

**Rochester Joint Schools Construction Board
Minutes
February 9, 2015
4:30 PM**

Present

Chair Tom Richards, Charles Benincasa, Vice Chair Bob Brown, Joe Brown (arrived 4:50 p.m.), Aaron Hilger, Chris Thomas, and ICO Brian Sanvidge. Member José Coronas was away. Also present were: Executive Director Tom Renauto, General Counsel Peter Abdella, Program Director Tom Rogér from Gilbane.

Chair Richards convened the meeting at 4:32 pm

Approval of Minutes

Special Organizational Meeting held on January 8, 2015

Motion by Vice Chair Brown

Second by Member Benincasa

Approved 5-0 with Members Brown and Coronas away

Monthly Meeting held on January 12, 2015

Motion by Vice Chair Brown

Second by Member Benincasa

Approved 5-0 with Members Brown and Coronas away

Consent Agenda Items

Resolution 2014-15: 159

Amendment #7 to Gilbane Building Company

By Board Member Thomas

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 Gilbane Building Company ("Program Manager") to provide Program Management services to the Board in June of 2010 (Resolution 2009-10: 13) and thereafter the RJSCB and the Program Manager entered into the Program Management Agreement dated July 1, 2010 (the "Agreement"); and

WHEREAS, following the execution of the Agreement, the RJSCB now wishes to add certain additional services to the scope of work of the Program Manager related to laser scanning of the School 12 building structure, and the Program Manager has proposed to provide such services; and

WHEREAS, the results of the laser scan are expected to reveal conflicts within the building structure that were previously unknown, and this information will be utilized by the Architect and Engineer of record to

produce more accurate documents prior to the receipt of bids, thus resulting in more accurate bids and reducing the number of change orders during the project; and

WHEREAS, following extensive discussions with the Program Manager and due diligence, the Executive Director recommended to the MWBE and Services Procurement Committee (the "Committee") that the Program Manager's Agreement should be amended to add these services in the total amount of Not to Exceed \$20,172 for costs associated with laser scanning services for the School 12 Project; and

WHEREAS, the Committee considered and discussed the Executive Director's recommendation at its February 5, 2015 meeting and after due deliberation, it approved the request to amend the Agreement;

THEREFORE, BE IT RESOLVED:

1. The proposed amendment to the Agreement between the RJSCB and the Program Manager dated July 1, 2010 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 RJSCB's general counsel.

**Second by Board Member Benincasa
Approved 5-0 with Members Brown and Coronas away**

**Resolution 2014-15: 160
Supplemental FF&E Purchase Orders – Phase 1 projects**

By Board Member Thomas

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 2012-13: 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 2012-13: 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 2012-13: 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 2012-13: 166); and

WHEREAS, the original bid documents stipulated that the awarded firms would hold their pricing for the remainder of 2013; and

WHEREAS, the RJSCB authorized a bulk FF&E purchase at the end of 2013 (Resolution 2013-14: 138) at the discounted rates achieved in the prior bid, for the next group of projects in Phase 1b of the RSMP (School 5, School 28, School 58, and Edison Technology Campus); and

WHEREAS, subsequent to the bulk purchase in December 2013, the Move Manager determined that additional furniture could still be purchased within the existing budget as a result of significant bid day savings; and

WHEREAS, the pricing received from each firm on bid day will be used again when placing orders for these additional FF&E items except with a markup per the bid form price sheet in the Request for Bids; and

WHEREAS, following the initial purchase orders for the bulk of the furniture, the Move Manager, along with the Program Manager and the architect for each project, performed a detailed review of each school's needs and were able to determine that all new furniture could be purchased for each project within the existing budget; and

WHEREAS, in addition to the additional FF&E items, the Move Manager obtained specific pricing from State Contract for unique and/or special furniture items for specific schools which will be included in these supplemental purchase orders; and

WHEREAS, at its February 5, 2015 meeting, the MWBE Procurement and Services Committee considered the recommendation of the Move Manager and the Program Manager to make the additional FF&E purchases and approved the additional FF&E purchase order to the firm as set forth in the table below:

SUMMARY of SUPPLEMENTAL FURNITURE PURCHASE

Firm	Total Award
School Specialty	\$519.79
Uline	\$649
Crowd Control Warehouse	\$1,528
Hertz Furniture	\$2,048

THEREFORE, BE IT RESOLVED:

1. The RJSCB hereby approves the recommendation of the Move Manager that a supplemental Purchase Order shall be issued to the above named firms, in the amount specified to provide the

necessary Furniture, Fixtures, and Equipment (delivered and installed at point of use) for the projects in Phase 1 of the RSMP; and

2. The RJSCB Chair is hereby authorized, to execute and deliver a Purchase Order to the firms named above, in substantially the form included in the Request for Bids for the Furniture, Fixtures, and Equipment with such changes as the Chair may approve (the Chair's signature thereon being conclusive evidence of such approval) on the advice of the Program Manager and the RJSCB's general counsel.

**Second by Board Member Benincasa
Approved 5-0 with Members Brown and Coronas away**

**Resolution 2014-15: 161
Change Order #77 and #78 to LeChase Construction – General Contractor (School 5)**

By Board Member Thomas

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 #77 includes the following items:

1. Change to floor material specified at kitchen for the amount of \$4,810.75
 2. Credit for cabinet lock installation in the amount of -\$6,120
- The Total amount of Change Order #77 is a credit of -\$1,309.25; and

WHEREAS, Change Order #78 includes the following item:

1. Provide fencing at gas meter for the amount of \$3,309.39
- The Total amount of Change Order #78 is \$3,309.39; 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 total amount of \$2,000.14; and

WHEREAS, the Committee considered and discussed the Program Manager's recommendation at its February 5, 2015 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 Board Member Benincasa
Approved 5-0 with Members Brown and Coronas away**

**Resolution 2014-15: 162
Change Order #17 and #18 to Bell Mechanical Contractors Inc. – Mechanical Contractor (School 5)**

By Board Member Thomas

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 #17 includes the following items:

1. Delete pads for AHUs for a credit in the amount of -\$2,375
2. Changes to millwork for the amount of \$5,404.63
3. Credit at boiler intake in the amount of -\$1,444.78

The total amount of Change Order #17 is \$1,584.85; and

WHEREAS, Change Order #18 includes the following items:

1. Bird screens at AHU for the amount of \$1,835.75
2. Condensate ports at boiler for the amount of \$1,034.87

The total amount of Change Order #18 is \$2,870.62; 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 delete and add these additional scope items in the total amount of \$4,455.47; and
WHEREAS, the Committee considered and discussed the Program Manager's recommendation at its February 5, 2015 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 Board Member Benincasa
Approved 5-0 with Members Brown and Coronas away

Resolution 2014-15: 163
Change Order #1 to Mark Cerrone Inc. (School 12 Demo and Abatement)

By Board Member Thomas

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 demo and abatement contractor contract to Mark Cerrone Inc., ("Cerrone") for the School 12 project in Phase I (Resolution 2014-15: 107); and

WHEREAS, the RJSCB entered into a contract with Cerrone (Resolution 2014-15: 107) dated November 3, 2014 (the "Contract"), to perform the scope of services defined in the contract documents as the demo and abatement contractor's scope of work; and

WHEREAS, following the execution of the Contract, Cerrone, 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 #1 includes the following item:

1. Demo of 19 masonry chases for the amount of \$5,408
- The Total amount of Change Order #1 is \$5,408; 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 Mark Cerrone Inc.'s Contract should be amended to add these additional scope items in the total amount of \$5,408; and

WHEREAS, the Committee considered and discussed the Program Manager's recommendation at its February 5, 2015 meeting and after due deliberation, it approved the request to amend the Contract;

THEREFORE, BE IT RESOLVED:

1. The proposed Change Order to Mark Cerrone Inc.'s Contract between the Board and Contractor dated November 3, 2014 as set forth above is hereby approved; and
2. The RJSCB's Chair is hereby authorized in the name and on behalf of the RJSCB, to execute a Change Order to the Contract that is consistent with this approval and in an acceptable form to the Chair upon the advice of the Program Manager and the RJSCB's general counsel.

**Second by Board Member Benincasa
Approved 5-0 with Members Brown and Coronas away**

**Resolution 2014-15: 164
Change Order #13 to Cucchiara Construction Inc. – General Contractor (Franklin High School)**

By Board Member Thomas

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 Cucchiara Construction, Inc. ("Cucchiara") for the Franklin High School Project in Phase I (Resolution 2011-12: 106); and

WHEREAS, the RJSCB entered into a contract with Cucchiara (Resolution 2011-12: 106) 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, Cucchiara, along with Campus Construction Group (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 #13 includes the following items:

1. Credit back of unused allowance in the amount of -\$6,800
- The Total amount of Change Order #13 is a credit of -\$6,800; and

WHEREAS, the Construction Manager and the Program Manager believe that the change order work was necessary and the pricing is appropriate and 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 Cucchiara's Contract should be amended to delete these scope items in the total credit amount of -\$6,800; and

WHEREAS, the Committee considered and discussed the Program Manager's recommendation at its February 5, 2015 meeting and after due deliberation, it approved the request to amend the Contract;

THEREFORE, BE IT RESOLVED:

1. The proposed Change Order to Cucchiara Construction, Inc.'s Contract between the Board and General Contractor dated June 4, 2012 as set forth above is hereby approved; and
2. The RJSCB's Chair is hereby authorized in the name and on behalf of the RJSCB, to execute a Change Order to the Contract that is consistent with this approval and in an acceptable form to the Chair upon the advice of the Program Manager and the RJSCB's general counsel.

Second by Board Member Benincasa
Approved 5-0 with Members Brown and Coronas away

Resolution 2014-15: 165
Change Order #5 to M.A. Ferrauilo – Mechanical Contractor (Franklin High School - Auditorium)

By Board Member Thomas

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 Michael A. Ferrauilo Plumbing and Heating Inc., ("M.A. Ferrauilo") for the Franklin High School Auditorium project in Phase I (Resolution 2013-14: 128); and

WHEREAS, the RJSCB entered into a contract with M.A. Ferrauilo (Resolution 2013-14: 128) dated November 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, M.A. Ferrauilo, along with Campus Construction Group (the Construction Manager), and the Program Manager, identified the need for additional scopes of work, and cost proposals were then obtained for these additional scope items and provided to the Construction Manager and the Program Manager for review; and

WHEREAS, Change Order #5 includes the following item:

1. Insulate existing piping for the amount of \$700
 2. Background checks for employees using District required agency for the amount of \$2,048
- The Total amount of Change Order #5 is \$2,748; and

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

WHEREAS, the Program Manager thereafter recommended to the RJSCB's MWBE and Services Procurement Committee (the "Committee") that M.A. Ferraiulo's Contract should be amended to add these additional scope items in the total amount of \$2,748; and

WHEREAS, the Committee considered and discussed the Program Manager's recommendation at its February 5, 2015 meeting and after due deliberation, it approved the request to amend the Contract;

THEREFORE, BE IT RESOLVED:

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

**Second by Board Member Benincasa
Approved 5-0 with Members Brown and Coronas away**

Action Items

**Resolution 2014-15: 166
Move Manager Additional Services – Amendment #20**

By Vice Chair Brown

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

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

WHEREAS, the RJSCB issued a request for proposals dated August 9, 2011 for move management services ("Move Manager") (Resolution 2011-12: 8); and

WHEREAS, at the monthly meeting held on October 3, 2011, the RJSCB selected Vargas Associates as the finalist for Move Manager (Resolution 2011-12: 31) and subsequently entered into an agreement with Vargas Associates dated February 2, 2012, entitled "Agreement Between Owner and Consultant" (the "Agreement"); and

WHEREAS, the Agreement includes scope of work for the first five projects in Phase 1a of the Rochester Schools Modernization Program ("RSMP") (School 17, School 28, School 50, School 58, and Charlotte High School); and

WHEREAS, the RJSCB thereafter added certain additional services to the Move Manager's scope of work (Resolution 2012-13: 9, Resolution 2012-13: 49, Resolution 2012-13:118, Resolution 2012-13: 145, Resolution 2012-13: 172, Resolution 2012-13: 192, Resolution 2013-14: 8, Resolution 2013-14: 34, Resolution 2013-14: 100, Resolution 2013-14: 101, Resolution 2013-14: 160, Resolution 2013-14: 203, Resolution 2013-14: 204, Resolution 2013-14: 261, Resolution 2013-14: 287, Resolution 2013-14: 288, Resolution 2014-15: 51, Resolution 2014-15: 84 and Resolution 2014-15: 150); and

WHEREAS, the RJSCB now wishes to add additional services to the Move Manager's scope of work and the Program Manager has received and reviewed proposals for this additional work provided by the Move Manager; 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 from the Move Manager at its February 5, 2015 meeting and after due deliberation, it approved the request to amend the Agreement;

THEREFORE, BE IT RESOLVED:

1. The RJSCB hereby accepts and approves the proposal from the Move Manager for additional services to the Agreement in an amount not to exceed \$89,500; 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 with Vargas Associates that is consistent with this approval and in an acceptable form to the Chair upon the advice of the RJSCB's general counsel.

Second by Board Member Hilger
Approved 5-0 with Members Brown and Coronas away

Resolution 2014-15: 167
Change Order #34 to Manning Squires Hennig – (GC - School 28)

By Board Member Benincasa

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 #34 includes the following items:

1. Fire extinguisher cabinet revisions for the amount of \$1,066.72
2. Provide surface mounted fire cabinets for the amount of \$596
3. Provide abatement of spray fireproofing for the amount of \$17,097
4. Provide limit stops at windows for the amount of \$13,702.46
5. Repair/replace damaged doors for the amount of \$1,582
6. Chains at library security devices for the amount of \$1,269
7. Provide walls at spandrel panels for the amount of \$3,528
8. Ductwork enclosures for the amount of \$2,208.81

9. Delete painted floors for a credit of -\$956.28
 10. Provide a key box and rework door locks for the amount of \$1,613
- The total amount of Change Order #34 is \$41,706.71; 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 delete and add these additional scope items in the total amount of \$41,706.71; and

WHEREAS, the Committee considered and discussed the Program Manager's recommendation at its February 5, 2015 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' Contract between the Board and Contractor dated February 4, 2013 as set forth above is hereby approved;
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 5-0 with Members Brown and Coronas away

Resolution 2014-15: 168
Change Order #11 to Kaplan Schmidt – (Electrical - School 28)

By Board Member Hilger

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

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

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

WHEREAS, the RJSCB approved the award of the 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 #11 includes the following items:

1. Relocation of power and data for the amount of \$1,010.68
2. Provide horn alarm for the amount of \$1,036.18
3. Replace ADA boxes for the amount of \$317.98
4. Credit for door repairs in the amount of -\$337.40

The Total amount of Change Order #11 is \$2,027.44; 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 delete and add these scope items for a total of \$2,027.44; and

WHEREAS, the Committee considered and discussed the Program Manager's recommendation at its February 5, 2015 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 5-0 with Members Brown and Coronas away

Resolution 2014-15: 169

Change Order #13 to Nairy Mechanical – (Plumbing - School 28)

By Vice Chair Brown

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

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

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

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

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

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

WHEREAS, Change Order #13 includes the following items:

1. Trap seals at floor drains for the amount of \$5,755
 2. Clean out sink drain for the amount of \$505
 3. Credit for damage to doors in the amount of -\$337
 4. Credit for gym pad repairs in the amount of -\$299
- The Total amount of Change Order #13 is \$5,624; 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 delete and add these scope items in the total amount of \$5,624; and

WHEREAS, the Committee considered and discussed the Program Manager's recommendation at its February 5, 2015 meeting and after due deliberation, it approved the request to amend the Contract;

THEREFORE, BE IT RESOLVED:

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

**Second by Board Member Benincasa
Approved 5-0 with Members Brown and Coronas away**

**Resolution 2014-15: 170
Change Order #54, #55, and #56 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 #54 includes the following items:

1. Changes to Room G105 and G118 for the amount of \$61,744
 2. Changes to flooring for the amount of \$17,192
 3. Changes to the east wall of the gymnasium for the amount of \$11,416
 4. Remove existing chase wall for the amount of \$1,309
 5. Changes at elementary dining area for the amount of \$6,616
 6. Additional changes at elementary dining area for the amount of \$48,569
 7. Add chase at kitchen for the amount of \$2,373
 8. Relocate temporary electric panel for the amount of \$31,399
 9. Firesafe at curtain wall for the amount of \$8,803
 10. Deduct landscaping allowance for a credit in the amount of -\$15,000
 11. Deduct water allowance for a credit in the amount of -\$20,000
- The total amount of Change Order #54 is \$154,421; and

WHEREAS, Change Order #55 includes the following items:

1. Gym speaker support for the amount of \$3,037
 2. Changes at upper level rooms for the amount of \$5,230
 3. Drywall enclosures at lower level rooms for the amount of \$8,688
 4. Add wall at L122 for the amount of \$7,551
 5. Change volleyball sleeve cover plates for the amount of \$1,026
 6. Modify door hardware for the amount of \$2,477
 7. Second final cleaning for the amount of \$24,714
 8. Beam change at lily pad area for the amount of \$3,623
 9. Delete temporary power allowance for a credit in the amount of -\$35,000
 10. Changes to north wall masonry for the amount of \$16,139
 11. Changes to steel framing for the amount of \$8,469
 12. Modify stage framing for the amount of \$1,521
 13. Add wheel stops in parking lot for the amount of \$4,918
 14. Repairs to existing elevator for the amount of \$9,944
 15. Exterior wall at stair G104 for the amount of \$4,384
- The total amount of Change Order #55 is \$66,721; and

WHEREAS, Change Order #56 includes the following items:

1. Ceiling at room L157 for the amount of \$4,934
2. Backcharge for repairs to emergency generator for a credit in the amount of -\$6,624
3. Masonry details at column for the amount of \$2,439
4. Changes to ceilings at lily pad area for the amount of \$11,947
5. Changes to ductwork for the amount of \$3,000
6. Additional mailbox unit for the amount of \$2,700
7. Relocate gym divider curtain for the amount of \$1,854
8. Replace asphalt for the amount of \$7,500
9. Changes to ceiling height for the amount of \$1,639
10. Relocate wiremold at media center for the amount of \$892
11. Ceiling changes in U407 for the amount of \$2,597
12. Changes to walls and columns for the amount of \$9,529
13. Shorten CMU walls for the amount of \$1,522

14. Route pipe through beam for the amount of \$473
 15. Add security monitor for the amount of \$865
 16. Additional snow removal for the amount of \$2,777
 17. Wall repairs for the amount of \$459
- The total amount of Change Order #56 is \$48,503; 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 \$269,645; and

WHEREAS, the Committee considered and discussed the Program Manager's recommendation at its February 5, 2015 meeting and after due deliberation, it approved the request to amend the Contract;

THEREFORE, BE IT RESOLVED:

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

Second by Board Member Benincasa
Approved 5-0 with Members Brown and Coronas away

Resolution 2014-15: 171
Change Order #8 to Leo J. Roth – (Mechanical - 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 mechanical contractor contract to Leo J. Roth Corporation ("Leo J. Roth") for the School 58 project in Phase I (Resolution 2012-13: 120); and

WHEREAS, the RJSCB subsequently entered into a contract with Leo J. Roth (Resolution 2012-13: 120) dated March 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, Leo J. Roth, 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 #8 includes the following items:

1. Changes at Gallery G120 for the amount of \$9,576
2. Boiler flue changes for the amount of \$3,420
3. Cabinetry changes for the amount of \$2,942
4. Soffit and ceiling revisions for the amount of \$3,650
5. Changes at windows for the amount of \$1,445

The total amount of Change Order #8 is \$21,033; 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 Leo J. Roth's Contract should be amended to add these additional scope items in the total amount of \$21,033; and

WHEREAS, the MWBE and Services Procurement Committee considered and discussed the Program Manager's recommendation at its February 5, 2015 meeting and after due deliberation, it approved the request to amend the Contract;

THEREFORE, BE IT RESOLVED:

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

**Second by Board Member Benincasa
Approved 5-0 with Members Brown and Coronas away**

**Resolution 2014-15: 172
Change Order #16 to Eastcoast Electric – Electrical Contractor (School 58)**

By Board Member Benincasa

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 Eastcoast Electric LLC (“Eastcoast”) for the School 58 project in Phase I (Resolution 2012-13: 120); and

WHEREAS, the RJSCB subsequently entered into a contract with Eastcoast (Resolution 2012-13: 120) dated March 4, 2013 (the “Contract”), to perform the scope of services defined in the contract documents as the electrical contractor’s scope of work; and

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

WHEREAS, Change Order #16 includes the following items:

1. Add ADA push pads for the amount of \$10,058
2. Door access control changes for the amount of \$4,491
3. Add fire alarm devices for the amount of \$1,633
4. Power for security scanner for the amount of \$1,478

The total amount of Change Order #16 is \$17,660; and

WHEREAS, the Construction Manager and the Program Manager believe that the pricing is appropriate and the contract time will not be increased by this scope change; and

WHEREAS, the Program Manager thereafter recommended to the RJSCB’s MWBE and Services Procurement Committee (the “Committee”) that Eastcoast’s Contract should be amended to add these scope items for a total of \$17,660; and

WHEREAS, the Committee considered and discussed the Program Manager’s recommendation at its February 5, 2015 meeting and after due deliberation, it approved the request to amend the Contract;

THEREFORE, BE IT RESOLVED:

1. The proposed Change Order to Eastcoast Electric’s Contract between the Board and Contractor dated March 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 5-0 with Members Brown and Coronas away**

**Resolution 2014-15: 173
Change Order #19 and #20 to M.A. Ferrauilo – School 58**

By Board Member Hilger

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

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

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

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

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

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

WHEREAS, Change Order #19 includes the following items:

1. Stainless enclosures at room U105 for the amount of \$1,591
2. Add connections to washer and dryer for the amount of \$6,506
3. Credit for deleted floor repairs in the amount of -\$9,500

The total amount of Change Order #19 is a credit of -\$1,403; and

WHEREAS, Change Order #20 includes the following items:

1. Added rescue ladders in classrooms for the amount of \$2,300
2. Added ceilings in SL112 for the amount of \$963
3. Added wall in room L121 for the amount of \$2,064
4. Add drain for boiler piping for the amount of \$2,633
5. Credit for gas utility allowance in the amount of -\$15,000

The total amount of Change Order #20 is a credit of -\$7,040; and

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

WHEREAS, the Program Manager thereafter recommended to the RJSCB's MWBE and Services Procurement Committee (the "Committee") that M.A. Ferrauilo's Contract should be amended to add and delete these additional scope items in the total credit amount of -\$8,443; and

WHEREAS, the Committee considered and discussed the Program Manager's recommendation at its February 5, 2015 meeting and after due deliberation, it approved the request to amend the Contract;

THEREFORE, BE IT RESOLVED:

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

Second by Vice Chair Brown

Approved 5-0 with Members Brown and Coronas away

Resolution 2014-15: 174

Change Order #10, #11, #12, and #13 to The Pike Company – General Contractor (Edison Technology Campus)

By Vice Chair Brown

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

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

WHEREAS, the RJSCB approved the award of the general contractor contract to The Pike Company (“Pike”) for the Edison Technology Campus project in Phase I (Resolution 2012-13: 194); and

WHEREAS, the RJSCB entered into a contract with Pike (Resolution 2012-13: 194) dated June 10, 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 #10 includes the following items:

1. Boiler flue revisions for the amount of \$6,948
 2. 2nd and 3rd floor ceiling revisions for the amount of \$3,935
 3. Rope guard at flag pole for the amount of \$1,137
 4. Revisions to doors for the amount of \$8,978
 5. Credit for flush integral pulls at doors in the amount of -\$2,100
 6. Replace broken windows for the amount of \$428
 7. Rework entry vestibule doors for power in the amount of \$415
 8. Provide additional framing for access doors and lights for the amount of \$3,113
- The total amount for Change Order #10 is \$22,854; and

WHEREAS, Change Order #11 includes the following items:

1. Elevator repairs for the amount of \$6,046
 2. Additional ceiling revisions for the amount of \$8,198
 3. Handrail system at plaza retaining wall for the amount of \$49,722
 4. Provide mulch at plaza planters for the amount of \$3,651
 5. Credit for asphalt staging area in the amount of -\$2,014
 6. Remove and replace loading dock soffit for the amount of \$4,313
 7. Provide temporary heaters in vestibule for the amount of \$945
- The total amount for Change Order #11 is \$70,861; and

WHEREAS, Change Order #12 includes the following items:

1. Additional epoxy work at foundation for the amount of \$31,027
 2. Fireproof additional columns for the amount of \$4,624
 3. Interior and exterior signage revisions for the amount of \$10,474
- The total amount for Change Order #12 is \$46,125; and

WHEREAS, Change Order #13 includes the following items:

1. Terrazzo revisions for the amount of \$5,774
2. Prep and paint exterior metal panels for the amount of \$31,835

3. Premium time for work at the vestibule for the amount of \$1,869
 4. Infill holes at generator room for the amount of \$279
- The total amount for Change Order #13 is \$39,757; 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 delete and add these scope items for the total amount of \$179,597; and

WHEREAS, the Committee considered and discussed the Program Manager's recommendation at its February 5, 2015 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 June 10, 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 Board Member Thomas
Approved 5-0 with Members Brown and Coronas away**

**Resolution 2014-15: 175
Change Order #6 to Landry Mechanical Contractors – Mechanical Contractor (Edison Technology Campus)**

By Board Member Hilger

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

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

WHEREAS, the RJSCB approved the award of the mechanical contractor contract to Landry Mechanical Contractors ("Landry") for the Edison Technology Campus project in Phase I (Resolution 2012-13: 194); and

WHEREAS, the RJSCB entered into a contract with Landry (Resolution 2012-13: 194) dated June 10, 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, Landry, 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 #6 includes the following items:

1. Relocate ductwork on 2nd and 3rd floor for the amount of \$1,665
2. Generator exhaust make-up air revisions for the amount of \$10,639

The total amount for Change Order #6 is \$12,304; 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 Landry's Contract should be amended to add these scope items in the amount of \$12,304; and

WHEREAS, the Committee considered and discussed the Program Manager's recommendation at its February 5, 2015 meeting and after due deliberation, it approved the request to amend the Contract;

THEREFORE, BE IT RESOLVED:

1. The proposed Change Order to Landry Mechanical Contractors' Contract between the Board and Contractor dated June 10, 2013 as set forth above is hereby approved; and
2. The RJSCB's Chair is hereby authorized, in the name and on behalf of the RJSCB, to execute a Change Order to the Contract that is consistent with this approval and in an acceptable form to the Chair upon the advice of the Program Manager and the RJSCB's general counsel.

Second by Board Member Thomas

Approved 5-0 with Members Brown and Coronas away

Resolution 2014-15: 176

Change Order #6 to M.A. Ferrauilo – Plumbing Contractor (Edison Technology Campus)

By Board Member Benincasa

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

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

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

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

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

WHEREAS, Change Order #6 includes the following items:

1. Relocations for basement work for the amount of \$4,871
 2. 3rd floor plumbing at soffits for the amount of \$5,403
 3. Structural changes at plaza for the amount of \$7,918
 4. Plumbing to kitchen equipment for the amount of \$1,867
 5. Filtration system for new ovens for the amount of \$14,884
 6. Deck mounted eyewash for the amount of \$5,309
 7. Revisions to sink piping for the amount of \$10,588
 8. Clean existing drains for the amount of \$2,534
 9. Remove and replace loading dock soffit (offsetting credit) in the amount of -\$3,313
 10. Cafeteria drinking fountain for the amount of \$646
- The total amount for Change Order #6 is \$50,707; and

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

WHEREAS, the Program Manager thereafter recommended to the RJSCB's MWBE and Services Procurement Committee (the "Committee") that M.A. Ferraiulo's Contract should be amended to add and delete these scope items for a total amount of \$50,707; and

WHEREAS, the Committee considered and discussed the Program Manager's recommendation at its February 5, 2015 meeting and after due deliberation, it approved the request to amend the Contract;

THEREFORE, BE IT RESOLVED:

1. The proposed Change Order to M.A. Ferraiulo's Contract between the Board and Contractor dated June 10, 2013 as set forth above is hereby approved; and
2. The RJSCB's Chair is hereby authorized, in the name and on behalf of the RJSCB, to execute a Change Order to the Contract that is consistent with this approval and in an acceptable form to the Chair upon the advice of the Program Manager and the RJSCB's general counsel.

Second by Vice Chair Brown
Approved 5-0 with Members Brown and Coronas away

Resolution 2014-15: 177
Change Order #7 to Hewitt Young Electric – Electrical Contractor (Edison Technology Campus)

By Board Member Hilger

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

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

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

WHEREAS, the RJSCB entered into a contract with HYE (Resolution 2013-14: 15) dated July 8, 2013 (the "Contract"), to perform the scope of services defined in the contract documents as the electrical contractor's scope of work; and

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

WHEREAS, Change Order #7 includes the following items:

1. Connection to dust collection system for the amount of \$1,473
2. Move point of sale register for serving line for the amount of \$1,548
3. Security revisions at lobby for the amount of \$14,678
4. Revisions to janitor closet for the amount of \$3,446
5. Repairs to existing fire alarm system for the amount of \$56,783
6. Replace parts for motor for the amount of \$1,502
7. Provide leads for transformer for the amount of \$3,799
8. Provide additional wiring for the amount of \$5,580
9. Provide additional light fixtures for the amount of \$2,995
10. Additional electrical work for the amount of \$3,333

The total amount for Change Order #7 is \$95,137; and

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

WHEREAS, the Program Manager thereafter recommended to the RJSCB's MWBE and Services Procurement Committee (the "Committee") that HYE's Contract should be amended to add these scope items in the amount of \$95,137; and

WHEREAS, the Committee considered and discussed the Program Manager's recommendation at its February 5, 2015 meeting and after due deliberation, it approved the request to amend the Contract;

THEREFORE, BE IT RESOLVED:

1. The proposed Change Order to Hewitt Young Electrical's Contract between the Board and Contractor dated July 8, 2013 as set forth above is hereby approved; and
2. The RJSCB's Chair is hereby authorized, in the name and on behalf of the RJSCB, to execute a Change Order to the Contract that is consistent with this approval and in an acceptable form to the Chair upon the advice of the Program Manager and the RJSCB's general counsel.

Second by Chair Richards
Approved 5-0 with Members Brown and Coronas away

Resolution 2014-15: 178
Change Order #6 to DiFiore Construction Inc. – General Contractor (East High School – Athletic Field)

By Board Member Hilger

WHEREAS, the Rochester School Facilities Modernization Program Act ("the Act") established the Rochester Joint Schools Construction Board ("RJSCB"), a seven voting member board consisting of

equal representation by the City of Rochester ("City") and the Rochester City School District ("District"), as well as a member jointly selected by the City and the District; and

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

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

WHEREAS, the RJSCB entered into a contract with DiFiore (Resolution 2013-14: 163) dated January 13, 2014 (the "Contract"), to perform the scope of services defined in the contract documents as the general contractor's scope of work; and

WHEREAS, following the execution of the Contract, DiFiore, along with LPCiminelli, the Construction Manager, and the Program Manager, identified a specific request by the District for a water cannon to cool the new synthetic turf field, 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 item:

1. Provide a water cannon for the new synthetic turf field for the amount of \$15,061
The total amount for Change Order #6 is \$15,061; and

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

WHEREAS, the Program Manager thereafter recommended to the RJSCB's MWBE and Services Procurement Committee (the "Committee") that DiFiore's Contract should be amended to add these scope items in the amount of \$15,061; and

WHEREAS, the Committee considered and discussed the Program Manager's recommendation at its February 5, 2015 meeting and after due deliberation, it approved the request to amend the Contract;

THEREFORE, BE IT RESOLVED:

1. The proposed Change Order to DiFiore Construction Inc.'s Contract between the Board and Contractor dated January 13, 2014 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 5-0 with Members Brown and Coronas away

Resolution 2014-15: 179
RJSCB Policies

By Vice Chair Brown

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, in furtherance of the Act, the RJSCB adopted several policies (the "Policies") to establish rules for the conducting of its business; and

WHEREAS, those Policies include: Code of Ethics Policy, Confidentiality Agreement, Consent Agenda Policy, Procurement Disclosure Policy, Purchasing Procurement Policy, Pay Requisition Approval Process, FOIL Request Process, and a Communications Policy; and

WHEREAS, the RJSCB has amended its Policies from time to time; and

WHEREAS, the legislation for Phase 2 of the RSMP states that "The Board will be reconstituted on the effective date of the chapter of the laws of 2014 that amended this subdivision and the term of each prior Board member shall automatically expire on such date provided however that nothing shall preclude the reappointment of an existing Board member."; and

WHEREAS, the authorizing legislation for Phase 2 of the Rochester Schools Modernization Program ("RSMP") was signed into law by the Governor of the State of New York on December 17, 2014; and

WHEREAS, subsequent to December 17, 2014, the City and the District appointed each of their three representatives as well as the one jointly selected representative to the RJSCB; and

WHEREAS, to begin its work immediately, the newly appointed RJSCB Board members desire to ratify and accept the existing RJSCB Policies (attached hereto);

THEREFORE, BE IT RESOLVED:

1. Effective immediately, the RJSCB hereby ratifies and approves the existing RJSCB Policies as last amended; and
2. The Board members and staff of the RJSCB are hereby authorized to take any additional actions necessary to implement the foregoing resolution.

**Second by Board Member Benincasa
Approved 5-0 with Members Brown and Coronas away**

**Resolution 2014-15: 180
Request for Qualifications – Program Manager (Phase 2)**

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 authorizing legislation for Phase 2 of the Rochester Schools Modernization Program (“RSMP”) was signed into law by the Governor of the State of New York on December 17, 2014; and

WHEREAS, the amended Act for authorized up to 26 projects in Phase 2 of the RSMP including a District Wide Technology program which involves technology upgrades and infrastructure work at several of the possible projects; and

WHEREAS, the legislation for Phase 2 of the RSMP states that “The Board will be reconstituted on the effective date of the chapter of the laws of 2014 that amended this subdivision and the term of each prior Board member shall automatically expire on such date provided however that nothing shall preclude the reappointment of an existing Board member.”; and

WHEREAS, subsequent to December 17, 2014, the City and the District appointed each of their three representatives as well as the one jointly selected representative to the RJSCB; and

WHEREAS, the legislation for Phase 2 of the RSMP states that “the RJSCB may extend the contracts of the providers of professional services for Phase One upon the adoption of findings that doing so would be in the public interest; the contracts of the Program Manager and the independent Compliance Officer for Phase Two will be rebid, and provided further that the Program Manager and the Independent Compliance Officer and any new or different providers of professional services shall be engaged in compliance with the provisions of Section Eight of this Act”; and

WHEREAS, the newly appointed RJSCB Board members have directed the Executive Director and the RJSCB’s general counsel to prepare a request for qualifications (“Request for Qualifications”) for Program Management services related to Phase 2 of the RSMP; and

WHEREAS, the RJSCB reviewed the Request for Qualifications as prepared by the Executive Director and discussed it at its Board meeting held on February 9, 2015;

THEREFORE, BE IT RESOLVED:

1. The RJSCB hereby approves the issuance of a Request for Qualifications to provide Program Management services for Phase 2 of the RSMP; and
2. The RJSCB authorizes the Executive Director to post and issue the Request for Qualifications on the District’s web site, the RJSCB’s web page, the City’s web site, Bidclerk, Builder’s Exchange and Bidnet, to advertise in local newspapers, and to issue the Request for Qualifications directly to firms, with such changes to the final document as the Chair may approve, and on the advice of the RJSCB’s general counsel; and
3. The RJSCB shall review the responses to the Request for Qualifications and reduce the list of firms if appropriate to those firms that will be issued a future Request for Proposal.

Second by Board Member Benincasa
Approved 5-0 with Members Brown and Coronas away

Resolution 2014-15: 181
Pay Requisition Summary Acceptance (January 2015)

By Vice Chair Brown

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

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

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

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

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

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

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

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

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

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

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

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

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

WHEREAS, the Executive Director forwarded the regular monthly Pay Requisition Summary (attached to this Resolution) totaling \$1,679,767.04 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 January 29, 2015; and

WHEREAS, the RJSCB Board Chair approved the Pay Requisition Summary on January 29, 2015; and

WHEREAS, the RJSCB's Executive Director reviewed the regular monthly Pay Requisition Summary with the RJSCB's Finance Committee at its meeting on February 5, 2015;

THEREFORE, BE IT RESOLVED:

1. The Rochester Joint Schools Construction Board hereby accepts the regular monthly Pay Requisition Summary for the month of January 2015 in the amounts stated above and as shown in the Summary sheets attached to this Resolution.

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

Committee Appointments

Ethics Committee

Chair Tom Richards made the following appointments to the Ethics Committee: Tom Richards, Charles Benincasa, and José Coronas.

Communication

The Monthly Report is included in the Member's packets and was reviewed by Program Manager Tom Rogér.

- School 28: Closing out. Leaking valves being tested.
- School 5: Extra requested change order work continues. Steel truss investigation ongoing at cantilever roof, awaiting analysis and design for any repair work necessary, work likely to take place over April break.
- Edison: Lobby work near complete awaiting long lead items.
- East: \$1.5 million construction project, University of Rochester make-ready work - Cannon Design is heavy into the design phase.
- School 12: Updated estimate was received by Pike and about \$1 million higher – may need to move some money from contingency. Aaron Hilger asked if it was anything in particular. Tom Rogér stated: additional demo and abatement, work at the street, and sprinklers to the Library are among the items. Since it has been identified at this time we can get competitive pricing through the bids.

The Compliance Report from Baker Tilly is included in the Member's packets and was reviewed by ICO Brian Sanvidge.

- 97% of all records for the project are reported up to January 2015. This month is currently showing 73% records reported because the workforce is low and Contractors haven't sent in their "no work hours" forms. This month the WBE hours are at 3.73% (vs. 6.9%)
- The overall project is meeting all goals for Business Utilization and Workforce Participation except SBE at 3.11% (vs. 5%). There is still School 12 and Monroe to help increase this number.
- Brian Sanvidge discussed highlighting SBE firms that have had success with the Program and are now over the \$2 million threshold and are no longer considered SBE (most are MBE or WBE as well).
- Forensic work: Baker Tilly is about 96% complete verifying Landon & Rian's numbers. These will be presented at the next Board meeting.

The Budget reports are included in the Member's packets and were reviewed.

- Tom Renauto discussed the QCSB "reserve" account.

- Tom Rogér noted the significant change from last month is that the owner's contingency was increased by approximately \$400k due to a correction to the Capitalized Interest fund following the final Bond sale for Phase 1. The overall budget is tracking well.

The MWBE and Services Procurement Committee Report for February 5, 2015 is included in the Members packets

The Finance Committee Report for February 5, 2015 is included in the Members packets.

Executive Session

Chair Tom Richards called for an Executive Session pursuant to Open Meetings Law Section 105 (c)

Motion by Member Benincasasa

Second by Member Hilger

Approved 6-0 with Member Coronas away

Adjournment