

**Rochester Joint Schools Construction Board**  
**Minutes**  
**June 2, 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 Pepin Accilien from Savin.

**Chair Richards convened the meeting at 4:31 pm**

**Approval of Minutes**

Monthly Meeting held on May 5, 2014

Motion by Vice Chair Brown

Second by Member Hilger

Approved 6-0 with Member Thomas away

**Consent Agenda Items**

**Resolution 2013-14: 298**

**Amendment #3 to OSO Inc. Contract (Phase 1b Projects)**

**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 issued a Request For Proposals ("RFP") for Environmental Monitoring and Indoor Air Monitoring Agent Services on May 6, 2013 (Resolution 2012 – 2013: 175) which included work at four projects in Phase 1b (School 5, School 28, East High School, and Edison Educational Campus); and

WHEREAS, the RJSCB, at its monthly meeting on June 10, 2013 (Resolution 2012-13: 196), approved the selection of OSO, Inc., for Environmental Monitoring and Indoor Air Monitoring Agent Services for School 5, School 28, East High School, and Edison Educational Campus, and the parties thereafter entered into an Agreement between the RJSCB and Consultant dated June 28, 2013 (the "Agreement"); and

WHEREAS, following the execution of the Agreement, OSO, Inc., along with the Program Manager, identified the need for additional testing and monitoring work at various 1b projects, and cost proposals were then obtained for these additional scopes of work provided to the Program Manager for review; and

WHEREAS, OSO, Inc. has provided the Program Manager with a proposal for the additional services in the amount of \$16,021.50; 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 May 29, 2014 meeting and after due deliberation, agreed to forward the request to the full Board for consideration;

THEREFORE, BE IT RESOLVED:

1. The proposed amendment to the Agreement Between Board and OSO, Inc. dated June 28, 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 OSO, Inc.'s 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 2013-14: 299**  
**Amendment #9 to LaBella Associates Agreement - School 28**

**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 selection of LaBella Associates as the Architect for the Henry Hudson School #28 project in Phase I (Resolution 2010-11: 35); and

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

WHEREAS, following the execution of the Agreement, LaBella Associates, along with the Program Manager, identified the need for additional scopes of design work and cost proposals were then obtained for the additional scopes of work 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 LaBella Associates' Agreement should be amended to add these additional scope items in the total amount of \$4,738 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, 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 May 29, 2014 meeting and after due deliberation, agreed to forward the request to the full Board for consideration;

THEREFORE, BE IT RESOLVED:

1. The proposed amendment to the LaBella Associates Agreement Between Board and Architect dated March 28, 2011 as set forth above is hereby approved; and

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

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

**Resolution 2013-14: 300**  
**Amendment #5 to Campus Construction Management Group**

**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 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, subsequent to the execution of the Agreement, the School District requested that the Franklin Auditorium also be renovated as a part of the Franklin Educational Campus scope of work and the Program Manager directed the Construction Manager to provide coordination services; and

WHEREAS, the Franklin Auditorium project was designed in the spring of 2013 and bid in early summer 2013; and

WHEREAS, following the RJSCB's rejection of the original bid (Resolution 2012-13: 198), the Franklin Auditorium project was later split into two scopes of work (roofing project and interior project) in order to allow certain scopes of work to be completed prior to inclement weather, and by splitting the project and bidding the roofing portion early, this added 2 months to the original completion schedule; and

WHEREAS, the Program Manager has received and reviewed a proposal provided by the Construction Manager for additional services required by the extended schedule; 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 \$75,000 for this additional scope of work; 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 May 29, 2014 meeting and after due deliberation, agreed to forward the request to the full Board for consideration;

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

**Resolution 2013-14: 301**  
**Contract Awards – AV Carts (IT Podiums)**

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

WHEREAS, the RJSCB's Program Manager worked with Millennium Strategies, the RJSCB's Technology Consultant, Vargas Associates, the Move Manager / FF&E Coordinator, and the District's IM&T Department to prepare a request for AV Cart bids ("Request for Bids") in conjunction with the District Wide Technology project; and

WHEREAS, the RJSCB approved the issuance of a Request for Bids at its monthly meeting on May 4, 2014 (Resolution 2013-14: 264); and

WHEREAS, the RJSCB's Executive Director received three bids for AV Carts on May 19, 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 Technology Consultant, the Move Manager / FF&E Coordinator, and the Program Manager have reviewed the bids and concluded that one bidder was non-responsive to the requirements of the bid, and of the two remaining bidders, the apparent low bidder for AV Carts is a qualified and responsible supplier of this product; and

WHEREAS, the low base bid amount is \$11,850.23; and

WHEREAS, based upon the recommendation of the Move Manager / FF&E Coordinator, the RJSCB is electing to include the award of Alternate #1, "AV Carts for School 5," as a part of this award in the amount of \$14,162.47; and

WHEREAS, at the MWBE and Services Procurement Committee (the "Committee") meeting held on May 29, 2014, following the review and consideration of recommendations provided by the RJSCB's Move Manager / FF&E Coordinator and the Program Manager, and after due deliberation by the Committee, Hertz Furniture was approved as being the low responsible supplier of AV Carts; and

THEREFORE, BE IT RESOLVED:

1. The RJSCB hereby awards the AV Carts procurement to Hertz Furniture in the total amount of \$26,012.70, (including Alternate #1, School 5 AV Carts); and

2. The RJSCB Chair is hereby authorized, to execute and deliver a Purchase Order to the firm named above, in substantially the form included in the Request for Bids 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 Vice Chair Brown  
Approved 6-0 with Member Thomas away**

**Resolution 2013-14: 302  
Contract Awards – Network Electronics**

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

WHEREAS, the RJSCB's Program Manager worked with Millennium Strategies, the RJSCB's Technology Consultant, to prepare a request for bids ("Request for Bids") off of a New York State Office of General Services contract ("State Contract") in conjunction with the District Wide Technology project; and

WHEREAS, the RJSCB approved the issuance of a Request for Bids at its monthly meeting on January 14, 2014 (Resolution 2013-14: 164); and

WHEREAS, the RJSCB's Executive Director received bids for Network Electronics on February 20, 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 and the Technology Consultant reviewed the proposals for LAN and Network Equipment (Network Electronics), and concluded that all bid proposals should be rejected under the RJSCB's contractual right to do so, and the package should be re-bid in the best interest of the public, the project, and the RJSCB; and

WHEREAS, the RJSCB approved the recommendation of the Program Manager and the Technology Consultant that all bid proposals received for the LAN and Network Equipment (Network Electronics) shall be rejected under the RJSCB's contractual right to do so (Resolution 2013-14: 205); and

WHEREAS, the RJSCB directed the Technology Consultant and the Program Manager to re-bid the LAN and Network Equipment (Network Electronics) at the earliest possible date (Resolution 2013-14: 205); and

WHEREAS, the Board of Education ("BOE") recently approved a resolution (BOE Resolution 2013-14: 546) by which the District has now standardized its Network Electronics using only Cisco equipment for all of their facilities in the future; and

WHEREAS, the Program Manager and the Technology Consultant revised and re-issued the Request for Bids for Network Electronics on April 28, 2014; and

WHEREAS, the Executive Director received bids on May 20, 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, at the MWBE and Services Procurement Committee meeting held on May 29, 2014, following the review and consideration of recommendations provided by the RJSCB's Technology Consultant and the Program Managers and after due deliberation by the Committee, Dyntek, listed on the competitively bid State Contract PT64525, was approved as the low responsible supplier of the Network Electronics;

THEREFORE, BE IT RESOLVED:

1. The RJSCB hereby approves the recommendation of the Technology Consultant and the Program Manager to award the Network Electronics procurement to Dynatek using State Contract PT64525 to procure the equipment and materials as indicated above and associated with the District Wide Technology project for the next group of schools (School 5 and Edison Technology Campus) in Phase 1 of the RSMP; and

2. The RJSCB Chair is hereby authorized, to execute and deliver a Purchase Order to the firm named above, in substantially the form included in the Request for Bids 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 Vice Chair Brown  
Approved 6-0 with Member Thomas away**

**Resolution 2013-14: 303  
Contract Awards – School 5 Mezzanine Seating**

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

WHEREAS, the RJSCB's Program Manager worked with Vargas Associates, the Move Manager / FF&E Coordinator, to prepare a request for mezzanine seating bids ("Request for Bids") in conjunction with the School 5 project; and

WHEREAS, the RJSCB approved the issuance of a Request for Bids for mezzanine seating at its monthly meeting on April 7, 2014 (Resolution 2013-14: 232); and



WHEREAS, the RJSCB's Executive Director received no bids for mezzanine seating on the deadline stipulated in the Request for Bids; and

WHEREAS, subsequent feedback received by the Move Manager / FF&E Coordinator indicated that the type of seating being requested by the District is limited to a only few manufacturers in the country; and

WHEREAS, the Executive Director requested that the Move Manager / FF&E Coordinator contact individual suppliers directly to obtain price quotes for the mezzanine seating; and

WHEREAS, the Move Manager / FF&E Coordinator determined that the primary manufacturer of the type of seating requested by the District is located in Michigan, with a local supplier in Depew, NY; and

WHEREAS, a second supplier, located in New Jersey, expressed some interest in providing a price quote however the supplier concluded that it could not be competitive with the Depew supplier's pricing based on proximity to Rochester and experience installing this type of seating; and

WHEREAS, the Depew supplier has provided the District with this type of seating on previous capital improvement projects and is currently under contract to provide similar seating at other District projects this summer; and

WHEREAS, the Move Manager / FF&E Coordinator has determined that the Depew supplier can provide State Contract pricing for the product specified and also meet the schedule demands of the project; and

WHEREAS, the Move Manager / FF&E Coordinator and the Program Manager have reviewed the price quote received from the supplier "Professional Furniture and Equipment" and concluded that the supplier is a qualified and responsible supplier of the seating required; and

WHEREAS, based on the advice from the Move Manager / FF&E Coordinator, a further request for bids or further attempt to secure alternative proposals would not result in any new supplier interest or pricing and there is no possibility of competition given the significant reduction in the market for wood seating; and

WHEREAS, at the MWBE and Services Procurement Committee meeting held on May 29, 2014, following the review and consideration of recommendations provided by the RJSCB's Move Manager / FF&E Coordinator and the Program Manager and after due deliberation by the Committee, Professional Furniture and Equipment was approved as a qualified and responsible supplier of the seating required;

THEREFORE, BE IT RESOLVED:

1. The RJSCB hereby awards the mezzanine seating procurement associated with the School 5 project to the supplier Professional Furniture and Equipment in the total amount of \$20,420.75; and
2. The RJSCB Chair is hereby authorized, to execute and deliver a Purchase Order to the firm named above, in substantially the form included in the Request for Bids 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 Vice Chair Brown**  
**Approved 6-0 with Member Thomas away**

**Resolution 2013-14: 304**  
**Supplemental FF&E Purchase Order – Butcher Block Tables (School 28)**

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

WHEREAS, the RJSCB’s Program Manager, with the advice of Vargas Associates (the “Move Manager”), the RJSCB’s general counsel, and the RJSCB’s Independent Compliance Officer, prepared a request for bids (“Request for Bids”) package for Furniture, Fixtures, and Equipment (“FF&E”) (Resolution 2012-13: 124); and

WHEREAS the Request for Bids included FF&E items categorized into eleven primary groups and several non-grouped items; and

WHEREAS, the RJSCB awarded the following groups to FM Resources: Group 4 – Conference Furniture, Group 5 – Desks, Group 6 – Lounge Furniture, Group 9 – Storage, and Group 11 Task Seating (Resolution 2012-2013: 162); and

WHEREAS, the RJSCB awarded the following groups to School Specialty, Inc.: Group 1 – Activity Tables, Group 2 – Art Room, and non-grouped items: Carpet (solid), Cubby Units, Sand and Water Table, Computer Tables, First Aid Couch, Metal Shelving, and Podium (Resolution 2012-2013: 166); and

WHEREAS, the RJSCB awarded the following groups to Facilities Equipment and Service, Inc.: Group 3 – Cafeteria Tables and Group 7 – Library Furniture (Resolution 2012-2013: 166); and

WHEREAS, the RJSCB awarded the following groups to Hertz Furniture: Group 8 – Music Furniture, Group 10 – Student Furniture, and non-grouped items: Carpet (elementary) (Resolution 2012-2013: 166); and

WHEREAS, following the initial purchase orders for the bulk of the furniture, the District identified a new requirement to the Move Manager and the Program Manager associated with the Technology program at School 28; and

WHEREAS, the Move Manager worked with the District’s facilities department to select a standard product to fit the Technology program needs and has identified Butcher Block Tables as the solution; and WHEREAS, the Move Manager has obtained proposals for unique and/or special furniture items for specific schools outside of the original bulk FF&E bids to be included in supplemental purchase orders, and the specialty item being purchased at this time are Butcher Block Tables for the School 28 project; and

WHEREAS, at its May 29, 2014 meeting, the MWBE Procurement and Services Committee considered the recommendation of the Move Manager and the Program Manager to make the additional FF&E purchase and approved the additional FF&E purchase order for Butcher Block Tables to the firm School Specialty; and

THEREFORE, BE IT RESOLVED:

1. The RJSCB hereby approves the recommendation of the Move Manager that a supplemental Purchase Order shall be issued to School Specialty in the amount of \$3,060.21 to provide Butcher Block Tables for the School 28 project in Phase 1b of the RSMP; and



2. The RJSCB Chair is hereby authorized, to execute and deliver a Purchase Order to the firm named above, 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 Vice Chair Brown**  
**Approved 6-0 with Member Thomas away**

**Resolution 2013-14: 305**  
**Change Order #38 through #48 to LeChase Construction – General Contractor (School 5)**

**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 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 #38 includes the following items:

1. Concrete floor repair for the amount of \$9,426
  2. Change to fire rated glass for the amount of \$6,311
- The Total amount of Change Order #38 is \$15,737; and

WHEREAS, Change Order #39 includes the following items:

1. Changes to ceilings and soffits on the 2<sup>nd</sup> and 3<sup>rd</sup> floors for the amount of \$10,493
- The Total amount of Change Order #39 is \$10,493; and

WHEREAS, Change Order #40 includes the following items:

1. Piping insulation abatement for the amount of \$1,815
  2. Room 107 piping insulation for the amount of \$6,280
  3. Abate bathroom pipe insulation for the amount of \$1,227
  4. Abate classroom pipe insulation for the amount of \$4,782
  5. Additional wall demo for the amount of \$5,220
- The Total amount of Change Order #40 is \$19,324; and

WHEREAS, Change Order #41 includes the following items:

1. Emergency roof repairs for the amount of \$5,195
- The Total amount of Change Order #41 is \$5,195; and

WHEREAS, Change Order #42 includes the following items:

1. Additional demo and steel for backboards for the amount of \$25,724
- The Total amount of Change Order #42 is \$25,724; and

WHEREAS, Change Order #43 includes the following items:

1. Wall changes at the 2<sup>nd</sup> and 3<sup>rd</sup> floors due to existing conditions for the amount of \$46,495
- The Total amount of Change Order #43 is \$46,495; and

WHEREAS, Change Order #44 includes the following items:

1. Changes to room 322 for the amount of \$6,305
  2. Retrofit chalkboard for the amount of \$847
  3. Changes to girls locker room for the amount of \$15,318
  3. Changes to ceiling for a credit of -\$2,193
- The Total amount of Change Order #44 is \$20,277; and

WHEREAS, Change Order #45 includes the following items:

1. Additional demo at stage for the amount of \$6,831
  2. Recessed entrance mats and frames for the amount of \$9,104
  3. Changes at the 2<sup>nd</sup> and 3<sup>rd</sup> floor for a credit of -\$1,713
- The Total amount of Change Order #45 is \$14,222; and

WHEREAS, Change Order #46 includes the following items:

1. Door hardware changes for the amount of \$13,748
- The Total amount of Change Order #46 is \$13,748; and

WHEREAS, Change Order #47 includes the following items:

1. Changes to elevator shaft due to existing conditions for the amount of \$32,083
- The Total amount of Change Order #47 is \$32,083; and

WHEREAS, Change Order #48 includes the following items:

1. Change cove base to resinous material for the amount of \$30,158
- The Total amount of Change Order #48 is \$30,158; 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 \$233,456; and

WHEREAS, the Committee considered and discussed the Program Manager's recommendation at its May 29, 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 2013-14: 306**

**Change Order #5 and #6 to Bell Mechanical Contractors Inc. – Mechanical Contractor (School 5)**

**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 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 #5 includes the following items:

1. Changes to ductwork due to existing conditions for the amount of \$4,193  
The Total amount of Change Order #5 is \$4,193; and

WHEREAS, Change Order #6 includes the following items:

1. Additional ductwork changes for the amount of \$11,563  
The Total amount of Change Order #6 is \$11,563; 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 \$15,756; and

WHEREAS, the Committee considered and discussed the Program Manager’s recommendation at its May 29, 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 2013-14: 307**

**Change Order #18, #19, and #20 to Manning Squires Hennig – (GC - School 28)**

**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 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 #18 includes the following items:

1. Lockers in work room 111 for the amount of \$1,471.71
  2. Changes to library soffit for the amount of \$1,290.88
  3. Roof work for dryer vent for the amount of \$776.74
  4. Support structure in room 106 for the amount of \$5,230.57
  5. Revisions to boys and girls locker rooms for the amount of \$7,631
- The Total amount of Change Order #18 is \$16,400.90; and

WHEREAS, Change Order #19 includes the following items:

1. Roof curbing steel for the amount of \$13,172.32
  2. Roof work for two condensing units for the amount of \$6,594.56
  3. Changes to room signage for the amount of \$1,303
  4. Revisions to casework for the amount of \$801.25
  5. Changes to sound doors for a credit in the amount of -\$28,944.70
- The Total amount of Change Order #19 is a credit of -\$7,073.57; and

WHEREAS, Change Order #20 includes the following items:

1. Changes to storm line for the amount of \$19,868.59
  2. Additional abatement and demo for the amount of \$14,971.36
  3. Roof insulation replacement for the amount of \$23,167
- The Total amount of Change Order #20 is \$58,006.95; 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 delete and add these additional scope items in the total amount of \$67,334.28; and

WHEREAS, the Committee considered and discussed the Program Manager's recommendation at its May 29, 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's Contract between the Board and Contractor dated February 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 2013-14: 308**  
**Change Order #7 to Kaplan Schmidt – (Electrical - School 28)**

**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 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 Kaplan Schmidt Electric Inc. ("Kaplan Schmidt") for the School 28 project in Phase I (Resolution 2012-13: 106); and

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

WHEREAS, following the execution of the Contract, Kaplan Schmidt, along with 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. Electrical changes in room 204A for the amount of \$1,250.65
2. Raise electrical boxes for the amount of \$1,967.92
3. Rework conduit for the amount of \$804.66
4. Add receptacles in kindergarten rooms for the amount of \$988
5. Added soffits and chases for the amount of \$1,308

6. Provide power to DDC panels for the amount of \$4,194.27
  7. Add site lighting for the amount of \$15,047
- The Total amount of Change Order #7 is \$25,560.50; 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 change in scope; and

WHEREAS, the Program Manager thereafter recommended to the RJSCB's MWBE and Services Procurement Committee (the "Committee") that Kaplan Schmidt's Contract should be amended to add these scope items for a total of \$25,560.50; and

WHEREAS, the Committee considered and discussed the Program Manager's recommendation at its May 29, 2014 meeting and after due deliberation, it approved the request to amend the Contract;

THEREFORE, BE IT RESOLVED:

1. The proposed Change Order to Kaplan Schmidt's Contract between the Board and Contractor dated 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 2013-14: 309**  
**Change Order #6 to Nairy Mechanical – (Plumbing - School 28)**

**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 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 #6 includes the following items:

1. Changes to fittings for the amount of \$762.78
  2. New roof drain for the amount of \$5,123.68
  3. Sprinkler heads in soffit for the amount of \$471
  4. Add 4" clean out for the amount of \$730
  5. Rework roof drain for the amount of \$2,078.92
  6. Rotate water main valve for the amount of \$775.46
- The Total amount of Change Order #6 is \$9,941.84; 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 to add these additional scope items in the total amount of \$9,941.84; and

WHEREAS, the Committee considered and discussed the Program Manager's recommendation at its May 29, 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 Vice Chair Brown**  
**Approved 6-0 with Member Thomas away**

**Resolution 2013-14: 310**  
**Change Order #58 to Manning Squires Hennig Co., Inc. – General Contractor (School 50)**

**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 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 #58 includes the following item:

1. Changes to roofing for the amount of \$8,926.32
2. Floor topping in area C for the amount of \$8,222.05
3. Kitchen floor sealant for the amount of \$12,488

The total amount of Change Order #58 is \$29,636.37; 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 \$29,636.37; and

WHEREAS, the Committee considered and discussed the Program Manager's recommendation at its May 29, 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 Vice Chair Brown**  
**Approved 6-0 with Member Thomas away**

**Resolution 2013-14: 311**  
**Change Order #29 to Manning Squires Hennig – School 58**

**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 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 #29 includes the following items:

1. Foundation drain and outlet for the amount of \$7,388
  2. Changes to walk-off mats for a credit in the amount of -\$1,080
  3. Infill at existing windows for the amount of \$27,564
  4. Sub slab depressurization system for the amount of \$25,658
  5. Handicap lift recessed slab for the amount of \$2,036
  6. Changes to classroom millwork details for the amount of \$7,010
  7. Main entrance canopy changes for the amount of \$4,162
  8. Ceramic tile in bathrooms for the amount of \$6,603
- The Total amount of Change Order #29 is \$79,341; 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 \$79,341; and

WHEREAS, the MWBE and Services Procurement Committee considered and discussed the Program Manager's recommendation at its May 29, 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's Contract between the Board and Contractor dated September 10, 2012 as set forth above is hereby approved; and
2. The RJSCB's Chair is hereby authorized, in the name and on behalf of the RJSCB, to execute a Change Order that is consistent with this approval and in an acceptable form to the Chair upon the advice of the Program Manager and the RJSCB's general counsel.

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

**Resolution 2013-14: 312  
Change Order #9 and #10 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 #9 includes the following items:

1. Relocate mailboxes for the amount of \$398
2. Add door thresholds for the amount of \$4,103
3. Changes to fin tube for the amount of \$2,825
4. Asbestos abatement at brick lintels for the amount of \$13,129
5. Date stone modifications for the amount of \$706
6. Temporary stairs to courtyard for the amount of \$1,019
7. Temp heat and additional data for CM office for the amount of \$815

The Total amount for Change Order #9 is \$22,995; and

WHEREAS, Change Order #10 includes the following items:

1. Change to terrazzo at corridor for the amount of \$14,157
2. Replace terrazzo for the amount of \$1,480
3. Revise kitchen door hardware for the amount of \$8,433

The Total amount for Change Order #10 is \$24,070; and

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

WHEREAS, the Program Manager thereafter recommended to the RJSCB's MWBE and Services Procurement Committee (the "Committee") that Pike's Contract should be amended to add these scope items in the amount of \$47,065; and

WHEREAS, the Committee considered and discussed the Program Manager's recommendation at its May 29, 2014 meeting and after due deliberation, it approved the request to amend the Contract;

THEREFORE, BE IT RESOLVED:

1. The proposed Change Orders to The Pike Company's Contract between the Board and Contractor dated April 1, 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**

## **Action Items**

### **Resolution 2013-14: 313 Independent Compliance Officer, Additional Services**

#### **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 requires the Board is to engage an Independent Compliance Officer (“ICO”) to report directly to the Board; and

WHEREAS, in November of 2013, the RJSCB issued a request for proposals (an “RFP”) regarding ICO services for the remainder of Phase 1 of the RSMP entitled “Independent Compliance Officer Services” (Resolution 2013-2014: 103); and

WHEREAS, in January 2014, the RJSCB awarded the remainder of Phase 1 Independent Compliance Officer Services contract to the firm Baker Tilly Virchow Krause LLP (“Baker Tilly”) (Resolution 2013-14: 162) and entered into an agreement with Baker Tilly dated January 13, 2014 (“Agreement”); and

WHEREAS, the RJSCB now wishes to add certain additional scopes of services to the Agreement, a cost proposal for which was obtained from the ICO and reviewed by the Executive Director; and

WHEREAS, the Executive Director has distributed the proposal provided by the ICO to the full Board and the Board’s general counsel for review; and

WHEREAS, at its May 29, 2014 meeting, the MWBE and Services Procurement Committee considered and discussed the proposal from the Independent Compliance Officer, a copy of which is attached hereto (the “Proposal”), and after due deliberation, it approved the request to amend Baker Tilly’s Agreement;

THEREFORE, BE IT RESOLVED:

1. The RJSCB hereby approves the additional services added to the Agreement between the Board and Baker Tilly Virchow Krause LLP in an amount Not to Exceed \$122,500; 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 Brown  
Approved 6-0 with Member Thomas away**

### **Resolution 2013-14: 314 Request for Bids – 3-D Virtual STEM Lab Workstations**

#### **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 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 District has requested that 3-D Virtual STEM Lab technology be added to the DWT project, with workstations to be installed at two of the schools (to be named by the District at a later date) in Phase 1 of the RSMP; and

WHEREAS, the RJSCB's Program Manager has been working with the Technology Consultant, Millennium Strategies ("Millennium"), and the District's IM&T Department, to prepare a request for bid package ("Request for Bids") for 3-D Virtual STEM Lab Workstations associated with the District Wide Technology ("DWT") project in Phase 1 of the RSMP; and

WHEREAS, at its May 29, 2014 meeting, the MWBE and Services Procurement Committee ("Committee") considered and approved the issuance of the 3-D Virtual STEM Lab Request for Bids;

THEREFORE, BE IT RESOLVED:

1. The RJSCB, through its Technology Consultant, shall proceed with the issuance of the 3-D Virtual STEM Lab Request for Bids; and
2. Also, prior to issuance, the Technology Consultant will work with the RJSCB's general counsel to further develop and finalize the bid package, including the general conditions of the contract and the form of purchase order; and
3. The MWBE and Services Procurement Committee, with the advice and recommendations of the Program Manager and the Technology Consultant, is authorized on behalf of the RJSCB to review the bid responses for this project and recommend to the RJSCB the lowest responsible bidder.

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

**Resolution 2013-14: 315  
RJSCB Annual Report FY2013-14**

**By Board Chair Richards**

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, under Section 21 of the Act, is required to submit an annual report to various State agencies noting the progress and status of the projects undertaken by the RJSCB;

THEREFORE, BE IT RESOLVED:



1. The FY2013-14 Annual Report of the RJSCB is hereby accepted pending final edits and corrections to be made by the Executive Director. A final version to be circulated to the full Board prior to distribution on or before June 30, 2014.

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

**Resolution 2013-14: 316  
Extension of Executive Director's Employment Agreement**

**By Board Chair Richards**

WHEREAS, the Rochester School Facilities Modernization Program Act ("the Act") established the Rochester Joint Schools Construction Board (the "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, in Resolution 2010-11:47, (a) approved the hiring of Thomas M. Renauto as its Executive Director, and (b) approved the employment agreement between the RJSCB and Mr. Renauto (the "Employment Agreement"), effective June 27, 2011, and the terms and conditions therein, and authorized the RJSCB Chair to execute the Employment Agreement on behalf of the RJSCB; and

WHEREAS, the RJSCB now wishes to extend the term and make certain other adjustments to the Employment Agreement; and

WHEREAS, the RJSCB Chair has recommended to the RJSCB that the term of the Employment Agreement should be extended beginning on June 27, 2014 through December 31, 2016 to correlate with the anticipated completion of Phase 1 of the RSMP, and has discussed this recommendation with the RJSCB; and

WHEREAS, the RJSCB Chair has recommended to the RJSCB that Mr. Renauto's base compensation pursuant to the Employment Agreement for the employment year of June 27, 2014 through June 26, 2015 should remain the same, and has discussed this recommendation with the RJSCB; and

WHEREAS, the Executive Director's future compensation shall continue to be evaluated on a yearly basis as stipulated in Section 3 of the Employment Agreement; and

WHEREAS, the RJSCB Chair has recommended to the RJSCB that the Executive Director's Employment Agreement include a 90 day severance provision if the Executive Director is terminated without cause at the convenience of the Board;

THEREFORE, BE IT RESOLVED:

1. Upon due consideration and discussion of the RJSCB Chair's recommendation, the RJSCB hereby approves an extension to the Executive Director's Employment Agreement term beginning on June 27, 2014 through December 31, 2016;
2. The Employment Agreement shall be amended to provide for a 90 day severance provision if the Executive Director is terminated without cause at the convenience of the Board;

3. The compensation of the Executive Director shall remain the same in all respects for the next 12 months until June 26, 2015, subject to an annual review under Section 3 of the Employment Agreement; and
4. The RJSCB's Chair is hereby authorized in the name and on behalf of the RJSCB, to execute an amendment to the Employment Agreement that is consistent with this approval and in a form acceptable to the Chair upon the advice of the RJSCB's general counsel.

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

**Resolution 2013-14: 317**  
**Pay Requisition Summary Acceptance (May 2014)**

**By Board Member 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 \$10,722,978.08, 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 May 23, 2014; and

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

WHEREAS, the RJSCB's Executive Director reviewed the Pay Requisition Summary with the RJSCB's Finance Committee at its meeting on May 29, 2014;

THEREFORE, BE IT RESOLVED:

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

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

**Resolution 2013-14: 318  
Change Order #28 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 #28 includes the following items:

1. Provide fire rated windows for the amount of \$13,940
- The Total amount of Change Order #28 is \$13,940; 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 add these additional scope items in the total amount of \$13,940; and

WHEREAS, the documentation for this change order was not yet ready for review/approval when the Committee met on May 29, 2014; and

WHEREAS, the information is now ready, and the Board is willing to consider and discuss the approval at its monthly business meeting on June 2, 2014 in order to progress the change order and assist the contractors in keeping on schedule;

THEREFORE, BE IT RESOLVED:

1. The proposed Change Order to Manning Squires Hennig's Contract between the Board and Contractor dated September 10, 2012 as set forth above is hereby approved; and
2. The RJSCB's Chair is hereby authorized, in the name and on behalf of the RJSCB, to execute a Change Order that is consistent with this approval and in an acceptable form to the Chair upon the advice of the Program Manager and the RJSCB's general counsel.

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

### **Communication**

Chair Tom Richards asked Gilbane to provide a report for School 58 regarding open change issue and open change orders.

The Monthly Report is included in the Member's packets. Each project was reviewed by Tom Rog r and the Program Manager for each project.

- Tom Roger stated that the schedule at School 58 is tracking on time. A follow up meeting with the Principals from each Prime will be scheduled for next week.

- Tom Roger stated that there is still retainage being held for several contractors on 1a projects.

- Jose Coronas asked about end dates for 1a projects (with new requests and punch list items still ongoing). This has been difficult to manage and there are several lessons learned here for the 1b projects as they head into the final months of work.

- Grades 7 and 8 at Martin Street will be returning to East High School. This is a change by the District and will need to be coordinated quickly. The building needs to be ready for summer school by 6/30/14.

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

- Verification of Certifications (verifying with the State as well as Contractors): Minority: 88%, Women: 87%, Disadvantaged: 100%, Small: 59%. Baker Tilly will also verify the Certification vs. the actual work performed.

- Baker Tilly has received 28% of subcontracts to date.

- Electronic reporting is up to 78% for May.

- Data submitted for January, February, and March is at approximately 92%.

The Budget report is included in the Member's packets. The overall budget was reviewed and the Board discussed "local share". Local share is defined by the debt service vs. the annual state aid reimbursement.

The MWBE and Services Procurement Committee Report for May 29, 2014 is included in the Members packets

The Finance Committee Report for May 29, 2014 is included in the Members packets.

### **Discussion Items**

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

All parties met last week and are scheduled to meet again next week.

#### **Existing Penetrations in Fire Rated Walls**

If the project is a full gut renovation the RSMP will address existing conditions. If the project is a partial renovation the RSMP will repair the areas within in our work area and call the District's attention to the rest of the building. The Board asked that the work at Edison be evaluated for scope and cost beyond the work area of the project as well as the DWT "pathways".

#### **RJSCB 2014-2015 Meeting Schedule**

The 2014-2015 Meeting Calendar has been circulated to members. Formal approval will come at the organizational meeting in July. July meeting dates: 6/26/14 (Committee Meetings) and 7/7/14 (Board Meeting).

### **Executive Session**

The Chair called for an executive session pursuant to New York Public Officer's Law Section 105, to discuss the employment history of an individual employed by the Board.

Motion by Member Benincasa

Second by Vice Chair Brown

Approved 6-0 with Member Thomas away

### **Adjournment**

**Approved at 6:45pm**