount of \$2,207; and

WHEREAS, the Committee considered and discussed the Program Manager’s recommendation at its October 31, 2013 meeting and after due deliberation, it approved the request to amend the Contract;

THEREFORE, BE IT RESOLVED:

1. The proposed Change Orders to M.A. Ferrauilo 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 6-0 with member Roulin away

Resolution 2013-14: 110

Change Order #15 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 #15 includes the following item:

1. Power to kiln for the amount of \$2,260
 2. Changes to fixture schedule wiring for the amount of \$7,614
- The Total amount of Change Order #15 is \$9,874; 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 the amount of \$9,874; and

WHEREAS, the Committee considered and discussed the Program Manager’s recommendation at its October 31, 2013 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 July 2, 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 6-0 with member Roulin away

Resolution 2013-14: 111

Change Order #4, #5, and #6 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 #4 includes the following item:

1. Construct north parking lot for the amount of \$141,385.07
The Total amount of Change Order #4 is \$141,385.07; and

WHEREAS, Change Order #5 includes the following item:

1. Changes to bathroom hardware for the amount of \$4,016.40
The Total amount of Change Order #5 is \$4,016.40; and

WHEREAS, Change Order #6 includes the following item:

1. Provide pull rope for bell for the amount of \$1,278.06
The Total amount of Change Order #6 is \$1,278.06; 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 \$146,679.53; and

WHEREAS, the Committee considered and discussed the Program Manager's recommendation at its October 31, 2013 meeting and after due deliberation, it approved the request to amend the Contract;

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 Sewell
Approved 6-0 with member Roulin away**

**Resolution 2013-14: 112
Change Order #7 to Manning Squires Hennig – (GC - 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 general contractor contract to Manning Squires Hennig Co., Inc. (“Manning Squires”) for the School 28 project in Phase I (Resolution 2012-13: 106); and

WHEREAS, the RJSCB subsequently entered into a contract with Manning Squires (Resolution 2012-13: 106) dated February 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, Manning Squires, 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 #7 includes the following item:

1. Change from knock down frames to welded frames for the amount of \$12,237.74
The Total amount of Change Order #7 is \$12,237.74; 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 Manning Squires’s Contract should be amended to delete and add these additional scope items in the total amount of \$12,237.74; and

WHEREAS, the Committee considered and discussed the Program Manager’s recommendation at its October 31, 2013 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’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 McCormick
Approved 6-0 with member Roulin away**

**Resolution 2013-14: 113
Change Order #3 and #4 to Kaplan Schmidt – (Electrical - 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 electrical contractor contract to Kaplan Schmidt Electric Inc. (“Kaplan Schmidt”) for the School 28 project in Phase I (Resolution 2012-13: 106); and

WHEREAS, the RJSCB subsequently entered into a contract with Kaplan Schmidt (Resolution 2012-13: 106) dated February 4, 2013 (the “Contract”), to perform the scope of services defined in the contract documents as the electrical contractor’s scope of work; and

WHEREAS, following the execution of the Contract, Kaplan Schmidt, along with 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 #3 includes the following item:
1. Modifications to the metal detectors for the amount of \$15,858.34
The Total amount of Change Order #3 is \$15,858.34; and

WHEREAS, Change Order #4 includes the following item:
1. Change Trustee to U.S. Bank National Association for the amount of \$0
The Total amount of Change Order #4 is \$0; 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 Kaplan Schmidt’s Contract should be amended to add these additional scope items in the total amount of \$15,858.34; and

WHEREAS, the Committee considered and discussed the Program Manager’s recommendation at its October 31, 2013 meeting and after due deliberation, it approved the request to amend the Contract;

THEREFORE, BE IT RESOLVED:

1. The proposed Change Orders to Kaplan Schmidt's Contract 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 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 6-0 with member Roulin away**

**Resolution 2013-14: 114
Change Order #3 to Nairy Mechanical – (Plumbing - 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 plumbing contractor contract to Nairy Mechanical LLC ("Nairy Mechanical") for the School 28 project in Phase I (Resolution 2012-13: 106); and

WHEREAS, the RJSCB subsequently entered into a contract with Nairy Mechanical (Resolution 2012-13: 106) dated February 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, Nairy 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 #3 includes the following item:

1. Change Trustee to U.S. Bank National Association for the amount of \$0
The Total amount of Change Order #3 is \$0; 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 Nairy Mechanical's Contract should be amended to add these additional scope items in the total amount of \$0; and

WHEREAS, the Committee considered and discussed the Program Manager's recommendation at its October 31, 2013 meeting and after due deliberation, it approved the request to amend the Contract;

THEREFORE, BE IT RESOLVED:

1. The proposed Change Order to Nairy Mechanical'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 Pifer
Approved 6-0 with member Roulin away**

**Resolution 2013-14: 115
Change Order #7 to Thurston Dudek, LLC – Plumbing 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 plumbing contractor contract to Thurston Dudek, LLC ("Thurston Dudek") for the School 50 project in Phase I (Resolution 2011-12: 101); and

WHEREAS, the RJSCB entered into a contract with Thurston Dudek (Resolution 2011-12: 101) dated June 4, 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, Thurston Dudek, 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 #7 includes the following item:

1. Clear plugged drain for the amount of \$581.57
- The Total amount of Change Order #7 is \$581.57; 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 Thurston Dudek's Contract should be amended to add these additional scope items in the total amount of \$581.57; and

WHEREAS, the Committee considered and discussed the Program Manager's recommendation at its October 31, 2013 meeting and after due deliberation, it approved the request to amend the Contract;

THEREFORE, BE IT RESOLVED:

1. The proposed Change Order to Thurston Dudek, 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 6-0 with member Roulin away

Resolution 2013-14: 116
Change Order #32, #33, and #34 to Manning Squires Hennig Co., Inc. – General 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 general contractor contract to Manning Squires Hennig Co., Inc. ("Manning Squires") for the School 50 project in Phase I (Resolution 2011-12: 101); and

WHEREAS, the RJSCB entered into a contract with Manning Squires (Resolution 2011-12: 101) dated June 4, 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 #32 includes the following items:

1. Provide graffiti coating for the amount of \$9,391.76
 2. Provide fire rated wall assembly for the amount of \$11,203.63
- The total amount of Change Order #32 is \$20,595.39; and

WHEREAS, Change Order #33 includes the following items:

1. Firestopping at existing penetrations for the amount of \$16,941.85
 2. New VCT flooring for the amount of \$1,094.56
 3. Whiteboards and tackboards for the amount of \$1,549.06
 4. Column enclosure for the amount of \$455.52
 5. Vent removal and patching for the amount of \$1,306.81
 6. Fire extinguisher and fire blanket cabinet for the amount of \$2,158.03
- The total amount of Change Order #33 is \$23,505.83; and

WHEREAS, Change Order #34 includes the following item:

1. Privacy screens for the amount of \$6,686.11
 2. Replace sills for the amount of \$2,325.22
- The total amount of Change Order #34 is \$9,011.33; 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 add these additional scope items in the total amount of \$53,112.55; and

WHEREAS, the Committee considered and discussed the Program Manager's recommendation at its October 31, 2013 meeting and after due deliberation, it approved the request to amend the Contract;

THEREFORE, BE IT RESOLVED:

1. The proposed Change Orders to Manning Squires Hennig Co., Inc.'s Contract between the Board and Contractor dated June 4, 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 6-0 with member Roulin away**

**Resolution 2013-14: 117
Change Order #5 and #6 to MA Ferrauilo – School 58**

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

WHEREAS, the RJSCB subsequently entered into a contract with M.A. Ferrauilo (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. Ferrauilo, 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 #5 includes the following items:

1. Remove existing concrete tunnel for the amount of \$8,574
The Total amount of Change Order #5 is \$8,574; and

WHEREAS, Change Order #6 includes the following items:

1. Re-route domestic water and gas lines for the amount of \$28,554.60
The Total amount of Change Order #6 is \$28,554.60; 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 M.A. Ferraiulo's Contract should be amended to add these additional scope items in the total amount of \$37,128.60; and

WHEREAS, the MWBE and Services Procurement Committee considered and discussed the Program Manager's recommendation at its October 31, 2013 meeting and after due deliberation, it approved the request to amend the Contract;

THEREFORE, BE IT RESOLVED:

1. The proposed Change Orders to M.A. Ferraiulo's Contract 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 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 6-0 with member Roulin away**

**Resolution 2013-14: 118
Change Order #11 and #12 to Manning Squires Hennig – School 58**

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 general contractor contract to Manning Squires Hennig Co., Inc. ("Manning Squires") for the School 58 project in Phase I (Resolution 2012-13: 35); and

WHEREAS, the RJSCB subsequently entered into a contract with Manning Squires (Resolution 2012-13: 35) dated September 10, 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 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 #11 includes the following items:

1. Back-charge associated with two sampling wells for a credit of -\$700
- The Total amount of Change Order #11 is a credit of –(\$700); and

WHEREAS, Change Order #12 includes the following items:

1. Patch behind wood base and fur out classroom walls for the amount of \$122,552
- The Total amount of Change Order #12 is \$122,552; 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 Manning Squire's Contract should be amended to add these additional scope items in the total amount of \$121,852; and

WHEREAS, the MWBE and Services Procurement Committee considered and discussed the Program Manager's recommendation at its October 31, 2013 meeting and after due deliberation, it approved the Change Order request for these additional services;

THEREFORE, BE IT RESOLVED:

1. The proposed Change Orders to Manning Squires Hennig 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 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 6-0 with member Roulin away**

**Resolution 2013-14: 119
Change Order #1 to East Coast Electric – Electrical Contractor (School 58)**

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 electrical contractor contract to East Coast Electric LLC ("East Coast") for the School 58 project in Phase I (Resolution 2012-13: 120); and

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

WHEREAS, following the execution of the Contract, East Coast, 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 #1 includes the following items:

1. Temporary electric to the relocated CM trailer for the amount of \$8,664
- The Total amount of Change Order #1 is \$8,664; 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 East Coast's Contract should be amended to add these additional scope items in the total amount of \$8,664; and

WHEREAS, the MWBE and Services Procurement Committee considered and discussed the Program Manager's recommendation at its October 31, 2013 meeting and after due deliberation, it approved the Change Order request for these additional services;

THEREFORE, BE IT RESOLVED:

1. The proposed Change Order to East Coast Electric 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 Pifer
Approved 6-0 with member Roulin away**

**Resolution 2013-14: 120
Change Order #18 and #19 to The Pike Company – General 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 general contractor contract to The Pike Company ("Pike") for the Charlotte High School Project in Phase I (Resolution 2011-12: 105); and

WHEREAS, the RJSCB entered into a contract with The Pike Company (Resolution 2011-12: 105) dated June 4, 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, The Pike Company, 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 #18 includes the following items:

1. Kitchen Sub Base Replacement for the amount of \$7,385
2. Room 147 Woodwork & Soffit Revisions for the amount of \$2,653
3. Ceiling Revisions @ IT Closet 235 for the amount of \$813
4. Additional Walls @ Room 11 for the amount of \$2,057
5. Bent Metal Trim @ Room 11 Wheel Chair Lift Entrance for the amount of \$2,553
6. Room 11 Concrete Wall Demo for the amount of \$4,599
7. Boys Team Room Window Removal for the amount of \$250
8. Additional Wall Demo for the amount of \$652
9. Revised Retaining Wall and New Stairs for the amount of \$194,107
10. Abate Window Sashes @ Alternate 15 for the amount of \$69,239
11. Replace Concrete Floor in Cafeteria for the amount of \$36,299
12. Install Security Film @ Pool Windows for the amount of \$2,009
13. New Access Door 4th Floor Corridor for the amount of \$1,067

The Total amount for Change Order #18 is \$323,683; and

WHEREAS, Change Order #19 includes the following items:

1. Knee Wall & Re-work the Window Returns in the Kitchen for the amount of \$638
2. Rigid Insulation @ New Front Ramp for the amount of \$3,645
3. Concrete Ring & Grading @ Parking Lot for the amount of \$1,539
4. Cabinet Locks in Nurse's Suite for the amount of \$4,830
5. Room 230-A Wall Build to Eliminate a Step Up for the amount of \$1,375
6. Room 15A Laminate North Wall for the amount of \$564
7. Additional Painting Auditorium Balcony for the amount of \$710
8. Replacement of Sanitary Line for the amount of \$13,330
9. Room 239 Smartboard Build-out for the amount of \$1,032
10. Room 11 Wheel Chair Lift-Unsuitable Soils for the amount of \$4,604
11. Ceiling & Soffit Revisions 10a & 10H for the amount of \$4,025
12. Paint Conduits at Ground Floor Corridor for the amount of \$258
13. Room 146 In-fill Drywall for the amount of \$619
14. Closers @ Front Entrance Doors for the amount of \$2,414

15. Remove & Re-install Mailboxes for the amount of \$1,757
16. Remove & Re-install Closets @ 5th Floor for the amount of \$1,204

17. Repair Existing Plaster Beam 3rd Floor Stair for the amount of \$172
18. Replace Ceiling Grid Room 119 for the amount of \$1,268

19. Room 235 Re-support the Existing Ceiling Grid for the amount of \$275
20. Install Five (5) New Mirrors @ Yoga Room for the amount of \$5,064
21. Room 25-I Wall framing and fur out for the amount of \$1,139

The Total amount for Change Order #19 is \$50,462; 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 The Pike Company's Contract should be amended to add these scope items in the amount of \$374,145; and

WHEREAS, the Committee considered and discussed the Program Manager's recommendation at its October 31, 2013 meeting and after due deliberation, it approved the request to amend the Contract;

THEREFORE, BE IT RESOLVED:

1. The proposed Change Orders to The Pike Company's Contract between the Board and Contractor dated June 4, 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 6-0 with member Roulin away**

**Resolution 2013-14: 121
Change Order #11 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. Ferrauilo Plumbing and Heating Inc. ("Ferrauilo") for the Charlotte High School Project in Phase I (Resolution 2011-12: 105); and

WHEREAS, the RJSCB entered into a contract with Ferrauilo (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, Ferrauilo, along with Campus Construction Group, the Construction Manager, and the Program Manager, identified the need for additional scopes of work, and cost proposals were then obtained for these additional scope items and provided to the Construction Manager and the Program Manager for review; and

WHEREAS, Change Order #11 includes the following items:

1. Missing Diffusers Ground Floor Classrooms for the amount of \$3,461
2. Disconnect & Remove UV @ Room 306 for the amount of \$1,935
3. Demolish LPS & LPC for the amount of \$4,782
4. Repair 5th Floor 500 UV for the amount of \$1,032
5. Insulation Repairs for the amount of \$10,887
6. Boiler No. 1 Repair for the amount of \$9,978
7. Ground Floor Duct Demolition for the amount of \$883
8. Room 11 Duct Demolition for the amount of \$338
9. Disconnect & Move Air Compressor for the amount of \$2,569
10. Room 235 Demo & Cap Steam Line for the amount of \$1,278

The Total amount for Change Order #11 is \$37,143; 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. Ferrauilo Plumbing and Heating Inc.'s Contract should be amended to add these scope items for the total amount of \$37,143; and

WHEREAS, the Committee considered and discussed the Program Manager's recommendation at its October 31, 2013 meeting and after due deliberation, it approved the request to amend the Contract;

THEREFORE, BE IT RESOLVED:

1. The proposed Change Order to M.A. Ferrauilo 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 Pifer
Approved 6-0 with member Roulin away**

**Resolution 2013-14: 122
Change Order #7 to Concord Electric Corporation – Electrical 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 electrical contractor contract to Concord Electric Corporation ("Concord") for the Charlotte High School Project in Phase I (Resolution 2011-12: 105); and

WHEREAS, the RJSCB entered into a contract with Concord (Resolution 2011-12: 105) 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, Concord, 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 #7 includes the following items:

1. Boys Locker Room Conduit Repair for the amount of \$304
2. Power to Front Entrance Lights for the amount of \$1,607
3. Washer & Dryer Hook-ups for the amount of \$1,802
4. DWT Conduit Openings for the amount of \$1,527
5. Replace Switches & Receptacles for the amount of \$13,743
6. Library Floor Boxes for the amount of \$749
7. Pool Alarm for the amount of \$1,349
8. Elevator Recall for the amount of \$2,542
9. Ice Machine Power for the amount of \$858
10. Room 15 Changes for the amount of \$3,013
11. Room 312 Raceway for the amount of \$309
12. Power for Drinking Fountains for the amount of \$1,656
13. Doors 120A-1 Intercom & Card Access for the amount of \$10,693
14. Broken Conduit @ Door 35-2 for the amount of \$872
15. Cardio Equipment Wiremold Changes for the amount of \$61
16. Wiremold for Office for the amount of \$464
17. Re-Install 92 Speakers ETR for the amount of \$3,499
18. Added Relays for the amount of \$530
19. Exit Sign Location Change for the amount of \$858
20. Radio Charger Power for the amount of \$2,204

The Total amount of Change Order #7 is \$48,640; 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 Concord Electric Corporation's Contract should be amended to add these additional scope items in the total amount of \$48,640; and

WHEREAS, the Committee considered and discussed the Program Manager's recommendation at its October 31, 2013 meeting and after due deliberation, it approved the request to amend the Contract;

THEREFORE, BE IT RESOLVED:

1. The proposed Change Order to Concord Electric 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 6-0 with member Roulin away

Resolution 2013-14: 123
Change Order #4 to Thurston Dudek – Plumbing 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 plumbing contract to Thurston Dudek ("Thurston Dudek") for the Charlotte High School Project in Phase I (Resolution 2011-12: 105); and

WHEREAS, the RJSCB entered into a contract with Thurston Dudek (Resolution 2011-12: 105) dated June 4, 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, Thurston Dudek, 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 #4 includes the following items:

1. Library 202A Demo Sink for the amount of \$1,566
2. Floor Drain Adjacent to Team Room 356 for the amount of \$1,547
3. Install Two Hose Bibs in the Locker Room for the amount of \$2,086
4. Storage Room B-5 Install Water Piping for the amount of \$1,598

5. Room 11 Repair Existing Underground Piping for the amount of \$5,707
6. Ice Machine Hook Up for the amount of \$1,884
7. Install Plumbing for New Washing Machine for the amount of \$1,660

The Total amount for Change Order #4 is \$16,048; 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 Thurston Dudek's Contract should be amended to add these scope items for the total amount of \$16,048; and

WHEREAS, the Committee considered and discussed the Program Manager's recommendation at its October 31, 2013 meeting and after due deliberation, it approved the request to amend the Contract;

THEREFORE, BE IT RESOLVED:

1. The proposed Change Order to Thurston Dudek's Contract between the Board and Contractor dated June 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 Sewell
Approved 6-0 with member Roulin away**

**Resolution 2012-13: 124
Change Order #7 to Kaplan Schmidt – Electrical Contractor (Franklin 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 Electrical Contractor contract to Kaplan-Schmidt Electric ("Kaplan Schmidt") for the Franklin High School Project in Phase I (Resolution 2011-12: 106); and

WHEREAS, the RJSCB entered into a contract with Kaplan Schmidt (Resolution 2011-12: 106) 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, Kaplan Schmidt, along with Campus Construction Group (the Construction Manager), and the Program Manager, identified the need for additional scopes of

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

WHEREAS, Change Order #7 includes the following item:

1. Relocate heat detectors and light fixtures for the amount of \$2,123
2. Extend power cord on equipment for the amount of \$199

The Total amount of Change Order #7 is \$2,322; 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 Kaplan Schmidt's Contract should be amended to add these additional scope items in the total amount of \$2,322; and

WHEREAS, the Committee considered and discussed the Program Manager's recommendation at its October 31, 2013 meeting and after due deliberation, it approved the request to amend the Contract;

THEREFORE, BE IT RESOLVED:

1. The proposed Change Order to Kaplan Schmidt's Contract between the Board and Contractor dated 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 6-0 with member Roulin away

Resolution 2013-14: 125
Change Order #10 to Cucciara Construction Inc. – General Contractor (Franklin High School)

Tabled by the RJSCB
Approved 6-0 with member Roulin away

Resolution 2012-13: 126
Change Order #2 and #3 to The Pike Company – General Contractor (East 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 general contractor contract to The Pike Company ("Pike") for the East High School project in Phase I (Resolution 2012-13: 147); and

WHEREAS, the RJSCB entered into a contract with Pike (Resolution 2012-13: 147) dated April 1, 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, Pike, along with LPCiminelli, 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 #2 includes the following items:

1. Revisions to hardware sets for the amount of \$6,738
- The Total amount for Change Order #2 is \$6,738; and

WHEREAS, Change Order #3 includes the following items:

1. Replace asphalt and re-grade sub-base at parking lot for the amount of \$58,538
2. Striping at Bus loop for the amount of \$589

The Total amount for Change Order #3 is \$59,127; 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 Pike's Contract should be amended to add these scope items in the amount of \$65,865; and

WHEREAS, the Committee considered and discussed the Program Manager's recommendation at its October 31, 2013 meeting and after due deliberation, it approved the request to amend the Contract;

THEREFORE, BE IT RESOLVED:

1. The proposed Change Orders to The Pike Company's Contract between the Board and Contractor dated April 1, 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 6-0 with member Roulin away

Resolution 2012-13: 127
Change Order #1 and #2 to The Pike Company – General Contractor (Edison Technology 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 general contractor contract to The Pike Company ("Pike") for the Edison Technology Campus project in Phase I (Resolution 2012-13: 194); and

WHEREAS, the RJSCB entered into a contract with Pike (Resolution 2012-13: 194) dated June 10, 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, Pike, along with LPCiminelli, 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 #1 includes the following items:

1. Change Trustee to U.S. Bank National Association for the amount of \$0
- The Total amount for Change Order #1 is \$0; and

WHEREAS, Change Order #2 includes the following items:

1. Grind metal clips off of foundation walls for the amount of \$12,088
 2. Repairs to existing utilities for the amount of \$1,156
 3. Existing footer and foundation repairs for the amount of \$8,517
 4. Remove existing fuel lines for the amount of \$3,007
 5. Trench drain at north exterior ramp for the amount of \$12,208
 6. Concrete curb at perimeter for the amount of \$72,833
- The Total amount for Change Order #2 is \$109,809; 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 Pike's Contract should be amended to add these scope items in the amount of \$109,809; and

WHEREAS, the Committee considered and discussed the Program Manager's recommendation at its October 31, 2013 meeting and after due deliberation, it approved the request to amend the Contract;

THEREFORE, BE IT RESOLVED:

1. The proposed Change Orders to The Pike Company's Contract between the Board and Contractor dated June 10, 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 Pifer
Approved 6-0 with member Roulin away

Resolution 2013-14: 128
Franklin Auditorium – Awards

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 the renovation of the Franklin Educational Campus Auditorium (“Franklin Auditorium”), including air conditioning within the space, be added to the scope of the original Franklin Educational Campus project (“Franklin project”); and

WHEREAS, the RJSCB received approval of the Franklin Auditorium project by the Board of Education (“BOE”) at their monthly meeting on January 24, 2013 (BOE Resolution 2012-13: 425) and subsequently received approval from the State Education Department as an amendment to the original submission for the main Franklin project; and

WHEREAS, the RJSCB’s Program Manager, with the advice of Young+Wright Architects (the “Architect”), Campus Construction Management (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 Franklin Auditorium project as a single prime general contractor package (“Single Prime GC”); and

WHEREAS, the RJSCB’s Executive Director received one bid on April 29, 2013 per the deadline stipulated in the Request for Bids, and that bid was subsequently publicly opened and read aloud at the location stated in the Request for Bids; and

WHEREAS, the RJSCB rejected the bid on June 10, 2013 based on the bid amount exceeding the project funds available (Resolution 2012-13: 198); and

WHEREAS, the RJSCB authorized the Program Manager and the Architect to redesign and repackage the project into a multi-prime format (Resolution 2012-13: 198); and

WHEREAS, the Program Manager, the Architect and the Construction Manager recommended that the project be split into two packages - the first being an early package, which includes the roofing scope of work, and the second for the remaining scope of work - so that the early package could commence prior to the start of inclement weather conditions; and

WHEREAS, thereafter, the Program Manager and the Architect prepared a package for the roofing scope of work associated with the Franklin Auditorium including certain masonry restoration items, and bids were received on August 19, 2013 and the package was subsequently awarded to Steve General Contractor, Inc. at the monthly RJSCB meeting on September 9, 2013 (Resolution 2013-14: 75); and

WHEREAS, the Program Manager and the Architect prepared a package for the general contractor, electrical, and mechanical scope of work packages, and bids were received on October 23, 2013; and

WHEREAS, the Program Manager, Architect, Construction Manager, and Independent Compliance Officer have reviewed the bids for the general contractor, electrical, and mechanical scope of work

packages, conducted de-scoping meetings with the apparent low bidders, and concluded that the bidders are qualified and responsible; and

WHEREAS, at the MWBE and Services Procurement Committee (“Committee”) meeting held on October 31, 2013, the bids were discussed and the Program Manager recommended that the contract awards should be made to the firms listed below in the amount stated; and

Scope	Firm	Address	Contract Value
General Contractor	Steve General Contractors Inc.	3774 Telephone Road Caledonia, NY 14423	\$1,832,000
Electrical Contractor	Kaplan Schmidt Electric Inc.	50 Saginaw Drive Rochester, NY 14623	\$871,900
Mechanical Contractor	M.A. Ferrauilo Plumbing & Heating Inc.	1600 Jay Street Rochester, NY 14611	\$1,333,000

THEREFORE, BE IT RESOLVED:

1. The RJSCB hereby approves the recommendation of the Program Manager that the contract awards shall be made to the firms 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 Franklin Auditorium 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 firms listed above in substantially the form included in the Request for Bids for the Franklin Auditorium 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 6-0 with member Roulin away**

**Resolution 2013-14: 129
Pay Requisition Summary Acceptance (October 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 \$8,472,938.64 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 October 26, 2013; and

WHEREAS, the RJSCB Chair approved the Pay Requisition Summary on September 26, 2013;

THEREFORE, BE IT RESOLVED:

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

Second by Board Member Pifer
Approved 6-0 with member Roulin away

Communication

The Monthly Report is included in the Member's packets. Tom Roger discussed School 58 construction progress and building enclosure (the team will update the Board next month), and the District's punchlist walkthrough which is currently underway at Charlotte.

The Compliance Report was reviewed. We are exceeding EEO goals

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

The Committee Reports for October 31, 2013 are included in the Board Members packets.

Adjournment

Approved 6-0 at 6:10pm