

Resolution 2023-24: 25
Phase III Diversity Goals

By Board Member Richard Perrin

WHEREAS, the Rochester School Facilities Modernization Program Act (“Act”) established the Rochester Joint Schools Construction Board (“RJSCB” or “Board”), 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 New York State Legislature amended the Act by enacting Chapter 533 of the Laws of 2014 (“Amended Act”), thereby providing alternative financing mechanisms for the reconstruction of up to 26 projects for a total cost of \$435,000,000 for Phase II; and

WHEREAS, the New York State Legislature amended the Amended Act by enacting Chapter 614 of the Laws of 2021 (“Second Amended Act”) to authorize additional oversight, transparency, and accountability by the New York State Education Department to ensure projects are completed on time and within budget, and to provide alternative financing mechanisms for the reconstruction of up to 12 projects for a total cost of \$475,000,000 for Phase III; and

WHEREAS, pursuant to the Act, the Board has engaged Anchin, Block & Anchin LLP as the Phase III Independent Compliance Officer (“ICO”) to, among other things, assist the Board with the development, implementation of monitoring of the Phase III Diversity Plan; and

WHEREAS, the ICO has conducted a capacity study in connection with the development of diversity goals for Phase III and, based on that study, has recommended to the Board that it adopt a total Eligible Business Enterprise (“EBE”) Business Utilization Goal of 34% broken down as follows for each EBE category:

- Minority Business Enterprise (MBE): 18.00%
- Woman-Owned Business Enterprise (WBE): 12.00%
- Disadvantaged Business Enterprise (DBE): 2.00%
- Small Business Enterprise (SBE): 2.00%

WHEREAS, the RJSCB considered and discussed the ICO’s recommended Phase III diversity goals at its February 12, 2024 meeting, and after due deliberation and further consideration of the ICO’s recommendation and the RJSCB’s desire to provide opportunity for EBEs and minority and women members of the workforce to participate in the performance of contracts awarded as part of the RSMP, the RJSCB now acts as follows.

THEREFORE, BE IT RESOLVED:

1. RJSCB hereby approves and adopts the following EBE Business Utilization Goals for Phase III of the RSMP:

Total Business Utilization Goals: 34.00%:

- Minority Business Enterprise (MBE): 18.00%
 - Woman-Owned Business Enterprise (WBE): 12.00%
 - Disadvantaged Business Enterprise (DBE): 2.00%
 - Small Business Enterprise (SBE): 2.00%
2. The RJSCB hereby directs the Program Manager and ICO to incorporate the foregoing diversity goals into the Phase III Diversity Plan and the Phase III Comprehensive Master Plan.

Second by Board Member: Ron Gaither

Adopted: 7-0