

**Rochester Joint Schools Construction Board**  
**Minutes**  
**May 21, 2012**  
**4:30 PM**

**Present**

Members: Lois Giess, Brian Roulin, Bob Brown, Jerome Underwood, Richard Pifer, and ICO Windell Gray. Board Chair Ken Bell and Member Alex Castro were away. Also present were: Executive Director Tom Renauto, General Counsel Peter Abdella, and Program Director Tom Roger.

Brian Roulin acted as Chair in Ken Bell's absence

Brian Roulin convened the Board meeting at 4:40pm

**Approval of Minutes: Monthly Board Meeting held on April 9, 2012**

**Motion by Member Pifer**

**Second by Member Brown**

**Approved 5-0 with Chairman Bell and Member Castro away**

**Action Items**

Tom Renauto stated that all of the Resolutions had been reviewed by the M/WBE Services Procurement Committee at the May 17th meeting and the Committee has recommended that these Resolutions be presented to the full Board for review and consideration.

**Resolution 2011-12: 96**

**Amendment to Kaizen Foodservice Planning and Design Inc. Agreement**

**By Board Member Roulin**

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

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

WHEREAS, the RJSCB approved the selection of Kaizen Foodservice Planning and Design Inc., ("Kaizen") as the Food Service Consultant for Phase I for the Rochester Schools Modernization Program ("RSMP") (Resolution 2010-11: 42);

WHEREAS, the RJSCB entered into an agreement with Kaizen (Resolution 2010-11: 42) dated August 10, 2011, entitled Agreement Between Owner and Consultant (the "Agreement");

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

WHEREAS, the Program Manager thereafter recommended to the RJSCB's MWBE and Services Procurement Committee (the "Committee") that Kaizen's Agreement should be amended to add these additional scope items in the total amount of \$9,000 and that this amount shall be treated as a not-to-exceed allowance under Section 5 of the Agreement; and

WHEREAS, the Committee considered and discussed the Program Manager's recommendation at its May 17, 2012 meeting and after due deliberation, it approved the request to amend the Agreement;

THEREFORE, BE IT RESOLVED:

1. The proposed amendment to Kaizen's Agreement Between Owner and Consultant dated August 10, 2011 as set forth above is hereby approved; and
2. The RJSCB's Chair is hereby authorized in the name and on behalf of the RJSCB, to execute an amendment to the Agreement that is consistent with this approval and in an acceptable form to the Chair upon the advice of the Program Manager and the RJSCB's general counsel.

**Second by Board Member Brown**

**Approved 5-0 with Chairman Bell and Member Castro away**

**Resolution 2011-12: 97**

**Amendment #7 to JCJ Architecture's Agreement**

**By Board Member Roulin**

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

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

WHEREAS, the RJSCB approved the selection of JCJ Architecture, P.C. ("JCJ Architecture") as the Architect for the School 58 World of Inquiry project in Phase I (Resolution 2010-11: 35); and

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

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

WHEREAS, the Program Manager thereafter recommended to the RJSCB's MWBE and Services Procurement Committee (the "Committee") that JCJ Architecture's Agreement should be amended to add these additional scope items in the total amount of \$7,645 to Exhibit I of the Agreement and that this amount shall be treated as a not-to-exceed allowance under Section 11.1.1 of the Agreement; and

WHEREAS, the Committee considered and discussed the Program Manager's recommendation at its May 17, 2012 meeting and after due deliberation, it approved the request to amend the Agreement;

THEREFORE, BE IT RESOLVED:

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

**Second by Board Member Pifer**

**Approved 5-0 with Chairman Bell and Member Castro away**

**Resolution 2011-12: 98**

**Amendment to Chaintreuil Jensen Stark Architects, LLP Agreement – Monroe High School**

**By Board Member Roulin**

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

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

WHEREAS, the RJSCB approved the selection of Chaintreuil Jensen Stark Architects, LLP (“CJS”) as the Architect for the Monroe High School project in Phase I (Resolution 2011 12: 39);

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

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

WHEREAS, the Program Manager thereafter recommended to the RJSCB’s MWBE and Services Procurement Committee (the “Committee”) that CJS’s Agreement should be amended to add these additional scope items in the total amount of \$51,329 to Exhibit I of the Agreement and that this amount shall be treated as a not-to-exceed allowance under Section 11.1.1 of the Agreement; and

WHEREAS, the Committee considered and discussed the Program Manager’s recommendation at its May 17, 2012 meeting and after due deliberation, it approved the request to amend the Agreement;

THEREFORE, BE IT RESOLVED:

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

**Second by Board Member Brown**

**Approved 5-0 with Chairman Bell and Member Castro away**

**Resolution 2011-12: 99**

**Verification of RCSD Financial Statements by Freed Maxick & Battaglia**

**By Board Member Roulin**

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 District and the RJSCB’s Legal Counsel recommended to the RJSCB that it retain an accounting firm to perform certain agreed upon procedures (the “Procedures”) in connection with the issuance by the County of Monroe

Industrial Development Agency (“COMIDA”) of its School Facility Revenue Bonds, Series 2012A and 2012B (the “Bonds”); and

WHEREAS, time is a critical factor in order to coordinate the Procedures with the impending issuance of the Bonds; and

WHEREAS, the RJSCB believes that it can save both time and money by engaging the same accounting firm already engaged by the District for its annual audit; and

WHEREAS, the RJSCB believes that a competitive bid or a request for proposal process would cost more and jeopardize the timing of the Bonds; and

WHEREAS, the Executive Director, the RJSCB’s Legal Counsel and its Financial Advisor have reviewed a draft engagement letter from the firm of Freed Maxick & Battaglia (the “Accountants”) and determined the scope and cost of the Procedures to be reasonable and acceptable; and

WHEREAS, the fees payable to the Accountants for the Procedures will be included in the costs of issuance of the Bonds; and

WHEREAS, the Procedures are necessary and consistent with the financial plan of the RJSCB; and

WHEREAS, the Committee considered and discussed the Accountants’ proposed engagement letter at its May 17, 2012 meeting, a copy of which is attached hereto, for the estimated amount of \$10,000 to \$12,000, and after due deliberation, it approved the proposal;

THEREFORE, BE IT RESOLVED:

1. The RJSCB hereby approves the engagement of the Accountants to perform the Procedures for an estimated amount of \$10,000 to \$12,000; and
2. The RJSCB’s Chair is hereby authorized in the name and on behalf of the RJSCB, to accept the engagement letter and to execute any agreement that is consistent with this approval and in an acceptable form to the Chair upon the advice of the RJSCB’s General Counsel.

**Second by Board Member Pifer**

**Approved 5-0 with Chairman Bell and Member Castro away**

**Resolution 2011-12: 100**

**Approval of Closing Documents for Issuance of County of Monroe Industrial Development Agency School Facility Revenue Bonds (Rochester Schools Modernization Project), Series 2012A (Tax-Exempt Bonds) and Series 2012B Bonds (Federally Taxable Qualified School Construction Bonds)**

***By Member of the Board Roulin***

WHEREAS, the New York State Industrial Development Agency Act, constituting Title 1 of Article 18-A of the General Municipal Law, Chapter 24 of the Consolidated Laws of New York, as amended (the “Enabling Act”) authorizes and provides for the creation of industrial development agencies in the several counties, cities, villages and towns in the State of New York (the “State”); and

WHEREAS, pursuant to and in accordance with the provisions of the Enabling Act, the County of Monroe Industrial Development Agency (the “Agency”) was established by Chapter 55 of the 1972 Laws of New York, as amended (together with the Enabling Act, the “IDA Act”), for the benefit of the County of Monroe, New York (the “County”) and the inhabitants thereof; and

WHEREAS, many of the public schools of the Rochester City School District (the “District”) are in need of substantial improvement, renovation and reconstruction in order to improve the quality of education in the City of Rochester (the “City”); and

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

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

WHEREAS, pursuant to the Rochester Schools Act and a Cooperative Agreement among the District, the RJSCB and the City, last executed on February 22, 2010 (the "Cooperative Agreement"), the RJSCB has developed a comprehensive school facilities modernization plan (the "Master Plan") and the State Comptroller has approved the Master Plan, all as contemplated by Section 5 of the Rochester Schools Act; and

WHEREAS, the RJSCB has selected 12 existing school building sites for modernization as a first phase of implementation of the Master Plan (the "Phase I Existing Sites Facilities");

WHEREAS, the RJSCB, exercising its properly authorized powers conferred upon it for such purposes by the Rochester Schools Act, has selected Gilbane Building Company, a Rhode Island corporation, as its independent program manager under Section 10 of the Rochester Schools Act (the "Program Manager") to implement the Master Plan, and the Program Manager and the RJSCB (acting for itself and as agent for the District and the City) have entered into a Program Management Agreement dated as of July 1, 2010 (the "Program Management Agreement"); and

WHEREAS, the RJSCB declared its intent to serve as State Environmental Quality Review Act ("SEQRA") Lead Agency for the Master Plan on November 28, 2010 (Resolution 2010-11: 23), and subsequently confirmed its Lead Agency status on January 10, 2011 (Resolution 2010-11: 27); and

WHEREAS, after having reviewed the completed long-form Environmental Assessment Forms for each of the twelve projects, the RJSCB formally issued a Negative Declaration to all interested and involved parties on March 28, 2011 (Resolution 2010-11: 38); and

WHEREAS, in addition to the Phase I Existing Sites Facilities, the City and the District have acquired or plan to acquire additional ancillary real property for purposes of facilitating the modernization of the Phase I Existing Sites Facilities pursuant to the Master Plan and to facilitate their subsequent use as school buildings (such real property, together with the Phase I Existing Sites Facilities, the "Phase I Facilities"); and

WHEREAS, a portion of the Phase I Facilities consisting of buildings at the following five sites: Franklin High School, Enrico Fermi School #17, HB Montgomery School #50, Charlotte High School and World of Inquiry School #58 (collectively, the "Phase IA Facilities") are to be modernized and improved, including implementation of the District-wide technology project at those sites (such modernization of the Phase IA Facilities, the "Phase IA Project"); and

WHEREAS, the RJSCB has presented the plans and specifications for the modernization and improvement of the Phase IA Project to the Commissioner of Education of the State (the "Commissioner") for approval as contemplated by Section 6 of the Rochester Schools Act, and the Commissioner has approved or is expected to approve said plans and specifications; and

WHEREAS, the RJSCB has begun planning and design work for two subsequent phases involving the Phase I Facilities (respectively, the "Phase IB Project" and the "Phase IC Project"); and

WHEREAS, the Phase I Projects collectively constitute a "project" within the meaning of the IDA Act by reason of Section 16 of the Rochester Schools Act; and

WHEREAS, to accomplish the purposes of the IDA Act, the Agency, in response to an application from the RJSCB requesting Agency financing for the Phase I Projects, adopted a resolution on December 20, 2011 authorizing the issuance of up to \$325,000,000 of bonds;

WHEREAS, pursuant to the provisions of the American Recovery and Reinvestment Tax Act of 2009 and the Hiring Incentives to Restore Employment Act of 2010, the United States Department of the Treasury awarded to the District an allocation of qualified school construction bonds (the "Qualified School Construction Bonds") in the amounts of \$29,535,000 in calendar year 2009 and \$28,376,000 in calendar year 2010 (collectively, the "Allocation"); and

WHEREAS, the District wishes to transfer the Allocation to the Agency and has requested the Agency to issue the Qualified School Construction Bonds in an amount not to exceed the total of the Allocation; and

WHEREAS, the Agency will authorize the issuance of the Agency's School Facility Revenue Bonds (Rochester Schools Modernization Project), consisting of Series 2012A (Tax-Exempt Bonds) and Series 2012B (Federally Taxable Qualified School Construction Bonds) (collectively, the "Series 2012 Bonds"), to effect the financing of the Phase IA Project, certain planning and design costs of the Phase IB and Phase IC Projects, and costs of issuance of the Series 2012 Bonds (collectively, the "Series 2012 Project Costs"), pursuant to a resolution of the Agency and an Indenture of Trust (the "Indenture") between the Agency and Deutsche Bank Trust Company Americas, as trustee of the Series 2012 Bonds (the "Trustee"); and

WHEREAS, the District and the City will lease, pursuant to a ground lease (the "Ground Lease"), the Phase I Facilities and certain additional property described in the Ground Lease (collectively, the "Ground Lease Facilities") to the Agency; and

WHEREAS, the District and the City will sublease, pursuant to a sublease agreement (the "Sublease Agreement"), the Ground Lease Facilities from the Agency; and

WHEREAS, payments to be made by the District under the Sublease Agreement are expected to be sufficient to pay the principal and interest on the Series 2012 Bonds; and

WHEREAS, the District and the City will enter into a State Aid Trust Agreement, with Deutsche Bank Trust Company Americas, acting as depository bank (the "Depository Bank"), and the Trustee, to provide for, among other things, the payment of all State Aid Revenues (as defined therein) into the State Aid Depository Fund (as defined therein) maintained with the Depository Bank for periodic transfer to the Bond Fund (as defined in the Indenture) toward payment of the Series 2012 Bonds, and the balance to the General Fund (as defined therein); and

WHEREAS, such State Aid Revenues deposited to the Bond Fund shall be credited against Sublease Payments otherwise payable by the District under the Sublease Agreement; and

WHEREAS, the Series 2012 Bonds will be marketed pursuant to a Preliminary Official Statement and an Official Statement containing certain information relating to the Agency, the District, the City and the RJSCB, and will be sold pursuant to a contract of purchase; and

WHEREAS, the respective counsels to the Agency, the City, the District, the RJSCB, Citigroup Global Markets Inc., as representative of the Underwriters (the "Underwriter"), the Depository Bank, and the Trustee, have prepared or reviewed the following documents relating to the issuance of the Series 2012 Bonds (collectively, the "Transaction Documents"):

1. An Indenture of Trust between the Agency and Deutsche Bank Trust Company Americas, as trustee (the "Series Trustee");
2. The Ground Lease;
3. The Sublease Agreement;
4. A State Aid Trust Agreement between the School District, the City, the Depository Bank and the Series Trustee;
5. An Environmental Compliance and Indemnification Agreement from the City and the District to the Agency;
6. A Preliminary Official Statement and an Official Statement, with respect to the offering of the Series 2012 Bonds;
7. A Purchase Contract between the Underwriter, the Agency and the District;
8. A Continuing Disclosure Agreement between the District and the Series Trustee; and
9. A Continuing Disclosure Agreement between the City and the Series Trustee; and

WHEREAS, the Agency is expected to adopt a resolution authorizing the issuance by the Agency of the Series 2012 Bonds and the execution and delivery of the Transaction Documents; and

WHEREAS, the District has adopted or is expected to adopt a resolution authorizing the issuance by the Agency of the Series 2012 Bonds and the execution and delivery of the Transaction Documents; and

WHEREAS, the City is expected to adopt a resolution authorizing the issuance by the Agency of the Series 2012 Bonds and the execution and delivery of the Transaction Documents; and

WHEREAS, the Rochester Schools Act requires the RJSCB and the District to compare the financing available for the Rochester Schools Modernization Project through the Agency with the financing available through the Dormitory Authority of the State of New York ("DASNY") and employ the financing mechanism that will result in the lowest cost to taxpayers of the City and State; and

WHEREAS, the RJSCB has previously set forth its intent, in accordance with the Internal Revenue Code of 1986, as amended, and applicable regulations promulgated pursuant thereto, to reimburse itself for the payment of certain expenses of the Rochester Schools Modernization Project incurred prior to the issuance of the 2012 Bonds (Resolution 2009-10:5).

THEREFORE, BE IT RESOLVED:

1. The RJSCB hereby ratifies and confirms that the RJSCB, acting on behalf of the District and the City, has filed an application with the Agency, requesting the Agency to provide financing for the Phase I Projects.

2. In order to finance the Series 2012 Project Costs, the RJSCB hereby approves the issuance by the Agency of the Series 2012 Bonds in an amount not to exceed \$150,000,000.

3. The RJSCB hereby ratifies and confirms that the RJSCB, acting on behalf of the District and the City, has compared or will compare prior to closing, the financing available for the Rochester Schools Modernization Project through the Agency with financing through DASNY and has determined, or will determine prior to closing, that financing through the Agency will result in the lowest cost to the taxpayers of the City and State.

4. The RJSCB acknowledges that the President of the Board of Education of the District, and in his absence his appointed designees (individually and collectively, the "District's Authorized Officer"), is expected to be authorized on behalf of the District to approve, execute and deliver documents necessary to facilitate the financing of the Series 2012 Project Costs, including without limitation the Transaction Documents, draft forms of which have been provided to the RJSCB and the final forms of which will be satisfactory to the Executive Director, all of which are expected to be approved by the Board of Education of the District.

5. The RJSCB acknowledges that (i) pursuant to the Rochester Schools Act and the Cooperative Agreement, the RJSCB will serve as the City's and the District's agent with respect to the Phase IA Project, the Phase IB Project and the Phase IC Project, and (ii) pursuant to the Transaction Documents, the RJSCB will serve as an authorized representative of the District with respect to certain obligations and responsibilities of the District in connection with the Phase IA Project, the Phase IB Project, the Phase IC Project and the Series 2012 Bonds, as further described in the Transaction Documents.

6. The Chair, Vice Chair, or Executive Director of the RJSCB is hereby authorized on behalf of the RJSCB to enter into such agreements and execute such certificates and documents as may be appropriate to facilitate the completion of the Phase IA Project, the planning and design of the Phase IB and IC Projects and the issuance of the Series 2012 Bonds.

7. The RJSCB affirms that it will continue to act as SEQRA Lead Agency.

8. Citigroup Global Markets Inc., as representative of the Underwriters, is authorized to utilize information about the RJSCB and the Program Manager in connection with the distribution of the Preliminary Official Statement and final Official Statement with respect to the offering and sale of the Series 2012 Bonds, the forms of which will be satisfactory to the Executive Director.

9. This Resolution shall take effect immediately.

**Second by Member of the Board Brown  
Approved 5-0 with Chairman Bell and Member Castro away**

**Resolution 2011-12: 101  
School 50 Contract Awards**

**This Resolution was tabled at the meeting.**

**Resolution 2011-12: 102  
Moving Company Awards**

**By Board Member Roulin**

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, Vargas Associates (the “Move Management Consultant”), with the advice of the RJSCB’s Executive Director and its general counsel, prepared a request for bids (“Request for Bids”) package for furniture and equipment moves in preparation for the start of construction at four of the Phase 1 schools (School 17, School 50, School 58, and Charlotte High School); and

WHEREAS, the RJSCB previously had authorized the release of the Request for Bids at its monthly meeting on April 9, 2012 (Resolution 2011-12: 91); and

WHEREAS, based upon the recommendation of the Move Management Consultant, the RJSCB proceeded to obtain bids through a public bid process rather than through the NYS Office of the General Services contract (OGS Contract #79004); and

WHEREAS, under the RJSCB’s April 9, 2012 resolution (Resolution 2011-12: 91), the Move Management Consultant separated the proposed school moves into three groups: Group 1 was for School 50 and School 58; Group 2 was for School 17; and Group 3 was for the RMSP offices and Charlotte High School; and

WHEREAS, the RJSCB’s Executive Director received bids on May 15, 2012 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 RJSCB’s Program Manager and the Move Management Consultant have reviewed the bids, conducted de-scoping meetings, and concluded that the apparent low bidders for each scope of work package are also qualified and responsible bidders; and

WHEREAS, at the MWBE and Services Procurement Committee meeting held on May 17, 2012, following the review and consideration of recommendations provided by the RJSCB’s Program Manager and Move Management Consultant, and after due deliberation by the Committee, the following contract awards were approved:

<b>Scope of Work</b>	<b>Name of Mover</b>	<b>Address</b>	<b>Bid Amount</b>
Group 1 School 50 and School 58	Move, Design & Installation Inc.	6605 Pittsford Palmyra Road # W2 Fairport, NY 14450-3405	\$95,350
Group 2	Move, Design &	6605 Pittsford Palmyra Road #	\$57,200



School 17	Installation Inc.	W2 Fairport, NY 14450-3405	
Group 3 RSMP Offices and Charlotte HS	Move, Design & Installation Inc.	6605 Pittsford Palmyra Road # W2 Fairport, NY 14450-3405	\$97,050 (including accepted alternate)

THEREFORE, BE IT RESOLVED:

1. The RJSCB hereby approves the recommendation of the Program Manager and Move Management Consultant that 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 scope of work associated with the furniture and equipment moves for School 50 and School 58 (Group 1), School 17 (Group 2), and the RSMP offices and Charlotte High School (Group 3) as a part of Phase 1 of the RSMP;

2. The Chair is hereby authorized, in the name and on behalf of the RJSCB, to execute and deliver a Purchase Order to each firm named above in substantially the form included in the Request for Bids (dated May 4, 2012) and Addendum (dated May 14, 2012), with such changes as the Chair may approve (his signature thereon being conclusive evidence of such approval) on the advice of the Program Manager and the RJSCB's general counsel; and

3. The Officers of the RJSCB are hereby authorized and directed for and on behalf of the RJSCB and in its name to do all acts and things required or as may be necessary, or in the opinion of the officer so acting, desirable and proper to effect the purposes of the foregoing resolutions and to cause compliance by the RJSCB with all of the provisions of the foregoing resolutions.

**Second by Member Underwood  
Approved 5-0 with Chairman Bell and Member Castro away**

**Resolution 2011-12: 103  
Pay Requisition Summary Acceptance (April 2012)**

**By Board Member Roulin**

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 a Pay Requisition Approval Procedure (Resolution 2011-12: 23); and

WHEREAS, in compliance with the Pay Requisition Approval Procedure, the RJSCB 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 \$898,361.14 to the Board Chair with copy to the full Board on April 25, 2012; and

WHEREAS, the RJSCB Chair approved the Pay Requisition Summary on April 25, 2012; and

WHEREAS, the BAN proceeds for the RSMP were deposited in the City's account on September 15, 2011;

THEREFORE, BE IT RESOLVED:

1. That the Rochester Joint Schools Construction Board hereby accepts the Pay Requisition Summary for the month of April 2012 in the amount stated above and as shown in the Summary attached to this Resolution.

**Second by Board Member Brown**

**Approved 5-0 with Chairman Bell and Member Castro away**

**Staff Updates**

Monthly Reports for all of the projects are included in the Board Member's packets.

The Monthly Compliance Report is included in the Board Member's packets.

Budget Reports are included in the Board Member's packets. Jerome Underwood asked that Tom Renauto forward the budget reports to both he and the District CFO (Vern Connors).

The Committee Report from May 17, 2012 is included in the Board Member's packets.

A discussion was held regarding the budget issues for School 17. Bids came in over the project budget. Tom Roger stated that the project may have to be re-bid. This will cost time and money for the School 17 project and may impact the next school slated to move into Jefferson as swing space. Tom Roger stated that he is hesitant to cut program out of the School 17 project due to the value that the school brings to the students and the community. Another option would be to re-program monies from a project that does not have a defined scope at this time (possibly Jefferson). More discussion and evaluation are necessary.

**Adjournment**

**Motion by Member Brown**

**Second by Member Pifer**

**Approved 5-0 at 5:30pm**