NEW JERSEY SCHOOLS DEVELOPMENT AUTHORITY BOARD MEETING WEDNESDAY, JANUARY 8, 2020 AT 9:15 A.M. 32 E. FRONT STREET, TRENTON, NJ BOARD ROOM

- 1. NOTICE OF PUBLIC MEETING
- 2. ROLL CALL
- 3. PLEDGE OF ALLEGIANCE
- 4. APPROVAL OF MEETING MINUTES
 - a. Board Open Session Meeting Minutes of December 4, 2019
 - b. Board Executive Session Meeting Minutes of December 4, 2019
- 5. AUTHORITY MATTERS
 - a. CEO Report
 - b. Chairman's Report
- 6. REPORT AND RECOMMENDATIONS OF THE AUDIT COMMITTEE (CHAIRMAN'S REPORT)
 - a. Owners Protective Professional Indemnity (OPPI) Insurance Policy Coverage Extension
- 7. MONTHLY REPORTS
 - a. For Informational Purposes
 - i. Active Projects Report
 - ii. Project Close Out Status Report
 - iii. Project Status Reports
 - iv. Contracts Executed Report/Amendments & Change Orders Executed Report
 - v. Contract Terminations Report (no activity)
 - vi. Settlement Activities Report
 - vii. Contractor and Workforce Compliance Report
 - viii. Regular Operating District Grant Activity Report
 - ix. Notification of Amendments to Goods and Services Contracts Not Exceeding \$100,000 or 10% of the Contract Value (no activity)
 - x. Communications Report
 - xi. Monthly Financial Report
 - xii. Design Contract De-Obligations Report (no activity)
- **8. PUBLIC COMMENTS**
- 9. NO EXECUTIVE SESSION
 - a. Litigation/Contract Matter(s) OPMA Exemption N.J.S.A. 10:4-12b (7) CCD Report (no activity)
- 10. ADJOURNMENT

APPROVAL OF MEETING MINUTES

DECEMBER 4, 2019 OPEN SESSION MINUTES

NEW JERSEY SCHOOLS DEVELOPMENT AUTHORITY BOARD OF DIRECTORS MEETING WEDNESDAY, DECEMBER 4, 2019

A meeting of the Board of Directors of the New Jersey Schools Development Authority (SDA or the Authority) was held on Wednesday, December 4, 2019 at 9:00 A.M. at the offices of the Authority at 32 East Front Street, Trenton, New Jersey.

Participating were:

Robert Nixon, Chairman
Michael Kanef (Treasury)
Bernard Piaia (DOE)
Stephen Martorana (EDA)
Kevin Luckie (DCA)
Kevin Egan
Lester Lewis-Powder
Loren Lemelle
Michael Maloney
Mario Vargas

being a quorum of the Board. Mr. Egan, Mr. Kanef, Ms. Lemelle, Mr. Lewis-Powder, and Mr. Piaia participated in the meeting by teleconference.

At the Vice Chairman's request, Manuel Da Silva, interim chief executive officer; Andrew Yosha, vice president; Jane F. Kelly, vice president and assistant secretary; Donald Guarriello, vice president and chief financial officer; Albert Barnes, chief counsel; and Robert Ryan, director of the SDA, participated in the meeting. Joy Johnson of the Governor's Authorities Unit (GAU) also participated in the meeting.

The meeting was called to order by the Chairman of the Board, Mr. Nixon, who requested that Ms. Kelly read the requisite notice of the meeting. Ms. Kelly announced that the

meeting notice had been sent to the *Trenton Times* and *Star-Ledger* at least 48 hours prior to the meeting, and had been duly posted on the Secretary of State's bulletin board at 20 West State Street in Trenton, New Jersey. Ms. Kelly then conducted a roll call and indicated that a quorum of the Members was present.

Pledge of Allegiance

Led by the Chairman, the Members and all assembled stood and recited the Pledge of Allegiance.

Approval of Meeting Minutes

Mr. Nixon presented for consideration and approval the minutes of the Board's November 6, 2019 Open Session meeting. A copy of the meeting minutes and a resolution had been provided to the Members for review in advance of the meeting. Upon motion duly made by Mr. Maloney and seconded by Mr. Luckie, the Open Session minutes of the November 6, 2019 SDA Board meeting were approved by the Board upon the Members' unanimous vote in favor of the resolution attached hereto as *Resolution 4a*.

Authority Matters

Chairman's Report

The Chairman recommended that the Members elect SDA Interim Chief Executive Officer Manuel Da Silva to be the Authority's Chief Executive Officer. Mr. Nixon said that since Mr. Da Silva became the Acting CEO in May, the SDA went through a pronounced amount of change, a change for the better. He said that Mr. Da Silva was not only able to stabilize the operations at the Authority but also to guide the organization through what could have been a very different outcome. He said that Mr. Da Silva instituted reforms, while focusing on getting

the job done as it relates to keeping schools and school construction the priority of the organization. He added that Mr. Da Silva has done an excellent job.

Referencing the memorandum that was provided to the Members in advance of the meeting, Mr. Nixon provided an overview of Mr. Da Silva's experience and credentials. Mr. Nixon said that Mr. Da Silva joined the SDA in 2010 as a senior manager, engineering and that he subsequently served as a director of program operations and, thereafter, as the Authority's vice president of construction operations. He said that on May 1, 2019, Mr. Da Silva was elected by the SDA Board of Directors to serve as the Authority's interim CEO. Mr. Nixon said that Mr. Da Silva has more than 20 years of experience in the fields of engineering and construction in both the public and private sectors. He noted that Mr. Da Silva graduated from New Jersey Institute of Technology with a Bachelor's of Science in Civil Engineering and a Minor in Management, and obtained his Professional Engineer's license in 1997.

Following discussion, upon a motion by Mr. Maloney and seconded by Mr. Luckie, the Board approved the nomination of Manuel Da Silva to serve as the Authority's Chief Executive Officer with the Members' unanimous vote in favor of *Resolution 5b*.

Mr. Da Silva thanked the Chairman and the Members of the Board for the opportunity to serve the Authority as its CEO. He said that he is proud of the work that staff does at the Authority, noting that its dedicated and talented staff is committed to improving educational opportunities for thousands of New Jersey students through the construction and modernization of school facilities. He said that this year was an extraordinary year for the Authority and, with that, eighteen projects were moved forward and four projects were delivered. He said that this is a true testament to the fact that this Authority is capable, that it has the right individuals in place and the right Board overseeing what the SDA does. Mr. Da Silva said that it is an honor to serve this Board and the Authority. He thanked the Members for the vote of confidence.

CEO Report

The Chairman then asked Mr. Da Silva for the Report of the CEO. Mr. Da Silva gave an update on the September 2019 school openings. He said that staff pursued a certificate of occupancy (CO) last month for the Perth Amboy Rose Lopez ES project and is working toward a CO for Trenton Central HS project.

Next, Mr. Da Silva gave an update on projects in the procurement stage. He reported that for the Perth Amboy HS project, the recommendation of award for the design-builder, the Joint Venture of Terminal Construction Corporation and Dinallo Construction Corporation, was approved at the November Board meeting. He added that the notice of award (NOA) for the project was issued on November 26. He added that staff is preparing the advertisement for construction management services. He said that a bid project was submitted which will be discussed in executive session. For the Keansburg Port Monmouth Road School project, he advised that a NOA for construction services was issued the previous month to Niram, Inc. (Niram) and, also last month, a NOA for construction management was issued to Pinnacle Consulting & Construction Services. He reported that staff anticipates issuance of a notice to proceed (NTP) later this month for Niram to perform the required constructability review. Mr. Da Silva said that proposals for design-build services are scheduled to be received on December 17 for the Plainfield Woodland ES project.

Next, Mr. Da Silva gave an update on projects in the constructability stage. He reported that for the Orange Cleveland Street ES project, negotiations with Brockwell & Carrington regarding any cost impact identified by the constructability review have been completed and the Team is finalizing its recommendation for a change order consistent with the Operating Authority and prior to the issuance of a construction NTP. For the Orange HS project, he advised the Members that the constructability review phase is complete, as well as negotiations

with Terminal for a change order representing the cost impact identified by the constructability review. He added that a recommendation for approval of that change order is on today's agenda.

Turning to design-build projects in construction, Mr. Da Silva informed the Members that for the Paterson Union Avenue MS project, design phase services are ongoing. He said that pile caps and grade beam installation work is ongoing and underground utilities work is commencing. For the Camden HS project, he reported that Ernest Bock & Sons, Inc. continues with design phase services. He added that structural steel and masonry work continues in the building. He said that for the East Orange George Washington Carver ES project, Dobco, Inc. the design-builder, has completed design phase services. He noted that interior mechanical, electrical and plumbing (MEP) finish work is ongoing.

In continuing, Mr. Da Silva advised that for the Harrison New ES project, MEP rough-in and building enclosure, exterior masonry veneer construction, and roofing and window installation activities are all ongoing. For the Millville HS addition and renovation project, he said that Hall Construction continues with design phase services. He noted that this is a multiphase project. He added that Phase II addition masonry and MEP rough-in activities are ongoing and Phase III footings and foundation work is ongoing. He added that structural steel activities commenced the previous month. With respect to the Passaic Dayton Avenue Educational Campus project, he said that Terminal has commenced exterior framing of upper floors and roof installation. He reported that MEP work is ongoing throughout the building. He noted that the Department Community Affairs (DCA) has released all drawings and the building permit application has been submitted. For the Pemberton Denbo Crichton ES project, he said that building enclosure work is being completed. He noted that MEP and interior wall work is also underway. He advised that documents for demolition of the existing Denbo School are being finalized for submission to DCA.

Next, Mr. Da Silva gave an update on projects in the programming stage. He said that for the Hoboken Demarest ES project, program modifications have been finalized. He added that swing space needs are being reviewed. He advised that SDA's engaged design consultant, DRG, has completed its initial report on existing building conditions. With respect to the Union City New Grade 7 to 9 School project, he reported that programming refinement discussions and SDA in-house design development are ongoing. He said that the project will be advanced through a design-build delivery method. He added that staff initiated site acquisition activities and anticipates bringing a recommendation for Board consideration in December.

Turning to Authority events, outreach and other activities, Mr. Da Silva informed the Members that due to the weather, the groundbreaking ceremony for the new middle school in Paterson was postponed. He said that staff will inform the Members when a new date is scheduled.

In concluding, Mr. Da Silva said that yesterday Andrew Yosha was the keynote speaker at a meeting of the Masonry Contractors Association of New Jersey.

Audit Committee

2020 Proposed Budget

Mr. Nixon, as Audit Committee Chairman, reported that the Audit Committee met on November 18, 2019 at which time management provided the Committee with the October 2019 New Funding Allocation and Capital Plan Updates. He advised that during the reporting period, there was a \$21.6 million decrease in the Planning Reserve balance resulting from Board approval of final project charters for the Perth Amboy New HS project and the Keansburg Port Monmouth Road School project. He said that the decrease is partially offset by the return of unused budgetary funds to the Planning Reserve from several completed capital plan projects. He

noted that there were no changes in the remaining SDA District Reserve balances. Mr. Nixon advised that the reserve balance for the Regular Operating Districts (RODs) increased by \$3.5 million during the reporting period due to a reduction in state share for grant projects nearing completion.

Mr. Nixon advised the Board that the Committee was provided an informational update regarding the various options available for the extension of the SDA's Owners Protective Professional Indemnity Insurance policy (Policy). He explained that the Policy is an excess insurance policy that indemnifies the Authority for damages arising out of the professional negligence of its contracted design professionals. He noted that, at this time, the Authority is exploring a variety of options for coverage.

Next, Mr. Nixon reported that Ernst & Young (E&Y) had provided the Committee with the 2019 SDA Audit Plan. He said that E&Y had outlined the audit services and deliverables and provided the Committee with an overview of the audit timetable along with their (E&Y's) processes and procedures. He said that E&Y's presentation also highlighted areas of audit emphasis and discussed General Accounting Standards Board (GASB) pronouncements. He said that E&Y also discussed financial reporting in accordance with the requirements of the GASB rules and provided a summary of their required communications. Mr. Nixon advised the Board that, at the conclusion of the regular meeting, E&Y met privately with the Committee Members and the Authority's director of internal audits in accordance with Executive Order 122. He said that the meetings were held without management present.

Mr. Nixon then provided the October 2019 Monthly Financial Report. He advised the Committee that the Authority's operating expenses (Actual vs. Budget) for the year-to-date period totaled \$14 million, \$2.5 lower as compared to the budget for the corresponding period. He explained that the decrease is mainly attributable to lower than budgeted personnel costs.

He then reported that project expenditures (Actual vs. Forecast) at \$262.1 million, are \$10.8 million lower as compared to the corresponding prior year period. He explained that the variance is due to decreased grant activity, design services – net of cost recovery settlements, property acquisitions, lower spending for project management related expenses and other project related costs. He reported that this decreased spending is offset by an increase in spending for construction work and school furniture purchases. He then reported that project expenditures (Actual vs. Prior Year Actual), at \$262.1 million, are \$1.4 million lower as compared to the corresponding prior year period. He explained that the variance is due to decreased grant activity, project insurance costs, design services – net of cost recovery settlements and other project related costs. He reported that this decreased spending is offset by an increase in spending for construction work and school furniture purchases.

He said that, since program inception, approximately 85% of the funds authorized for SDA districts have been disbursed. Additionally, he said that, since program inception, 96% of all SDA disbursements relate to school facilities projects, while 4% relate to operating expenses. He advised that the estimated value of active school facilities capital, emergent and regular operating district grant projects is approximately \$2 billion.

Mr. Nixon then presented the proposed 2020 Operating Budget (Budget) that had been provided to the Members in advance of the meeting. He advised that the Budget was discussed in detail at the October and November meetings of the Audit Committee. He noted that the Audit Committee's input has been incorporated into the proposed budget. He reminded the Members that this year, for the first time, the SDA was required to obtain the approval of the Legislature's Joint Budget Oversight Committee (JBOC) prior to advancing its Budget to the Board. He advised that JBOC has reviewed and approved this Budget. He reported that the proposed 2020 Budget totals \$17.4 million—excluding non-cash accruals for other post-employment benefits

(OPEB) and pensions, representing a decrease of \$1.8 million as compared to the current year's budget. He said that the Budget includes a proposed headcount of 205 full-time equivalents (FTEs), which is a reduction from the current year budget of 257 FTEs. Mr. Nixon noted that, consistent with prior years, a portion of the Authority's employee salary and benefit costs will be appropriately charged to school facilities projects based upon weekly employee time sheets. He advised that the Authority has estimated the amount of \$13.6 million of employee salaries will be charged to school facilities projects for the budget year 2020. He said that the Audit Committee recommends Board approval of the 2020 Budget as presented by management. Mr. Guarriello noted that this budget "right sizes" the Authority for the work it is has advancing. Mr. Nixon thanked everyone for putting together a well-managed Budget. Mr. Vargas asked if the headcount will support the projected work. Mr. Da Silva noted that, although there was in the past a budgeted headcount of 257, the Authority was not staffed at that capacity level. He explained that the cuts were mostly associated with external affairs and that the remaining staff is appropriate to support the planned projects and delivery of schools on time and on budget. Mr. Luckie asked why the budget for contracted services is \$1 million more than the previous year's budget. Mr. Nixon said that the increase is attributable to anticipated legal fees due, in part, to investigations that were required by the Attorney General's Office. He stressed that he continues to believe it inequitable for the Attorney General's Office to hire outside attorneys to conduct a review of the Authority and then charge the Authority for legal fees incurred as a result. Mr. Guarriello advised that the cost will be incurred over a two year period. Mr. Da Silva noted that a small portion of the increase is due to the planned engagement of a human resources consultant to assist the Authority in implementing necessary internal administrative changes. Mr. Nixon asked if there were any further questions or comments regarding the Budget. Hearing none, he called for a vote to approve the 2020 Operating Budget.

A resolution pertaining to this matter was provided to the Board for review in advance of the meeting. Upon a motion duly made by Mr. Vargas and seconded by Mr. Luckie, the Board approved the 2020 Operating Budget with its unanimous vote in favor of *Resolution 6a*.

School Review Committee

Change Order No. 2 Terminal Construction Corporation; Notification of Completion of Pre-Design Phase Services and Authorization to Proceed with Design Phase Services - Newark Public School District - Roberto Clemente Elementary School - Boiler Room Vault Emergent Project - [Informational]

Mr. Nixon asked Mr. Luckie to provide the report of the School Review Committee. Mr. Luckie reported that the School Review Committee met on November 18, 2019 at which time three items were discussed. He introduced the first item for Board consideration, advising the Members that management is seeking approval for a change order for Terminal Construction Corporation (Terminal). He reported that the Orange HS (HS) project (the Project) is a 145,294 square foot facility educating 804 students in grades 10 to 12. He advised the Members that the Orange HS's project scope includes an approximately 50,000 square foot, two story addition to the existing facility, an enclosed connecting bridge between the HS and the Orange Preparatory Academy (OPA), and selective renovations to address facilities conditions deficiencies at the existing HS. Mr. Luckie said that on March 6, 2019, the Board approved the award of a contract in the amount of \$37,000,000 to Terminal for construction services for the Project and also approved the Project's final charter. Mr. Luckie explained that prior to beginning construction, Terminal was contractually required to perform a constructability review in order to identify any potential conflicts in the Project documents and, if any conflicts are identified, the corresponding cost to address them. He said that the constructability review also requires Terminal to verify and confirm that the existing site conditions are as they are represented in the construction documents, and also to identify costs to address any differences. He added that the

constructability review performed by Terminal was completed on November 15, 2019. He said that consolidated Change Order No. 2, valued at an aggregate amount of \$1,011,000 (inclusive of \$50,000.00 in allowances), is required to address necessary additional construction services identified as a result of the constructability review. He added that Change Order No. 2 represents items that have been aggregated for reasons of efficiency and consolidated resolution prior to the start of construction work and, as an aggregated value, this consolidated change order singularly exceeds \$500,000. Mr. Luckie noted that the project charter approved by the Board in March includes a construction contingency from which to address the potential cost impact resulting from the constructability review and stipulates that any such cost impact would result in a change order to the contract. He said that staff has determined that the items included in the change order are justified and that the aggregate amount is reasonable and appropriate.

Mr. Ryan said that the constructability process was a long and difficult process that involved eleven meetings to review plans. He added that it involved site visits to view and walk through the existing building. He said that the constructability review has generated over one thousand Requests for Information (RsFI) and, of those, forty-two led to change order requests, two of which are credit change orders. He added that the change order was approximately \$1.8M but through negotiations the change order is now appropriately \$1M.

A resolution pertaining to this matter was provided to the Board in advance of the meeting. Upon motion by Mr. Vargas, and seconded by Mr. Maloney, the Board approved the proposed Change Order No. 2 with its unanimous vote in favor of *Resolution 7a*.

Next, Mr. Luckie said that the Committee discussed an informational item regarding the Newark Roberto Clemente ES emergent project. He explained that management is advancing an emergent project to address water infiltration, spalling concrete and structural conditions in the underground boiler room vault at the Newark Roberto Clemente ES. He advised that SSP

Architectural Group (SSP) was engaged by the SDA through the design consultant task order contract to perform pre-design phase services (inclusive of investigation and testing) in order to provide SDA with recommendations for addressing the conditions. He said that, based upon the results of those services and the SDA's review of SSP's reports, the Authority has determined that the appropriate scope of work to address the conditions includes the following: 1) removal of the existing concrete roof structure, concrete columns and beams; 2) installation of new steel columns and beams, a new concrete roof structure and the waterproofing of the membrane assembly; and 3) installation of a new sidewalk and driveway paving. Mr. Luckie noted that this will provide long-term structural stability and address the water infiltration condition over the shortest time duration and at a reasonable cost. He added that advancement of these Design Consultant Services will authorize SSP to complete design documents for the emergent project. He said that, upon completion of the design documents, SDA will engage a general contractor through the General Construction Task Order (GCTO) contract to perform the necessary demolition and construction to implement this design. He added that the value of this GCTO assignment is estimated to be \$535,200 at this time. He explained that while advancement of the design services does not require Board approval, the estimated value of the construction contract anticipates that Board approval will be required prior to engagement of the contractor. He reiterated that this matter is just for the Board's information and no formal Board action is required today.

Finally, Mr. Luckie informed the Members that management also discussed with the Committee a proposed real property acquisition and a revised preliminary project charter for the Union City School District. He said that Mr. Vargas will cover this in Executive Session in his Real Estate Committee report.

Public Comments

Mr. Nixon then opened the Public Comments portion of the meeting. No member of the public stepped forward to address the Board.

The Chairman then announced that the Board would be adjourning into Executive Session. Ms. Kelly said that the Board had resolved to adjourn into Executive Session to discuss two items 1) a Recommendation for Declaration of Surplus Property, Determination of Property Value and Authorization for Sale and Conveyance of thirty-three parcels of Real Property in the Township of Irvington; and 2) a Request for approval of Real Property Acquisition and Revised Preliminary Charter for Union City New Grades 7 to 9 School. She said that the Board's votes on these matters would proceed upon its return to Open Session.

Thereafter, upon motion by the Chairman and with unanimous consent, the meeting adjourned into Executive Session.

Following discussion in Executive Session, the Board returned to Open Session.

Mr. Vargas said that, following discussion in Executive Session, the Real Estate Committee recommends that the Board approve management's recommendation that the Board declare the 33 Irvington Properties Surplus, determine their Value consistent with the meeting materials and authorize management to proceed with a Public Sale and Conveyance of the Properties following a public process. Upon motion duly made by the Chairman, with Ms. Lemelle, Mr. Vargas, Mr. Martorana, Mr. Piaia, Mr. Luckie, Mr. Kanef, Mr. Nixon and Mr. Egan voting in the affirmative and with Mr. Lewis-Powder and Mr. Maloney voting in the negative, the Board approved the Committee's recommendations in this matter with its vote in favor of *Resolution A1*.

Next, Mr. Vargas said that, following discussion in Executive Session, the Real Estate Committee recommends that the Board authorize and approve the acquisition of four (4)

properties necessary to support the Union City School District's New Grades 7 to 9 School. He said that the Committee also recommends that the Board approve revisions to the Project Charter as proposed. Upon motion duly made by Mr. Luckie and seconded by Mr. Maloney, the Board approved the Committee's recommendations in this matter with its unanimous vote in favor of *Resolution A2*.

Adjournment

There being no further business to come before the Board, upon motion by the Chairman and with unanimous consent, the meeting was adjourned.

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Certification: The foregoing represents a true and complete summary of the actions taken by the Board of the New Jersey Schools Development Authority at its December 4, 2019 meeting.

/s/ Jane F. Kelly Assistant Secretary

Resolution—4a./4b.

Approval of Minutes

WHEREAS, the By-Laws provide that the minutes of actions taken at meetings of the New Jersey Schools Development Authority be approved by the Authority's Board of Directors; and

WHEREAS, pursuant to Section 3(k) of P.L. 2007, Chapter 137, the minutes of the December 4, 2019 Board meeting of the New Jersey Schools Development Authority, for the Open and Executive Sessions were forwarded to the Governor on December 6, 2019.

NOW, THEREFORE, BE IT RESOLVED, that the minutes of the New Jersey Schools Development Authority's December 4, 2019 Open and Executive Session meetings are hereby approved.

BE IT FURTHER RESOLVED, that this resolution shall take effect immediately, but no action authorized herein shall have force and effect until 10 days, Saturdays, Sundays and public holidays excepted, after a copy of the minutes of the Authority meeting at which this resolution was adopted has been delivered to the Governor for his approval, unless during such 10 day period, the Governor shall approve same, in which case such action shall become effective upon such approval.

Dated: January 8, 2020

AUTHORITY MATTERS

CEO REPORT

CHAIRMAN'S REPORT

REPORT AND RECOMMENDATIONS OF THE AUDIT COMMITTEE (CHAIRMAN'S REPORT)

OWNERS PROTECTIVE PROFESSIONAL INDEMNITY (OPPI) INSURANCE POLICY COVERAGE EXTENSION



32 EAST FRONT STREET P.O. BOX 991 TRENTON, NJ 08625-0991 609-943-5955

MEMORANDUM

TO: Members of the Authority

FROM: Karon Simmonds

Director, Risk Management

DATE: January 8, 2020

SUBJECT: Owners Protective Professional Indemnity (OPPI)

Insurance Policy Coverage Extension

Management is requesting the Board's approval to purchase an extension to the current Owners Protective Professional Indemnity (OPPI) insurance program to encompass all projects in the Authority's current portfolio. The current 5-year term OPPI policy provides the Authority with additional protection in excess of the contractually required professional liability coverage maintained by our contracted design professionals for SDA managed construction projects. The current OPPI program provides coverage for all SDA managed construction projects that commence construction within the policy dates of December 31, 2014 through December 31, 2019, which has since been extended for an additional one-month through January 31, 2020. The proposed extension would extend coverage for projects commencing and completing construction through June 30, 2025.

Pursuant to the "Operating Authority By Level," adopted by the Board on December 1, 2010, as amended March 7, 2012, approval is required by the Members of the Authority for the amendment of Goods and Services contracts that exceed \$100,000 or 10% of the contract value.

BACKGROUND

The Authority's discords with design professionals for their occasional negligent acts and errors and omissions (E&O) have been well documented in various memoranda to the Board going back to the beginning of the program. Additionally, the Authority had been constrained by the \$1 million minimum professional liability insurance requirement contained in the Authority's standard Agreement. While increasing the coverage requirement would provide enhanced protection for the Authority, many design professionals cannot obtain greater coverage due to their size and financial wherewithal. Therefore, increasing the required policy limits would most likely result in a reduction in the number of qualified consultants competing to perform SDA work, thus potentially leading to increased bid amounts. OPPI is a cost-effective alternative to increasing individual project insurance, which higher insurance costs would be passed on to the Authority. Additionally, OPPI is generally less expensive than the cost of uninsured E&O claims.

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In September 2009, the Board approved the purchase of the Authority's first OPPI to cover all projects with an anticipated construction commencement during a 5-year term between October 1, 2009 and October 1, 2014. The policy provided \$25 million in excess of the design professional's coverage. In December 2014, the Board approved a second 5 year program term for the Authority's managed school facilities projects anticipated to commence construction during the period from December 31, 2014 through December 31, 2019. The policy limit remains at \$25 million and was broaden to provide coverage in excess of contractor's pollution liability.

DESCRIPTION

OPPI is an excess insurance policy that indemnifies the Authority for damages arising out of the professional negligence of its contracted design professionals. The policy also provides the Authority with coverage for third party claims and third party claim expenses that result from demands made directly against the Authority by entities who are not party to any contract or agreement to provide services on behalf of the Authority.

Since OPPI is an excess insurance policy, it only protects the SDA against damages that exceed the design professional's individual policy limits. Some advantages of OPPI include:

- Coverage is in excess of the Professional Liability insurance provided by all prime design professionals. The minimum limit of liability required of design professionals by the SDA is \$1,000,000;
- It provides a cost-effective alternative to increasing individual project insurance (OPPI is typically 50%-60% less expensive than project insurance);
- The Self-Insured Retention (SIR) only applies in the event the underlying design professional's insurance coverage and limits are impaired or exhausted; and
- It includes "difference in conditions" (DIC) coverage extending protection to the owner in the event the underlying policy is deficient in coverage
- The definitions of Design Professional and Professional Services have been broadened to include most all professional consultants, sub-consultants and construction managers as well as employed design professionals;
- Mold/fungi and asbestos coverage is provided at full policy limits arising from design services:
- Excess Contractors Pollution Liability (CPL) is included.

Zurich Group of Insurance Cos.	
OPPI Limit of Liability	\$25,000,000
CPL Limit of Liability	\$25,000,000
OPPI SIR – Protective Liability	\$500,000
OPPI SIR – Third Party Liability	\$500,000
CPL SIR	\$250,000
Extended Reporting Period	8 Years
OPPI Retroactive Date	Full Prior Acts
CPL Retroactive Date	Pre-Site Work

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CURRENT STATUS

In 2014, the Authority's Insurance Broker marketed a new OPPI program (the current OPPI program) based upon a total estimated construction value (CV) of \$431 million, which resulted in a quoted rate of \$1.88 per \$1000/CV. However, by December 2014 it was anticipated that the CV could increase to \$654 million; thus, in December 2014 the Board approved a cost not to exceed \$1,229,520 (\$654 million x \$0.00188) for the purchase of the current OPPI program. As the portfolio of projects evolved and the aggregate CV increased, the Authority was successful in negotiating two rate reductions, retroactive to the beginning of the program, for a 26% cost savings.

In February 2019, the Audit Committee was advised of the Authority's intent to negotiate an extension of the coverage term with the OPPI insurer and to seek Board approval for the cost of the additional insurance. In November 2019, the Audit Committee was further advised that the OPPI insurer was agreeable to an extension of the coverage term through June 30, 2025 and that the insurer would also provide an additional 4% rate reduction on a going-forward basis. The Audit Committee was also advised that the OPPI insurer was willing to grant a no cost one (1) month extension (i.e., to January 31, 2020) in order for the Authority to obtain the requisite Board approval and/or explore other alternatives.

The alternatives that were considered by management included either not purchasing OPPI coverage for the remainder of the project portfolio and relying upon the design professional's \$1 million policy limit, or tasking the Insurance Broker to market a new OPPI policy. On the positive side, a new OPPI policy would provide for separate and new liability limits for the remaining portfolio rather than increasing the number of projects within the current policy and potentially eroding the \$25 million aggregate limit. On the negative side, based on economies of scale Risk Management believes that a new OPPI policy would have a rate similar to the original rate of \$1.88 per \$1000/CV (based on \$654M CV) for the remaining portfolio of approximately \$405M CV; if this were the case, the cost of purchasing a new OPPI policy would be upwards of 30% more expensive than obtaining an extension of the current coverage term at a reduced rate of \$1.30 per \$1000/CV. Additionally, marketing a new OPPI program would take approximately 2-3 months to complete.

Since the Authority began utilizing Design-Build methodology for the majority of its Capital projects we have experienced a decrease in E&O claims. Therefore, the likelihood of additional projects potentially eroding available limits of liability is an acceptable risk; consequently, an extension of the coverage term is the most prudent alternative.

Presently, there remain five (5) capital plan projects and several emergent projects that will commence construction after December 31, 2019. It is anticipated that the aggregate CV to complete SDA's current portfolio will exceed \$1.4 billion.

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COSTS

As of December 31, 2019, the Authority estimates that approximately \$689.7 million in CV will have been expended at a total premium cost of \$854,688 (inclusive of premium savings discussed below). However, when the estimated additional CV for uncompleted projects is considered, the total premium cost is projected to increase to \$1,859,162, which is \$629,642 higher than the Board-approved not to exceed amount of \$1,229,520. The following details the actual and projected premium costs of the program:

- 34 projects with aggregate CV of \$478.4M will have reached substantial completion by 12/31/19 with incurred premium cost of \$645,874.
- 11 projects are currently active with an aggregate CV of \$579M of which approximately \$211.3M will have been completed (in place) by 12/31/19, generating incurred premium costs of \$285,219. The CV expended after 12/31/19 on these 11 projects will be subject to a rate reduction generating additional incurred premium costs of \$478,069.
- The incurred premiums for both completed and currently active construction projects as per the above are subject to premium savings totaling \$76,405, as follows-
 - o There is no premium on incurred CV between \$524K and \$576.4K resulting in premium savings of \$70,740.
 - The premium on CV between \$576.4K and \$689.7K is priced at the reduced rate of \$1.30 per \$1000/CV as compared to \$1.35 per \$1000/CV resulting in additional premium savings of \$5,665.
- 14 projects (5 capital and 9 emergent) will commence construction after 12/31/19 with an aggregate CV of \$405M and premium costs of \$526,405 based on the reduced rate of \$1.30 per \$1000/CV.
- Management is also requesting a 4% contingency to account for potential increases in CV and potential additional emergent projects resulting in additional premiums of approximately \$75,000.

RECOMMENDATION

Based upon the information presented in this memorandum, the Authority is recommending that the Board of Directors approve the purchase of an OPPI policy extension at an additional cost not to exceed \$704,642, inclusive of contingency. The OPPI policy will continue to provide an aggregate \$25 million limit of liability, while the term to commence and complete construction shall now extend to June 30, 2025. Additionally, the OPPI policy will continue to have an Extended Reporting Provision of up to 8 years commencing on the earlier of substantial completion of a project or the policy expiration date.

/s/ Karon Simmonds

Karon Simmonds, Director, Risk Management

Reviewed and recommended by: Donald Guarriello, Vice President and Chief Financial Officer

Resolution-6a.

Approval of Owners Protective Professional Indemnity (OPPI) Insurance Policy Coverage Extension

Resolution

WHEREAS, the Operating Authority of the New Jersey Schools Development Authority (SDA or Authority) requires that the Members of the Authority approve amendments to contract awards for Goods and Services exceeding \$100,000; and

WHEREAS, Owners Protective Professional Indemnity (OPPI) is an excess insurance policy that indemnifies the Authority for damages arising out of the professional negligence of its contracted design professionals; and

WHEREAS, in September 2009, the Members of the Authority approved the purchase of the SDA's first OPPI to cover all projects with an anticipated construction commencement during a five year term between October 1, 2009 and October 1, 2014, providing \$25 million in excess of the design professionals' coverage; and

WHEREAS, in December 2014, the Board approved a second five year program term for the Authority's managed school facilities projects anticipated to commence construction during the period from December 31, 2014 through December 31, 2019 with the policy limit remaining at \$25 million and broadened to provide coverage in excess of contractor pollution liability; and

WHEREAS, the policy also provides the Authority with coverage for third party claims and third party claim expenses that result from demands made directly against the Authority by entities who are not party to any contract or agreement to provide services on behalf of the Authority; and

WHEREAS, SDA management is requesting that the Members of the Authority now approve the purchase of an OPPI policy extension to continue the Authority's OPPI insurance program at an additional cost not-to-exceed \$704,642, inclusive of contingency; and

WHEREAS, the new OPPI insurance program, if approved by the Board, would effectively provide continuity of excess professional liability coverage for the Authority's managed school facilities projects anticipated to commence and complete construction through June 30, 2025; and

WHEREAS, a description of the OPPI costs, background, program features and status, along with the term and details of the recommended extension are comprehensively described in the memorandum presented to the Board on this date and incorporated herein; and

WHEREAS, the Members of the Authority have reviewed management's recommendation and concur therewith.

NOW, THEREFORE, BE IT RESOLVED, that the Members of the Authority hereby authorize and approve the SDA's purchase of an OPPI policy extension at an additional cost not-to-exceed \$704,642, inclusive of contingency.

BE IT FURTHER RESOLVED, that the extended OPPI policy will continue to provide an aggregate \$25 million limit of liability, while the term to commence and complete construction shall now extend to June 30, 2025 and in all respects proceed consistent with the details as set forth in the memorandum presented to the Board on this date and incorporated herein.

BE IT FURTHER RESOLVED, that this resolution shall take effect immediately, but no action authorized herein shall have force and effect until 10 days, Saturdays, Sundays and public holidays excepted, after a copy of the minutes of the Authority meeting at which this resolution was adopted has been delivered to the Governor for his approval, unless during such 10 day period, the Governor shall approve same, in which case such action shall become effective upon such approval.

Attached: Memorandum, Owners Protective Professional Indemnity (OPPI) Policy Coverage

Extension, dated January 8, 2020

Dated: January 8, 2020

MONTHLY REPORTS

(For Informational Purposes)

ACTIVE PROJECTS STATUS REPORT



MEMORANDUM

TO: Members of the Authority

FROM: Gregory Voronov

Managing Director

DATE: January 8, 2020

SUBJECT: Active Project Status Report

(For Informational Purposes Only)

The 1st section of the report includes an Activities Summary of projects identified for advancement in the Authority's Capital Plans.

The 2nd part of the report displays project completion milestones for all other active major capital projects and emergent projects for which a contract for construction has been awarded.



2011 & 2012 Portfolio Projects Activities Summary

as of 12/30/19

2011 Portfolio Pr	1							
District	Project	Grade Alignment	FES Capacity	Max. Capacity	Total Estimated Cost (millions)	Design Status	Advancement Status	Projected Construction Advertisement Date*
Bridgeton	Buckshutem ES	K-8	581	645	\$23.3	Kit of Parts/ Design-Build	School occupied Sep. 2016. (Bock)	5/31/13
Bridgeton	Quarter Mile Lane ES	PK-8	731	795	\$39.0	Kit of Parts/ Design-Build	School occupied Sep. 2017. (Bock)	5/31/13
Elizabeth	Frank J. Cicarell Academy (Academic HS)	9-12	1,091	1,284	\$64.1	Existing Design	School occupied Sep. 2016. (Patock)	12/8/11 7/11/12
Jersey City	Patricia M. Noonan ES (ES 3)	PK-5	778	848	\$54.0	Kit of Parts/ Design-Build	School occupied Sep. 2017. (Dobco, Inc.)	6/25/12 2/25/13
Jersey City	Dr. Maya Angelou PS #20	K-5	628	698	\$49.3	Existing Design	School occupied Sep. 2016. (Dobco, Inc.)	4/17/12 3/6/13
Long Branch	Catrambone ES	PK-5	794	867	\$40.0	Existing Design	School occupied Sep. 2014. (Terminal Construction)	12/20/11
New Brunswick	Redshaw ES	PK-5	906	990	\$51.2	Kit of Parts/ Design-Build	School occupied Jan. 2015. (Hall Construction)	5/29/12
Newark	Oliver St. ES	PK-8	848	932	\$73.6	Kit of Parts/ Design-Build	School occupied May 2016. (Epic Management)	6/27/12 11/29/12
Paterson	Dr. Hani Awadallah ES (Marshall St. ES)	K-8	650	722	\$55.2	Existing Design	School occupied Sep. 2016. (Dobco, Inc.)	6/13/12 2/12/13
Paterson	PS 16	PK-8	641	705	\$62.4	Kit of Parts/ Design-Build	School occupied Sep. 2016. (Hall Construction)	3/27/12 8/28/13
West New York	Harry L. Bain PS 6	PK-6	736	814	\$16.8	Design-Bid-Build	School occupied Sep. 2017. (Paul Otto)	2/27/12 12/29/15

*PLEASE NOTE NOTE # 1

- Dates in the Past are ACTUAL. Includes Advertisement dates for Early Site Preparation Construction & School Construction where applicable.
- Estimated Costs, Grade Alignment and Capacity are based upon approved Project Charters where applicable. For projects without an approved charter, Estimated Costs, Grade Alignment and Capacity are based upon Planning Assumptions.

 Recommendations of DOE/SDA/District Working Groups may impact this information in the future.

NJSDA Page 1 of 4



2011 & 2012 Portfolio Projects Activities Summary

as of 12/30/19

2012 Portfolio Projects - sorted by District		1						
District	Project	Grade Alignment	FES Capacity	Max. Capacity	Total Estimated Cost (millions)	Design Status	Advancement Status	Projected Construction Advertisement Date*
Gloucester City	Elementary/Middle School	4-8	687	763	\$65.3	Kit of Parts/ Design-Build	School occupied Sep. 2017. (Terminal)	3/4/14
Keansburg	Caruso ES	K-4	758	842	\$50.9	Kit of Parts/ Design-Build	School occupied Sep. 2016. (Hall Construction)	10/20/11 6/27/13
Keansburg	Port Monmouth Road School	PK	318	318	\$28.4	Design-Bid-Build	Award for D-B approved Nov. 2019 Board. (Niram)	6/24/19
New Brunswick	Robeson ES	PK-5	823	893	\$48.5	Kit of Parts/ Design-Build	School occupied Sep. 2018. (Hall Construction)	4/22/15
Newark	Elliot Street ES	PK-8	848	932	\$46.7	Kit of Parts/ Design-Build	School occupied Jan. 2016. (Hall Construction)	12/27/12
Newark	South Street ES	PK-8	597	657	\$69.9	Kit of Parts/ Design-Build	School occupied Sep. 2018. (Bock)	6/28/13 6/29/15
Passaic	Dayton Ave. Campus	PK-8	2,760	3,020	\$240.9	Kit of Parts/ Design-Build	Award for D-B approved Nov. 2017 Board. (Terminal)	6/13/17
Phillipsburg	High School	9-12	1,846	2,172	\$127.5	Existing Design	School occupied Sep. 2016. (Epic Management)	9/27/12
West New York	Memorial HS	9-12	1,859	2,194	\$16.0	Alternative Delivery (acquisition) & Renovation	Acquisition of Existing St. Joseph's HS complete. Renovation work delegated to District via Grant.	n/a

*PLEASE NOTE NOTE # 1

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- Estimated Costs, Grade Alignment and Capacity are based upon approved Project Charters where applicable. For projects without an approved charter, Estimated Costs, Grade Alignment and Capacity are based upon Planning Assumptions.
 Recommendations of DOE/SDA/District Working Groups may impact this information in the future.

NJSDA Page 2 of 4



2011 & 2012 Portfolio Projects Activities Summary

as of 12/30/19

 $2012\ Portfolio\ Projects\ (Educational\ Priority\ that\ require\ further\ conversations\ with\ District\ \&\ 2013\ Amended\ Projects)\ -\ sorted\ by\ District\ \&\ 2013\ Amended\ Projects)$

		1						
District	Project	Grade Alignment	FES Capacity	Max. Capacity	Total Estimated Cost (millions)	Design Status	Advancement Status	Projected Construction Advertisement Date*
East Orange	Sheila Y. Oliver Academy (GW Carver ES)	PK-5	470	512	\$41.2	Kit of Parts/ Design-Build	Award for D-B approved Jun. 2017 Board. (Dobco)	4/26/16 1/20/17
Elizabeth	New ES @ Halloran PS #22 ES Site	2-8	860	956	\$55.3	Kit of Parts/ Design-Build	School occupied Sep. 2017. (Torcon)	6/9/14
Garfield	James Madison ES	K-5	275	305	\$29.7	Existing Design	School occupied Sep. 2018. (Brockwell & Carrington)	2/19/14 6/30/15
Harrison	New ES	PK - 1	392	432	\$36.1	Kit of Parts/ Design-Build	Award for D-B approved Nov. 2016 Board. (Brockwell and Carrington)	11/10/15 7/13/16
Irvington	Madison Avenue ES	PK-5	463	504	\$38.6	Kit of Parts/ Design-Build	School occupied Sep. 2019. (Bock)	11/19/15 8/16/16
Millville	Senior HS Addition/Renovation	HS	2,026	2,384	\$137.5	Design-Build	Award for D-B approved Apr. 2017 Board. (Hall Construction)	9/30/16
Passaic	Sonia Sotomayor ES (New ES @ Leonard Place)	K-5	628	698	\$55.9	Kit of Parts/ Design-Build	School occupied Sep. 2019. (Dobco, Inc.)	8/13/15
Paterson	New MS @ Union Ave.	6-8	996	1107	\$113.9	Design-Build	Award for D-B approved Sep. 2018 Board. (Epic Management)	3/2/17 4/26/18
Pemberton	Denbo-Crichton ES	PK-5	846	930	\$58.7	Design-Build	Award for D-B approved Jan. 2018 Board. (Bock)	3/1/17 9/13/17
Perth Amboy	High School	HS	2,800	3,295	\$283.8	Design-Build	Award for D-B approved Nov. 2019 Board. (Terminal)	3/26/19
Perth Amboy	Rose M. Lopez ES (Seaman Avenue ES)	K-5	724	804	\$56.4	Kit of Parts/ Design-Build	School occupied Sep. 2019. (Epic Management).	2/3/16
Plainfield	New Woodland ES	K-5	756	839	\$62.0	Kit of Parts/ Design-Build	Advertisement for D-B 8/29/19. Proposals Due November 2019.	5/23/18 8/29/19
Union City	New Grade 7 to 9 School	7-9	756	840	\$64.2	Kit of Parts/ Design-Build	Preliminary Charter approved Mar. 2017 Board.	TBD
Vineland	Lincoln Ave. MS (New MS)	6-8	562	624	\$49.8	Kit of Parts/ Design-Build	School occupied Sep. 2018. (Bock).	9/24/15

*PLEASE NOTE NOTE # 1

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- Estimated Costs, Grade Alignment and Capacity are based upon approved Project Charters where applicable. For projects without an approved charter, Estimated Costs, Grade Alignment and Capacity are based upon Planning Assumptions.

 Recommendations of DOE/SDA/District Working Groups may impact this information in the future.

NJSDA Page 3 of 4



2011 & 2012 Portfolio Projects Activities Summary

as of 12/30/19

2012 Portfolio Projects (Facilities Deficiencies) - sorted by District

				1				
District	Project	Grade Alignment	FES Capacity	Max. Capacity	Total Estimated Cost (millions)	Design Status	Advancement Status	Projected Construction Advertisement Date*
Camden	High School	9-12	1,244	1,468	\$132.6	Design-Build	Award for D-B approved Aug. 2018 Board. (Bock)	6/9/17 3/23/18
Hoboken	Demarest ES	ES	TBD	TBD	TBD	Design-Bid-Build	Pre-Design Services ongoing.	TBD
Orange	Cleveland St. ES	PK-6	316	348	\$33.2	Design-Bid-Build	Award for GC approved Mar. 2019 Board. (Brockwell & Carrington)	9/10/18 11/14/18
Orange	High School	9-12	1,440	1,694	\$51.9	Design-Bid-Build	Award for GC approved Mar. 2019 Board. (Terminal)	10/12/18
Trenton	Central HS	10-12	1,850	2,176	\$155.4	Design-Build	School occupied Sep. 2019. (Terminal)	12/19/14 9/29/15

*PLEASE NOTE

- Dates in the Past are ACTUAL. Includes Advertisement dates for Early Site Preparation Construction & School Construction where applicable.

NOTE # 1

- Estimated Costs, Grade Alignment and Capacity are based upon approved Project Charters where applicable. For projects without an approved charter, Estimated Costs, Grade Alignment and Capacity are based upon Planning Assumptions.
 Recommendations of DOE/SDA/District Working Groups may impact this information in the future.

NJSDA Page 4 of 4



Active Project Status Report Status as of 12/1/2019

Major Capital Projects - With Contract for Building Construction Awarded

#	District	Project Name	Project Scope	Project Status	Substantial Completion	Status Substantial Completion	School Opening	Status of School Opening	Total Estimated Project Cost
1	Camden	New Camden High School	New Construction	Construction	3Q 2021	On-target	Sep-21	On-target	\$ 132,569,255
2	City of Orange	Cleveland Street ES	Addition/Renovation	Constructability Review	2Q 2021	On-target	Sep-21	On-target	\$ 33,243,608
3	City of Orange	Orange High School	Addition/Renovation	Constructability Review	1Q 2022	On-target	Phased	On-target	\$ 51,931,218
4	East Orange	New GW Carver ES	New Construction	Construction	4Q 2019	On-target	Sep-20	On-target	\$ 41,179,670
5	Harrison	New Elementary School	New Construction	Construction	2Q 2020	On-target	Sep-20	On-target	\$ 36,115,640
6	Millville	Millville Senior High School	Addition/Renovation	Construction	3Q 2022	On-target	Phased	On-target	\$ 137,503,832
7	Passaic City	New Dayton Avenue Educational Campus	New Construction	Construction	2Q 2022	On-target	Sep-22	On-target	\$ 240,923,270
8	Paterson	New Union Ave MS	New Construction	Construction	2Q 2021	On-target	Sep-21	On-target	\$ 113,902,274
9	Pemberton	New Denbo ES	New Construction	Construction	1Q 2021	On-target	Sep-20	On-target	\$ 58,703,414



Active Project Status Report Status as of 12/1/2019

Emergent Projects - With Contract for Construction Awarded

#	District	Project Name	Project Scope	Project Phase	Substantial Completion	Status Substantial Completion	Final Completion	Status of Final Completion	Total Estimated Project Cost
1	Newark	Chancellor Ave Annex	Building Envelope & Structural Repairs	Construction	4Q 2019	On-Target	1Q 2020	On-Target	\$ 1,221,437
2	Newark	Dr. E. Alma Flagg ES	Exterior Doors & Roofing	Construction	4Q 2019	Achieved	4Q 2019	On-Target	\$ 654,000
3	Newark	Hawkins School	Chimney Repairs	GC TO w/ Design	4Q 2019	Achieved	4Q 2019	On-Target	\$ 637,888
4	Newark	Lafayette Street School	Exterior Doors & Roofing	Construction	4Q 2019	On-Target	4Q 2019	On-Target	\$ 658,129
5	Newark	Wilson School Annex	Chimney Repairs	GC TO w/ Design	4Q 2019	Achieved	4Q 2019	On-Target	\$ 211,386
6	Plainfield	Plainfield High School	Structural Repairs - Stairs	Construction	3Q 2019	Achieved	4Q 2019	On-Target	\$ 1,202,774

PROJECT CLOSEOUT STATUS REPORT



32 EAST FRONT STREET P.O. BOX 991 TRENTON, NJ 08625-0991 609-858-5395

To: Members of the Authority

From: /s/ Ayisha Cooper, Vendor Services Analyst

Date: January 8, 2020

Subject: Project Close-Out Status Report

The attached report provides a status of the following:

- All SDA managed Capital Plan projects which have achieved school occupancy but have not yet been contractually and administratively closed
- All SDA managed Emergent projects which are either (1) currently active, or (2) complete yet have not been contractually and administratively closed
- Projects which have achieved project transfer to the district yet have outstanding open contracts
- A running total of all school facilities projects, health and safety contracts, and suspended design contracts which have been closed

Projects closed since the last report will appear highlighted.

Schools Development Authority

PROJECT	STATUS REPO	RT - As of December 1, 2019			
Year of Occupancy	DOE #	School	Disposition	Project Transfer Date	Outstanding Issues Preventing Complete Close-out
Bridgeton					
2016		Buckshutem Road Elementary School			
2017	0540-100-13-0ACO	Quarter Mile Lane Elementary School			
Burlington C	lity				
2007	0600-020-01-0957	New High School	Project Transferred	12/29/11	Open contract(s) - Legal matter pending
Camden		· · · ·	· ·		
2007	0680-140-01-0939	Octavius V. Catto Community School - Demonstration Project	Project Transferred	01/09/12	Open contract(s) - Pending audit completion
2009		HB Wilson Elementary School	Project Transferred	04/14/10	Open contract(s)
2009		Dudley Elementary School	Closed	11/04/19	open commun(s)
Egg Harbor (
	1300-X01-04-0ADY	New Middle School	Project Transferred	01/01/12	Open contract(s)
		Ivew winding School	1 Toject Transierred	01/01/12	Open contract(s)
Egg Harbor '			•	ı.	
2011	1310-005-04-0AEB	Egg Harbor Township High School			
Elizabeth					
2017	1320-N20-13-0AEG	Halloran Elementary School	Project Transferred	06/12/18	Open contract(s)
2016		Frank J. Cicarell Academy (New Academic HS)	Project Transferred	07/18/19	Open contract(s)
2013	1320-240-03-0339	Victor Mravlag Elementary School # 21	Project Transferred	08/27/19	Open contract(s) - Legal matter pending
Garfield					
2018	1700-205-03-0315	James Madison Elementary School #10			
		,	,		
Gloucester C Legacy		Cold Springs Elementary School	Project Transferred	06/05/09	Open contract(s)
2017		Gloucester City Middle School	Project Transferred	04/17/18	Open contract(s)
	1770-1101-03-0100	Gloucester City Wildere School	1 Toject Transferred	04/1//10	Open contract(s)
rvington					
2019	2330-120-03-0755	Madison Avenue Elementary School			
Jersey City					
Legacy	2390-N01-99-0227	New Elementary School #3 (Frank R. Conwell ES #3)	Project Transferred	12/19/15	Open contract(s) - Legal matter pending
Legacy	2390-N02-99-0228	Jersey City Middle School # 4 (Frank R. Conwell MS #4)	Project Transferred	12/19/15	Open contract(s) - Legal matter pending
2016	2390-190-01-0581	New Public School #20	Project Transferred	08/11/17	Open contract(s) - Legal matter pending
2017	2390-X03-01-0587	Patricia M. Noonan ES (New PS #3)	Project Transferred	12/14/17	Open contract(s) - Legal matter pending
2007		Heights Middle School #7	ĺ		
Keansburg					
2016	2400-E01-02-0116	New Caruso Elementary School	Project Transferred	08/13/18	Open contract(s)
New Brunsw		In all parks are Community Flammaters Calcul	Duning A Transfer 1	10/22/19	0
2018	5550-125-03-1034	Paul Robeson Community Elementary School	Project Transferred	10/23/18	Open contract(s)

PROJECT	STATUS REPO	RT - As of December 1, 2019			
Year of Occupancy	DOE#	School	Disposition	Project Transfer Date	Outstanding Issues Preventing Complete Close-out
Newark					
Legacy	3570-X01-01-0617		Project Transferred	05/03/13	Open contract(s) - Legal matter pending
2010		Speedway Elementary School	Project Transferred	10/21/15	Open contract(s)
2016		Oliver Street Elementary School	Project Transferred	05/18/17	Open contract(s)
2018	3570-640-02-0311	South Street ES			
Passaic					
2015	3970-X01-01-X760	New Henry Street Elementary School			
2019	3970-N11-07-0DAY	Leonard Place Elementary School			
Paterson					
Legacy	4010-N02-02-0393	Roberto Clemente Elementary School	Project Transferred	04/12/13	Needed repairs being addressed
2016		New Public School #16	Project Transferred	07/31/17	Open Contract(s)
2016	4010-N01-02-0169	Dr. Hami Awadallah School (New Marshall Street ES)	Project Transferred	03/15/18	Open Contract(s)
2008		International High School			
2008	4010-270-02-0608	#24 Elementary School			
Pemberton					
2011	4050-E01-02-0082	Pemberton Early Childhood Education Center	Project Transferred	02/01/13	Open contract(s)
Perth Amboy	y				
2019	4090-N01-98-0325	Seaman Avenue Elementary School			
Phillipsburg					
2016	4100-X01-99-0464	New High School	Project Transferred	06/07/18	Open contract(s)
Trenton					` ` ` ` ` ` ` ` ` ` ` ` ` ` ` ` ` ` ` `
	T			T	
2019	5210-050-13-0AEH	Trenton Central High School			
Vineland					
2018	5390-N02-02-0245	Lincoln Avenue Middle School			
West New Yo	ork				
2009		Elementary School #2	Project Transferred	05/14/13	Open contract(s) - Legal matter pending
2012	5670-070-01-0556		Project Transferred	01/29/14	
2017	5670-100-12-0AEE	Harry L. Bain E.S.			
	Demonstration Projec				
	l and Demonstration		155		
	al and Demonstration		115		
Capital and	Demonstration Projec		40		
	(Capital and Demonstration Projects Not Closed, Project Transferred	26		
		Legal Matter	9		
-		Pending Audit	1 16		
		Miscellaneous	10	<u> </u>	

PROJECT	STATUS REPO	RT - As of December 1, 2019			
Year of Occupancy	DOE #	School	Disposition	Project Transfer Date	Outstanding Issues Preventing Complete Close-out
		Emergent Projec	ets		
Camden					
	0680-170-12-0ACF	Cramer Elementary School			
Irvington					
	2330-090-12-0ACT	Chancellor Avenue Elementary School	Project Transferred	3/20/2018	Open contract(s)
Newark					
		Marin - HVAC			
		Dr. E. Alma Flagg E.S Doors and Roofing			
		Hawkins ES - Chimney Repairs			
		Lafayette - Doors and roofing			
	3570-750-17-0BBC	Wilson School Annex - Chimney			
Paterson					
	4010-N02-12-0ABX	Roberto Clemente ES			
Plainfield					
	4160-050-17-0BBD	Plainfield High School			
Vineland					
	5390-050-12-0ACK	Vineland High School South			
Emergent Pro	piect Totals				
Total Emerge			79		
Emergent Pro	ojects Closed		69		
Emergent Pro	ojects Not Closed		10		
		Emergent Projects Not Closed but Transferred	1		
Health and Sa	afety Contract Total	s			
Total Contrac			399		
# of Contract			394		
# of Open Co	ntracts		5		
Open Design	Contracts				
Total Contra			109		
# of Contract			98		
# of Open Co	ntracts		11		

PROJECT STATUS REPORT

STATE OF NEW JERSEY SCHOOLS DEVELOPMENT AUTHORITY

MEMORANDUM

TO: Members of the Authority

FROM: Gregory Voronov

Managing Director – Program Operations

DATE: January 8, 2020

SUBJECT: Executive Summary – Monthly Project Status Reports

MONTHLY PROJECT STATUS REPORT

Projects that have Expended 75% or More of Board Approved Contingency:

No activity during the reporting period

Projects Greater than 90 Days Behind Schedule:

No activity during the reporting period

Revisions to Project Charters:

No activity during the reporting period



Projects that have Expended 75% or More of Board Approved Contingency

Reporting Period: Jan. 1, 2008 to Nov. 30, 2019

District	Project	Board Approved Project Charter Contingency	Contingency Expended/Committed		% of Contingency Expended/Committed	Project Completion %	Cause(s)	Current Status
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In Construction

NO DATA TO REPORT

Substantially Complete & Building Occupied

Please refer to the Project Close-Out Activity Report for status of close-out activities

			1 icuse i cici	to the Froject Clos	sc-Out Activity Repo	it for status or	close out activities	
Camden	Dudley E.S.	\$3,215,000	\$2,615,168	\$599,832	81.3%	99%	1. Installation of IT/AV systems	Project complete and building occupied. Working towards project close-out.
Newark	Speedway Avenue E.S.	\$1,826,000	\$1,754,119	\$71,881	96.1%	99%	Removal of unforeseen impacted materials	Project complete and building occupied. Working towards project close-out.
New Brunswick	Paul Robeson Community ES	\$1,599,650	\$2,180,000	\$0	100.0%	99%	Unforeseen structural repairs. On Oct. 4, 2017 Change Order No. 1 for the value of \$2,180,000 was approved by the Member to address unforeseen structural repairs to the existing Robeson ES which served to fully exhaust the project contingency.	Project complete and building occupied. Working towards project close-out.
Paterson	E.S. #24	\$4,616,120	\$4,313,389	\$302,731	93.4%	99%	Unforeseen soil remediation and clean fill.	Project complete and building occupied. Working towards project close-out.
West New York	West New York P.S. #2	\$2,708,883	\$2,708,883	\$0	100.0%	99%	Unforeseen site foundation issues	Project complete and building occupied. Working towards project close-out.

¹ Does not include expended contingency or contingency funds allocated for change orders, amendments



Projects Greater than 90 Days Behind Schedule or with Occupancy Date in Jeopardy

Reporting Period: November 2019

# Event Date District	Project	Board Approved Project Charter SubComp Date	Current Contract SubComp Date	Forecasted Contract SubComp Date	# of Days Behind Schedule	Cause(s)	Current Status

No Activity During the Reporting Period



Revisions to Project Charters Reporting Period:November 2019 # District Project Financial & Schedule Impacts Additional Funds as % Operating Authority of Total Project Budget Approval Requirement No Activity During the Reporting Period

CONTRACTS EXECUTED REPORT



MEMORANDUM

TO: Members of the Authority

FROM: Gregory Voronov

Managing Director, Program Operations

DATE: January 8, 2020

SUBJECT: Contracts Executed Report and Amendments & Change Orders Report

(For Informational Purposes Only)

Contracts Executed Report

This report contains the activity of Contracts executed during the period November 1 through November 30, 2019.

Noteworthy Items during the reporting period:

• No noteworthy activity during the reporting period.

Amendments & Change Orders Report

This report contains the activity of Amendments and Change Orders executed during the period November 1 through November 30, 2019.

Noteworthy Items during the reporting period:

- Execution of 4 Professional Services Amendments totaling a credit of \$75k were executed during the reporting period, of the 4 executed amendments none required board approval.
- Execution of 11 Construction Services Change Orders totaling \$230k, of the 11 executed change orders none required board approval.

Report of change orders less than \$10,000 yet requiring Board Approval

In accordance with the Operating Authority adopted by the Members on December 1, 2010 as amended on March 7, 2012, the Members are to be provided a report of any change order which received delegated approval by the CEO due to the fact that they are valued at less than \$10,000 yet require Board approval due the total change orders exceeding 10% of the contract value.

No Activity to Report



Amendments & Change Orders Report

Reporting Period: 11/1/2019 through: 11/30/2019

District	School Name(s)	Contract Number	Contract Execution Date	CO#	Vendor Name	CO Execution Date	Contract Award Amount	Prior CO's (cumulative)	Current CO Amount	Board Approval Required	Board Approval Date	Revised Contract Amount	Cumulative CO %
Professional S	ervices												
Design Consul	Itant												
City Of Orange Township	Orange H.S.	ES-0042-A01	5/5/2015	10	Kliment Halsband Architects LLP	11/04/2019	\$3,520,022	\$227,726	\$19,685			\$3,767,433	7.03%
City Of Orange Township	Orange H.S.	ES-0042-A01	5/5/2015	11	Kliment Halsband Architects LLP	11/04/2019	\$3,520,022	\$247,411	\$3,498			\$3,770,931	7.13%
City Of Orange Township	Cleveland Street E.S.	ES-0043-A01	9/3/2015	12	Lan Associates, Engineering, Planning, A	11/20/2019	\$1,820,017	\$292,107	\$11,210			\$2,123,334	16.67%
Design Consul	ltant												
Construction N	Management Services												
Vineland City	Lincoln Ave Middle School	ST-0017-M02	6/13/2016	1	Joseph Jingoli & Son, Inc.	11/12/2019	\$1,326,500	\$0	(\$109,770)			\$1,216,730	-8.27%
Construction N	Management Services												
Professional S	ervices								(\$75,377)				

Page 1 of 2 Print Date: 12/3/2019



Amendments & Change Orders Report

Reporting Period: 11/1/2019 through: 11/30/2019

Revised Contract Amount

District	School Name(s)	Contract Number	Contract Execution Date	CO#	Vendor Name	CO Execution Date	Contract Award Amount	Prior CO's (cumulative)	Current CO Amount	Board Approval Required	Board Approval Date	Revised Contract Amount	Cumulative CO %
Construction S	Services								·				
Contractor													
Irvington Township	Madison Avenue E.S.	ES-0027-B01	1/19/2017	17	Ernest Bock & Sons, Inc.	11/18/2019	\$26,800,000		\$1,479			\$26,853,026	0.19%
Millville	High School	ST-0046-B01	5/24/2017	15	Hall Construction Co., Inc.	11/26/2019	\$114,453,000	\$43,792	\$440,298			\$114,937,089	0.42%
Passaic City	Dayton Ave. Educational Campus	NT-0052-B01	1/2/2018	9	Terminal Construction Corp.	11/14/2019	\$163,560,000	\$194,006	(\$18,964)			\$163,735,042	0.10%
Paterson	New Union Avenue Middle School	PA-0011-B01	10/18/2018	1	Epic Management, Inc.	11/06/2019	\$57,932,000	\$0	\$6,527			\$57,938,527	0.01%
Perth Amboy	Seaman Avenue School	ET-0031-B01	8/15/2016	10	Epic Management, Inc.	11/06/2019	\$43,570,000	\$354,445	\$74,222			\$43,998,668	0.98%
Plainfield	New K-5 Elementary School	ET-0100-N01	8/29/2018	1	Two Brothers Contracting, Inc.	11/22/2019	\$1,644,444	\$0	(\$286,948)			\$1,357,496	-17.44%
Plainfield	New K-5 Elementary School	ET-0100-N01	8/29/2018	2	Two Brothers Contracting, Inc.	11/22/2019	\$1,644,444	(\$286,948)	(\$300,000)			\$1,057,496	-35.69%
Trenton	Trenton Central H.S.	WT-0022-B01	4/7/2016	19	Terminal Construction Corp.	11/06/2019	\$115,950,000	\$2,212,455	\$8,531			\$118,170,986	1.91%
Trenton	Trenton Central H.S.	WT-0022-B01	4/7/2016	20	Terminal Construction Corp.	11/06/2019	\$115,950,000	\$2,220,986	\$29,186			\$118,200,172	1.94%
Trenton	Trenton Central H.S.	WT-0022-B01	4/7/2016	21	Terminal Construction Corp.	11/08/2019	\$115,950,000	\$2,250,172	\$229,775			\$118,429,948	2.13%
Newark	Dr. E. Alma Flagg E.S.	EP-0065-C02	11/21/2017	1	Patock Construction Co.	11/20/2019	\$495,000	\$0	\$46,015			\$541,015	9.29%
Contractor													
Construction S	Services								\$230,121				
								_					
									Total Chan Summ		Total	Change Orders	
Grand Totals									\$154,	_		15	
Column Descri	ription Legend										, <u> </u>		l
CO Execution	Date	Date the Chang	ge Order was	entered i	nto the SIMS system			·					

Current value of the contract (excluding additional assignments) including current change order

Page 2 of 2 Print Date: 12/3/2019

CONTRACT TERMINATIONS REPORT (no activity)

SETTLEMENT CLAIMS

Settled Claims Log

			Settled Claims Log	Settlement	Claim Amount (Per SDA Form	
Contract #	School Name	Claimant	Type of Claim	Date	505)	Settlement
EL-0005-A01	Wm F Halloran ES	Spector Group	Additional compensation	7/1/2019	\$198,653.00	\$0.00
EL-0015-A01	Peterstown ES	Spector Group	Additional compensation	7/1/2019	\$122,746.00	\$22,241.00
EL-0015-A01	Robert Morris ES	Spector Group	Additional compensation	7/1/2019	\$153,828.00	\$0.00
EL-0015-A01	NM Butler ES	Spector Group	Additional compensation	7/1/2019	\$195,809.00	\$34,324.00
JE-0010-C01	Jersey City PS #20	Dobco, Inc.	Short Circuit Equipment	9/10/2019	\$44,732.60	\$42,550.79
JE-0010-C01	Jersey City PS #20	Dobco, Inc.	Site lighting and grounding	9/10/2019	\$9,362.51	\$3,410.42
JE-0010-C01	Jersey City PS #20	Dobco, Inc.	Change to rooftop flexible connections	9/10/2019	\$4,712.84	\$0.00
JE-0010-C01	Jersey City PS #20	Dobco, Inc.	Field changes rms 251 & 254 - lighting	9/10/2019	\$2,793.98	\$2,793.98
JE-0010-C01	Jersey City PS #20	Dobco, Inc.	Adding circuits at multiple locations	9/10/2019	\$19,202.41	\$0.00
JE-0010-C01	Jersey City PS #20	Dobco, Inc.	Relocation of horn strobes and devices	9/10/2019	\$6,031.67	\$6,031.67
JE-0010-C01	Jersey City PS #20	Dobco, Inc.	Multiple painting changes	9/10/2019	\$5,919.67	\$5,919.67
JE-0010-C01	Jersey City PS #20	Dobco, Inc.	Adding junction boxes/dimming light fixtures	9/10/2019	\$9,492.22	\$0.00
JE-0010-C01	Jersey City PS #20	Dobco, Inc.	Remove and reinstall boiler disconnects	9/10/2019	\$2,756.39	\$2,756.39
JE-0010-C01	Jersey City PS #20	Dobco, Inc.	Roof edge and parapet changes	9/10/2019	\$34,159.75	\$0.00
JE-0010-C01	Jersey City PS #20	Dobco, Inc.	Add'l circuits at multiple locations	9/10/2019	\$17,223.43	\$0.00
JE-0010-C01	Jersey City PS #20	Dobco, Inc.	Add'I power supplies multiple locations	9/10/2019	\$56,552.77	\$0.00
JE-0010-C01	Jersey City PS #20	Dobco, Inc.	Add'l power supplies kitchen exhaust fan	9/10/2019	\$6,472.75	\$6,472.75
JE-0010-C01	Jersey City PS #20	Dobco, Inc.	Changing clock and speaker fixtures	9/10/2019	\$7,339.29	\$3,669.64
JE-0010-C01	Jersey City PS #20	Dobco, Inc.	Add'l circuits cafeteria for gate operators	9/10/2019	\$11,216.17	\$0.00
JE-0010-C01	Jersey City PS #20	Dobco, Inc.	Add/change circuits for split AC systems	9/10/2019	\$54,748.82	\$0.00
JE-0010-C01	Jersey City PS #20	Dobco, Inc.	Re-route circuits due to equipment relocation	9/10/2019	\$1,011.50	\$0.00
JE-0010-C01	Jersey City PS #20	Dobco, Inc.	Re-route plumbing piping Room B-246	9/10/2019	\$7,506.19	\$0.00
JE-0010-C01	Jersey City PS #20	Dobco, Inc.	Revision to main office countertop	9/10/2019	\$1,313.81	\$0.00
JE-0010-C01	Jersey City PS #20	Dobco, Inc.	Supply elevator operator for furniture delivery	9/10/2019	\$14,507.48	\$14,507.48
JE-0010-C01	Jersey City PS #20	Dobco, Inc.	Modifications of Art/Lab casework & plumbing	9/10/2019	\$25,246.04	\$25,246.04
JE-0010-C01	Jersey City PS #20	Dobco, Inc.	Add'l circuits for DOE equipment	9/10/2019	\$4,836.89	\$0.00
JE-0010-C01	Jersey City PS #20	Dobco, Inc.	Addition of disconnects elevator cab lighting	9/10/2019	\$1,096.32	\$599.25
JE-0010-C01	Jersey City PS #20	Dobco, Inc.	Modifications to the fire alarm	9/10/2019	\$11,252.24	\$9,600.00
JE-0010-C01	Jersey City PS #20	Dobco, Inc.	Add'l circuits for security equipment	9/10/2019	\$5,301.38	\$0.00
JE-0010-C01	Jersey City PS #20	Dobco, Inc.	Equip. to monitor fire pump code compliance	9/10/2019	\$12,471.18	\$8,126.00
JE-0010-C01	Jersey City PS #20	Dobco, Inc.	Install mixing valves; adjust to water temp	9/10/2019	\$73,564.35	\$73,564.35
JE-0010-C01	Jersey City PS #20	Dobco, Inc.	Modifications to fire alarm/GFCI in kitchen	9/10/2019	\$5,644.65	\$5,644.65
JE-0010-C01	Jersey City PS #20	Dobco, Inc.	Revision to security cage/gate staircase #3	9/10/2019	\$27,547.17	\$0.00
JE-0010-C01	Jersey City PS #20	Dobco, Inc.	Add'l painting exterior screen wall	9/10/2019	\$6,692.74	\$0.00
JE-0010-C01	Jersey City PS #20	Dobco, Inc.	Add'l devices multiple loc. Code compliance	9/10/2019	\$4,563.35	\$4,563.35
JE-0010-C01	Jersey City PS #20	Dobco, Inc.	Cellular comm. sys fire and burgler alarm	9/10/2019	\$13,839.09	\$13,838.09
JE-0010-C01	Jersey City PS #20	Dobco, Inc.	Modifications to elevator components	9/10/2019	\$10,248.77	\$10,248.77
JE-0010-C01	Jersey City PS #20	Dobco, Inc.	Redesign of water system	9/10/2019	\$16,844.07	\$16,844.07

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Settled Claims Log

	Sottled Statille Log										
Contract #	School Name	Claimant	Type of Claim	Settlement Date	Claim Amount (Per SDA Form 505)	Settlement					
JE-0010-C01	Jersey City PS #20	Dobco, Inc.	Painting of items due to various changes	9/10/2019	\$34,455.10	\$5,628.58					
JE-0010-C01	Jersey City PS #20	Dobco, Inc.	Additional plumbing items	9/10/2019	\$45,984.53	\$22,127.92					
JE-0021-B01	Jersey City ES #3	Dobco, Inc.	East retaining wall	9/10/2019	\$208,464.00	\$0.00					
JE-0021-B01	Jersey City ES #3	Dobco, Inc.	TV & Video distribution system	9/10/2019	\$46,903.00	\$0.00					
NT-0019-B01	Henry Street ES	Dobco, Inc.	Lean concrete and iron work	9/10/2019	\$632,979.00	\$343,116.54					
PA-0006-C04	Marshall Street ES	Ernest Bock & Sons	Add'l security costs due to ACA	9/30/2019	\$14,429.00	\$0.00					
PA-0006-C04	Marshall Street ES	Ernest Bock & Sons	Flex duct-hard duct elbows for dormer space	9/30/2019	\$33,187.00	\$20,000.00					
			TOTAL FOR December, 2019		\$2,223,642.12	\$703,825.40					

Page 2 12/11/2019

CONTRACTOR AND WORKFORCE COMPLIANCE REPORT



MEMORANDUM

TO: Members of the Authority

DATE: January 8, 2020

SUBJECT: Contractor and Workforce Compliance Monthly Update for October 2019

The Risk Management staff continues to participate at mandatory pre-bid and pre-construction meetings to instruct and inform bidders regarding SDA's SBE goals, policies and procedures, including:

- Small Business Enterprise subcontracting goal of 25% of all contracts
- County workforce goals for minorities and females
- Detailed process procedures to monitor and track the progress made toward these goals throughout the life cycle of each project

At these meetings, vendors are strongly encouraged to identify and hire minority-owned and womenowned firms, as well as locally-based enterprises, for diverse business participation on all school building projects. Additional outreach strategies are discussed and utilized.

SMALL BUSINESS ENTERPRISE (SBE) COMPLIANCE MONITORING

The SDA regularly exceeds the State-mandated 25% SBE goal. The total SDA contract dollars awarded through October 31, 2019 was \$28,051,892. The figures below demonstrate compliance with this requirement.

SBE Breakdown

The total contract dollars awarded to all SBE contractors was \$8,458,613 (including minorities, women and veterans). This represents 30.15% of all SDA contracts.

Type of Business Enterprise	Contract Amount	% of Total SDA Contracts
Small Business Enterprises	\$ 6,461,435	23.03%
Small/ Minority Business Enterprises	\$ 458,000	1.63%
Small/Women Business Enterprises	\$ 1,539,178	5.49%
Small/Veteran Owned Business Enterprises	\$ -0-	0.00%
Small/Minority/Women Business Enterprises	\$ -0-	0.00%
TOTAL SBE CONTRACTS	\$ 8,458,613	30.15%

Members of the Authority Contractor and Workforce Compliance Monthly Update January 8, 2020 Page 2 of 3

WORKFORCE COMPLIANCE MONITORING

For the month of October 2019, there was a contractor workforce of 835 on SDA projects. This represents a total of 77,264 contractor workforce hours as follows:

Contractor Workforce Breakdown (All Trades/Districts/Counties)					
Ethnicity	Total Workforce	Total Workforce Hours	Workforce Hours Percentage		
Black	92	9,987	12.93%		
Hispanic	153	12,781	16.54%		
American Indian	3	184	0.24%		
Asian	4	302	0.39%		
Total Minority Participation	252	23,254	30.10%		
Total Non-Minority Participation	583	54,010	69.90%		

There was a contractor workforce of 697,972 total workforce hours and 11,840 total female workforce hours on SDA projects for the period of January 1, 2019 through October 31, 2019. The following table highlights the *Local County Contractor Workforce* participation for that period:

Local County Workforce Participation	Workforce Hours	Percentage
*Total Workforce Hours	697,972	100.00%
*Total Local County Workforce Hours	64,003	9.17%
Total Local County Non-Minority Workforce Hours	27,735	3.97%
Total Local County Female Workforce Hours	1,173	0.17%
Total Local County Minority Workforce Hours	36,268	5.20%
**Local County Workforce Hours by Ethnicity:		
Black	19,588	2.81%
Hispanic	16,656	2.39%
American Indian	0	0.00%
Asian	24	0.00%

^{*}Total workforce and total local county workforce represent all laborers including females.

^{**}Minority breakdown represents Black, Hispanic, American Indian, and Asian laborers. Minority female laborers are captured as female laborers only and are not included in the minority breakdown.

Members of the Authority Contractor and Workforce Compliance Monthly Update January 8, 2020 Page 3 of 3

The following table represents contractor and female workforce for all SDA active Capital Projects and all active and completed Emergent Projects for the period of January 1, 2019 through October 31, 2019.

SDA Managed Project	Total Workforce Hours	Workfor	nority rce Hours centage	Local County Workforce Hours & Percentage		
Camden, HS	48,495	14,858	30.64%	2,192	4.52%	
East Orange, George W Carver ES	71,711	28,137	39.24%	13,422	18.72%	
Harrison, ES	54,994	18,679	33.97%	0	0.00%	
Irvington, Madison Avenue ES	32,222	11,282	35.01%	7,171	22.25%	
Millville, HS	105,808	32,144	31.27%	17,321	16.37%	
Passaic, Leonard Place ES	14,108	1,689	11.97%	1,784	12.65%	
Passaic, Dayton Avenue Campus	148,955	42,136	28.29%	6,260	4.20%	
Paterson, Union Ave ES	1,959	197	10.06%	0	0.00%	
Pemberton, Denbo-Crichton ES	76,184	17,435	22.89%	2,439	3.20%	
Perth Amboy, Seaman Avenue ES	44,134	7,148	16.20%	6,426	14.56%	
Trenton, Central HS	84,638	24,969	29.50%	8,251	9.75%	
Emergent Projects	14,748	7,160	48.55%	0	0.00%	

Prepared by: Charlotte Brooks

REGULAR OPERATING DISTRICTS (RODs) ACTIVITY REPORT



MEMORANDUM

TO: Members of the Authority

FROM: Gregory Voronov

Managing Director, Program Operations

DATE: January 8, 2020

SUBJECT: Regular Operating District Grant Activity Report

(For Informational Purposes Only)

This report summarizes the Regular Operating District Grant activity from inception to date and for the month of November 2019. Also included is a detailed list of grants executed and grants offered during the reporting period.

Monthly Update:

- o No grants were offered during the reporting period.
- o 2 grants impacting 1 district were executed during the reporting period representing \$2.7M in total project costs and state share of \$1.1M.
- o 8 grants impacting 6 districts were closed out during the reporting period representing \$7.1M in total project costs and state share of \$2.8M.
- O Since inception, over \$2.9B has been disbursed to 524 regular operating districts through the grant program.
- o Since inception over \$3.3B in funding has been approved by the Department of Education and offered to regular operating districts through the grant program.

STATE OF NEW JERSEY DEVELOPMENT AUTHORITY

Monthly Regular Operating District Grant Report - Summary November 2019

ROD Grant Summary Since Program Inception								
	Offered ¹ Executed Closed-Out					Active		
Districts Impacted		1		524		514		111
Number of Grant Projects		1		5,406		4,976		430
Total Project Cost Estimate	\$	265,500	\$	8,948,752,467	\$	8,471,717,480	\$	477,034,986
Grant Amount	\$	106,200	\$	3,006,899,154	\$	2,797,752,351	\$	209,146,803
Amount Disbursed		N/A	\$	2,902,959,708	\$	2,797,752,351	\$	105,207,356

Total Funding Offered to School Districts via Grant Program	\$ 3,342,209,450
Total ROD Grant Funding remaining for new Grant Projects	\$ 83,077,392

^{1.} Includes grants that have been offered to District's but have not yet been executed.

Monthly Activity ROD Grant Summary						
	Executed Closed-Out					
Districts Impacted		1		6		
Number of Grant Projects		2		8		
Total Project Cost Estimate	\$	2,742,038	\$	7,111,652		
Grant Amount	\$	1,096,816	\$	2,844,774		
Amount Disbursed		NA	\$	2,844,774		

^{*} Report is inclusive of all Regular Operating Districts grants (including vocational school districts).

^{**} Total Project Cost Estimate and Grant Amount may be adjusted as the projects advance. Grant Amount is capped at the value approved in the DOE Final Eligible Cost Approval.

$\overset{\text{State of New Jersey}}{\mathsf{SCHOOLS}} \overset{\text{Development Authority}}{\mathsf{Development}}$

Monthly Regular Operating District Grant Report - Monthly Executed Grant Detail November 2019

County	District	School Name	tal Project et Estimate	I	Grant Amount	Project Description
Bergen	Bergenfield	Bergenfield H.S.	\$ 2,680,769	\$	1,072,308	Roof replacement and repairs.
Bergen	Bergenfield	Bergenfield H.S.	\$ 61,269	\$	24,508	Toilet room renovations for ADA compliance.
Grand Total		Grants Executed - 2	\$ 2,742,038	\$	1,096,816	

NOTIFICATION OF AMENDMENTS TO GOODS AND SERVICES CONTRACTS NOT EXCEEDING \$100,000 OR 10% OF THE CONTRACT VALUE (no activity)

COMMUNICATIONS MONTHLY REPORT



32 EAST FRONT STREET P.O. BOX 991 ΓRENTON, NJ 08625-0991 609-943-5955

MEMORANDUM

TO: Members of the Authority

FROM: /s/ Edye Maier, Deputy Director of Communications

DATE: January 8, 2020

SUBJECT: Monthly Communications Report

SDA Breaks Ground for New Middle School in Paterson



On Wednesday, December 18, SDA joined Paterson School District officials, students, state and local officials to break ground for the new Middle School at Union Avenue.

The new Middle School at Union Ave will be an approximately 163,000 square-foot facility designed to educate a maximum of 1,100 students in grades six to eight. The school will include 36 classrooms, six Small Group Instruction Rooms, nine science labs, an aquaponics lab, a vocal and instrumental lab, a computer lab, a gymnasium, a media center, a cafeteria with stage, and three art rooms. The facility is currently scheduled to open to students in September 2021.

Reviewed by: Colleen Connolly

MONTHLY FINANCIAL REPORT



32 EAST FRONT STREET P.O. BOX 991 TRENTON, NJ 08625-991 609-858-5325

MEMORANDUM

TO: Members of the Authority

FROM: Sherman E. Cole, MBA, CPA /s/

Controller

DATE: January 8, 2020

SUBJECT: Monthly Financial Report – November 2019

The Office of the Chief Financial Officer is providing the attached monthly financial report to the Members of the Authority for their information. Included on pages 1 and 2 of this report is a "Financial Summary" of the Authority's activities for the year. On pages 3, 3-1 and 4 of the report is a summary of the Authority's operating and capital expenditures. Page 5 contains a breakdown of the Authority's headcount information by department. The basic financial statements follow on pages 6 and 7.

Fund Reporting Operating Expenses (Year-to-Date Actual vs. Budget)

For November 2019 year to date, Authority operating expenses, \$15.1M, are \$2.9M lower than budget for the corresponding period. The variance is primarily related to lower year to date personnel costs, \$1.9M, which includes a \$1.6M decrease in payroll and benefits costs as a result of having 54 fewer employees (FTEs) than budgeted. Additionally, lower than planned spending related to facilities & general office expenses, \$264K, information systems including MIS consulting services, \$519K, SDA automobiles, \$110K, and communications, \$84K, also contributed to the decrease.

Fund Reporting Operating Expenses (Year-to-Date Actual vs. Prior Year Actual)

For November 2019 year to date, Authority operating expenses, \$15.1M, are \$40K lower when compared to the corresponding prior year. This variance is mainly attributable to decreases in personnel expenses, \$115K, spending on information systems and MIS consulting services, \$85K, and facilities & general office expenses, \$58K, offset by an increase in outside legal services including DAG legal services, \$188K.

School Facilities Project Expenditures (Year-to-Date Actual vs. Forecast)

For November 2019 year to date, project expenditures, \$281.0M, are \$21.0M lower than the capital spending forecast for the corresponding period. This variance is primarily a result of lower than forecasted expenditures for grant activity, \$37.6M, design services (net of cost recovery settlement), \$4.6M, property acquisitions, \$2.0M, lower-than-projected payroll expense allocations, \$1.8M, and other project related costs, \$3.9M. These reductions are partially offset by an increase in construction activity, \$25.3M, as well as school furniture, fixtures & equipment related spending, \$3.2M.

Members of the Authority January 8, 2020 Page 2

School Facilities Project Expenditures (Year-to-Date Actual vs. Prior Year Actual)

For November 2019 year to date, project expenditures, **\$281.0M**, are lower by **\$9.8M** when compared to the corresponding prior year. The variance is attributable to decreases in grant activity, **\$41.1M**, project insurance costs, **\$4.1M**, design services (net of cost recovery settlement), **\$3.9M**, and other project related costs, **\$3.8M**. These decreases are partially offset by an increases in construction activity, **\$35.7M**, and school furniture purchases, **\$7.8M**.

Other

Since program inception, 86% of the funds authorized for the SDA Districts have been disbursed. Additionally, since program inception, 96% of all SDA disbursements relate to school facility projects and 4% relate to operating expense.

The estimated value of active school facilities, capital, emergent and ROD grant projects is approximately \$2B.

Attachment

New Jersey Schools Development Authority Monthly Financial Report November 2019 (Unaudited)

New Jersey Schools Development Authority Overview of Financial Position November 30, 2019

To: The Audit Committee

From: Sherman E. Cole, Controller

The information contained in this monthly financial report is for the period as of, and for the year-to-date ending, November 30, 2019.

▶ Overall Cash and Cash Equivalents have increased by \$60.3 million to \$600.1 million, as follows:

■ Receipt of bond and note proceeds (Issued by EDA)	\$ 350,000,000
■ Investment earnings	8,484,786
■ Miscellaneous revenue	34,939
■ Project costs	(280,994,168)
■ SDA operating expenses	(15,748,971)
■ SDA capital expenditures	(640,024)
■ Deposits (primarily district local shares)	 (845,295)
Net Change in Cash	\$ 60,291,267

- ▶ **Prepaid Expenses** total \$232,259 as follows:
 - Prepaid insurance of \$38,105.
 - Prepaid rents of \$122,824 for the Authority's leased office space in Trenton and Newark.
 - Prepaid MIS maintenance service contracts of \$40,816.
 - Other prepaids of \$30,514.
- ► Capital Assets total \$1,014,402 (net of accumulated depreciation of \$6,696,487), consisting of leasehold improvements (SDA offices), and capitalized software, equipment, furniture and fixtures in support of SDA operations. Depreciation on capital assets is generally calculated using the straight-line method over the life of each asset. For the year to date, Capital Expenditures are \$544,732 and Depreciation Expense is \$165,312.
- ▶ **Accrued Liabilities** total \$105.2 million, as follows:
 - Accrued project costs of \$24.4 million consisting of unpaid invoices (\$7.8 million) and retainage (\$16.6 million).
 - Accrued net pension liability of \$49.8 million.
 - Other post-employment benefits obligation of \$25.6 million.
 - Pollution remediation obligations (PRO) under GASB 49 net to \$3 thousand (PRO liability \$2.946 million, offset by expected cost recoveries of \$2.943 million).
 - Estimated liability for loss contingencies totaling \$3.3 million.
 - Payroll related liabilities of \$1.7 million.
 - Other accrued liabilities of \$0.4 million.
- ▶ **Deposits** total \$2.8 million, as follows:
 - \$2.8 million is held for local share agreements (pass-through item).
- ► The Authority's **Net Position** at month end is \$481.0 million.

New Jersey Schools Development Authority School Facilities Project Expenditures & Funding Allocation November 30, 2019

▶ School Facilities Construction Bond / Note Proceeds & Project Expenditures

- During the current year to date, the SDA has received \$350.0 million bond and note proceeds. The total amount of proceeds received since program inception is \$11.498 billion.
- Project expenditures for the month and year-to-date periods total \$18.9 million and \$281.0 million, respectively, as follows:

Category	Current <u>Month</u>	Current <u>Year-To-Date</u>	Since Program <u>Inception</u>
Construction	\$ 15,156,625 \$	194,502,283 \$	5,052,918,740
Design Services	176,577	(2,661,708)	411,009,600
PMF/CM Services	480,738	5,541,588	461,982,375
SDA Project Management	916,956	12,281,735	97,507,691
Property Acquisition, Relocation & Enviro	97,673	1,687,537	580,015,057
School Furniture, Fixtures & Equipment	1,008,689	19,650,496	185,881,404
Project Insurance	25,000	2,735,222	108,949,626
NJ State Inter-Agency Transfers	-	318,213	50,284,206
SDA District Grant & Funding Agreements	-	4,496,197	876,397,341
Regular Operating District Grant Agreements	904,770	40,479,395	2,911,899,479
Real-Time Project Audits	-	-	628,000
Property Management, Maintenance & Utils	38,645	837,611	18,211,911
Outside Legal & Claims Resolution Services	112,065	1,028,380	10,609,853
Temporary Staffing	19,523	711,837	10,444,761
Other Project Costs	716	196,713	60,158,912
Project Credits	 -	-	(54,902,944)
Total Project Expenditures	18,937,977	281,805,499	10,781,996,012
Less: Local Share Contributions	 	(811,331)	(184,327,468)
Project Expenditures (State Share)	\$ 18,937,977 \$	280,994,168 \$	10,597,668,544
2019 Capital Spending Forecast	\$ 29,198,392 \$	302,038,171	

Allocations Since Program Inception

▶ Program Funding & Expenditures

SDA DistrictsRegular Operating Districts

■ Vocational Schools

Total - State Share

Bonding Caps 1	<u>Total Funding</u> 2	Paid to Date 3
\$ 8,900,000,000 \$	9,024,360,375 \$	7,724,326,039
3,450,000,000	3,499,189,557	3,229,987,746
150,000,000	151,965,721	121,589,535
\$ 12,500,000,000 \$	12,675,515,653 \$	11,075,903,320

▶ Percentage of Total Funding Paid to Date

■ SDA Districts	85.6%
 Regular Operating Districts 	92.3%
Vocational Schools	80.0%
Total - State Share	87.4%

¹ Of the \$12.5 billion authorized for the school construction program, \$11,497,702,648 principal amount of bond and note proceeds have been received to date.

² Includes bonding cap amounts and other income and miscellaneous revenue earned to date (i.e., interest income on invested funds and State appropriations).

³ These amounts include the allocation of SDA operating expenses and capital expenditures totaling \$478,234,776.

New Jersey Schools Development Authority Fund Reporting Operating Expenses vs Budget November 30, 2019

Category		Actual <u>Year-To-Date</u>	Budget Year-To-Date	Over/ (Under)
Personnel Expenses:				
Employee Salaries	\$	16,555,638 \$	18,887,678 \$	(2,332,040)
Employee Benefits		6,985,516	7,960,030	(974,514)
Direct Hire Temporary Employee Costs		36,297	148,016	(111,719)
Total Employee Salaries & Benefits Costs		23,577,451	26,995,724	(3,418,273)
<u>Less</u> : Employee Salaries & Benefits Costs				
Charged to Projects		12,281,735	14,121,094	(1,839,359)
Salaries & Benefits Charged to Operating Expense		11,295,716	12,874,630	(1,578,914)
Temporary Staffing Services		2,003	137,500	(135,497)
Travel & Expense Reimbursements		17,932	41,411	(23,479)
Training & Professional Development	_	22,843	142,154	(119,311)
Total Personnel Expenses		11,338,494	13,195,695	(1,857,201)
Non-Personnel Operating Expenses:				
Facilities & General Office Expenses		2,210,183	2,473,703	(263,520)
Information Systems		789,219	1,182,663	(393,444)
Professional & Other Contracted Services		372,033	482,175	(110, 142)
Property & Casualty Insurance		317,641	318,076	(435)
SDA-Owned Automobiles		75,775	185,413	(109,638)
Communications & Outreach		6,981	91,674	(84,693)
Reserve for Unforseen Events & New Initiatives		-	45,837	(45,837)
Total Authority Operating Expenses	\$	15,110,326 \$	17,975,236 \$	(2,864,910)

2019 Annual Operating Budget

\$ 19,224,222

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New Jersey Schools Development Authority Capital Expenditures November 30, 2019

				Capital Expenditures					
Budget Year		t Budget Amount		2019	Pre-2019	Total			
Description of Capital Item:									
Leasehold Improvements		\$	- \$	- \$	- \$	_			
Office Furniture & Equipment			-	-	-	-			
CM Computer Software System:									
Estimated SDA Staff Time	2019		450,000	154,812	-	154,812			
Purchase & Development	2019		1,000,000	-	-	-			
Purchase & Development	2018		1,500,000	389,920	162,544	552,464			
Total Capital Items		\$	2,950,000 \$	544,732 \$	162,544 \$	707,276			

New Jersey Schools Development Authority Fund Reporting Operating Expenses vs Prior Year November 30, 2019

Category	Actual <u>Year-To-Date</u>	2018 <u>Year-To-Date</u>	Over/ (Under)
Personnel Expenses:			
Employee Salaries	\$ 16,555,638 \$	16,723,393 \$	(167,755)
Employee Benefits	6,985,516	6,812,099	173,417
Direct Hire Temporary Employee Costs	 36,297	111,828	(75,531)
Total Employee Salaries & Benefits Costs	23,577,451	23,647,320	(69,869)
Less : Employee Salaries & Benefits Costs			
Charged to Projects	 12,281,735	12,332,829	(51,094)
Salaries & Benefits Charged to Operating Expense	11,295,716	11,314,491	(18,775)
Temporary Staffing Services	2,003	90,074	(88,071)
Travel & Expense Reimbursements	17,932	15,255	2,677
Training & Professional Development	22,843	33,371	(10,528)
Total Personnel Expenses	11,338,494	11,453,191	(114,697)
Non-Personnel Operating Expenses:			
Facilities & General Office Expenses	2,210,183	2,267,887	(57,704)
Information Systems	789,219	812,453	(23,234)
Professional & Other Contracted Services	372,033	242,335	129,698
Property & Casualty Insurance	317,641	311,796	5,845
SDA-Owned Automobiles	75,775	60,725	15,050
Communications & Outreach	6,981	2,248	4,733
Reserve for Unforseen Events & New Initiatives	 -	-	
Total Authority Operating Expenses	\$ 15,110,326 \$	15,150,635 \$	(40,309)

New Jersey Schools Development Authority Employee Headcount November 30, 2019

	Current <u>Month End</u>	<u>Budget</u>	Over/ (Under)
Office of Chief Executive Officer	4	3	1
Human Resources	4	5	(1)
Communications	2	5	(3)
Information Systems	15	15	-
Central Records Management	3	3	-
Legislative Affairs	1	2	(1)
Office of Program Operations & Strategic Planning	2	3	(1)
Capital Planning & Program Operations	4	9	(5)
Design Studio	19	20	(1)
Grants Administration	12	13	(1)
Real Estate Services & Predevelopment	8	8	-
Vendor Development	5	3	2
Office of Construction Operations	0	1	(1)
Project Teams	32	40	(8)
Office of Corporate Governance & Legal Affairs	5	5	-
Chief Counsel	10	13	(3)
Safety	6	6	-
Internal Audit	3	4	(1)
Office of Chief Financial Officer	2	1	1
Financial Operations	9	12	(3)
Financial Accounting & Disbursements	13	13	-
Procurement	9	9	-
Risk Management	8	9	(1)
Property Management	4	5	(1)
Facilities	4	7	(3)
Office of Chief of Staff	0	5	(5)
Community Engagement	0	3	(3)
Policy	0	2	(2)
Business & Workforce Diversity	0	11	(11)
Office of Administrative Operations	0	3	(3)
Total Full-Time Employees at Month End	<u>184</u>	238	(<u>54</u>)

<u>257</u>

Total Full-Time Employees at Year End

New Jersey Schools Development Authority Statement of Net Position November 30, 2019

		Current Month End		2018 <u>Year End</u>		Over/ (<u>Under)</u>
ASSETS	ф	(00 005 000	ф	F20 704 FFF	ф	60.001.067
Cash and Cash Equivalents	\$	600,085,822	\$	539,794,555	\$	60,291,267
Receivables		27,702 232,259		29,828 87,623		(2,126) 144,636
Prepaid Expenses Conital Assets (Not of Assumulated Donn)						379,420
Capital Assets (Net of Accumulated Depr.) Total Assets		1,014,402 601,360,185		634,982 540,546,988		60,813,197
DEFERRED OUTFLOWS OF RESOURCES						
Deferred Amount for Pensions & OPEB		11,812,216		14,326,957		(2,514,741)
TOTAL ASSETS & DEFERRED OUTFLOWS						
OF RESOURCES	\$	613,172,401	\$	554,873,945	\$	58,298,456
LIABILITIES						
Accrued Project Costs	\$	27,740,673	\$	50,321,484	\$	(22,580,811)
Net Pension Liability		49,778,974		49,778,974		-
Accrued Other Post-Employment Benefits		25,615,813		23,738,116		1,877,697
Other Accrued Liabilities		2,094,391		5,196,880		(3,102,489)
Deposits		2,770,841		3,616,136		(845,295)
Total Liabilities		108,000,692		132,651,590		(24,650,898)
DEFERRED INFLOWS OF RESOURCES						
Deferred Amount for Pensions & OPEB		24,205,955		24,205,955		
NET POSITION						
Invested in Capital Assets		1,014,402		634,982		379,420
Restricted for Schools Construction:		, ,		,		,
Special Revenue Fund		479,951,352		397,381,418		82,569,934
Net Position		480,965,754		398,016,400		82,949,354
TOTAL LIABILITIES, DEFERRED INFLOWS						
OF RESOURCES & NET POSITION	\$	613,172,401	\$	554,873,945	\$	58,298,456

New Jersey Schools Development Authority Statement of Activities November 30, 2019

	Current Year-To Date	2018 <u>Year-To Date</u>		Over/ (Under)
REVENUES				
Program Revenues:				
Bond and Note Proceeds (Issued by EDA)	\$ 350,000,000	\$ 350,000,000	\$	-
Bidding Fees-Plans & Specs	-	-		-
General Revenues:				
Investment Earnings	8,484,786	6,107,399		2,377,387
Rental Income	32,379	4,677		27,702
Other Revenue-OPRA	2,560	2,592		(32)
Total Revenues	 358,519,725	356,114,668		2,405,057
EXPENSES				
Administrative & General Expenses	16,988,023	17,145,304		(157,281)
Capital Depreciation	165,312	184,375		(19,063)
School Facilities Project Costs	258,417,036	264,668,515		(6,251,479)
Total Expenses	 275,570,371	281,998,194		(6,427,823)
CHANGE IN NET POSITION	82,949,354	74,116,474		8,832,880
Beginning of Period Net Position	 398,016,400	392,740,734		5,275,666
NET POSITION END OF PERIOD	\$ 480,965,754	\$ 466,857,208	\$	14,108,546

DESIGN CONTRACT DE-OBLIGATIONS REPORT (no activity)

PUBLIC COMMENT STATEMENT

We will now begin the Public Comment Portion of the Meeting consistent with the New Jersey Open Public Meetings Act.

We would ask that any member of the public who wishes to address the Board limit their comments to 3 minutes. If there are multiple individuals from the same organization or district who wish to address the Board on the same matter, we would ask that you come up together to offer your remarks.

Please keep in mind that public comment is to afford citizens the opportunity to comment on matters pertinent to the Authority's business. Should you seek answers to questions on any topic, please contact the Authority at 609-943-4585 at your convenience.