

Rochester Joint Schools Construction Board

Minutes

April 26, 2010

4:30 p.m.

Present:

Board Chair Kenneth Bell, Vice Chair Carolyn Vitale, Members Bob Brown, Randy Henderson, Richard Pifer, Brian Roulin; Counsel Peter Abdella, Staff Linda Dunsmoor. Member Emeterio Otero absent.

Chairman Bell convened the meeting at 4:32 p.m. No one present wished to address the Board.

Motion to approve Minutes of March 22 by Mr. Brown. Second by Mr. Bell. Adopted 6-0. Members noted that the "Code of Ethics" Policy will be on the May agenda for adoption.

Action Items

Resolution 2009-10: 9
Harter Secrest & Emery LLP Contract Extension

By Member of the Board 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, acting in accordance with its statutory authority, issued a Request for Proposal (RFP) for a law firm to represent the RJSCB and subsequently reached an Agreement with Harter Secrest & Emery LLP (Resolution 2009-10: 2); and

WHEREAS, the Board wishes to extend said Agreement with Harter Secrest & Emery LLP through June 30, 2011, therefore be it

RESOLVED, That the Agreement with Harter Secrest & Emery, LLP, 1600 Bausch & Lomb Place, Rochester, New York, is hereby extended through June 30, 2011, for a sum not to exceed \$22,500 (twenty-two thousand, five hundred) funded by the Rochester Joint Schools Construction Board Budget within the District's Facilities Modernization Budget, contingent upon the form and terms of the Agreement having been approved by the District's Counsel and the City's Corporation Counsel.

Second by Member of the Board Roulin
Adopted 6-0

Resolution 2009-10: 10
Program Manager Negotiations

By Member of the Board Henderson

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 conducted a national search for a Program Manager to perform the Program Management Services, using a process that included a Request for Qualifications, a Request for Proposals, and interviews; and

WHEREAS, the RJSCB wishes to begin preliminary negotiations, including negotiation of proposed fees, to secure these services, therefore, be it resolved:

That the RJSCB Chair and selection subcommittee is hereby authorized to conduct preliminary negotiations on behalf of the RJSCB for Program Management Services.

Second by Member of the Board Brown
Adopted 6-0

Resolution No. 2009-10: 11 Independent Compliance Officer RFP
By Member of the Board Henderson

WHEREAS, the Rochester Joint Schools Construction Board (hereinafter referred to as the "Board") was created by New York State through Chapter 416 of the 2007 Laws of the State of New York (the "Act") to implement a comprehensive school facilities modernization program ("FMP") and act as an agent of the City of Rochester (the "City") and the Rochester City School District (the "District"); and

WHEREAS, pursuant to the Act, the Board will select no more than thirteen "projects," as defined in the Act, with a maximum aggregate cost of three hundred twenty-five million dollars (\$325,000,000) to be funded through tax-exempt debt issued by the City, the County of Monroe Industrial Development Agency and/or the Dormitory Authority of the State of New York; and

WHEREAS, in accordance with the Act, the Board is to have an Independent Compliance Officer (ICO) that will be hired by, and report directly to, the Board; and

WHEREAS, the Board has developed a Request for Proposals articulating the responsibilities and requirements of the ICO;

THEREFORE, be it resolved, that the Rochester Joint Schools Construction Board hereby approves the Request for Proposals for Independent Compliance Officer regarding the Facilities Modernization Program and authorizes issuance of said Request for Proposals.

Second by Member of the Board Brown
Adopted 6-0

Adjournment

Motion by Mr. Brown. Second by Mr. Henderson. Adopted 6-0 at 4:56 p.m.