

**Rochester Joint Schools Construction Board**  
**Minutes**  
**July 7, 2014**  
**4:30 PM**

**Present**

Chair Tom Richards, Charles Benincasa, Vice Chair Bob Brown, Joe Brown, José Coronas, Aaron Hilger, and ICO Brian Sanvidge. Member Chris Thomas was away. Also present were: Executive Director Tom Renauto, General Counsel Peter Abdella, Program Director Tom Rogér from Gilbane and John Springer from Savin.

**Chair Richards convened the meeting at 4:40 pm**

**Approval of Minutes**

Monthly Meeting held on June 2, 2014

Motion by Vice Chair Brown

Second by Member Benincasa

Approved 6-0 with Member Thomas away

**Consent Agenda Items**

**Resolution 2014-15: 2**

**Amendment #1 to AP Safety and Security**

**By Vice Chair Brown**

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

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

WHEREAS, in September 2012, as a result of repeated vandalism at the School 17 project site, the Program Manager recommended and the RJSCB approved that the Construction Manager ("CM") for School 17, The Pike Company ("Pike"), hire security guard services for after hours and weekend/holiday coverage (Resolution 2012-2013: 31); and

WHEREAS, thereafter, the District requested that all RSMP projects include security guard services for after hours, weekends, and holiday coverage for those projects where the school buildings have been vacated for construction or are located in areas that either have a history or are considered more vulnerable to vandalism; and

WHEREAS, the costs for security guard services for the overall project were later identified by the Program Manager as a "program wide expense" and the method of paying for these services through the Construction Manager's contract did not lend itself easily to separation and tracking of these program costs; and

WHEREAS, based upon the Program Manager's recommendation, the RJSCB MWBE and Services Procurement Committee ("Committee") at its meeting on November 29, 2012, decided to contract directly with the security guard services firm; and

WHEREAS, in December of 2012, the RJSCB approved that the CM for School 58, LeChase Construction ("Lechase"), hire security guard services for the School 58 project site for a period of 90 days (Resolution 2012-2013: 72) in order to provide the RJSCB time to prepare a contract directly with the security services firms; and

WHEREAS, Pike and Lechase each solicited proposals for these services for School 17 and School 58 respectively; and

WHEREAS, in March 2013, the RJSCB approved Resolution 2012-2013: 122 to directly hire the security services firms for projects that were under construction at the time including School 17, School 50, and School 58; and

WHEREAS, the RJSCB has competitively bid security services for subsequent RSMP projects; and WHEREAS, the CMs will remain responsible for the day-to-day coordination and reporting associated with these security services; and

WHEREAS, the RJSCB issued a Request For Proposals ("RFP") for Security Services on May 7, 2013 (Resolution 2012 – 2013: 176) which included work at three projects in Phase 1b (School 5, School 28, and Edison High School); and

WHEREAS, the RFP was posted on the District's web site, the RJSCB's web page, the City's web site, Bidnet, DataFlow, and was also issued directly to 12 firms who had indicated interest in receiving the RFP; and

WHEREAS, the Executive Director received four proposals in response to the RFP for Security Services on May 20, 2013; and

WHEREAS, based on the qualifications presented in the RFP responses, the Executive Director and the Program Manager subsequently conducted an interview with the candidate AP Safety and Security on May 22, 2013; and

WHEREAS, following the interview, the Executive Director and Program Manager identified AP Safety and Security as the best candidate based on its qualifications, experience, ability to meet the demands and staffing for the project, and cost of services and the RJSCB subsequently awarded the contract at its monthly meeting on June 10, 2013 (Resolution 2012-13: 197) and then entered into an agreement with AP Safety and Security dated June 10, 2013 (the "Agreement"); and

WHEREAS, the RJSCB, based on the recommendation of the Construction Managers associated with each project, found it necessary to extend the hours of service at the School 5, School 28 and Edison project sites in order to provide continuous uninterrupted coverage during non-working hours, which has resulted in the need to increase the contract value; and

WHEREAS, the Program Manager has received a proposal from AP Safety and Security to provide the additional coverage hours at the original hourly rates for an additional 2.5 hours per day at the School 5 and School 28 projects and for an additional 8.5 hours per day at the Edison project; and

WHEREAS, the total additional costs associated with the School 5, School 28, and Edison projects is \$68,622.51; and

WHEREAS, due to recent acts of vandalism at the East High School project, the Program Manager has requested a proposal from AP Safety and Security to provide coverage during non-working hours, and AP Safety and Security has provided a proposal based on the original hourly rates to the Program Manager for review, and

WHEREAS, the cost for this additional service is Not to Exceed \$36,260; and

WHEREAS, the total contract increase for the additional coverage under this amendment is \$104,882.51; and

WHEREAS, based on the advice and recommendation of the Program Manager, the MWBE and Services Procurement Committee considered and discussed the proposal for additional services at its June 26, 2014 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 AP Safety and Security dated June 10, 2013 as set forth above is hereby approved; and
2. The RJSCB's Chair is authorized in the name and behalf of the RJSCB, to execute an amendment to the AP Safety and Security 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 Hilger  
Approved 6-0 with Member Thomas away**

**Resolution 2014-15: 3  
Amendment #1 to JT Securities Inc. Agreement**

**By Vice Chair Brown**

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

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

WHEREAS, in September 2012, as a result of repeated vandalism at the School 17 project site, the Program Manager recommended and the RJSCB approved that the Construction Manager ("CM") for School 17, The Pike Company ("Pike"), hire security guard services for after hours and weekend/holiday coverage (Resolution 2012-2013: 31); and

WHEREAS, thereafter, the District requested that all RSMP projects include security guard services for after hours, weekends, and holiday coverage for those projects where the school buildings have been vacated for construction or are located in areas that either have a history or are considered more vulnerable to vandalism; and

WHEREAS, the costs for security guard services for the overall project were later identified by the Program Manager as a "program wide expense" and the method of paying for these services through the Construction Manager's contract did not lend itself easily to separation and tracking of these program costs; and

WHEREAS, based upon the Program Manager's recommendation, the RJSCB MWBE and Services Procurement Committee ("Committee") at its meeting on November 29, 2012, decided to contract directly with the security guard services firm; and

WHEREAS, in December of 2012, the RJSCB approved that the CM for School 58, LeChase Construction (“Lechase”), hire security guard services for the School 58 project site for a period of 90 days (Resolution 2012-2013: 72) in order to provide the RJSCB time to prepare a contract directly with the security services firms; and

WHEREAS, Pike and Lechase each solicited proposals for these services for School 17 and School 58 respectively; and

WHEREAS, in March 2013, the RJSCB approved Resolution 2012-2013: 122 to directly hire the security services firms for projects that were under construction at the time including School 17, School 50, and School 58 and it then entered into an agreement with JT Securities, Inc. d/b/a Blackhawk Security and Investigation dated March 5, 2013, to perform such security work (the “Agreement”); and

WHEREAS, due to the schedule extension of the School 58 project it is necessary to extend the services of the security service provider associated with the project; and

WHEREAS, the Program Manager has requested and received a proposal from the firm JT Securities Inc., at the original hourly rates, to provide non-working shift security coverage at the School 58 project site; and

WHEREAS, the schedule for the School 58 project will require security coverage through the month of November 2014, resulting in a total increased cost of Not to Exceed \$100,000; and

WHEREAS, based on the advice and recommendation of the Program Manager, the MWBE and Services Procurement Committee considered and discussed the proposal for additional services at its June 26, 2014 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 JT Securities Inc. dated March 5, 2013 as set forth above is hereby approved; and
2. The RJSCB’s Chair is authorized in the name and behalf of the RJSCB, to execute an amendment to the JT Securities Inc. 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 Hilger  
Approved 6-0 with Member Thomas away**

**Resolution 2014-15: 4  
Amendment to Lawley Services Agreement**

**By Vice Chair Brown**

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

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

WHEREAS, the Program Manager recommended to the RJSCB that it engage the services of a third-party insurance and bond review agent for Phase 1 of the Rochester Schools Modernization Program ("RSMP"); and

WHEREAS, the RJSCB issued a request for proposals ("RFP") for insurance and bond review consultant services on July 3, 2012 (Resolution 2012 – 2013: 12) which included work for Phase 1 of the RSMP; and

WHEREAS, the Executive Director received four proposals in response to the RFP for insurance and bond review consultant services on July 20, 2012; and

WHEREAS, based on the qualifications presented in the RFP responses, the Executive Director, the RJSCB Chair, and the Program Manager subsequently conducted interviews with three of the candidates on July 24, 2012; and

WHEREAS, following the interviews, the Executive Director and Program Manager identified Lawley Services Inc. ("Lawley"), as the best candidate based on its qualifications, experience, ability to meet the demands and staffing for the project, and cost of services and the RJSCB subsequently awarded the contract at its monthly meeting on August 13, 2012 (Resolution 2012-13: 23) and entered into an agreement with Lawley dated August 13, 2012 (the "Agreement"); and

WHEREAS, as a result of the quantity of subcontractors, numerous re-submissions, re-reviews, and renewals, the volume of which could not have been contemplated at the time the original contract value was established, it is necessary to increase Lawley's contract value in order to provide continuing coverage of ongoing projects as well as to provide services for the School 12 and Monroe High School projects which have yet to begin; and

WHEREAS, the Program Manager has requested and received from Lawley a proposal for these additional services at the original rates; and

WHEREAS, the not to exceed value for these additional services is \$7,500; and

WHEREAS, the M/WBE and Services Procurement Committee reviewed and discussed the recommendation from the Program Manager to increase the contract value with Lawley for the amount not to exceed \$7,500 at its meeting on June 26, 2014, and after due deliberation, it approved the request to amend the Agreement;

THEREFORE, BE IT RESOLVED:

1. The Agreement between the RJSCB and Lawley Services Inc. for insurance and bond review consultant services for Phase 1 of the Rochester Schools Modernization Program dated August 13, 2012 is hereby amended as set forth above; 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 Hilger  
Approved 6-0 with Member Thomas away**

**Resolution 2014-15: 5  
Virtual STEM LABs Award**

**By Vice Chair Brown**

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

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

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

WHEREAS, the RJSCB’s Technology Consultant (Millennium Strategies), with the advice of the RJSCB’s Program Manager, the RJSCB’s general counsel, and the RJSCB’s Executive Director, prepared a request for bids (“Request for Bids”) for STEM LAB Equipment and Software (Resolution 2013-14: 314); and

WHEREAS, the RJSCB’s Executive Director received 1 bid on June 17, 2014 per the deadline stipulated in the Request for Bids, and that proposal was subsequently publicly opened and read aloud at the location stated in the Request for Bids; and

WHEREAS, the Program Manager and the Technology Consultant have reviewed the bid, conducted a de-scoping meeting, and concluded that the firm, zSpace, Inc., is a qualified and responsible bidder; and

WHEREAS, at the MWBE and Services Procurement Committee meeting held on June 26, 2014, following the review and consideration of recommendations provided by the RJSCB’s Program Manager and the Technology Consultant, and after due deliberation, the Committee approved the award of the bid to zSpace Inc. as follows:

<b>Scope of Work</b>	<b>Name of Vendor</b>	<b>Address</b>	<b>Bid Amount</b>
Virtual STEM Labs	zSpace Inc.	490 De Guigne Dr. Suite 200 Sunnyvale, CA 94085	\$57,638.00

THEREFORE, BE IT RESOLVED:

1. The RJSCB hereby approves the award to the above named firm and bid amount to provide all equipment, labor, materials, and plant necessary to execute the scope of work associated with the Virtual STEM Labs; and
2. The Chair is hereby authorized, in the name and on behalf of the RJSCB, to execute and deliver an agreement (the “Agreement”) to zSpace Inc., by a purchase order, with such changes as the Chair may approve (his/her signature thereon being conclusive evidence of such approval) on the advice of the Technology Consultant, the Program Manager and the RJSCB’s general counsel.

**Second by Board Member Hilger  
Approved 6-0 with Member Thomas away**

**Resolution 2014-15: 6  
Phone Handsets Award for DWT-1b projects Edison and School 5**

**By Vice Chair Brown**

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

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

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

WHEREAS, the RJSCB’s Technology Consultant (Millennium Strategies), with the advice of the RJSCB’s Program Manager, the RJSCB’s general counsel, and the RJSCB’s Executive Director, prepared a request for mini-bid proposals (“Request for Mini-Bid Proposals”) (Resolution 2013-14: 205) for the owner-supplied VoIP Handsets; and

WHEREAS, the RJSCB’s Executive Director received 1 mini-bid proposal on June 17, 2014 per the deadline stipulated in the Request for Mini-Bid Proposals, and that proposal was subsequently publicly opened and read aloud at the location stated in the Request for Mini-Bid Proposals; and

WHEREAS, the Program Manager and the Technology Consultant have reviewed the proposal, conducted a de-scoping meeting, and concluded that the bidder for the phone handsets, FRONTRUNNER NETWORK SYSTEMS, is also a qualified and responsible proposer holding NYS OGS Contract PT64438; and

WHEREAS, at the MWBE and Services Procurement Committee meeting held on June 26, 2014, following the review and consideration of recommendations provided by the RJSCB’s Program Manager and the Technology Consultant, and after due deliberation, the Committee approved the award of the proposal as follows:

<b>Scope of Work</b>	<b>Name of Vendor</b>	<b>Address</b>	<b>Bid Amount</b>
Phone Handsets	FRONTRUNNER NETWORK SYSTEMS	412 Linden Avenue Rochester, NY 14625	\$57,027.24

THEREFORE, BE IT RESOLVED:

1. The RJSCB hereby approves the contract award to the above named firm and bid amount to provide all equipment, labor, materials, maintenance, and plant necessary to execute the scope of work associated with the phone handsets in Phase 1b (specifically Edison and School 5) of the RSMP; and
2. The Chair is hereby authorized, in the name and on behalf of the RJSCB, to execute and deliver an agreement (the “Agreement”) to FRONTRUNNER NETWORK SYSTEMS by a purchase order, with such changes as the Chair may approve (his/her signature thereon being conclusive evidence of such approval) on the advice of the Technology Consultant, the Program Manager and the RJSCB’s general counsel.

**Second by Board Member Hilger  
Approved 6-0 with Member Thomas away**

**Resolution 2014-15: 7  
Jefferson Project Awards**

**By Vice Chair Brown**

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

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

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

WHEREAS, the RJSCB authorized the preparation of bid documents for the Jefferson project and release for bid in May 2014 (Resolution 2013-14: 266), and

WHEREAS, the RJSCB’s Program Manager, with the advice of SEI Design (the “Architect”), the RJSCB’s general counsel, and the RJSCB’s Independent Compliance Officer, prepared a request for bids (“Request for Bids”) package for the Jefferson project; and

WHEREAS, in order to create additional bidding opportunities for small contractors and M/WBE firms, the Program Manager split the bid package which was originally intended to be let as a single prime GC package, into two smaller packages including a GC package and a plumbing package; and

WHEREAS, the RJSCB’s Executive Director received bids on June 12, 2014 per the deadline stipulated in the Request for Bids, and those bids were subsequently publicly opened and read aloud at the location stated in the Request for Bids; and

WHEREAS, the Program Manager, Architect, and Independent Compliance Officer have reviewed the bids, conducted de-scoping meetings, and concluded that the apparent low bidder for the prime GC scope of work package and the prime plumbing contractor scope of work package are also qualified and responsible bidders; and

WHEREAS, at the MWBE and Services Procurement Committee (“Committee”) meeting held on June 26, 2014, following the review and consideration of recommendations provided by the RJSCB’s Program Manager and after due deliberation by the Committee, the following contract awards were approved:

<b><u>Scope of Work</u></b>	<b><u>Name of Contractor</u></b>	<b><u>Address</u></b>	<b><u>Bid Amount</u></b>
General Contractor	Steve General Contractor Inc.	3774 Telephone Road, Caledonia, NY 14423	\$238,000
Plumbing Contractor	M.A. Ferraulo Plumbing and Heating	1600 Jay Street Rochester, NY 14611	\$19,900

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 and bid amounts to provide all equipment, labor, materials, and plant necessary to execute the prime GC scope and the prime plumbing scope of work associated with the Jefferson project in Phase 1 of the RSMP; and

2. The Chair is hereby authorized, in the name and on behalf of the RJSCB, to execute and deliver an Agreement (the "Agreement") to the firms named above in substantially the form included in the Request for Bids for the Jefferson project with such changes as the Chair may approve (the Chair's signature thereon being conclusive evidence of such approval) on the advice of the Program Manager and the RJSCB's general counsel.

**Second by Board Member Hilger  
Approved 6-0 with Member Thomas away**

**Resolution 2014-15: 8  
School 5 Roofing Award**

**By Vice Chair Brown**

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

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

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

WHEREAS, the original bid documents for the School 5 project in Phase 1b of the RSMP included two roof replacement alternates for work at various locations of the building and this work was identified in the bid documents as Alternate 6 – Roof Abatement and Replacement ("Alternate 6") and Alternate 7 – Roof Replacement ("Alternate 7"); and

WHEREAS, at the time of award, neither Alternate 6 or Alternate 7 were accepted by the RJSCB as a part of the original contract due to School 5 budget constraints; and

WHEREAS, the School 5 project is now approximately 75% complete and the project contingency is projected to come in favorable, allowing the District to consider additional work that was not included in the original base scope of work; and

WHEREAS, the District has expressed a desire to add the roofing restoration work to the scope of the project, to the extent that the project can now afford some of the work contemplated in the original bid Alternate 6 and Alternate 7; and

WHEREAS, the Program Manager and the Construction Manager, The Pike Company, have evaluated the scope of work and the overall project schedule and have determined that the overall project schedule will not be negatively impacted by bidding this work; and

WHEREAS, Young & Wright Architectural, the School 5 architect of record, along with the Program Manger and the Board's general counsel prepared bid documents for the School 5 roofing project which includes mechanical room roof removal and replacement as well as flood coating the existing 3<sup>rd</sup> floor roof; and

WHEREAS, the RJSCB authorized the bid for this work in May 2014 (Resolution 2013-14: 265); and

WHEREAS, the Executive Director received 2 bids for this work on June 19, 2014 and those bids were publically opened and read aloud at the time and place stipulated in the bid documents; and

WHEREAS, the Program Manager and the Construction Manager conducted a de-scope meeting with the apparent low bidder and have determined that it is a qualified and responsible bidder, and

WHEREAS, the Program Manager has determined that the project can afford both the base bid work as well as the alternate work within the current project contingency funds allocated to the School 5 project, and

WHEREAS, at the MWBE and Services Procurement Committee meeting held on June 26, 2014, following the review and consideration of recommendations provided by the RJSCB's Program Manager, and after due deliberation, the Committee approved awarding the contract to the firm Steve General Contractor Inc. in the total amount of \$381,000;

THEREFORE, BE IT RESOLVED:

1. The RJSCB hereby approves the School 5 roof project award to the firm Steve General Contractor Inc. to provide all equipment, labor, materials, and plant necessary to execute the scope of work associated with the School 5 roof project, including the base bid scope in the amount of \$92,000 and Alternate #5 in the amount of \$289,000 for a total contract value of \$381,000; and
2. The Chair is hereby authorized, in the name and on behalf of the RJSCB, to execute and deliver an agreement (the "Agreement") to Steve General Contractor Inc. with such changes as the Chair may approve (his/her signature thereon being conclusive evidence of such approval) on the advice of the Program Manager and the RJSCB's general counsel.

**Second by Board Member Hilger  
Approved 6-0 with Member Thomas away**

**Resolution 2014-15: 9  
Small Appliance Order – School 28 refrigerators**

**By Vice Chair Brown**

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

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

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

WHEREAS, the Program Manager directed Vargas Associates, the RJSCB's Move Manager, to coordinate the purchase of small appliances for several Phase 1 projects (School 5, School 28, School 50, and School 58); and

WHEREAS, Vargas Associates worked with the Architects and the Construction Managers for each school and subsequently prepared a list of specifications and requirements for those small appliances that had not been purchased through the GC scope of work for each project; and

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

WHEREAS, Vargas Associates then prepared a set of bid documents describing the details, specifications, and quantities of the appliances necessary for the Phase 1 projects (School 5, School 28, School 50 and School 58); and

WHEREAS, the RJSCB authorized the Move Manager to issue the bid documents at its monthly meeting on April 7, 2014 (Resolution 2013-14: 231); and

WHEREAS, the Executive Director received one bid on April 23, 2014, the bid date stipulated in the bid documents and the bid was opened and read aloud in an open public forum; and

WHEREAS, the Move Manager subsequently reviewed the bid in detail and contacted the bidder to discuss the logistics and coordination associated with the purchase and delivery of the small appliances, which resulted in the discovery that the under-counter refrigerators specified for the School 28 project were only available in the color white, not in black as specified;

WHEREAS, the Move Manger discussed this issue with the Architect associated with the School 28 project, followed by an exhaustive search for the specific product desired, and after finding none available has recommended that white under-counter refrigerators be purchased for the School 28 project from the original low bidder, Appliance Associates of Buffalo; and

WHEREAS, at its June 26, 2014 meeting, the MWBE and Services Procurement Committee ("Committee") considered and approved the recommendation by Vargas Associates to purchase the under-counter refrigerators for the School 28 project from Appliance Associates of Buffalo;

THEREFORE, BE IT RESOLVED:

1. The RJSCB hereby approves the recommendation of the Move Manager that a purchase order shall be issued to Appliance Associates of Buffalo in the amount of \$375 to provide the necessary under-counter refrigerators associated with the School 28 project; and
3. The RJSCB Chair is hereby authorized, in the name and on behalf of the RJSCB, to execute and deliver a purchase order to the firm named above on the advice of the Program Manager and the RJSCB's general counsel.

**Second by Board Member Hilger  
Approved 6-0 with Member Thomas away**

**Resolution 2014-15: 10  
SEQRA Amendment – DOT Parcel**

**By Vice Chair Brown**

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

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

WHEREAS, the RJSCB declared its intent to serve as the State Environmental Quality Review Act ("SEQRA") Lead Agency for the Rochester Schools Modernization Program ("RSMP") in the fall of 2010 (Resolution 2010-11: 24), and hearing no opposition subsequently confirmed that it would act as the SEQRA Lead Agency in January of 2011 (Resolution 2010-11: 27); and

WHEREAS, after having reviewed the completed long-form Environmental Assessment Forms for each of the twelve proposed school renovation projects (“Phase I”) or (“the Action”), based on the Master Plan, the RJSCB formally issued a Negative Declaration for the proposed Phase I projects in accordance with SEQRA to all interested and involved parties in March 2011 (Resolution 2010-11: 38); and

WHEREAS, the RJSCB previously re-affirmed the original SEQRA Negative Declaration (Resolution 2011-2012: 59) based on several *de minimis* program changes from the original Master Plan identified for the first six projects in Phase 1 of the RSMP (Schools 17, 28, 50, 58, Charlotte High School, and Franklin High School); and

WHEREAS, the RJSCB completed a second SEQRA update and again re-affirmed the original SEQRA Negative Declaration (Resolution 2012-13: 173) related to the second group of projects in Phase 1 of the RSMP (School 5, East High School, Edison High School, and revisions to School 28 and Franklin High School due to changes in scope) which resulted in several *de minimis* program changes from the original Master Plan; and

WHEREAS, the RJSCB recently declared its intent to serve as the SEQRA Lead Agency in April of 2014 (Resolution 2013-14: 256), as it relates to a particular scope of work which has recently been added to the Phase 1 of the RSMP project and hearing no opposition subsequently confirmed that it would act as the SEQRA Lead Agency in May of 2014 (Resolution 2013-14: 268); and

WHEREAS, the RJSCB has performed an additional SEQRA update as it relates to a particular parcel of land currently owned by the DOT, located near the Phase 1 RSMP project at Monroe High School, with the intent that the land would be acquired by the program and developed into a shared use parking lot on behalf of the District; and

WHEREAS, as the SEQRA Lead Agency, it is the intent of the RJSCB to keep all of the involved and interested parties informed as to the status of the RSMP projects, and any potential environmental impacts based upon program changes to these school projects as set forth in the original SEQRA Report that was prepared by the RJSCB’s consultant Clark Patterson Lee; and

WHEREAS, the RJSCB acting through its SEQRA consultant, Clark Patterson Lee, has prepared an amended SEQRA Report that reviews and comments on the minor program changes that would occur based on the RSMP acquisition of the DOT parcel for development into shared use parking near Monroe High School; and

WHEREAS, the RJSCB has reviewed the amended SEQRA Report and, through its consultants, has conferred with all involved and interested agencies; and

WHEREAS, the RJSCB has reviewed the “Reasons to Support SEQRA Determination of Significance” attached hereto; and

WHEREAS, the RJSCB has, through the amended SEQRA Report, identified potential areas of environmental concern related to the Action and the new program changes, thoroughly analyzed such areas for possible significant adverse environmental impacts, concluded that any environmental impacts are *de minimis*, and has provided a written elaboration in support of its determination;

THEREFORE, BE IT RESOLVED:

1. The RJSCB hereby determines that the program changes related to the DOT parcel near Monroe High School, a project in Phase 1 of the RSMP, for development into a shared use parking lot are *de minimis*, that any minor impacts from said program changes have been mitigated to the maximum extent practicable for the reasons identified in the amended SEQRA Report and that the Action, as proposed, will not result in any significant adverse environmental impacts;

2. The RJSCB hereby reaffirms its prior determination of a SEQRA Negative Declaration for the proposed Phase I projects; and
3. Copies of this resolution shall be promptly forwarded by the SEQRA consultant to the involved agencies listed on the agency list, to all interested agencies, and to the NYSDEC Environmental Notice Bulletin for Publication in such Bulletin.

**Second by Board Member Hilger  
Approved 6-0 with Member Thomas away**

**Resolution 2014-15: 11  
Change Order #59 to Manning Squires Hennig Co., Inc. – General Contractor (School 50)**

**By Vice Chair Brown**

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

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

WHEREAS, the RJSCB approved the award of the general contractor contract to Manning Squires Hennig 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 #59 includes the following items:

1. Caulk, prime, paint for the amount of \$980.83
- The total amount of Change Order #59 is \$980.83; 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 \$980.83; and

WHEREAS, the Committee considered and discussed the Program Manager’s recommendation at its June 26, 2014 meeting and after due deliberation, it approved the request to amend the Contract;

THEREFORE, BE IT RESOLVED:

1. The proposed Change Order to Manning Squires Hennig Co., Inc.’s Contract between the Board and Contractor dated June 4, 2012 as set forth above is hereby approved; and

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

**Second by Board Member Hilger  
Approved 6-0 with Member Thomas away**

### **Action Items**

#### **Resolution 2014-15: 12 Amendment #6 to Campus Construction Management Group**

##### **By Vice Chair Brown**

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

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

WHEREAS, the RJSCB selected Campus Construction Management Group ("Construction Manager") to provide Construction Management services for the Charlotte High School and Franklin Educational Campus 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, the Program Manager has received and reviewed a proposal provided by the Construction Manager for additional services required due to the addition of certain scopes of work at the Charlotte High School project; 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 \$147,995 for this additional scope of work; and

WHEREAS, based on the advice and recommendation of the Program Manager, the Committee considered and discussed the proposal for additional services at its June 26, 2014 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 Hilger  
Approved 6-0 with Member Thomas away**

**Resolution 2014-15: 13**

**Change Order #49 through #57 to LeChase Construction – General Contractor (School 5)**

**By Board Member Coronas**

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 #49 includes the following items:

1. EF-1 Chase for the amount of \$3,824
2. Condenser curbs for the amount of \$1,232
3. Gym ceiling changes for the amount of \$9,798

The Total amount of Change Order #49 is \$14,854; and

WHEREAS, Change Order #50 includes the following items:

1. Water leak repairs for the amount of \$2,254.05

The Total amount of Change Order #50 is \$2,254.05; and

WHEREAS, Change Order #51 includes the following items:

1. Add drywall to lobby ceiling for the amount of \$3,734

The Total amount of Change Order #51 is \$3,734; and

WHEREAS, Change Order #52 includes the following items:

1. Mud screed at entryways for the amount of \$20,061.38

The Total amount of Change Order #52 is \$20,061.38; and

WHEREAS, Change Order #53 includes the following items:

1. Remove existing shelf for the amount of \$4,888
2. Dryer exhaust for the amount of \$1,839.80

The Total amount of Change Order #53 is \$6,727.80; and

WHEREAS, Change Order #54 includes the following items:

1. Masonry repairs for the amount of \$1,570
2. Multiple ceiling, soffit, drywall changes for the amount of \$3,474
3. Multiple ceiling, soffit, drywall changes for the amount of \$2,870

The Total amount of Change Order #54 is \$7,914; and

WHEREAS, Change Order #55 includes the following items:

1. Changes to lock cores for the amount of \$22,407

2. Misc wall patching for the amount of \$2,255
  3. Demo soffit for the amount of \$3,381.29
  4. Credit for changes to wall finish in the amount of -\$27,456
- The Total amount of Change Order #55 is \$587.29; and

WHEREAS, Change Order #56 includes the following items:

1. Abatement at girls locker room for the amount of \$2,148
  2. Roof material disposal for the amount of \$594
  3. Changes at alcoves in corridor 230 for the amount of \$1,817.54
  4. Concrete repairs for the amount of \$8,198.42
- The Total amount of Change Order #56 is \$12,757.96; and

WHEREAS, Change Order #57 includes the following items:

1. Changes to door frame for the amount of \$305
  2. Roof abatement for the amount of \$1,278
  3. Misc changes to ceilings, soffits, and drywall for the amount of \$2,040.30
  4. Changes to ceiling due to ductwork for a credit of -\$417.41
- The Total amount of Change Order #57 is \$3,205.89; and

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

WHEREAS, the Program Manager thereafter recommended to the RJSCB's MWBE and Services Procurement Committee (the "Committee") that LeChase's Contract should be amended to delete and add these additional scope items in the amount of \$72,096.37; and

WHEREAS, the Committee considered and discussed the Program Manager's recommendation at its June 26, 2014 meeting and after due deliberation, it approved the request to amend the Contract;

THEREFORE, BE IT RESOLVED:

1. The proposed Change Orders to LeChase Construction Services LLC's Contract between the Board and Contractor dated June 4, 2013 as set forth above are hereby approved; and
2. The RJSCB's Chair is hereby authorized, in the name and on behalf of the RJSCB, to execute Change Orders to the Contract that are consistent with this approval and in an acceptable form to the Chair upon the advice of the Program Manager and the RJSCB's general counsel.

**Second by Vice Chair Brown**  
**Approved 6-0 with Member Thomas away**

**Resolution 2014-15: 14**  
**Change Order #7 through #10 to Bell Mechanical Contractors Inc. – Mechanical Contractor**  
**(School 5)**

**By Board Member Hilger**

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 #7 includes the following items:

1. Additional steel at chiller for the amount of \$3,768
  2. Misc additional work at #322 for the amount of \$6,895
- The Total amount of Change Order #7 is \$10,663; and

WHEREAS, Change Order #8 includes the following items:

1. Dryer exhaust vent for the amount of \$2,365
- The Total amount of Change Order #8 is \$2,365; and

WHEREAS, Change Order #9 includes the following items:

1. Additional patching for the amount of \$7,687
- The Total amount of Change Order #9 is \$7,687; and

WHEREAS, Change Order #10 includes the following items:

1. Reroute ductwork for the amount of \$1,046
- The Total amount of Change Order #10 is \$1,046; 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 \$21,761; and

WHEREAS, the Committee considered and discussed the Program Manager's recommendation at its June 26, 2014 meeting and after due deliberation, it approved the request to amend the Contract;

THEREFORE, BE IT RESOLVED:

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

**Second by Vice Chair Brown**  
**Approved 6-0 with Member Thomas away**

**Resolution 2014-15: 15  
Change Order #9 to Thurston Dudek – Plumbing Contractor (School 5)**

**By Board Member Hilger**

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 #9 includes the following item:

1. Changes to sprinkler piping for the amount of \$2,263
- The Total amount of Change Order #9 is \$2,263; 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 \$2,263; and

WHEREAS, the Committee considered and discussed the Program Manager’s recommendation at its June 26, 2014 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, 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 Vice Chair Brown  
Approved 6-0 with Member Thomas away**

**Resolution 2014-15: 16  
Change Order #21 to Manning Squires Hennig – (GC - School 28)**

**By Board Member Hilger**

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

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

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

WHEREAS, the RJSCB approved the award of the general contractor contract to Manning Squires Hennig Co., Inc. (“Manning Squires”) for the School 28 project in Phase I (Resolution 2012-13: 106); and

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

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

WHEREAS, Change Order #21 includes the following items:

1. Cafeteria soffit for the amount of \$4,735.76
  2. Revisions to doors for the amount of \$1,334.87
  3. Paint new overhead door for the amount of \$971.94
  4. Wall tile for the amount of \$9,788.21
  5. Modifications to casework for the amount of \$2,212.38
  6. Refinish existing handrails for the amount of \$4,941.09
- The Total amount of Change Order #21 is \$23,984.25; 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’s Contract should be amended to add these additional scope items in the total amount of \$23,984.25; and

WHEREAS, the Committee considered and discussed the Program Manager’s recommendation at its June 26, 2014 meeting and after due deliberation, it approved the request to amend the Contract;

THEREFORE, BE IT RESOLVED:

1. The proposed Change Order to Manning Squires’s Contract between the Board and Contractor dated February 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 Vice Chair Brown**  
**Approved 6-0 with Member Thomas away**

**Resolution 2014-15: 17**  
**Change Order #7 and #8 to Bell Mechanical – (Mechanical - School 28)**

**By Board Member Hilger**

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

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

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

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

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

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

WHEREAS, Change Order #7 includes the following item:

1. Ductwork revisions for the amount of \$12,520.24
2. Roof drains/curbs for AC units for the amount of \$4,156.56
3. Changes to ductwork for the amount of \$3,443.51

The Total amount of Change Order #7 is \$20,120.31; and

WHEREAS, Change Order #8 includes the following item:

1. Correction to original contract sum (clerical error) for the amount of \$500

The Total amount of Change Order #8 is \$500; and

WHEREAS, the Construction Manager and the Program Manager believe that the change order work is 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 Mechanical's Contract should be amended to add these additional scope items in the total amount of \$20,620.31; and

WHEREAS, the MWBE and Services Procurement Committee considered and discussed the Program Manager's recommendation at its June 26, 2014 meeting and after due deliberation, it approved the request to amend the Contract;

THEREFORE, BE IT RESOLVED:

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

**Second by Board Member Benincasa  
Approved 6-0 with Member Thomas away**

**Resolution 2014-15: 18  
Change Order #2 to Nairy Mechanical – (Plumbing - School 28)**

**By Vice Chair Brown**

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

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

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

WHEREAS, the RJSCB approved the award of the plumbing contractor contract to Nairy Mechanical LLC ("Nairy Mechanical") for the School 28 project in Phase I (Resolution 2012-13: 106); and

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

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

WHEREAS, Change Order #2 includes the following items:

1. Labor rate corrections for previous CIC for a credit of -\$3,509.69
- The Total amount of Change Order #2 is a credit of -\$3,509.69; 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 Nairy Mechanical's Contract should be amended in the total credit amount of -\$3,509.69; and

WHEREAS, the Committee considered and discussed the Program Manager's recommendation at its June 26, 2014 meeting and after due deliberation, it approved the request to amend the Contract;

THEREFORE, BE IT RESOLVED:

1. The proposed Change Order to Nairy Mechanical's Contract between the Board and Contractor dated February 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 Hilger  
Approved 6-0 with Member Thomas away**

**Resolution 2014-15: 19  
Change Order #30 through #38 to Manning Squires Hennig – School 58**

**By Vice Chair Brown**

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

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

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

WHEREAS, the RJSCB 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 #30 includes the following items:

1. Ceiling height lower level for the amount of \$4,716.00
2. Toilet room L107 Pipie chase for the amount of \$1,783.00
3. Chage to G149 for the amount of -\$607.00
4. North Gym wall relocation for the amount of \$35,452.00
5. Replace windows SG104 and SU104 for the amount of \$46,455.00
6. Stair SG-106 for the amount of \$23,998.00
7. SU 100, 102 and 104 ceilings for the amount of \$26,532.00
8. U105 Mop sink floor repair for the amount of \$3,171.00
9. Chalk board glue remediation for the amount of \$18,602.00

10. Upgrade wall repairs for the amount of \$17,698.00
  11. Change wood base for the amount of \$3,526.00
- The Total amount of Change Order #30 is \$181,326; and

WHEREAS, Change Order #31 includes the following items:

1. Temporary heat charges for the amount of \$114,031.76
- The Total amount of Change Order #31 is \$114,031.76; and

WHEREAS, Change Order #32 includes the following items:

1. Rooms 117A, G118 and G119 for the amount of \$133.00
  2. Lower ceilings/soffits for the amount of \$16,602.00
  3. Trim around new door frames for the amount of \$9,197.00
  4. Expansion joint added for the amount of \$8,656.00
  5. Waterproofing at elevator pits for the amount of \$3,586.00
  6. Conflict with columns for the amount of \$5,437.00
  7. Screen wall for ASI-9 for the amount of \$19,583.00
  8. Spray applied waterproofing for the amount of \$36,500.00
  9. Gym equipment and structural changes for the amount of \$7,070.00
  10. Floor removal and replacement for the amount of \$22,397.00
  11. Lower level cafeteria wall for the amount of \$20,000.00
- The Total amount of Change Order #32 is \$149,161; and

WHEREAS, Change Order #33 includes the following items:

1. Line envelope voids for the amount of \$99,429.00
  2. Corridor L136 for the amount of \$36,069.00
  3. Corridor U115-on upper Quadrant D for the amount of \$48,937.00
  4. Music Room G110 doorways for the amount of \$18,000.00
- The Total amount of Change Order #33 is \$202,435; and

WHEREAS, Change Order #34 includes the following items:

1. Deduct for deleted change order for masonry restoration for a credit of -\$439,000
- The Total amount of Change Order #34 is a credit of -\$439,000; and

WHEREAS, Change Order #35 includes the following items:

1. CCD #GC-63 CIC 337 Lower locker area A for the amount of \$5,000.00
  2. CCD #GC-64 CIC 246 South gym wall brick piers for the amount of \$8,772.00
  3. CCD #GC-65 CIC 289 Gallery finishes for the amount of \$21,330.00
  4. COR NO. 00055 CIC 335 Water line conflicts for the amount of \$1,534.00
- The Total amount of Change Order #35 is \$36,636; and

WHEREAS, Change Order #36 includes the following items:

1. COR NO. 00009 CIC 121 Water main tie-in for the amount of \$6,723.00
  2. COR NO. 00056 CIC 334 Additional rock excavation for the amount of \$21,449.00
  3. COR NO. 00057 CIC 279 Storm grade and changes for the amount of \$2,012.00
  4. COR NO. 00058 CIC 019 Revisions to civil drawings for the amount of \$7,611.00
  5. COR NO. 00060 CIC 301 Gym entry ramp slope for the amount of \$8,622.00
  6. CCD #GC-66 CIC 299 Door changes G400 AND G401 for the amount of \$1,771.00
- The Total amount of Change Order #36 is \$48,188; and

WHEREAS, Change Order #37 includes the following items:

1. Deduct for T&M work not performed for a credit of -\$37,466
- The Total amount of Change Order #37 is credit of -\$37,466; and

WHEREAS, Change Order #38 includes the following items:

1. Existing duct penetration infills for the amount of \$14,762.00
2. North wall masonry for the amount of \$34,061.00

3. Repair deteriorated columns for the amount of \$14,135.00
  4. Steel framing plan for the amount of \$1,685.00
  5. Roof deck for the amount of \$17,497.00
  6. Gallery G120 for the amount of \$29,250.00
  7. Dining L142 crawl space for the amount of \$2,161.00
  8. Roof support E17 line for the amount of \$5,816.00
  9. Media center ceiling for the amount of \$29,696.00
  10. Tube steel post beams for the amount of \$22,812.00
  11. Additional ramps L403 for the amount of \$17,940.00
  12. Max load to joists for the amount of \$56,393.00
- The Total amount of Change Order #38 is \$246,208; and

WHEREAS, the Construction Manager and the Program Manager believe that the change order work is 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's Contract should be amended to delete and add these additional scope items in the total amount of \$535,580.76; and

WHEREAS, the Committee considered and discussed the Program Manager's recommendation at its June 26, 2014 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's Contract between the Board and Contractor dated September 10, 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 that are consistent with this approval and in an acceptable form to the Chair upon the advice of the Program Manager and the RJSCB's general counsel.

**Second by Board Member Benincasa  
Approved 6-0 with Member Thomas away**

**Resolution 2014-15: 20  
Change Order #4, #5, and #6 to East Coast Electric – Electrical Contractor (School 58)**

**By Board Member Hilger**

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, LeChase Construction, the Construction Manager, and the Program Manager, identified the need for changes to the scope of work; and

WHEREAS, Change Order #4 includes the following items:

1. Revise bathrooms G141 and G143 for the amount of -\$734.00
2. Overhead door control wiring for the amount of \$9,010.00
3. Electric to bleachers for the amount of \$18,897.00
4. Premium time for the amount of \$389.00
5. Lower ceilings/soffit for the amount of \$1,700.00
6. Room L406A change for the amount of \$3,592.00
7. Gym wall relocation for the amount of \$4,856.00
8. Ceiling media center vestibule for the amount of \$430.00
9. Media center ceiling for the amount of \$4,343.00

The Total amount of Change Order #4 is \$42,483; and

WHEREAS, Change Order #5 includes the following items:

1. Ductwork conflicts for the amount of \$6,310.00
2. Millwork changes in L115 for the amount of \$1,311.00
3. Conduit G131@G120 for the amount of \$1,247.00
4. Add JB's and feeder splices for the amount of \$11,060.00
5. G120A conduit for the amount of \$7,204.00
6. External camera locations for the amount of \$1,596.00
7. Room L153 west wall for the amount of \$7,746.00
8. Fans in G111 and G117 for the amount of \$5,975.00

The Total amount of Change Order #5 is \$42,449; and

WHEREAS, Change Order #6 includes the following items:

1. Additional door opener at door G-100 for the amount of \$2,328.00
2. North wall masonry for the amount of \$5,078.00
3. Premium time for the amount of \$787.00
4. Light fixture change in G101 for the amount of \$18,269.00
5. Media center electric for the amount of \$6,604.00
6. Additional smoke dampers for the amount of \$17,965.00
7. Beam between U111 and U112 for the amount of \$4,131.00

The Total amount of Change Order #6 is \$55,162; 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 scope change; 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 and delete these scope items for a total of \$140,094; and

WHEREAS, the Committee considered and discussed the Program Manager's recommendation at its June 26, 2014 meeting and after due deliberation, it approved the request to amend the Contract;

THEREFORE, BE IT RESOLVED:

1. The proposed Change Orders to East Coast Electric'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 Vice Chair Brown**  
**Approved 6-0 with Member Thomas away**

**Resolution 2014-15: 21**  
**Change Order #14 and #15 to MA Ferrauilo – School 58**

**By Board Member Hilger**

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

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

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

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

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

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

WHEREAS, Change Order #14 includes the following item:

1. New agency office floor for the amount of \$7,005.00
2. Millwork changes in L115 for the amount of \$2,161.00
3. Toilet room L107 pipe chase for the amount of \$5,754.00
4. Main entrance canopy storm for the amount of - \$1,209.00
5. Pipe insulation below sinks for the amount of - \$222.00

The Total amount of Change Order #14 is \$13,489; and

WHEREAS, Change Order #15 includes the following item:

1. Changes to G149 for the amount of \$376.00
2. Greenhouse plumbing changes for the amount of \$7,280.00

The Total amount of Change Order #15 is \$7,656; 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 and delete these additional scope items in the total amount of \$21,145; and

WHEREAS, the Committee considered and discussed the Program Manager's recommendation at its June 26, 2014 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 Vice Chair Brown**  
**Approved 6-0 with Member Thomas away**

**Resolution 2014-15: 22**  
**Change Order #11 to The Pike Company – General Contractor (East High School)**

**By Board Member Brown**

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

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

WHEREAS, the RJSCB approved the award of the general contractor contract to 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 #11 includes the following items:

1. Remove temp AC units for the amount of \$2,328
2. Local alarm for exits for the amount of \$1,327
3. Replace security screens for the amount of \$15,629
4. Revised door at pool for a credit of -\$815
5. Revise window opening for AC unit for the amount of \$606
6. Abatement in room F-215 for the amount of \$4,041
7. Remove science room window fans for the amount of \$464
8. Add window tint for the amount of \$1,782
9. Remove tree stump for the amount of \$3,589

The Total amount for Change Order #11 is \$28,951; 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 and delete these scope items in the amount of \$28,951; and

WHEREAS, the Committee considered and discussed the Program Manager's recommendation at its June 26, 2014 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 Vice Chair Brown**  
**Approved 6-0 with Member Thomas away**

**Resolution 2014-15: 23**  
**Change Order #2 and #3 to DiFiore Construction Inc. – General Contractor (East High School – Athletic Field)**

**By Board Member Brown**

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

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

WHEREAS, the RJSCB approved the award of the general contractor contract to DiFiore Construction Inc. ("DiFiore") for the East High School Athletic Field project in Phase I (Resolution 2013-14: 163); and

WHEREAS, the RJSCB entered into a contract with DiFiore (Resolution 2013-14: 163) dated January 13, 2014 (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, DiFiore, along with LPCiminelli, the Construction Manager, and the Program Manager, identified the need for additional scopes of work, and cost proposals were then obtained for these additional scope items and provided to the Construction Manager and the Program Manager for review; and

WHEREAS, Change Order #2 includes the following items:

1. Drainage system revisions for the amount of \$113,470
- The Total amount for Change Order #2 is \$113,470; and

WHEREAS, Change Order #3 includes the following items:

1. Turf field logo revisions for the amount of \$8,247
  2. Mill track surface and revise ADA ramp for the amount of \$86,021
- The Total amount for Change Order #3 is \$94,268; 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 DiFiore's Contract should be amended to add these scope items in the amount of \$207,738; and

WHEREAS, the Committee considered and discussed the Program Manager's recommendation at its June 26, 2014 meeting and after due deliberation, it approved the request to amend the Contract;

THEREFORE, BE IT RESOLVED:

1. The proposed Change Orders to DiFiore Construction Inc.'s Contract between the Board and Contractor dated January 13, 2014 as set forth above are hereby approved; and
2. The RJSCB's Chair is hereby authorized, in the name and on behalf of the RJSCB, to execute Change Orders to the Contract that are consistent with this approval and in an acceptable form to the Chair upon the advice of the Program Manager and the RJSCB's general counsel.

**Second by Board Member Benincasa  
Approved 6-0 with Member Thomas away**

**Resolution 2014-15: 24  
Change Order #5 to Hewitt Young Electric – Electrical Contractor (Edison Technology Campus)**

**By Board Member Hilger**

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

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

WHEREAS, the RJSCB approved the award of the electrical contractor contract to Hewitt Young Electric ("HYE") for the Edison Technology Campus project in Phase I (Resolution 2013-14: 15); and

WHEREAS, the RJSCB entered into a contract with HYE (Resolution 2013-14: 15) dated July 8, 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, HYE, 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 #5 includes the following item:

1. Provide power to pump stations for the amount of \$60,341
2. Provide new clocks at classrooms for the amount of \$91,238

The Total amount for Change Order #5 is \$151,579; 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 HYE's Contract should be amended to add these scope items in the amount of \$151,579; and

WHEREAS, the Committee considered and discussed the Program Manager's recommendation at its June 26, 2014 meeting and after due deliberation, it approved the request to amend the Contract;

THEREFORE, BE IT RESOLVED:

1. The proposed Change Order to Hewitt Young Electrical's Contract between the Board and Contractor dated July 8, 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 Vice Chair Brown  
Approved 6-0 with Member Thomas away**

**Resolution 2014-15: 25  
Change Order #3 to M.A. Ferrauilo – Plumbing Contractor (Edison Technology Campus)**

**By Board Member Brown**

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

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

WHEREAS, the RJSCB approved the award of the plumbing contractor contract to Michael A. Ferrauilo Plumbing and Heating Inc. ("M.A. Ferrauilo") for the Edison Technology Campus project in Phase I (Resolution 2012-13: 194); and

WHEREAS, the RJSCB entered into a contract with M.A. Ferrauilo (Resolution 2012-13: 194) dated June 10, 2013 (the "Contract"), to perform the scope of services defined in the contract documents as the plumbing contractor's scope of work; and

WHEREAS, following the execution of the Contract, M.A. Ferrauilo, along with 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 #3 includes the following items:

1. Provide pump stations for the amount of \$11,486
2. Library sink plumbing for the amount of \$6,500
3. Provide hose bib for the amount of \$3,875

4. Planter drain revisions for a credit in the amount of -\$4,237  
The Total amount for Change Order #3 is \$17,624; 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 and delete these scope items for a total amount of \$17,624; and

WHEREAS, the Committee considered and discussed the Program Manager's recommendation at its June 26, 2014 meeting and after due deliberation, it approved the request to amend the Contract;

THEREFORE, BE IT RESOLVED:

1. The proposed Change Order to M.A. Ferraiulo's Contract between the Board and Contractor dated June 10, 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 Vice Chair Brown**  
**Approved 6-0 with Member Thomas away**

**Resolution 2014-15: 26**  
**Pay Requisition Summary Acceptance (June 2014)**

**By Vice Chair Brown**

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

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

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

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

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

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

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

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

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

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

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

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

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

WHEREAS, the Executive Director forwarded a Pay Requisition Summary (attached to this Resolution) totaling \$8,950,851.09 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 RJSCB Board Chair with copy to the full Board on June 24, 2014; and

WHEREAS, the RJSCB Board Chair approved the Pay Requisition Summary on June 27, 2014; and

WHEREAS, the RJSCB’s Executive Director reviewed the Pay Requisition Summary with the RJSCB’s Finance Committee at its meeting on June 26, 2014;

THEREFORE, BE IT RESOLVED:

1. The Rochester Joint Schools Construction Board hereby accepts the Pay Requisition Summary for the month of June 2014 in the amount stated above and as shown in the Summary attached to this Resolution.

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

### **Communication**

The Monthly Report is included in the Member’s packets.

- School 5 is on schedule. Punchlist work started and ongoing – equipment startup this week.
- School 28 is on schedule. Punchlist work started and ongoing – equipment startup this week.
- Franklin Auditorium is progressing. Equipment startup this week.
- The School 58 team is keeping the pressure on for an end of November completion.

- Edison is on schedule for this summer/fall.
- East is on schedule.

The Compliance Report from Baker Tilly is included in the Member's packets.

- The report now includes individual information by Contractor (performance) towards the goals.
- Now receiving up to 96% of required paperwork from Contractors.
- Training Session will be held July 8, 2014 for all MWBE Admins reviewing submission documents and procedures. 85 Admins have replied to date.
- Next month's report will show a month by month chart for performance.
- Forensic update: 13,700 documents have been uploaded. Data has been found to be incomplete which will complicate the verification process (DP-3's are not being filled out properly). Member Brown reminded Brian Sanvidge of Baker Tilly that the business verification is equally important to verifying the EEO payments and contracts.

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

- Member Coronas asked for a report indicating the initial (starting) budget vs. final cost per school.

The MWBE and Services Procurement Committee Report for June 26, 2014 is included in the Members packets

The Finance Committee Report for June 26, 2014 is included in the Members packets.

### **Discussion Items**

#### **Update on status of Sheen & Sine issue**

All parties scheduled to meet, for the 5<sup>th</sup> time, on Tuesday 7/8.

### **Executive Session**

Chair Richards called for a closed session pursuant to News York Public Officer's Law Section 108, to consult with the Board's general counsel on matters subject to attorney client privilege.

Motion by Member Benincasa  
Second by Vice Chair Brown  
Approved 6-0 with Member Thomas away

### **Adjournment**

**Approved at 6:26 pm**