

Rochester Joint Schools Construction Board
Minutes
December 16, 2013
4:30 PM

Present

Chair Lois Giess, Jose Coronas, Ann McCormick, Brian Roulin, Everton Sewell and ICO Windell Gray. Vice Chair Bob Brown and Member Richard Pifer were 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 4:33pm

Presentation: School #58 Project Update by Bob DiPaola of Gilbane

The presentation began with a series of photo slides depicting:

- Hallway ceilings
- Deteriorated columns
- Skylight framing
- Subfloor deficiencies
- Media Center wall
- Deteriorating wood framing
- Scio Street parking lot (in RCSD's hands)
- Design deficiency (Upper level structure)
- Gym truss update – girders had to be remade, roof decking is going on
- Classroom foundations – 2 months behind setting steel

The steel contractor has closed and there is a replacement firm coming on board. This causes an extension to the schedule as submittals need to be re-done. As a result, the School 58 move-back date will be delayed.

3 Schedule Recovery:

- 1) 7/8/14, the original date – impossible
- 2) Complete by 8/15/14 except for the gym and associated spaces

Obstacles:

- a) Educational impact
 - b) Construction separation
 - c) Open steel issues – may not be able to meet the date
 - d) 3 shifts – manpower
 - e) \$4.9 million
- 3) Thanksgiving 2014 completion
 - a) Elements of shift work
 - b) Mid-year move
 - c) \$2.9 million

To date, \$4.65 million in contingency spent/committed to date.

The recommendation is for Option #3. Less is spent, there is a reasonable time frame to complete the work and the move can be accomplished in December. Option #2 does not have assurance that it will work. The money will be spent but still may not finish in time.

Causes for delay, where does the money come from? Some is the result of contractor issues/delays, others are due to Architect errors and omissions.

The owner is responsible for all unforeseen condition costs.

Some discussion ensued with questions and statements.

Was the steel company previously identified to the Board as a problem?

Why are there additional costs to extend the schedule?

What is the legitimate amount of money recoverable?

What is the impact on swing space?

Is Option #2 a real option?

What is the cost to the RCSD?

Will the District sign up for a mid-year move? What are the logistics?

The Board must deliver the message clearly to the RCSD. The RJSCB is concerned about the true costs.

Tom Renauto, Tom Roger, and Lois Giess are meeting with the Superintendent and the RCSD Cabinet tomorrow afternoon.

There will be another session to update the Board in January.

Approval of Minutes:

Monthly Meeting held on November 4, 2013

Motion by Member McCormick

Second by Member Sewell

Approved 5-0 with members Brown and Pifer away

Action Items

Resolution 2013-14: 125

Change Order #10 to Cucciara Construction Inc. – General 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 General Contractor contract to Cucciara Construction, Inc. (“Cucciara”) for the Franklin High School Project in Phase I (Resolution 2011-12: 106); and

WHEREAS, the RJSCB entered into a contract with Cucciara (Resolution 2011-12: 106) 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, Cucciara, 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 #10 includes the following items:

1. Remove mulch at bus loop for the amount of \$6,599
2. Delete kitchen floor demo for a credit of -\$6,900
3. Relocate and in-fill door opening for the amount of \$7,646
4. Wainscot at columns and walls for the amount of \$3,900
5. Prep table and sink for the amount of \$3,437
6. HVAC AHU access for the amount of \$1,619
7. Delete door and kitchen stair demo for a credit of -\$3,246
8. Revisions to retaining wall for the amount of \$5,364
9. Change loading dock door closures for a credit of -\$404
10. Loading dock surface finish for the amount of \$3,153
11. Custom color for aluminum window frames for the amount of \$2,932
12. Security film at 2nd floor window at canopy for the amount of \$778
13. Infill at storage area window for the amount of \$230
14. Lobby ceiling paint credit of -\$1,030
15. Lobby door changes credit of -\$1,327
16. Fence removal for the amount of \$613
17. Concrete slab and walkway for the amount of \$41,740

The Total amount of Change Order #10 is \$65,104; and

WHEREAS, the Construction Manager and the Program Manager believe that the change order work was necessary and the pricing is appropriate and 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 Cucciara's Contract should be amended to add these scope items for a total amount of \$65,104; and

WHEREAS, the Committee considered and discussed the Program Manager's recommendation at its December 12, 2013 meeting and after due deliberation, it approved the request to amend the Contract;

THEREFORE, BE IT RESOLVED:

1. The proposed Change Order to Cucciara Construction, Inc.'s Contract between the Board and General 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 5-0 with members Brown and Pifer away

Resolution 2013-14: 131
Independent Compliance Officer, Contract Extension

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 requires the Board is to engage an Independent Compliance Officer ("ICO") to report directly to the Board; and

WHEREAS, the RJSCB issued an RFP for an Independent Compliance Officer in April of 2010 (Resolution 2009-10: 11); and

WHEREAS, in June of 2010, the RJSCB selected Landon & Rian Enterprises, Inc. as the finalist for Independent Compliance Officer (Resolution 2009-10: 14) and subsequently entered into an agreement with Landon & Rian Enterprises, Inc. entitled "Independent Compliance Officer Agreement" (the "Agreement") in August of 2010 (Resolution 2010-11: 7); and

WHEREAS, the Agreement includes a Scope of Work divided into two Stages; Stage 1 for work during the Master Plan Development and Stage 2 for Pre-Construction activities; and

WHEREAS, the Agreement has a term of two years; and

WHEREAS, the RJSCB extended the term of the Agreement by one year and added certain additional services in June of 2012 (Resolution 2011-12: 111) and;

WHEREAS, the RJSCB extended the term of the Agreement by an additional four months in August of 2013 (Resolution 2013-14: 27) and;

WHEREAS, the RJSCB now wishes to extend the term of the Agreement by an additional one month, through January 31, 2014; and

WHEREAS, the scope of work and hourly rates previously established will remain intact during this one month extension; and

WHEREAS, an extension of the ICO services at this time will allow the project to remain on schedule; and

WHEREAS, at its December 12, 2013 meeting, the MWBE and Services Procurement Committee considered and discussed a proposal from the Independent Compliance Officer, a copy of which is attached hereto (the "Proposal"), along with a recommendation from the Executive Director, and after due deliberation, it approved forwarding the Proposal to the full Board for review and consideration at its monthly meeting on December 16, 2013; and

THEREFORE, BE IT RESOLVED:

1. The RJSCB hereby approves an extension to the Agreement between the Board and Landon & Rian Enterprises through January 31, 2014 to provide compliance monitoring for the Phase 1b Schools and all other project related compliance services for the Phase 1a projects and the Phase 1b projects; and
2. The RJSCB's Chair is hereby authorized, in the name and on behalf of the RJSCB, to execute an Amendment 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 Roulin

Approved 5-0 with members Brown and Pifer away

**Resolution 2013-14: 132
Amendment #16 to SWBR Architect's Agreement - 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 selection of SWBR Architects, ("SWBR") as the Architect for the School 17 project in Phase I (Resolution 2010-11: 35); and

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

WHEREAS, following the execution of the Agreement, SWBR Architects, along with the Program Manager, identified the need for additional scopes of design work and cost proposals and/or estimates 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 SWBR's Agreement should be amended to add these additional scope items in the total amount of \$2,210 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 December 12, 2013 meeting, and after due deliberation, it approved the request to amend the Agreement;

THEREFORE, BE IT RESOLVED:

1. The proposed amendment to the SWBR's 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 Sewell
Approved 5-0 with members Brown and Pifer away**

**Resolution 2013-14: 133
Amendment #12 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 RJSCB has requested that the Interdisciplinary Document Coordination ("IDC") Services portion of the base contract be deleted from the Architect's scope of work; 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 for a credit in the total amount of -\$30,000; and

WHEREAS, the Committee considered and discussed the Program Manager's recommendation at its December 12, 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 Sewell
Approved 5-0 with members Brown and Pifer away**

**Resolution 2013-14: 134
Amendment #9 to Chaintreuil Jensen Stark Architects, LLP Agreement (Charlotte HS)**

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 Charlotte High School project in Phase I (Resolution 2010-11: 35); and

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

WHEREAS, following the execution of the Agreement, CJS, along with the Program Manager, identified the need for additional scopes of design work and cost proposals were then obtained for these additional scope items and provided to the Program Manager for review; and

WHEREAS, the Program Manager thereafter recommended to the RJSCB's MWBE and Services Procurement Committee (the "Committee") that CJS's Agreement should be amended to add these additional scope items in the total amount of \$5,636 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 December 12, 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 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 Roulin
Approved 5-0 with members Brown and Pifer away**

**Resolution 2013-14: 135
Amendment #6 to Young & Wright Architectural Agreement (Franklin)**

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 Young & Wright Architectural as the Architect for the Franklin Educational Campus project in Phase I (Resolution 2010-11: 35); and

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

WHEREAS, following the execution of the Agreement, Young & Wright Architectural, along with the Program Manager, identified the need for additional scopes of design work and cost proposals and/or estimates 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 Young & Wright Architectural's Agreement should be amended to add these additional scope items in the total amount of \$14,408 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 December 12, 2013 meeting and after due deliberation, it approved the request to amend the Agreement;

THEREFORE, BE IT RESOLVED:

1. The proposed amendment to the Young & Wright Architectural's 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 Coronas
Approved 5-0 with members Brown and Pifer away**

**Resolution 2013-14: 136
Amendment #6 to The Pike Company (CM - Schools 17 and 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 selected The Pike Company ("Construction Manager") to provide Construction Management services for the School 17 and School 50 projects in August of 2011 as a part of Phase 1 of the Rochester Schools Modernization Program (the "RSMP") (Resolution 2011-12: 7) and the parties thereafter entered into the Agreement between the RJSCB and the Construction Manager dated August 3, 2011 (the "Agreement"); and

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

WHEREAS, the RJSCB's Program Manager recommended to the MWBE and Services Procurement Committee (the "Committee") that the Construction Manager's Agreement should be amended to add the not-to-exceed amount of \$53,668 for the additional scopes of work in support of the School 17 and School 50 projects; and

WHEREAS, the Committee considered and discussed the Program Manager's recommendation at its December 12, 2013 meeting and after due deliberation, it approved the request to amend the Agreement;

THEREFORE, BE IT RESOLVED:

1. The proposed amendment to the Agreement Between the RJSCB and The Construction Manager dated August 3, 2011 as set forth above is hereby approved; and
2. The RJSCB's Chair is hereby authorized, in the name and on behalf of the RJSCB, to execute an amendment to the Agreement that is consistent with this approval and in an acceptable form to the Chair upon the advice of the Program Manager and the RJSCB's general counsel.

Second by Board Member Sewell

Approved 5-0 with members Brown and Pifer away

Resolution 2013-14: 137

Purchase Order Revisions to Main-Ford General Supply (1b Projects)

By Board Chair Giess

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

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

WHEREAS, the RJSCB’s Program Manager worked with Kaizen Foodservice Planning and Design Inc., the RJSCB’s Food Service Consultant, to prepare a request for Kitchen Equipment bids in conjunction with the second group of projects in Phase 1 of the Rochester Schools Modernization Program (“RSMP”) (School 5, School 28, and Edison Technology Campus); and

WHEREAS, the RJSCB issued a Request for Bids for Kitchen Equipment on July 9, 2013 (Resolution 2013-14: 11) associated with the second group of projects in Phase 1 of the RSMP; and

WHEREAS, the RJSCB, at its monthly meeting on August 5, 2013 (Resolution 2013-14: 36), approved the selection of Main-Ford General Supply to provide kitchen equipment for the second group of projects in Phase 1 of the RSMP; and

WHEREAS, subsequent to the issuance of the purchase order for kitchen equipment, the District identified the need for changes to the kitchen equipment included in the original request for bids; and

WHEREAS, a cost proposal for these changes in scope was then obtained from Main-Ford General Supply by the Program Manager and the Food Service Consultant for review; and

WHEREAS, the Program Manager thereafter recommended to the RJSCB’s MWBE and Services Procurement Committee (the “Committee”) that Main-Ford General Supply’s purchase order should be amended to include these changes in scope for a credit in the amount of -\$9,892; and

WHEREAS, the Committee considered and discussed the Program Manager’s recommendation at its December 12, 2013 meeting and after due deliberation, it approved the request to amend Main-Ford General Supply’s purchase order;

THEREFORE, BE IT RESOLVED:

1. The proposed amendment to Main-Ford General Supply’s purchase order dated August 7, 2013 for Kitchen Equipment associated with the projects in Phase 1b of the RSMP 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 issue a revised purchase order for the Kitchen Equipment 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 5-0 with members Brown and Pifer away

**Resolution 2013-14: 138
FF&E Purchase Orders – 1b Projects**

By Board Chair Giess

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

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

WHEREAS, the 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 RJSCB’s Executive Director received bids on March 20, 2013 per the deadline stipulated in the Request for Bids, and those bids were subsequently publicly opened and read aloud at the location stated in the Request for Bids; and

WHEREAS, the Program Manager, Move Manager, and Independent Compliance Officer (“ICO”) reviewed the bids, conducted de-scoping meetings, and inspected physical samples of certain items; and

WHEREAS, the Program Manager and the Move Manager determined that the low bidder for some of the bid groups did not meet the specified standards for the products specified in the Request for Bids; and

WHEREAS, the RJSCB previously approved Resolution 2012-13: 146, Resolution 2012-2013: 161, Resolution 2012-13: 162, and Resolution 2012-2013:166 associated with the FF&E awards for the 1a projects; and

WHEREAS, the awarded purchase orders for the Phase 1a projects were based on the Groups identified in the table below:

<u>Scope of Work</u>	<u>Name of Firm</u>	<u>Address</u>
Group 1 – Activity Tables	School Specialty, Inc.	18 Mae Meadow Rochester, NY 14624
Group 2 – Art Room	School Specialty, Inc.	18 Mae Meadow Rochester, NY 14624
Group 3 – Cafeteria Tables	Facilities Equipment & Service, Inc.	11 State Street, Suite 201 Pittsford, NY 14534
Group 4 – Conference Furniture	FM Resources	1 Woodbury Blvd Rochester, NY 14604
Group 5 – Desks	FM Resources	1 Woodbury Blvd Rochester, NY 14604
Group 6 – Lounge Furniture	FM Resources	1 Woodbury Blvd Rochester, NY 14604

Group 7 – Library Furniture	Facilities Equipment & Services, Inc.	11 State Street, Suite 201 Pittsford, NY 14534
Group 8 – Music Furniture	Hertz Furniture	95 McKee Drive Mahwah, NJ 07430
Group 9 – Storage	FM Resources	1 Woodbury Blvd Rochester, NY 14604
Group 10 – Student Furniture	Hertz Furniture	95 McKee Drive Mahwah, NJ 07430
Group 11 – Task Seating	FM Resources	1 Woodbury Blvd Rochester, NY 14604
Non-Grouped Items – Carpet (Solid)	School Specialty, Inc.	18 Mae Meadow Rochester, NY 14624
Non-Grouped Items – Carpet (Elementary)	Hertz Furniture	95 McKee Drive Mahwah, NJ 07430
Non-Grouped Items – Cubby Unit	School Specialty, Inc.	18 Mae Meadow Rochester, NY 14624
Non-Grouped Items – Sand & Water Table	School Specialty, Inc.	18 Mae Meadow Rochester, NY 14624
Non-Grouped Items – Computer Tables	School Specialty, Inc.	18 Mae Meadow Rochester, NY 14624
Non-Grouped Items – First Aid Couch	School Specialty, Inc.	18 Mae Meadow Rochester, NY 14624
Non-Grouped Items – Metal Shelving	School Specialty, Inc.	18 Mae Meadow Rochester, NY 14624
Non-Grouped Items – Folding Table and Cart	No award was recommended	
Non-Grouped Items – Podium	School Specialty, Inc.	18 Mae Meadow Rochester, NY 14624

WHEREAS, the original FF&E bid included a stipulation that pricing received would remain intact for all orders by the RJSCB during for the remainder of 2013; and

WHEREAS, the Move Manager has worked with the Architects associated with the next group of projects (School 5, School 28, School 58, and Edison Technology Campus) to determine the quantities and types of FF&E required for these schools and the orders placed at this time will cover much of the furniture needs of the schools involved, but will not include unique and/or special furniture needs for each specific school which have not yet been finalized and will be ordered in 2014; and

WHEREAS, the RJSCB wishes to maximize the bid savings achieved with the set 2013 pricing by placing the next FF&E order prior to the end of 2013; and

WHEREAS, deliveries and installation of FF&E for orders placed at this time will be coordinated by the Move Manager to coincide with the construction schedules of the School 5, School 28, School 58, and Edison Technology Campus projects; and

WHEREAS, based on the Move Manager's FF&E tabulations, the following Purchase Orders shall be made as set forth in the table below:

	<u>Name of Firm</u>	<u>Address</u>	<u>Amount</u>
School 5	School Specialty, Inc.	18 Mae Meadow Rochester, NY 14624	\$62,394.54
	Facilities Equipment & Service, Inc.	11 State Street, Suite 201 Pittsford, NY 14534	\$90,571.00
	FM Resources	1 Woodbury Blvd Rochester, NY 14604	\$128,139.26

	Hertz Furniture	95 McKee Drive Mahwah, NJ 07430	\$107,565.79
School 28			
	School Specialty, Inc.	18 Mae Meadow Rochester, NY 14624	\$59,001.82
	Facilities Equipment & Services, Inc.	11 State Street Rochester, NY 14534	\$74,964.00
	FM Resources	1 Woodbury Blvd Rochester, NY 14604	\$158,886.65
	Hertz Furniture	95 McKee Drive Mahway, NJ 07430	\$91,330.09
School 58			
	School Specialty	18 Mae Meadow Rochester, NY 14624	\$58,067.08
	Facilities Equipment & Services, Inc.	11 State Street Rochester, NY 14534	\$115,375.00
	FM Resources	1 Woodbury Blvd Rochester, NY 14604	\$174,804.50
	Hertz Furniture	95 McKee Drive Mahway, NJ 07430	\$107,734.01
Edison			
	School Specialty	18 Mae Meadow Rochester, NY 14624	\$8,086.80
	Facilities Equipment & Services, Inc.	11 State Street Rochester, NY 14534	\$77,475.00
	FM Resources	1 Woodbury Blvd Rochester, NY 14604	\$107,476.38
	Hertz Furniture	95 McKee Drive Mahway, NJ 07430	\$52,932.84

SUMMARY of AWARDS

<u>Firm</u>	<u>Total Award</u>
School Specialty, Inc.	\$187,550.24
FM Resources	\$569,306.79
Hertz Furniture	\$359,562.73
Facilities Equipment & Services Inc.	\$358,385

THEREFORE, BE IT RESOLVED:

1. The RJSCB hereby approves the recommendation of the Program Manager that the contract awards shall be made 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 next projects in Phase 1 of the RSMP (School 5, School 28, School 58, and Edison Technology Campus); 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; and

3. The issuance of the Purchase Orders to the firms named above is conditioned upon each firm submitting a DP-1 MWBE Utilization Plan and having it approved by the ICO no later than January 15, 2014.

**Second by Board Member McCormick
Approved 5-0 with members Brown and Pifer away**

**Resolution 2013-14: 139
Change Order #1, #2, and #3 to Thurston Dudek – Plumbing 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 plumbing contractor contract to Thurston Dudek for the School 5 project in Phase I (Resolution 2012-13: 177); and

WHEREAS, the RJSCB entered into a contract with Thurston Dudek (Resolution 2012-13: 177) dated June 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, 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 #1 includes the following item:

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

WHEREAS, Change Order #2 includes the following item:

1. Infill existing trench drains for the amount of \$7,454
- The Total amount of Change Order #2 is \$7,454; and

WHEREAS, Change Order #3 includes the following items:

1. Gas service changes for the amount of \$1,611
 2. Manhole changes for the amount of \$3,230
 3. Backflow preventer drain for the amount of \$4,477
 4. Expansion loop and fittings for the amount of \$2,145
- The Total amount of Change Order #3 is \$11,463; and

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

WHEREAS, the Program Manager thereafter recommended to the RJSCB's MWBE and Services Procurement Committee (the "Committee") that Thurston Dudek's Contract should be amended to add these additional scope items in the total amount of \$18,917; and

WHEREAS, the Committee considered and discussed the Program Manager's recommendation at its December 12, 2013 meeting and after due deliberation, it approved the request to amend the Contract;

THEREFORE, BE IT RESOLVED:

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

Second by Board Member Sewell

Approved 5-0 with members Brown and Pifer away

Resolution 2013-14: 140

Change Order #1 to Kaplan Schmidt – Electrical 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 electrical contractor contract to Kaplan Schmidt for the School 5 project in Phase I (Resolution 2012-13: 177); and

WHEREAS, the RJSCB entered into a contract with Kaplan Schmidt (Resolution 2012-13: 177) dated June 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 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 item:

1. Change Trustee in contract documents to U.S. Bank National Association for \$0
- The Total amount of Change Order #1 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 Kaplan Schmidt'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 December 12, 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 May 6, 2013 as set forth above is hereby approved; and
2. The RJSCB's Chair is hereby authorized, in the name and on behalf of the RJSCB, to execute a Change Order 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 5-0 with members Brown and Pifer away

Resolution 2013-14: 141

Change Order #3, #4, and #5 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 #3 includes the following items:

1. Delete Security Guards for a credit of -\$166,739
 2. Abate pipe insulation in corridor 117 for the amount of \$7,370
 3. Abate pipe insulation in room 112 for the amount of \$3,653
 4. Abate pipe insulation in the Gym/Aud for the amount of \$10,129
- The Total amount of Change Order #3 is a credit of -\$145,587; and

WHEREAS, Change Order #4 includes the following item:

1. Salvage ceiling tiles and turn over to RCSD for the amount of \$6,515
- The Total amount of Change Order #4 is \$6,515; and

WHEREAS, Change Order #5 includes the following items:

1. Abatement in toilet room and janitor's closet for the amount of \$5,309
 2. Abatement in room E140 and E221a for the amount of \$8,741
 3. Additional demo in the amount of \$927
- The Total amount of Change Order #5 is \$14,977; 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 for a credit in the amount of -\$124,095; and

WHEREAS, the Committee considered and discussed the Program Manager's recommendation at its December 12, 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 May 6, 2013 as set forth above are hereby approved; and
2. The RJSCB's Chair is hereby authorized, in the name and on behalf of the RJSCB, to execute Change Orders to the Contract that are consistent with this approval and in an acceptable form to the Chair upon the advice of the Program Manager and the RJSCB's general counsel.

**Second by Board Member Sewell
Approved 5-0 with members Brown and Pifer away**

**Resolution 2013-14: 142
Change Order #2 to Bell Mechanical Contractors Inc. – Mechanical 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 mechanical contractor contract to Bell Mechanical Contractors Inc. ("Bell") for the School 5 project in Phase I (Resolution 2012-13: 177); and

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

WHEREAS, following the execution of the Contract, Bell, 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 #2 includes the following items:

1. Additional duct removal for the amount of \$1,946
2. Drain pan removals for the amount of \$1,870

The Total amount of Change Order #2 is \$3,816; 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 Bell's Contract should be amended to add these additional scope items in the total amount of \$3,816; and

WHEREAS, the Committee considered and discussed the Program Manager's recommendation at its December 12, 2013 meeting and after due deliberation, it approved the request to amend the Contract;

THEREFORE, BE IT RESOLVED:

1. The proposed Change Order to Bell Mechanical Contractors' Contract between the Board and Contractor dated May 6, 2013 as set forth above is hereby approved; and
2. The RJSCB's Chair is hereby authorized, in the name and on behalf of the RJSCB, to execute a Change Order 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 5-0 with members Brown and Pifer away**

**Resolution 2013-14: 143
Change Order #13, #14, and #15 to M.A. Ferraiulo Plumbing and Heating – Mechanical Contractor (School 17)**

By Board Chair Giess

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

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

WHEREAS, the RJSCB approved the award of the mechanical contractor contract to M.A. Ferraiulo Plumbing and Heating ("M.A. Ferraiulo") for the School 17 project in Phase I (Resolution 2012-13: 14); and

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

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

WHEREAS, Change Order #13 includes the following item:

1. Settlement of disputed work for the amount of \$24,999
- The Total amount of Change Order #13 is \$24,999; and

WHEREAS, Change Order #14 includes the following item:

1. Remove and replace chiller valves for the amount of \$6,346.65
- The Total amount of Change Order #14 is \$6,346.65; and

WHEREAS, Change Order #15 includes the following items:

1. Refrigeration piping for the amount of \$2,231
2. Infill UV openings for the amount of \$3,130

The Total amount of Change Order #15 is \$5,361; and

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

WHEREAS, the Program Manager thereafter recommended to the RJSCB's MWBE and Services Procurement Committee (the "Committee") that M.A. Ferraiulo's Contract should be amended to add these additional scope items in the total amount of \$36,706.65; and

WHEREAS, the Committee considered and discussed the Program Manager's recommendation at its December 12, 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 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 Sewell

Approved 5-0 with members Brown and Pifer away

Resolution 2013-14: 144

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

1. Schedule acceleration costs for the amount of \$44,635
The Total amount of Change Order #16 is \$44,635; and

WHEREAS, Change Order #17 includes the following items:

1. Changes to fixture schedule for the amount of \$3,419
 2. Emergency power circuit for the amount of \$7,904.38
 3. Toilet room key switches for the amount of \$3,107
 4. Extend outlets in music room for the amount of \$854.70
- The Total amount of Change Order #17 is \$15,285.08; and

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

WHEREAS, the Program Manager thereafter recommended to the RJSCB's MWBE and Services Procurement Committee (the "Committee") that Eastcoast's Contract should be amended to add these scope items for the amount of \$59,920.08; and

WHEREAS, the Committee considered and discussed the Program Manager's recommendation at its December 12, 2013 meeting and after due deliberation, it approved the request to amend the Contract;

THEREFORE, BE IT RESOLVED:

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

Second by Board Member Sewell

Approved 5-0 with members Brown and Pifer away

Resolution 2013-14: 145

Change Order #3 and #7 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 #3 includes the following item:

1. Changes to door hardware for the amount of \$462.92
The Total amount of Change Order #3 is \$462.92; and

WHEREAS, Change Order #7 includes the following item:

1. Removal of bollards for the amount of \$5,028
The Total amount of Change Order #7 is \$5,028; 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 \$5,490.92; and

WHEREAS, the Committee considered and discussed the Program Manager's recommendation at its December 12, 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 Coronas
Approved 5-0 with members Brown and Pifer away**

**Resolution 2013-14: 146
Change Order #35 through #41 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 #35 includes the following item:

1. Roof rails and flashings associated with chillers for the amount of \$25,677.93
- The total amount of Change Order #35 is \$25,677.93; and

WHEREAS, Change Order #36 includes the following item:

1. Changes to underground site piping for the amount of \$14,097.95
- The total amount of Change Order #36 is \$14,097.95; and

WHEREAS, Change Order #37 includes the following items:

1. Replace rubber base for the amount of \$1,705
 2. Remove and replace ceiling grid for the amount of \$2,652
 3. Modify gym court striping for the amount of \$3,831.86
- The total amount of Change Order #37 is \$8,188.86; and

WHEREAS, Change Order #38 includes the following items:

1. Bulkhead at vestibule V6 for the amount of \$1,447.01
 2. Rollers shades for the amount of \$739
 3. Toilet room base for the amount of \$1,169.53
 4. Ceiling repairs for the amount of \$6,334.15
 5. Ceiling adjustments for the amount of \$951.53
 6. Window film for the amount of \$2,488
 7. Changes to ceiling for a credit of -\$523
 8. Door hardware changes for the amount of \$2,778.73
 9. Emergency repairs to roof for the amount of \$533
- The total amount of Change Order #38 is \$15,917.95; and

WHEREAS, Change Order #39 includes the following item:

1. Demo existing canopy, then restore exterior wall for the amount of \$16,043.61
- The total amount of Change Order #39 is \$16,043.61; and

WHEREAS, Change Order #40 includes the following items:

1. Pipe enclosure for the amount of \$1,607
 2. Access doors for the amount of \$812
 3. Snap trim at windows for the amount of \$8,161
 4. Door hardware revisions for the amount of \$977
- The total amount of Change Order #40 is \$11,557; and

WHEREAS, Change Order #41 includes the following items:

1. Wall section at café/stage for the amount of \$4,587
 2. Countertop at bookstore for the amount of \$696.15
- The total amount of Change Order #41 is \$5,283.15; 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 \$96,766.45; and

WHEREAS, the Committee considered and discussed the Program Manager's recommendation at its December 12, 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 Sewell
Approved 5-0 with members Brown and Pifer away**

**Resolution 2013-14: 147
Change Order #19, #20, and #21 to Eastcoast Electric LLC – Electrical Contractor (School 50)**

By Board Chair Giess

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

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

WHEREAS, the RJSCB approved the award of the electrical contractor contract to Eastcoast Electric LLC ("Eastcoast") for the School 50 project in Phase I (Resolution 2011-12: 101); and

WHEREAS, the RJSCB entered into a contract with Eastcoast (Resolution 2011-12: 101) dated June 4, 2012 (the "Contract"), to perform the scope of services defined in the contract documents as the electrical contractor's scope of work; and

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

WHEREAS, Change Order #19 includes the following item:

1. Relocate transformer vault per RG&E for the amount of \$79,711
- The Total amount of Change Order #19 is \$79,711; and

WHEREAS, Change Order #20 includes the following items:

1. Kitchen security door power for the amount of \$1,946.10
 2. PPE for work in crawl space for the amount of \$1,150
- The Total amount of Change Order #20 is \$3,096.10; and

WHEREAS, Change Order #21 includes the following items:

1. Additional exit sign for the amount of \$1,093.99
 2. Additional outlet for the amount of \$742.89
- The Total amount of Change Order #21 is \$1,836.88; and

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

WHEREAS, the Program Manager thereafter recommended to the RJSCB's MWBE and Services Procurement Committee (the "Committee") that Eastcoast's Contract should be amended to add these additional scope items in the total amount of \$84,643.98; and

WHEREAS, the Committee considered and discussed the Program Manager's recommendation at its December 12, 2013 meeting and after due deliberation, it approved the request to amend the Contract;

THEREFORE, BE IT RESOLVED:

1. The proposed Change Orders to Eastcoast Electric LLC'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 Sewell

Approved 5-0 with members Brown and Pifer away

Resolution 2013-14: 148

Change Order #8 and #9 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 #8 includes the following item:

1. Change from trap primers to trap seals for a credit in the amount of -\$10,656.03
- The Total amount of Change Order #8 is a credit of -\$10,656.03; and

WHEREAS, Change Order #9 includes the following items:

1. Gas regulators for the amount of \$4,752.83
2. Additional roof drains for the amount of \$4,657.54
3. Kitchen equipment modifications for the amount of \$750.75

4. Water supply to refrigerator for the amount of \$918.23
 5. Storm drain for the amount of \$2,541
 6. Gas piping for the amount of \$323.34
- The Total amount of Change Order #9 is \$13,943.69; 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 \$3,287.66; and

WHEREAS, the Committee considered and discussed the Program Manager's recommendation at its December 12, 2013 meeting and after due deliberation, it approved the request to amend the Contract;

THEREFORE, BE IT RESOLVED:

1. The proposed Change Orders to Thurston Dudek, LLC'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 McCormick
Approved 5-0 with members Brown and Pifer away**

**Resolution 2013-14: 149
Change Order #13 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 #13 includes the following items:

1. Additional rock excavation beyond the allowance value for the amount of \$208,333
The Total amount of Change Order #13 is \$208,333; and

WHEREAS, the Construction Manager and the Program Manager believe that the pricing is appropriate; 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 \$208,333; and

WHEREAS, the MWBE and Services Procurement Committee considered and discussed the Program Manager's recommendation at its December 12, 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 Manning Squires Hennig's Contract between the Board and Contractor dated September 10, 2012 as set forth above is hereby approved; and
2. The RJSCB's Chair is hereby authorized, in the name and on behalf of the RJSCB, to execute 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 5-0 with members Brown and Pifer away**

**Resolution 2013-14: 150
Change Order #2 to Leo J. Roth – (Mechanical - 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 mechanical contractor contract to Leo J. Roth Corporation ("Leo J. Roth") for the School 58 project in Phase I (Resolution 2012-13: 120); and

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

WHEREAS, following the execution of the Contract, Leo J. Roth, 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 #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 pricing is appropriate and the contract time will not be increased by this additional work; and

WHEREAS, the Program Manager thereafter recommended to the RJSCB's MWBE and Services Procurement Committee (the "Committee") that Leo J. Roth's Contract should be amended to add these additional scope items in the total amount of \$0; and

WHEREAS, the MWBE and Services Procurement Committee considered and discussed the Program Manager's recommendation at its December 12, 2013 meeting and after due deliberation, it approved the request to amend the Contract;

THEREFORE, BE IT RESOLVED:

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

Second by Board Member Roulin

Approved 5-0 with members Brown and Pifer away

Resolution 2013-14: 151

Change Order #7 and #8 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. Ferraiulo, along with LeChase Construction, the Construction Manager, and the Program Manager, identified the need for additional scopes of work, and cost proposals were then obtained for these additional scope items and provided to the Construction Manager and the Program Manager for review; and

WHEREAS, Change Order #7 includes the following item:

1. Change Trustee in contract documents to U.S. Bank National Association for \$0
The Total amount of Change Order #7 is \$0; and

WHEREAS, Change Order #8 includes the following item:

1. Reconfigure bathrooms for the amount of \$3,861
The Total amount of Change Order #8 is \$3,861; 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 \$3,861; and

WHEREAS, the MWBE and Services Procurement Committee considered and discussed the Program Manager's recommendation at its December 12, 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 between the Board and Contractor dated March 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 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 Coronas
Approved 5-0 with members Brown and Pifer away**

**Resolution 2013-14: 152
Change Order #2 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 #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 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 \$0; and

WHEREAS, the MWBE and Services Procurement Committee considered and discussed the Program Manager's recommendation at its December 12, 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's Contract between the Board and Contractor dated March 4, 2013 as set forth above is hereby approved; and
2. The RJSCB's Chair is hereby authorized, in the name and on behalf of the RJSCB, to execute a Change Order that is consistent with this approval and in an acceptable form to the Chair upon the advice of the Program Manager and the RJSCB's general counsel.

**Second by Board Member Sewell
Approved 5-0 with members Brown and Pifer away**

**Resolution 2013-14: 153
Change Order #20 and #21 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 #20 includes the following items:

1. Cover for condensate drain for the amount of \$493
 2. Delete window screen for a credit of -\$612
 3. Luan flooring in room 47 for the amount of \$937
 4. Acoustical wall foam for the amount of \$3,103
 5. Stencil in the library for the amount of \$747
 6. Remove sliding chalkboards for the amount of \$1,381
 7. Install cylinders and cores for the amount of \$8,944
 8. Install electric strikes for the amount of \$3,029
 9. Remove gym shelving for the amount of \$411
 10. Shim whiteboards for the amount of \$646
 11. Sports flooring for the amount of \$586
 12. Infill frame for the amount of \$1,065
 13. Room 15 changes for the amount of \$3,996
 14. Room 111 soffits for the amount of \$1,479
 15. Additional demo in room 46-1 for the amount of \$950
 16. Lower soffit in main office for the amount of \$1,267
 17. Column repairs for the amount of \$652
 18. Infill at door 152-1 for the amount of \$761
 19. Additional soffits for the amount of \$3,848
 20. Mount smartboards for the amount of \$770
 21. Modify door frame for the amount of \$247
 22. Plaster patching for the amount of \$4,410
 23. Repair concrete beam for the amount of \$261
 24. Door frame adjustments for the amount of \$2,845
 25. Modify door 32C for the amount of \$2,690
 26. Room 32B flooring for the amount of \$3,916
 27. Rework door frame at 2-1 for the amount of \$323
- The Total amount for Change Order #20 is \$49,145; and

WHEREAS, Change Order #21 includes the following items:

1. Auditorium abatement credit for the amount of -\$4,909
 2. Deduct utility allowance for a credit of -\$173,400
 3. Deduct swing space allowance for a credit of -\$10,703
 4. Plumbing chase wall revisions for the amount of \$8,322
 5. Changes to plantings for a credit of -\$2,541
 6. Replace door B3-3 for the amount of \$6,536
 7. Infill behind lockers for the amount of \$599
 8. Changes to main office counters and cabinets for the amount of \$23,704
 9. New door closures for the amount of \$7,859
 10. Bench at room 102 for the amount of \$8,565
 11. Delete closet shelving for a credit of -\$922
 12. Office supply credit of -\$6,152
 13. Washer / Dryer install for the amount of \$1,932
 14. Cabinet latches for the amount of \$1,592
 15. Cafeteria sub base replacement for the amount of \$2,296
- The Total amount for Change Order #21 is a credit of -\$137,222; 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 for a credit of -\$88,077; and

WHEREAS, the Committee considered and discussed the Program Manager's recommendation at its December 12, 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 Sewell
Approved 5-0 with members Brown and Pifer away**

**Resolution 2013-14: 154
Change Order #11 to Cucciara Construction Inc. – General 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 General Contractor contract to Cucciara Construction, Inc. ("Cucciara") for the Franklin High School Project in Phase I (Resolution 2011-12: 106); and

WHEREAS, the RJSCB entered into a contract with Cucciara (Resolution 2011-12: 106) 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, Cucciara, 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. Additional painting and caulking for the amount of \$1,395
 2. Delete window infill for a credit of -\$5,397
 3. Swap doors for the amount of \$1,135
- The Total amount of Change Order #11 is a credit of -\$2,867; and

WHEREAS, the Construction Manager and the Program Manager believe that the change order work was necessary and the pricing is appropriate and 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 Cucciara's Contract should be amended to add these scope items for a total credit of -\$2,867; and

WHEREAS, the Committee considered and discussed the Program Manager's recommendation at its December 12, 2013 meeting and after due deliberation, it approved the request to amend the Contract;

THEREFORE, BE IT RESOLVED:

1. The proposed Change Order to Cucciara Construction, Inc.'s Contract between the Board and General 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 5-0 with members Brown and Pifer away**

**Resolution 2013-14: 155
Change Order #4 to Thurston Dudek – Plumbing 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 Plumbing Contractor contract to Thurston Dudek ("Thurston Dudek") for the Franklin High School Project in Phase I (Resolution 2011-12: 106); and

WHEREAS, the RJSCB entered into a contract with Thurston Dudek (Resolution 2011-12: 106) 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. Replace hot water valve for the amount of \$1,211
2. Replace existing valve for the amount of \$1,327
3. Plumbing connections for hand sink for the amount of \$1,071

The Total amount of Change Order #4 is \$3,609; 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 additional scope items in the total amount of \$3,609; and

WHEREAS, the Committee considered and discussed the Program Manager's recommendation at its December 12, 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 Coronas
Approved 5-0 with members Brown and Pifer away**

**Resolution 2013-14: 156
Change Order #4 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 #4 includes the following items:

1. Revise Overhead door sizes for the amount of \$2,715
 2. Replace existing drainage structure for the amount of \$1,261
 3. Change Trustee in contract documents to U.S. Bank National Association for \$0
- The Total amount for Change Order #4 is \$3,976; 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 \$3,976; and

WHEREAS, the Committee considered and discussed the Program Manager's recommendation at its December 12, 2013 meeting and after due deliberation, it approved the request to amend the Contract;

THEREFORE, BE IT RESOLVED:

1. The proposed Change Order to The Pike Company's Contract between the Board and Contractor dated April 1, 2013 as set forth above is hereby approved; and
2. The RJSCB's Chair is hereby authorized, in the name and on behalf of the RJSCB, to execute a Change Order 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 Roulin
Approved 5-0 with members Brown and Pifer away**

**Resolution 2013-14: 157
2012-2013 Financial Audit**

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's General Counsel recommended to the RJSCB's MWBE and Services Procurement Committee (the "Committee") that a Financial Audit of the RJSCB's financial commitments, obligations, and internal controls be performed on an annual basis; and

WHEREAS, the RJSCB's Treasurer recommended that the RJSCB participate with the City and the District in a Request for Proposals ("RFP") by the City for financial auditing services, beginning 2012-2013 (Resolution 2012-2013: 123); and

WHEREAS, the RJSCB is considered a blended component of the District's budget which is a part of the overall City's budget, and there are efficiencies in having the same firm perform the RJSCB's, the District's, and the City's annual financial audits; and

WHEREAS, the City's contract with the current financial audit firm comes to an end this year and the City has finalized the language for a new RFP to be issued for the financial auditing services; and

WHEREAS, the RJSCB's Executive Director worked with the RJSCB's general counsel, the City, and the District to coordinate appropriate language to be included in the City's RFP document; and

WHEREAS, the RJSCB's portion of the RFP was bid as a separate line item so that the RJSCB can review the cost and determine if its audit should be included in the final award of the financial auditing services; and

WHEREAS, the City received three proposal responses to the RFP on the date specified in the RFP, and promptly provided copies to the RJSCB's Executive Director for review; and

WHEREAS, the City, the District, and the RJSCB participated in a proposal review meeting on March 22, 2013, where details of each proposal were discussed along with the qualifications of each firm; and

WHEREAS, the RJSCB's Executive Director recommended to the RJSCB MWBE and Services Procurement Committee (the "Committee") on March 28, 2013, that the RJSCB support the City and District's decision to award based on the merits and qualifications of the best firm, although it may mean that the specific pricing included for the RJSCB's work may not be the lowest price; and

WHEREAS, the City and District have identified the firm Freed Maxick & Battaglia as the most qualified firm to provide the requested financial auditing services, and the costs for the RJSCB's portion of work are as follows:

2013 = \$7,525

2014 = \$7,525

2015 = \$7,725

2016 (optional) = \$8,000

2017 (optional) = \$8,300; and

WHEREAS, the RJSCB accepted the City's recommendation to award the contract to Freed Maxick & Battaglia (Resolution 2012-2013: 164); and

WHEREAS, Freed Maxick & Battaglia has now completed the financial audit report (the "Report") for the time period ending June 30, 2013 (attached to this resolution), and the RJSCB's Executive Director and its General Counsel have reviewed and considered the Report; and

WHEREAS, the RJSCB's Executive Director has recommended to the RJSCB that it accept the Report, and the RJSCB discussed the recommendation and considered the Report at its regular Board meeting on December 16, 2013;

THEREFORE, BE IT RESOLVED:

1. The RJSCB hereby accepts the 2012-2013 Financial Audit Report in the form attached to this Resolution.

Second by Board Member Sewell

Approved 5-0 with members Brown and Pifer away

Resolution 2013-14: 158

Pay Requisition Summary Acceptance (November 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 \$9,029,547.63 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 November 22, 2013; and

WHEREAS, the RJSCB Chair approved the Pay Requisition Summary on November 22, 2013;

THEREFORE, BE IT RESOLVED:

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

**Second by Board Member Coronas
Approved 5-0 with members Brown and Pifer away**

Communication

The Monthly Report is included in the Member's packets. The Board did not have any questions. All other projects (non-School 58) projects are doing well (School 5, School 28, East and Edison). Final cost

reports will not go in this year; Early Aid Start forms have been filed for School 17, School 50, Franklin, District Wide Technology, School 58 and Charlotte.

The Compliance Report EEO and Business participation was reviewed. We are exceeding overall goals.

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

The MWBE and Services Procurement Committee Report for December 12, 2013 is included in the member's packets.

The Board acknowledged the contributions of Andy Wheatcraft of the RCSD who is retiring from the District – Thank you.

January meetings moved to 1/9/14 for Committee and 1/13/14 for RJSCB.

Executive Session:

Pursuant to New York Public Officer's Law Section 108, a motion was made by Board Chair Giess and seconded by Member Sewell to enter into executive session to consult with the Board's general counsel on matters subject to attorney-client privilege.

The RJSCB moved out of Executive Session

Adjournment

Approved 5-0, at 7:35pm, with members Brown and Pifer away