

Rochester Joint Schools Construction Board
Monthly Meeting Minutes
JANUARY 13, 2026
4:00 PM

Present - Called to Order by the Board Chair at 4:01 pm

The meeting was attended by Board Chair Thomas Richards, Vice Chair Jacob Scott, Kabutey Ocansey (Virtual), Jesse Dudley, Robert McDow, Ronald Gaither, General Counsel Greg McDonald, State Fiscal Monitor Mark Potter, State Monitor Jaime Alicea, and ICO Brian Sanvidge. Treasurer Kim Jones was absent.

Approval of Minutes

Monthly Meeting held on December 9, 2025

Motion by Board Member:

Second by Board Member:

Approved 6-0

Action Item

Resolution 2025-26:24

Pay Requisition Summary Acceptance (January 2026)

Motion by: Ronald Gaither

Second by: Jesse Dudley

Adopted 6-0

Resolution 2025-26:25

SEI Design Group Agreement Amendment #1 at East High School

Motion by: Jesse Dudley

Second by: Ronald Gaither

Adopted 6-0

Resolution 2025-26:26

CJS Architects Agreement Amendment #2 at Edison Tech Campus

Motion by: Ronald Gaither

Second by: Jacob Scott

Adopted 6-0

Resolution 2025-26:27

BCC Agreement Amendment #4 at Edison Tech

Motion by: Kim Jones

Motion by: Jesse Gaither

Second by: Jacob Scott

Adopted 6-0

FUND BALANCE REPORT:

Consultant Kimberly Mitchell reported that budget tracking for the current fiscal year has been consistent, with all departments successfully functioning within their given limits. While the budget now appears constant, a change is expected in February when the auditors, Drescher & Malecki, submit their billing, which is estimated to be less than \$12,000. A significant reconciliation of the RJSCB Discretionary Fund balance was conducted with the District, showing an increase due to several factors: credits returned from Phase 2 school Final Cost Reports, interest gained from the closing of the Revolving Loan Fund and the reconciliation of property acquisition costs and contract fees. These adjustments have established a new balance for the RJSCB discretionary funds of \$405,288.46. RSMP Administrative Expenses now stand at \$8,716,685, or 20% of the budget. Additionally, RSMP construction costs—which currently consist exclusively of soft costs—are tracked at \$9,993,837 against the updated budget of \$564,342,158.

MEETING NOTES:

- The Board moved forward with Amendment No. 1 for SEI Design Group, which essentially scales up their architectural and engineering services to match the new funding from recent legislation. The team negotiated a charge of 5.77% for this additional effort, a significant reduction from the original 6.63% rate. This brings the overall project charge to slightly under 6%. The slightly lower percentage reflects efficiencies achieved through the expanded scope. ICO Brian Sanvidge also provided a recommendation letter demonstrating how SEI plans to meet the Program's diversity requirements..
- Amendment No. 2 for CJS Architects, regarding design services at Edison Tech, was approved. This amendment adds the expanded scope to CJS Architects' contract using allocation from the \$125 million legislative extension. The proposed fee is approximately 5.9% of the additional construction costs, which aligns with the original agreement. As Chairman Richards noted, this follows the same concept as the East High School amendment—incorporating the additional funding into existing contracts to allow design work to proceed on the expanded scope.
- The approved Amendment No. 4 for Buffalo Construction Consultants (BCC) addressed construction management at Edison Tech. This amendment adds construction management services for the expanded scope at Edison Tech. Program Director Pépin Accilien reported that the RSMP team, including ICO Brian Sanvidge and Operations Manager Terry LoConte, conducted several rounds of negotiations with Buffalo Construction Consultants (BCC) to ensure the proposal reflected a fair and reasonable amount. The resulting lump sum fee for this amendment is \$4,848. ICO Sanvidge provided detailed context regarding the diversity compliance review, noting that while BCC exceeds the overall 30% goal (with minority business participation over 21.5%), they fall slightly short in two specific categories—Women's Business Enterprise (WBE) and Small Business Enterprise (SBE). Achieving full compliance in those categories would have required BCC to bring in additional consultants at an estimated cost of \$180,000 to \$200,000 for services they can perform in-house. Given that BCC exceeded the total combined goal and the significant cost implications of strict categorical compliance, the ICO recommended approval. Chairman Richards confirmed that while the program monitors compliance at the contractor level, the goals are established for the project as a whole.
- ICO Brian Sanvidge gave the compliance report for the period ending November 2025 (January 2, 2026). While reporting for the most recent period decreased slightly to 96.43% due to holiday timing, total

program documentation compliance remains high at 99.16% for the period October 2023 to November 2025. A total of 2,522 hours were worked during the month of November, bringing the cumulative project total to over 54,000 work hours. The monthly breakdown and performance against participation goals are as follows:

Workforce Breakdown (Monthly)

- The project recorded **1,182 hours** for non-minority males, **895 hours** for minorities, and **445 hours** for non-minority women.
- Minority Participation (Male & Female): Achieved **37.72%** against a 23% goal.
- Minority Male Participation: Achieved **26.39%** against a 23% goal.
- Total Women Participation (Minority & Non-Minority): Achieved **23.91%** against a 7% goal.
- Non-Minority Women: **13.77%** against the 7% goal

Business participation has awarded **\$83,821,000** in signed contracts.

- MBE (Minority Business Enterprise) firms are at **31.11%** against a goal of 15%.
- WBE (Women's Business Enterprise) firms are at **9.04%** against a goal of 5%.
- SBE (Small Business Enterprise) firms are at **1.93%** against a goal of 2%.
- DBE (Disadvantaged Business Enterprise) firms are at **2.5%** against a goal of 2%.

Local Residency: While not a mandatory requirement, **14 City of Rochester residents** were active on the project during November, representing **21%** of the monthly workforce.

Consultant Kimberly Mitchell confirmed that the \$83,821,000 in contract values represents signed contracts.

- Program Manager Pepin Accilien reported a significant milestone for Phase III; he stated that the program budget has officially transitioned from \$475 million to \$600 million. The additional \$125 million from the legislative extension has been distributed across the six projects to maximize estimated state aid reimbursement while aligning scope with available budgets.
- The RSMP staff has conducted a series of work sessions with the City, the District, the financial advisor (Capital Markets Advisors), and the bond underwriter (Wells Fargo) to discuss the revised financial plan and review short-term and long-term financing needs for Phase 3. A detailed cash flow projection analysis by month and quarter was prepared and shared with the City and the District. Mr. Accilien reported that based on discussions with the District, there is sufficient cash on hand to meet current obligations and no additional financing will be needed until July 2026, when the program will participate in the City's next bond anticipation note (BAN) issuance. The lower monthly payment requirements reflect the design slowdown that took effect several months ago; the program is now transitioning out of that slowdown with the design and construction management contract amendments being approved.
- A kickoff meeting was held the day prior to this Board meeting with the financial advisor, Capital Markets Advisors, and the bond underwriter, Wells Fargo, to begin the process of refunding the outstanding callable maturities of the Phase 1 2013 and 2015 RJSCB Serial Bonds. This effort is being coordinated with the City, the District's finance departments, bond counsel, and several other entities as the team prepares to submit the refunding application to COMIDA (the Monroe County Industrial Development Agency) for approval. Chairman Richards noted this refunding represents a significant opportunity to generate savings for the program.

- Mr. Accilien explained that the District's process to develop the special education continuum began in October 2025 but has taken longer than expected due to organizational changes. The RSMP team has been working with Vice Chairman Scott's office and the District's special education office for several months. The reorganization has delayed determination of the enrollment plan for the projects, which directly impacts the 15-year enrollment projections required by the State Education Department (SED) and the school-by-school breakdowns needed for aid calculations. Without improvements in enrollment projections, some projects face significant scope reductions to meet aidability requirements. For example, MLK/School 9 could require approximately \$6 million in scope cuts, which would substantially compromise the intended renovation. Chairman Richards emphasized that special education classrooms have unique requirements that ripple through the entire design process. In renovation projects like Phase 3, where the program must work within existing building footprints, any changes to classroom sizes affect everything else in the design. He stressed the importance of locking down these numbers to allow design work to proceed, noting that while student populations inevitably change over time, a fixed point is necessary for design purposes. Vice Chairman Scott agreed, acknowledging the critical timing to address these matters now.
- Operations Manager Terry Loconte and Program Manager Pepin Accilien delivered a comprehensive update on the State Education Department's (SED) preliminary submission process, emphasizing that SED expects all six Phase III projects to be submitted concurrently to assess aidability across the program. This mandate necessitated an accelerated design schedule for the final two projects and a total budget realignment following the Governor's November 21st approval of the \$600 million program extension. While the \$125 million increase is an advantage, the transition required immediate modifications to the FP-P budget forms, which were delivered to the district this week.
- Mr. LoConte reviewed how the \$125 million extension affects each of the six projects:

Martin Luther King Jr./School 9: No additional funds were allocated due to how tight the project budget already was. All work remains original scope.

Wilson Foundation Academy: Additional funds will support replacement of wood roof framing with steel—a longstanding District priority for fire protection and structural integrity. Previous Phase projects have made similar replacements when funding allowed. Items previously identified as alternates may now be funded.

Padilla at Franklin High School: Similar to Wilson, additional funds will support work previously designated as alternates due to funding limitations, despite the large dollar allocation reflecting the building's substantial square footage.

Edison Tech: The additional funds will support the athletic fields project, which is a priority for the District. Mr. LoConte noted that SED classifies site work as an incidental cost tracked below the construction line, and the high dollar value of the fields work skews the incidental-to-construction ratio. While the project has ample headroom under construction cost limits, it exceeds incidental cost allowances. This makes enrollment projection improvements at other projects important for balancing the program overall.

East High School: The additional allocation essentially replenishes funds that were previously transferred to Edison Tech for structural rehabilitation and athletic fields, along with filling gaps in the original strategic plan budget. The original East scope was limited to roof work and an elevator; expanded funding now enables planned mechanical replacements and renovations.

Frederick Douglass Campus: As the last project, Douglass received the remaining balance of the \$125 million distribution. The District has identified numerous additional scope items they consider necessary; the team is currently conceptually designing these items to develop estimates. As with all projects at this early stage, the District will need to make decisions about which items fit within the available budget once estimates are complete. Mr. LoConte noted this project has significant risk related to enrollment projections, given the amount of middle school capacity across the District relative to projected enrollment.

- Mr. LoConte outlined the remaining steps to complete the preliminary submission:

The Special Education Continuum must be finalized to determine if ISR forms require revision for any of the six projects. The District's special education department may have already accommodated needs in the current ISRs, but confirmation is needed once the continuum is complete.

Policy or procedural changes that could improve projections need to be identified, communicated to the demographer, and reflected in new projections. The team must then evaluate whether improved projections result in acceptable MCAs.

If enrollment projections do not provide sufficient MCAs, the team may need to shift incidental costs between projects or reduce scope at projects that exceed cost allowances. Mr. LoConte noted that East High School has capacity to absorb some incidental costs from other projects, though SED has historically required program-wide costs to be distributed proportionately based on project size. Disproportionate charging may require lobbying the current administration for flexibility.

The updated FPP forms reflecting the \$600 million allocation were delivered to the District the day before this meeting. If scope adjustments become necessary, these forms will require additional revision. The District is also working to provide existing floor plans with current room uses for the middle schools, which are required for the submission package.

The team is targeting completion of the special education continuum by the end of the current week. If there are no impacts to floor plans, the team can proceed immediately to enrollment projection work. If floor plan modifications are needed, architects will need to make those changes before proceeding. The goal is to complete all preparatory work by mid-February and submit to SED before the end of February.

Chairman Richards noted that SED's funding formulas were designed for growing districts and work well in that context. The Board should therefore allocate as much funding as possible to ensure the building functions well, even if that means making arguments to SED that deviate from strict formula application.

ADJOURNMENT:

5:02 PM