

**Rochester Joint Schools Construction Board**  
**Monthly Meeting Minutes**  
**November 04, 2025**  
**4:00 PM**

**Present - Called to Order by the Board Chair at 4:03 pm**

The Meeting was attended by Board Chair Thomas Richards, Vice Chair Jacob Scott (4:05), Treasurer Kim Jones (Virtual), Kabutey Ocansey (Virtual), Ronald Gaither, Jesse Dudley (4:05), Shawn Farr (Virtual), ICO Brian Sanvidge, State Fiscal Monitor Mark Potter, (Virtual), RCSD Chief Financial Officer Robert McDow, State Monitor Jaime Alicea, RCSD Superintendent Dr. Eric Rosser

**Approval of Minutes**

Monthly Meeting held on October 14, 2025

Motion by Board Member: Kim Jones

Second by Board Member: Ronald Gaither

Approved 5-0

**Action Item**

**Resolution 2025-26:16**

**Pay Requisition Summary Acceptance (November 2025)**

**Motion by: Kim Jones**

**Second by: Ronald Gaither**

**Adopted 5-0**

**Resolution 2025-26:17**

**BCC Agreement Amendment #3 at Edison Tech High School**

**Motion by: Jesse Dudley**

**Second by: Ronald Gaither**

**Adopted 7-0**

**Resolution 2025-26:18**

**LaBella Agreement Amendment #2 at Franklin High School**

**Motion by: Ronald Gaither**

**Second by: Jacob Scott**

**Adopted 7-0**

**Resolution 2025-26:19**

**Pike Agreement Amendment #1 at Franklin High School**

**Motion by: Jesse Dudley**

**Second by: Ronald Gaither**

**Adopted 7-0**

**Resolution 2025-26:20**

**SWBR Agreement Amendment #1 at Wilson High School**

**Motion by: Ronald Gaither**

**Second by: Jesse Dudley**

**Adopted 7-0**

**Resolution 2025-26:21****Approval of Phase 3 Insurance Roadmap Revision****Motion by: Jesse Dudley****Second by: Ronald Gaither****Adopted 7–0****FUND BALANCE REPORT:**

Consultant Kimberly Mitchell presented the budget tracking for the fiscal year, noting that it compares actual billed amounts against budgets established in July. Ms. Mitchell reported that all vendors are currently under budget, a trend the team expects to continue given the early stage of the year. Ms. Mitchell noted that reconciliation efforts continue with the District to verify the numbers and ensure that the ledger account accurately tracks Phase 3 funds. The starting balance for November was \$14,570,468.54 and, after subtracting this month's pay requisition, the remaining balance stands at \$13,665,546.99. The report also noted that the RJSCB Expenses are unchanged, but expenses for the upcoming audit and insurance will soon cause those numbers to change. Regarding the major budget lines, RSMP Administrative Expenses total \$7,772,475 (18% of the budget), and RSMP Construction Costs (which are soft costs only at this time) total \$9,299,146, representing 2% of the \$439,342,158.00 funded construction budget.

**MEETING NOTES:**

- Program Director Pépin Accilien provided a summary for each of the amendments, starting with the BCC Agreement Amendment #3 at Edison Tech High School. The first amendment addressed pre-construction services for the Edison Tech structural reinforcement project. At the October meeting, the Board had authorized an amendment to Buffalo Construction Consultants (BCC) to provide construction administration services for reinforcing the post-tension structural systems at Edison Tech. During negotiations, the Board and BCC agreed on construction phase pricing, but the pre-construction component required additional detail to justify the cost. After receiving and reviewing those details, Mr. Accilien recommended including the pre-construction services, which will enable the Board to avoid procuring separate specialty consultation services. The amendment is a lump sum fee of \$41,460. Chairman Richards reminded the Board that this amendment is part of the ongoing effort to address a significant structural problem at Edison Tech that required special investigation and new design work, and that funds had been transferred from the East High project to Edison to support this work.
- The second amendment authorizes LeChase Construction to conduct an assessment and investigation of roof drain lateral piping beneath Section A of Padilla High School at the Franklin campus. This investigation was requested by the District's Facilities Department to identify deteriorated piping that needs replacement. The work will include video inspections and scoping of under-slab sewer piping throughout the building, covering both sanitary plumbing underneath the building and drain piping from roof drains. Operations Manager Terry LoConte explained that the investigation will scope all under-slab piping and horizontal laterals from roof drains. Given the building's substantial size, this investigation requires significant effort. The amendment is a not-to-exceed fee of \$69,500.
- The third amendment on the agenda addresses the planning required because Padilla High School at Franklin will remain occupied during construction. Pike Construction Management will assist the architect and Program Management team in analyzing classroom utilization using the District's master schedule to determine how classroom space can be consolidated. This work is required under Commissioner's Rule 155 for occupied buildings and involves deeper investigation of existing building systems, developing options with the District for separating

students from construction areas, and providing alternate specialized spaces to maintain instructional operations during construction. Pike will work with the architect to develop phasing plans showing student separation, temporary systems needed to facilitate phasing, construction logistics plans, and estimated costs and schedules. Mr. Accilien and Mr. LoConte explained that this is a multi-step process: this first step establishes the phasing plan, which will then inform the architect's design work to modify mechanical and electrical systems for maintaining building operations during construction, followed by construction administration during a longer construction duration. The Board approved Step 1 of this proposal, with additional amendments expected as the project progresses.

- The next amendment authorizes SWBR Architects to perform a test fit for relocating Wilson Commencement Park to the Marshall campus during construction. SWBR had previously provided test fit documentation for relocating Wilson to the Jefferson campus, but the District has since developed a new swing space plan that requires assessing the Marshall campus instead. This additional work is necessary because the District changed its swing space direction after the initial Jefferson analysis was completed. The amendment is a not-to-exceed fee of \$5,006, and the work is already partially underway.
- The last action item on the agenda modifies the Phase 3 insurance requirements approved by the Board in April. General Counsel Ed Hourihan explained that the current roadmap includes a waiver of subrogation requirement for both professional service providers and construction contractors. LaChase brought to the Board's attention that insurance companies will not provide waivers of subrogation for professional service providers. Mr. Hourihan explained that a waiver of subrogation prevents an insurance carrier, after paying a claim to the policyholder, from pursuing the third party that caused the damage to recover its payout. Such waivers help prevent protracted litigation and preserve business relationships between parties. However, since no insurance companies will provide this coverage for professional services, the Board approved removing this requirement from its standard insurance provisions. Mr. Accilien noted that this finding was confirmed by both BSK (General Counsel) and the RJSCB's insurance consultant.
- ICO Brian Sanvidge presented the compliance report as of October 23, 2025. The RJSCB had received 96% of all records required for the September 25th reporting period. This brings the total documents received and required to be filed for the two years of Phase 3 to approximately 99.20%. The total work on the project is 48,249 hours worked so far with 4,264 hours worked during September. Participation goals for this month are:
  - Minority participation (both male and female) is at 38.30% against a 23% goal.
  - Non-minority women's participation is at 13.24% against a 7% goal.
  - Minority male participation is at 26.60% against a 23% goal.
  - Women (non-minority and minority) participation is at 23.57% against a 7% goal.
  - City of Rochester residents accounted for 14.78% of the total of 115 individuals who worked.

For business utilization, based on \$77,314,131 of currently executed contracts.

- MBE (Minority Business Enterprise) firms are at 31.44% against a goal of 18%.
- WBE (Women's Business Enterprise) firms are at 7.83% against a goal of 12%.
- SBE (Small Business Enterprise) firms are at 1.97% against a goal of 2%.
- DBE (Disadvantaged Business Enterprise) firms are at 3.48% against a goal of 2%.

The ICO maintains that four BOP firms working on the project.

- Program Director Pépin Accilien presented the Program Manager's Report, beginning with the overall financial status. The overall Phase 3 program is currently only 3.66% complete. Regarding SED submission updates, Mr. Accilien reported that SED's position on the preliminary submission remains unchanged from the September 11th meeting. SED is awaiting the new demographic enrollment data update that it requires before approving the

projects to proceed. The demographic study consultant is expected to provide raw numbers imminently, followed by a meeting with the District, Dr. Arden, Chief Scott, and the consultants to review those numbers. The final report is expected by Thanksgiving, which would enable submission to SED in the first week of December. However, several items must still be completed: the Instructional Space Review (ISR) forms for Wilson, Edison, and Douglas require signatures from SED regional associates, which can only occur after the District's Office of Special Education (OSED) reviews and approves revisions. These revised forms may increase special education space allocations and affect total aid calculations.

- Mr. Accilien noted that Chairman Richards had previously suggested changes to the Facilities Master Plan (FMP) attestation form language, but SED's legal department declined to modify the form. However, SED did add two optional signature lines. The forms require certified signatures from Dr. Rosser as Superintendent, Mr. McDow as CFO (or Chief Scott), and appropriate District officials. Once complete, the submission package will be ready. SED continues to require all six projects be submitted together as a single package for preliminary review, which means all documentation must be assembled before any project can advance.
- Mr. Accilien provided design updates for each project. The program has been placed on a "soft pause" pending the demographic update and ISR approvals. At Martin Luther King School No. 9, construction documents are shelved and the District has changed the swing space specification, which will be addressed. Wilson Commencement Park is similarly on soft hold, with schedule and budget updates in progress. The swing space location has been confirmed with Chief Scott and the District at the Marshall campus.
- At Edison Tech, program verification has been completed and presented to the Board, but the project remains on soft hold with the preliminary submission package ready pending ISR signatures. Deputy Director Roland Coleman reported that the final layout of the proposed regulation sports fields was reviewed with Chief Scott and department heads, with the team exploring optimizations including flipping the bleachers to the north side of McCracken Field to position shared functions more centrally, and potentially acquiring an adjacent city-owned parcel for hammer and discus venues. At East High, the project is at program verification with design continuing toward schematic for preliminary submission; Justin Salgot reported the team has limited roof and overall scope to stay within budget, prioritized mechanical work in the crawl space to address future leak risks, and will reroute steam and condensate piping away from electrical equipment in the busway to eliminate safety concerns. At Frederick Douglass, preliminary submission assembly is substantially complete, with user group meetings continuing and documents expected to be ready in early January.
- Chairman Richards provided the Board with a strategic overview, identifying four interrelated critical path items: the pending \$125 million extension legislation awaiting the Governor's signature; the demographic study required by SED (expected within the next month, though unlikely to significantly impact these projects since the buildings were selected to survive any enrollment scenario); the special education documentation (ISRs) requiring District sign-off; and certification signatures needed once the submission package is ready. The Board has issued letters restricting certain activities pending SED approvals, effectively slowing the program as required by statute, and Chairman Richards cautioned that if these issues are not resolved in the next month or so, the program could halt when the team runs out of work that can proceed without approvals. Chief Scott confirmed the District is actively working on both the demographic study and ISR forms, with traction gained on finalizing the ISRs for submission to regional associates.

ADJOURNMENT:

4:53 PM