

**NEW JERSEY SCHOOLS DEVELOPMENT AUTHORITY
BOARD OF DIRECTORS MEETING
WEDNESDAY, MAY 3, 2017**

A meeting of the Board of Directors of the New Jersey Schools Development Authority (SDA or the Authority) was held on Wednesday, May 3, 2017 at 9:00 A.M. at the offices of the Authority at 32 East Front Street, Trenton, New Jersey.

Participating were:

Edward Walsh, Chairman
Kevin Luckie (DCA)
Bernard Piaia (DOE)
Kevin Egan
Michael Maloney
Loren Lemelle
Lester Lewis-Powder
Robert Nixon
Mario Vargas

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

At the Chairman's request, Charles McKenna, chief executive officer; Andrew Yosha, executive vice president; Jane F. Kelly, vice president and assistant secretary; Donald Guarriello, vice president and chief financial officer (by teleconference); Raymond Arcario, vice president; Albert Barnes, chief counsel; Kristen Maclean, director, Aidita Milsted, director; Sean Murphy, director; and Karon Simmonds, director of the SDA participated in the meeting. Lisa LeBoeuf of the Governor's Authorities Unit also participated in the meeting by teleconference.

The meeting was called to order by the Chairman of the Board, Mr. Walsh, 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 the State House in Trenton, New Jersey. Ms. Kelly then conducted a roll call and indicated that a quorum of the Members was present.

Approval of Meeting Minutes

Mr. Walsh presented for consideration and approval the minutes of the Board's April 5, 2017 Open and Executive Session meetings. A copy of both meetings' minutes and a resolution had been provided to the Members for review in advance of the meeting. Upon motion duly made by Mr. Luckie and seconded by Mr. Maloney, the April 5, 2017 Open and Executive Session meeting minutes were approved by the Board upon its unanimous vote in favor of the resolution attached hereto as ***Resolution 3a/3b***.

Authority Matters

CEO Report

Mr. McKenna began his report by offering an update on the Trenton Central HS (TCHS) project. He reported that the design-builder, Terminal Construction, continues with the design services phase. He said that footings, foundations, structural steel, masonry and under slab utility work is ongoing.

Turning to projects in the Bridgeton School District, Mr. McKenna said that for the Buckshutem Road ES project, playground surface coating installation is complete. He added that the application for a certificate of occupancy (CO) will be submitted to the Department of

Community Affairs (DCA) by the end of the current month. With respect to the Quarter Mile Lane ES project, he reported that renovation work on the existing school has been completed and the temporary certificate of occupancy (TCO) was issued by DCA the previous month. He added that, once playground surface coating installation is complete there, SDA staff will apply for a CO.

With respect to the Camden HS project, Mr. McKenna said that SDA staff anticipates receipt of the final report from SDA's environmental consultant next month. He said that the report's findings will inform the Authority's development of the school design. For the East Orange George Washington Carver ES project, Mr. McKenna advised the Board that demolition of the subgrade structures is ongoing. He informed the Members that SDA staff had advertised for design-build services in January; that price and technical proposals were received on April 12; interviews were conducted May 1; and the bid opening is scheduled for the following day (May 4).

Mr. McKenna reported that for the Elizabeth New ES project, exterior masonry work is complete, roofing and window installation work is ongoing, interior finish work has commenced and all other trades continue to progress well. He advised the Board that the Garfield James Madison ES No. 10 project is moving along well and that turnover of the Gloucester ES to the district is complete.

With respect to the Harrison New ES project, Mr. McKenna informed the Members that Brockwell & Carrington has submitted the first design package for review. He said that asbestos abatement is complete and demolition of the existing structures is anticipated to begin within the next few weeks. He reported that SDA staff advertised for construction management (CM) services in February and received technical and price proposals on March 10. He said that

following the evaluation process, price proposals were opened the previous month. He added that a recommendation of award is on today's agenda. He noted that this is a joint procurement together with the Irvington Madison Avenue ES project.

Next, Mr. McKenna said that the design-builder continues with design phase services for the Irvington Madison Avenue ES project. He added that a recommendation of award for CM services is on the meeting agenda.

Mr. McKenna said that schematic design phase services are ongoing for the Keansburg Port Monmouth Road ES project. He reported that the Jersey City ES No. 3 school facility was turned over to the district on April 24.

Turning to the addition and renovation project at the Millville HS, Mr. McKenna reported that SDA staff received price and technical proposals for design-build services on February 8. He said that, following evaluation and ranking of the technical proposals, the price proposals were opened on March 2. He said that Hall Construction was determined to be the highest ranked firm. He reminded the Members that a recommendation of award was approved at the Board meeting the previous month. He added that final agency determinations on the bid protests that had been filed in connection with the award were issued the previous week.

Mr. McKenna said that for the New Brunswick Paul Robeson ES project, structural steel erection is complete and masonry, HVAC, electric and plumbing work is ongoing. In regard to the Newark South Street ES project, he reported that masonry, electrical, and plumbing rough-in work is ongoing.

Turning to the projects in the Orange School District, Mr. McKenna informed the Members that the design consultant continues with design phase services for the Orange Cleveland ES project. He said that bids are due May 4 in connection with the early site package

advertised for demolition of three residential properties. In regard to the Orange HS project, he said that the design consultant continues with design phase services.

With respect to the Passaic Leonard Place ES project, Mr. McKenna reported that steel erection is ongoing and is approximately 40% complete. He said that design package No. 2 is under review by the DCA.

Mr. McKenna said that for the Pemberton Denbo Crichton ES project, the early site package for demolition of the Crichton School was advertised in February and bids were received on April 12. He reminded the Members that a recommendation of award is on the meeting agenda. He said that the SDA is developing a swing space package for the Haines School that will facilitate closure of the Crichton School. He said that the SDA Design Studio continues development of the bridging design.

Mr. McKenna reported that for the Perth Amboy Seaman Avenue ES project, the design-builder, Epic Management, Inc. (Epic), continues with design phase services. He advised the Board that Epic had mobilized on-site the previous month. For the Vineland New MS project, he reported that masonry work and steel erection continue and electrical, plumbing, and HVAC rough-in work is ongoing. He said that, other than this work, DCA has issued permits to the design-builder for the remainder of the building. In regard to the West New York Harry L. Bain PS No. 6 project, Mr. McKenna reported that the phased turnover of the facility to the district has begun. He added that the turnover will be complete for a September reopening of the school.

Turning next to ongoing procurement activity, Mr. McKenna said that, later in the meeting, management will be presenting construction services awards for projects at the Pemberton Denbo/Crichton ES, Paterson Union Avenue MS, Newark Science Park HS and Camden Cramer ES projects; and CM services awards for projects at the Harrison New ES and

Irvington Madison Avenue ES projects. He said that other activity currently underway includes procurements for design-build services for the East Orange George Washington Carver ES project and construction services for the Orange Cleveland ES project.

Reporting on events, outreach and other SDA activities, Mr. McKenna informed the Members that he appeared alongside DOE Commissioner Harrington at the Assembly Appropriations Committee hearing on April 24 and at the Senate Appropriations Committee hearing on May 2. He said that he received few questions and the comments he did receive from legislators were positive.

Next, Mr. McKenna reported that, the previous week, SDA welcomed more than 35 children to its Take Your Child to Work Day. Ms. Maclean provided additional details regarding the day's agenda.

Mr. McKenna said that the SDA will hold a rescheduled beam-signing event in Vineland the next day (May 4) at 11 AM. He said that a beam signing event will also be held in Passaic City for the new Leonard Place School on May 12 at 10 AM.

Mr. McKenna reminded the Members that financial disclosure statements (FDS) must be filed with the State Ethics Commission by May 15, 2017. He said that a penalty of \$50 per day would be assessed for any FDS that is filed after the deadline.

In closing, Mr. McKenna informed the Members that SDA Vice President Raymond Arcario will be leaving the Authority for the State Building Authority in order to continue his work on the State House renovation project. He said that SDA Director Manuel Da Silva will be replacing Mr. Arcario upon the latter's departure. Mr. Arcario thanked the Members and his colleagues for the opportunity to work at the SDA and to build schools for the state's children.

Audit Committee Report

The Chairman then requested that Mr. Nixon provide the report of the Audit Committee. Mr. Nixon reported that the Audit Committee met on April 17, 2017. He said that management had provided the Committee with the March 2017 New Funding Allocation and Capital Plan Update. He advised the Board that only one SDA District Reserve Balance, the Unforeseen Reserve Balance, had experienced a change in the reporting period—specifically, a decrease of \$1 million due to the release of funds for HVAC corrective work at the Burlington City High School. He added that the reserve balance for the Regular Operating Districts (“RODs”) increased by \$2.3 million due to a reduction in state share for grant projects nearing completion.

Memorandum of Understanding (MOU) Between the New Jersey Schools Development Authority and the New Jersey Motor Vehicle Commission

Mr. Nixon then informed the Members that the Audit Committee is recommending execution of a Memorandum of Understanding (MOU) between the SDA and the New Jersey Motor Vehicle Commission (MVC). Referencing materials that previously had been provided for Board review, he explained that the MVC maintains a database of drivers licenses to which the SDA has been provided access in the past pursuant to an MOU that is set to expire on May 23. He said that the SDA uses the MVC’s database to validate the license status of SDA employees utilizing Authority Vehicles. Mr. Nixon recommended Board approval of the proposed MOU between the SDA and the MVC to ensure SDA’s continued access to the MVC database for a period of 5 years at a cost of \$150 per year.

A resolution pertaining to the proposed MOU between the SDA and the MVC for access to the MVC database had been provided to the Members in advance of the meeting. Following discussion, upon a motion by Mr. Vargas and seconded by Mr. Walsh, the Board approved the

MOU between the SDA and the MVC upon its unanimous vote in favor of the resolution attached hereto as *Resolution 5a*.

Owner Controlled Insurance Program II (OCIP II) Contract Amendment No. 2 to Broker and Administration Services

Mr. Nixon then discussed the proposed amendment to SDA's Owner Controlled Insurance Program II (OCIP II or Policy) which includes Broker and Administration Services. He referenced materials that previously had been provided to the Members for review. He provided background of the Authority's OCIP, noting Policy extensions that were approved by the Board in 2009, 2011 and 2014. He said that Amendment No. 1, approved in 2014, stipulated, among other things, that any additional fees to be assessed for the services beyond the \$700,000 maximum aggregate amount would require Board approval. He said that Amendment No. 1 further provided that fees that otherwise would be generated between \$700,000 and \$1,100,000, based on additional enrolled contracts, would not be billed; however, should more projects be enrolled and generate matrix pricing in excess of the \$1,100,000, billing would resume with a 20% fee reduction. Mr. Nixon explained that the final fee calculation for the OCIP II extension period reveals that the aggregate fee amount exceeded Amendment No. 1's stipulated \$1.1 million level by \$104,332 requiring an additional fee in the amount of \$83,465 inclusive of a stipulated 20% fee reduction. He informed the Members that the invoice presented to SDA had totaled \$181,000 but, following negotiations, was reduced to \$104,000. Mr. Nixon recommended Board approval of the proposed OCIP II Amendment No. 2. Ms. Simmonds noted that the additional fee amount was the result of four capital projects that began earlier than anticipated, the utilization of additional contractors, time extensions and additional costs associated with several emergent projects.

A resolution pertaining to the proposed Amendment No. 2 to the SDA's OCIP II Broker and Administration Services Program had been provided to the Members in advance of the meeting. Following discussion, upon a motion by Mr. Vargas and seconded by Mr. Luckie, the OCIP II Amendment No. 2 was approved by the Board upon its unanimous vote in favor of the resolution attached hereto as ***Resolution 5b***.

SDA 2016 Audited Financial Statement

Next, Mr. Nixon reported that management is seeking Board approval of the SDA's 2016 Financial Statements (the Statements). He said that staff had presented the Statements to the Committee and highlighted the significant accounts. He advised the Members that the Authority is in receipt of the 2016 pension allocation amounts from the New Jersey Department of the Treasury's Division of Pensions & Benefits. He said that the Authority's accrued net pension liability as of December 31, 2016 is \$72.4 million, an amount \$14 million higher than it was in 2015. He explained that this is mainly attributable to a change in assumptions by the Division of Pensions & Benefits' actuary. Mr. Nixon then reported that Ernst & Young (EY) had presented the Committee with the 2016 audit results and required communications. He advised that EY had reported that the financial statements contained no corrected misstatements or material uncorrected misstatements and that no matters that would rise to the level of either a material weakness or significant deficiency were identified. Mr. Nixon said that the independent auditor's report expresses an unmodified, or clean, opinion which suggests that the Financial Statements present fairly, in all material respects, the financial position of the Authority as of December 31, 2016 and the changes in financial position for the year then ended consistent with Generally Accepted Accounting Principles. Mr. Nixon recognized the outstanding cooperation that exists between the SDA and EY. Mr. Vargas acknowledged the tremendous amount of work

that completion of the Financial Statements represents. Mr. Nixon said that EY works with SDA staff throughout the year and reminded the Board that the Audit Committee meets privately with EY twice a year. He said that the Committee finds the process and level of communication that exists between EY and the SDA to be seamless and smooth.

A resolution pertaining to the 2016 Financial Statements had been provided to the Members in advance of the meeting. Following discussion, upon a motion by Mr. Vargas and seconded by Mr. Luckie, the Authority's 2016 Financial Statements were approved by the Board upon its unanimous vote in favor of the resolution attached hereto as ***Resolution 5c***.

Approval SDA 2016 Annual Report

Mr. Nixon then advised the Board that the Authority's Annual Report for 2016 was prepared by management in compliance with Executive Order No. 37. He explained that the Annual Report includes, among other things, the Authority's audited financial statements and identifies internal controls that govern expenditures, procurement and other financial matters and transactions. He said that the Committee is recommending that the Board approve the Authority's 2016 Annual Report as presented.

A resolution pertaining to the SDA's 2016 Annual Report had been provided to the Members in advance of the meeting. Following discussion, upon a motion by Mr. Luckie and seconded by Mr. Walsh, the Authority's 2016 Annual Report was approved by the Board upon its unanimous vote in favor of the resolution attached hereto as ***Resolution 5d***.

Mr. Nixon then advised the Board that, at the Committee's April 2017 meeting the Program Assessment and Development Division had provided the Committee with the results of one statutorily required audit. He said that the Committee had reviewed the material and will discuss the audit results in the coming months.

Mr. Nixon then presented the March 2017 Monthly Financial Report. He advised that the Authority's operating expenses (Actual vs. Budget) for the year-to-date period total \$6.6 million, down \$544,000 as compared to the budget for the corresponding period. He explained that the decrease is mainly attributable to lower salary and benefit costs. He said that school facilities project expenditures (Actual vs. Forecast) for the year-to-date period total \$89.5 million, \$11 million higher as compared to the capital spending forecast for the corresponding period. Mr. Nixon then reported that project expenditures (Actual vs. Prior Year Actual), at \$89.5 million, have decreased by \$2.3 million as compared to the corresponding prior year period. He explained that this variance is due to decreased spending on construction related activity offset by increases in grants and school furniture, equipment & technology.

In conclusion, Mr. Nixon reported that, since program inception, approximately 77.8% of the funds allocated 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 current school facilities project activity is approximately \$2.2 billion.

School Review Committee

Release of Funds from Program Reserve, Award of Contract and Approval of Final Project Charter - Camden School District - Cramer Elementary School – Emergent Project - Structural Repairs, Masonry Repairs, Lintels, and Window Repairs and/or Replacement; Change Order No. 4, Release of Funds from Program Contingency Reserve, Revised Final Charter and Reestablishment of Adjusted Construction Contract Value – Egg Harbor City School District – Egg Harbor City Middle School; Awards for Construction Management Services – Irvington and Harrison School Districts – Irvington New Madison Avenue Elementary School & Harrison New Elementary School; Award of Contract and Approval of Final Project Charter - Newark School District - Science Park High School - Corrective Work for Smoke Control System Modifications, MEP, and Other Repairs; Demolition Contractor Award - Paterson School District - New Middle School at Union Avenue - Demolition of Existing School Buildings; Demolition and Site Preparation Contractor Award -

Pemberton School District – Denbo-Crichton Elementary School – Demolition of Existing School Building and Site Preparation

Mr. Walsh asked Mr. Luckie to provide the report of the School Review Committee. Mr. Luckie said that the Committee met on April 17, 2017. He said that the first matter for Board consideration involves a contract award, final project charter and release of funds from the program reserve in connection with the Camden Cramer ES emergent project (the Project). Mr. Luckie advised the Board that the Cramer ES is a 108,769 square foot facility educating 550 students in grades Pre-k through 8. He said that SDA and the Department of Education (DOE) have identified emergent conditions at the Cramer School that are in need of structural repairs or replacement such as masonry, lintels and windows. He informed the Members that SDA engaged a consultant to assess these identified emergent conditions associated with water infiltration and to submit a report along with options to address the problems. Mr. Luckie said that, based on that report, staff recommends that the most efficient and timely way to address the emergent conditions, given the needs of the school calendar, is to use the SDA's General Construction Services (GC) Task Order Contract to advance the project. He said that the task order engagement would provide design services allowing construction work to begin over the summer. He explained that the package would be awarded on a time and materials basis to T.N. Ward. Mr. Luckie said that funding for the project is available within the emergent project funding allocation and staff has reviewed T.N. Ward's cost proposal of \$1,349,235 and determined that it is reasonable for the elements included in the scope of work. He noted that T.N. Ward has confirmed that its price proposal is inclusive of all scope elements contained in the contract documents.

A resolution pertaining to this matter had been provided to the Board in advance of the meeting. Upon motion duly made by Mr. Vargas and seconded by Mr. Nixon, the contract award, final project charter and release of funds from the program reserve for the Camden Cramer ES emergent project were approved with the Board's unanimous vote in favor of ***Resolution 6a.***

Next, Mr. Luckie discussed management's recommendation for Board approval of the proposed Change Order No. 4, release of funds from the program contingency reserve, revised final charter and establishment of an adjusted construction contract value for the Egg Harbor City MS project. He said that the Egg Harbor City MS currently educates 364 students in grades 4 through 8. He advised the Members that the construction contract for the Middle School was awarded in 2009 and the project received a TCO in 2010. He said that the Middle School was delivered to the district in 2011 and is presently occupied. Mr. Luckie explained that, following completion of the work, problems with the Middle School's HVAC system were identified. He said that, in 2015, SDA advanced the necessary corrective work by way of a GC task order assignment. He added that, following completion of the original scope of work, it became evident that these modifications to the HVAC and controls system would not fully address the system performance issues. He advised the Board that Change Order No. 4 would enable corrective work to address identified deficiencies with the HVAC system, including modifications needed to achieve the system testing and balancing required to obtain a CO. Mr. Luckie said that the value inclusive of Change Order No. 4 represents the true value of the corrective scope of work necessary to address the conditions. He said that, with Board approval, the contract value would be adjusted to include the value of Change Order No. 4 as the appropriate baseline value going forward. He said that the funds sought from the program

contingency reserve represent the total needed to address the revised scope of work, construction contingency, SDA staff costs and other costs. Ms. Milsted then provided additional background details.

A resolution pertaining to this matter had been provided to the Board in advance of the meeting. Upon motion duly made by Mr. Maloney and seconded by Mr. Vargas, the proposed Change Order No. 4, release of funds from program contingency reserve, revised final charter and reestablished construction contract value for the Egg Harbor City MS project were approved with the Board's unanimous vote in favor of **Resolution 6b**.

At Mr. Walsh's request, Mr. Luckie discussed management's recommendation for approval of construction management services awards for the Irvington New Madison Avenue ES and Harrison New ES projects. He reported that the New Irvington Madison Avenue ES will be an approximately 73,000 square foot facility designed and constructed to educate 463 students in grades Pre-k through 5. He also reported that the New Harrison ES will be an approximately 67,800 square foot facility designed and constructed to educate 392 students in grades Pre-k through 1. He said that, in December 2016, the Board approved the final project charter and award of a design-build construction contract for the Irvington project and that a notice to proceed (NTP) with design phase services was issued to Ernest Bock & Sons, Inc. Mr. Luckie said that, in November 2016, the Board approved the final project charter and award of a design-build construction contract for the Harrison project. He said that a NTP with design phase services was issued to Brockwell & Carrington Contractors, Inc. He informed the Members that beginning February 6, 2017, a multi-project procurement package for CM services was advertised as a "price" (40%) and "other factors" (60%) solicitation. He said that, upon completion of the procurement process, management recommends the award of a CM services

contract in the amount of \$1,433,100 to Epic Management, Inc. (Epic) for the Irvington project and a CM services contract in the amount of \$1,445,000 for CM services to Joseph Jingoli & Son, Inc. (Jingoli) for the Harrison project. Mr. Luckie advised the Members that both Epic and Jingoli have confirmed that their price proposals are inclusive of all scope elements contained in the contract documents for their respective projects. He said that funding is available within each project's budget in accordance with their individual final project charters.

A resolution pertaining to this matter had been provided to the Board in advance of the meeting. Upon motion duly made by Mr. Vargas and seconded by Mr. Nixon, construction management services awards for the Irvington New Madison Avenue ES and Harrison New ES projects were approved with the Board's unanimous vote in favor of ***Resolution 6c***.

In continuing, Mr. Luckie discussed the proposed contract award and final project charter for the Newark Science Park HS smoke control system project (the SCS Project). He said that the Science Park HS is a technology magnet high school in the Newark Public Schools District, which educates 1,200 students in grades 7 through 12. He advised the Board that the New Jersey Economic Development Authority initiated the Science Park HS project (HS Project) in 2002 and a NTP was issued in December 2004. He explained that the HS Project received a TCO in November 2006, excluding the smoke control system which was determined to be non-compliant with code requirements. Mr. Luckie explained that modification of the non-compliant smoke control system is the primary element necessary for completion of the HS Project, issuance of the CO and final transfer of the Science Park HS to the district. He said that SDA advertised a construction package for the SCS Project on March 1, 2017. He advised the Members that, following the competitive procurement process, management recommends award of the construction services contract in the amount of \$1,450,343 to Precision Building and

Construction, LLC (Precision) for the SCS Project. He said that at the time of review, Precision confirmed that its price proposal is inclusive of all scope elements contained in the contract documents. Mr. Luckie advised the Board that the final SCS Project budget represents the budget for the work inclusive of actual dollar values for the award of the general construction contract and contingency and is inclusive of costs incurred related to design services, prior completed corrective work and SDA staff costs. He said that the SCS Project budget in the final charter represents an increase from the Board-approved preliminary project charter due to increased scope and costs.

A resolution pertaining to this matter had been provided to the Board in advance of the meeting. Upon motion duly made by Mr. Vargas and seconded by Mr. Nixon, the contract award and final project charter for the Newark Science Park HS smoke control system Project were approved with the Board's unanimous vote in favor of ***Resolution 6d***.

At the Chairman's request, Mr. Luckie next discussed the proposed demolition contractor award for the Paterson New MS project (the Project) at Union Avenue. He said that the Authority's 2012 Capital Plan identified a Paterson School District elementary school grade level project for validation and advancement to address district-wide overcrowding. He explained that, in 2004, SDA acquired property located on Union Avenue in the City of Paterson to provide temporary space for school facility projects in the district during their construction and, later, as the site for building a permanent school facility based upon the district's needs. He advised that the review and validation process conducted by SDA, DOE and district staff concluded that advancement of a new middle school on the SDA-owned Union Avenue site would provide the most expeditious approach for relieving overcrowding at the elementary school grade levels. Mr. Luckie said that, in April 2015, the Board approved a preliminary project charter authorizing

construction of a new middle school on the Union Avenue site to educate 996 students in grades 6 through 8. He added that advancement of construction on the site would require the demolition of three existing structures totaling 116,000 square feet. He reported that on March 2, 2017, SDA began the process to procure demolition services for the Project. He said that, following the procurement process, management is recommending award of the contract for demolition services in the amount of \$3,474,000 to Tricon Enterprises, Inc. (Tricon). He noted that Tricon has confirmed that its price proposal is inclusive of all scope elements contained in the contract documents.

A resolution pertaining to this matter had been provided to the Board in advance of the meeting. Upon motion duly made by Mr. Nixon and seconded by Mr. Vargas, the demolition contractor award for the Paterson New MS project at Union Avenue was approved with the Board's unanimous vote in favor of ***Resolution 6e***.

At the Chairman's request, Mr. Luckie presented for Board approval the proposed demolition and site preparation contractor award for the Pemberton Denbo-Crichton ES project. He reported that a 2014 amendment to the Capital Plan Portfolio had identified a project to address FES compliance needs at the Denbo ES in the Pemberton School District. He said that the Denbo ES is a 38,656 square foot facility educating 359 students in grades 3 through 5. He said that the Denbo ES shares a site with the Crichton ES which is a 59,053 square foot facility educating 349 students in grades Pre-k through 2. He informed the Members that SDA, DOE and district staff conducted site visits to review and validate conditions in order to analyze both school facilities and their shared site, and to define the most appropriate project for advancement. Mr. Luckie said that, based on this working group's findings, which included a cost benefit analysis of the options, and after discussion with the district and DOE, SDA staff recommended

advancement of a new two-story, 131,000 square foot replacement school as the most effective and efficient option in terms of budget and schedule for fully addressing all educational program needs. He reported that, in July 2016, the Board approved the preliminary project charter for a new two-story school facility on the district-owned Denbo-Crichton site to educate 846 students in grades Pre-k through 5 and authorized the advancement of the project utilizing kit of parts components, the design-build delivery process and in-house design staff resources. He advised the Members that the SDA determined the need to obtain the services of a demolition and site preparation contractor to demolish the Crichton ES facility and prepare the school site, including road access work and a site separation barrier. He advised the Board that a package for demolition and early site preparation services was advertised on March 1, 2017. He said that, following the procurement process, management is recommending award of the contract to Tricon, in the amount of \$1,299,900 and, at the time of review, Tricon confirmed that its price proposal is inclusive of all scope elements contained in the contract documents.

A resolution pertaining to this matter had been provided to the Board in advance of the meeting. Upon motion duly made by Mr. Vargas and seconded by Mr. Piaia, the demolition and site preparation contractor award for the Pemberton Denbo-Crichton ES were approved with the Board's unanimous vote in favor of ***Resolution 6f***.

Public Comments

The Chairman then opened the Public Comments portion of the meeting. He asked Mr. Frank Faras to address the Board. Mr. Faras introduced himself as a resident of the city of Trenton who lives across the street from the TCHS site. Following distribution of a handout to the Members, Mr. Faras advised the Board that he had recently submitted an Open Public Records Act (OPRA) request to SDA seeking information regarding the entrances and exits of

the TCHS building that is under construction. He explained that he is interested in the location of the new school's entrances and exits because TCHS students file out of school and sit on his porch. He said that the document that he received in response to his request was 52 pages of wholly redacted blueprints that provided no information.

He said that the letter accompanying the blueprints referenced homeland security requirements and Executive Order No. 21 as the basis for the denial. Mr. Faras said that he found this ironic given all of the executive orders and legal requirements that the SDA ignores. He then listed some executive orders that he believes SDA has ignored. He said he contacted the homeland security department and reviewed its regulations and his review of them reveals that SDA has ignored them in its design of the new TCHS. He cited the fact that the front façade is glass by way of example. He said that a glass façade and the positioning of the new TCHS makes the building more vulnerable to a bomb attack—a situation that is made worse by the fact that the new building is located closer to the street. He referenced the crime problem in the City of Trenton and in the immediate area of TCHS and said that the school, as designed, is vulnerable to car bombs and an active shooter situation. He said that the relevant homeland security regulations were effective in 2012 and thus were requirements that existed when SDA designed the school.

Mr. Faras then listed the various ways that he believes that SDA has violated existing laws. He also listed various projects he believes that SDA has mismanaged in the past. He questioned, given this, how the public could trust the SDA.

The Chairman then asked Mr. Jerrell Blakeley to address the Board. Mr. Blakeley said that he is a campaign organizer for the Healthy Schools Now Coalition and the NJ Work Environment Council. He advised the Board that he is a graduate of TCHS and an educator. He

described the water infiltration issues that existed at TCHS when he was a student there. He thanked Mr. McKenna and the SDA for building the new TCHS and expressed the appreciation of the Healthy Schools Now Coalition and the Trenton community as well. Mr. Blakeley said that he wanted to put on the record a recent conversation that he had with Mr. McKenna regarding the roof collapse that occurred at the Salem Middle School. He asked for the status of the roof project and a timeline for completion. Mr. Yosha said that the condition revealed itself in September 2016. He offered additional details about the work that is underway at the school and said that, while SDA will try to advance the work as quickly as possible, September 2018 is the targeted completion date. Mr. Blakeley asked for a letter setting forth the project's status and timeline and Mr. McKenna agreed that SDA would provide him with such a letter.

Prior to the conclusion of the Public Comments portion of the meeting, Ms. Kelly asked that, for future reference, any member of the public who wishes to distribute written materials to the Members as part of their testimony should provide those materials to staff prior to the meeting and staff will be happy to distribute them to the Board.

Ms. Kelly then announced that the Board would be adjourning into Executive Session to discuss management's request to acquire a temporary easement in connection with the New Denbo-Crichton ES project in the Pemberton School District. She said that the Board's vote on this matter would occur 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 the Committee recommends that the Board approve identification of the site, acquisition of one temporary construction easement at Pemberton Township Block 848, Lot

3.02, and establishment of a budget for payment of just compensation to the property owner in connection with the New Denbo-Crichton ES in the Pemberton School District. Upon motion duly made by Mr. Maloney and seconded by Mr. Luckie, the Members approved the identification of the site, acquisition of the easement and establishment of a budget for payment of just compensation upon its unanimous vote in favor of ***Resolution A1***.

Adjournment

There being no further business to come before the Board, Mr. Walsh asked for a motion to adjourn the meeting. Upon motion by the Chairman and with unanimous consent, the meeting was adjourned.

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 May 3, 2017 meeting.

/s/ Jane F. Kelly
Assistant Secretary