

**NEW JERSEY SCHOOLS DEVELOPMENT AUTHORITY
BOARD MEETING
WEDNESDAY, JULY 6, 2022 AT 9:00 A.M.
32 E. FRONT STREET, TRENTON, NJ
BOARD ROOM**

- 1. NOTICE OF PUBLIC MEETING/PLEDGE OF ALLEGIANCE**
- 2. ROLL CALL**
- 3. APPROVAL OF MEETING MINUTES**
 - a. Board Open Session Meeting Minutes of June 8, 2022
 - b. Board Executive Session Meeting Minutes of June 8, 2022
- 4. AUTHORITY MATTERS**
 - a. CEO Report
 - b. Chairman's Report
- 5. REPORT AND RECOMMENDATIONS OF THE AUDIT COMMITTEE (CHAIRMAN'S REPORT)**
 - a. Memorandum of Agreement between the SDA and the New Jersey Cybersecurity and Communications Integration Cell (NJCCIC) in the New Jersey Office of Homeland Security and Preparedness (OHSP) for Cybersecurity Endpoint Detection and Response Services
 - b. Owner Controlled Insurance Program (OCIP IV) Broker Services and Excess Liability
- 6. REPORT AND RECOMMENDATIONS OF THE SCHOOL REVIEW COMMITTEE (CHAIRMAN'S REPORT)**
 - a. Company: Epic Management, Inc.
District: Orange
Contract No.: ES-0043-M01
School Name: Cleveland Street Elementary School
Amendment No.: 7
Reason: Extended Staff Services
Amount: \$868,325.00
Original Contract Amount: \$1,185,078.41
Contract Status: 57.21% Paid to Date
Anticipated Occupancy Date: TBD
 - b. Company Name: Anser Advisory
District: Plainfield
Contract No.: ET-0100-M01
School Name: New Woodland Elementary School
Amendment No.: 1
Reason: Staff Extension for Construction Management Services
Amount: \$224,796.00
Original Contract Amount: \$1,541,484.00
Contract Status: 61.4% Paid to Date against the Current Contract Value
Anticipated Occupancy Date: March 2023
 - c. Extension of the Lease for Temporary Classroom Units –Plainfield School District - New Woodland Elementary School - Temporary Space at Frederick W. Cook Elementary School

7. MONTHLY REPORTS

- a. *For Informational Purposes*
 - i. Active Projects Report
 - ii. Project Status Reports
 - iii. Contracts Executed Report/Amendments & Change Orders Executed Report
 - iv. Contract Terminations Report (*no activity*)
 - v. Settlement Activities Report (*no activity*)
 - vi. Diversity and Workforce Participation Report
 - vii. Regular Operating District Grant Activity Report
 - viii. Notification of Amendments to Goods and Services Contracts Not Exceeding \$100,000 or 10% of the Contract Value (*no activity*)
 - ix. Communications Report (*no report*)
 - x. Monthly Financial Report
 - xi. Design Contract De-Obligations Report (*no activity*)

8. NO EXECUTIVE SESSION

- Litigation/Contract Matter(s) – OPMA Exemption N.J.S.A. 10:4-12b (7)
CCD Report (*no activity*)

9. ADJOURNMENT

APPROVAL OF MEETING MINUTES

JUNE 8, 2022 OPEN SESSION MINUTES

**NEW JERSEY SCHOOLS DEVELOPMENT AUTHORITY
BOARD OF DIRECTORS MEETING
WEDNESDAY, JUNE 8, 2022**

A meeting of the Board of Directors of the New Jersey Schools Development Authority (SDA or the Authority) was held on Wednesday, June 8, 2022 at 9:00A.M. at the offices of the Authority at 32 East Front Street, Trenton, New Jersey.

Participating were:

Mario Vargas, Vice Chairman

David Moore (Treasury)

Bernard Piaia (DOE)

Juan Burgos (EDA)

Kevin Luckie (DCA)

Richard Elbert

Daniel Gumble

Michael Maloney

Lester Lewis-Powder

being a quorum of the Members of the Board. Mr. Elbert, Mr. Gumble, Mr. Lewis-Powder and Mr. Piaia participated in the meeting by teleconference.

At the Vice Chairman's request, Manuel Da Silva, chief executive officer; Donald Guarriello, vice president and chief financial officer; Jane F. Kelly, vice president and assistant secretary; Albert Barnes, chief counsel; and Cecelia Haney, deputy chief counsel of the SDA, participated in the meeting. Janice Venables of the Governor's Authorities Unit (GAU) also participated in the meeting.

Pledge of Allegiance

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

The meeting was called to order by Mr. Vargas, 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 been duly posted on the Secretary of State's bulletin board at 20 West State Street in Trenton, New Jersey and on the SDA Website. Ms. Kelly then conducted a roll call and indicated that a quorum of the Members of the Board was present.

Approval of Meeting Minutes

The Vice Chairman presented for consideration and approval the minutes of the Board's May 4, 2022 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. Mr. Luckie and seconded by Mr. Burgos, the Open Session minutes of the May 4, 2022 SDA Board meeting were approved with the Members' unanimous vote in favor of the resolution attached hereto as ***Resolution 3a***.

Authority Matters

CEO Report

Mr. Vargas asked Mr. Da Silva for the report of the CEO. Mr. Da Silva began his report with an update on design-build projects in construction. He said that for the Millville High School project, Hall Construction Company, Inc. continues with design phase services. He added that Phase IV building enclosure work continues. He advised the Members that for the Perth Amboy High School project, slabs on deck are being completed. He said that exterior wall framing is ongoing and sheathing has commenced. He added that masonry work continues with preparations for finished masonry to get underway. For the Perth Amboy Rose Lopez Elementary School project, he reported that a task order award for safety and security upgrades

will be presented later in the meeting. With respect to the Plainfield Woodland Avenue Elementary School project, he said that staff received the cut in card for permanent power and PSEG is preparing to energize the building. He added that elevator work is ongoing.

Turning to design-bid-build projects in the construction stage, Mr. Da Silva said that for the Keansburg Port Monmouth Road Project, interior finishes and site work is underway. He reported that enclosure of the bridge is complete and interior finishes are in progress for the Orange High School project.

Next, Mr. Da Silva provided an update on projects in the programming/pre-design/in-house design stages. He informed the Members that for the Union City New Grade 7 to 9 School project, technical and price proposals were received on May 11 from 4 bidders. He said that an award for a design-build contract will be considered in Executive Session and voted on when the Board returns to Open Session.

In concluding his report, Mr. Da Silva provided an update on the SDA owned property in the Astor Place section of Jersey City. He informed the Members that management reached out to the District following the May Board meeting in an effort to engage in a dialogue regarding their plans for advancing discussions for an Urban Garden on the site. He advised that a license between the District and the Authority is necessary in order for the District to enter into a sublicense with the Black Interest Team Enterprise (BITE). He said that the District has signaled their interest in a meeting to discuss the issue. He added that if he hasn't done so already, SDA's Chief Counsel will be advising the District that SDA would like to meet with District representatives and will schedule a meeting.

Audit Committee

Approval of 2021 Financial Statements

Mr. Moore reported that the Audit Committee met on May 16, 2022 at which time management provided the Committee with the April 2021 New Funding Allocation and Capital Plan Update. He advised the Board that there was a \$900,000 decrease in the 2011 Emergent Projects Reserve balance following CEO approval of the release of funds for design services for the Camden Veterans Memorial School emergent project. He said that there were no changes in any of the other reserve balances for the SDA Districts during the reporting period.

Mr. Moore then advised the Board that the Reserve Balance for the Regular Operating Districts (RODs) increased by \$400,000 during the reporting period due to a reduction in state share for grant projects nearing completion.

In continuing, Mr. Moore said that the Board is being requested to consider management's recommendation for approval of the SDA's 2021 Financial Statements (the Statements). He said that Ernst & Young LLP (EY), SDA's independent auditor, provided the Committee with the results of their audit of the Authority's 2021 Financial Statements. He explained that while EY's audit of the 2021 Financial Statements is mostly complete, it cannot be finalized until after receipt of the 2021 Governmental Accounting Standards Board (GASB) Statement No. 68 pension information for the Public Employees' Retirement System. He said that this information is expected to be available on the (New Jersey Department of the Treasury) Division of Pensions & Benefits website this month (June 2022). Mr. Moore said that EY confirmed that the audit was performed consistent with the established audit plan and reported that the financial statements contained no corrected misstatements or material uncorrected misstatements. He emphasized that EY did not find any matters that would rise to the level of either a material weakness or significant deficiency. He added that, upon receipt of the GASB

Statement No. 68 pension information, the 2021 Financial Statements will be updated as needed and EY will finalize the audit and issue the audit report. Mr. Moore explained that upon the Members affirmative vote, the Financial Statements would be deemed approved on the condition that there is no material change to the draft Financial Statements unrelated to the recording of the GASB Statement No. 68 pension information. He further advised the Board that should there be an unforeseen material change(s), management will advise the Audit Committee and the Committee will determine whether to: (1) notify the Board of the change or changes; or (2) request that the Board take action to re-approve the 2021 Financial Statements as revised.

A resolution pertaining to the proposed 2021 Financial Statements was provided to the Members in advance of the meeting. Upon motion duly made by Mr. Luckie and seconded by Mr. Burgos, the Authority's 2021 Financial Statements were approved by the Board upon its unanimous vote in favor of the resolution attached hereto as ***Resolution 5a***.

Lastly, Mr. Moore reported that, in accordance with Executive Order No. 122, at the conclusion of its May meeting, the Committee met with EY without management present.

School Review Committee

Next, Mr. Vargas asked Mr. Luckie to provide the report of the School Review Committee. Mr. Luckie reported that the School Review Committee met on May 16, 2022, at which time three items that require Board consideration were discussed. He said that the first is a task order award for safety and security upgrades (Project) at the Perth Amboy Rose M. Lopez Elementary School (School). He advised the Members that the SDA previously revised its school security systems guidelines and established standards to ensure consistency in the design of school security systems and compliance with a School Security Law enacted in 2016. He explained that the Authority is applying these updated standards to all projects currently under contract for design or construction, and has begun applying the requirements to schools that were

delivered for opening in September 2019.

In continuing, Mr. Luckie said that the Lopez School is an approximately 128,000 square foot elementary school designed to educate 724 students in grades Pre-K to five. He reported that after development of the updated security standards, the SDA design studio developed a security enhancement scope consistent with those standards and applicable to the Lopez School and that the scope was accepted by the district. He said that when the Project's construction contractor declined to perform the safety and security work, staff determined to engage a general contractor (GC) through the GC task order contract and to require that GC to engage the services of a design consultant to complete the needed design services for the Project. He said that in August 2021, Delric Construction Company, Inc. (Delric), the next firm on the rotational list, accepted the task order assignment. He advised that the package will be awarded on a time and material basis for a not-to-exceed value of \$1,122,000. He explained that this amount represents Delric's cost proposal for the most extensive solution to address all scope elements and said that it is management's recommendation that Delric be awarded the task order contract for safety and security upgrades at the Lopez School.

A resolution pertaining to this matter was provided to the Board for review in advance of the meeting. Upon motion duly made by Mr. Burgos and seconded by Mr. Vargas, the task order award for safety and security upgrades at the Perth Amboy Rose M. Lopez Elementary School was approved with the Board's unanimous vote in favor of ***Resolution 6a***.

Next, Mr. Luckie said that management is seeking Board approval of the proposed re-adoption with Amendments of the Authority's Section 15 Grant Procedures Rules (Rules). He explained that the Rules, originally adopted in January 2008 and readopted with significant amendments in 2015, govern the SDA's administration of a Grant program for the state share of the final eligible costs of school facilities projects undertaken by non-SDA districts. He advised

the Board that the current Rules are scheduled to expire on July 1, 2022. He reported that, upon review, staff determined that, with the addition of a few minor amendments, the existing Rules remain adequate, reasonable, and necessary for the purposes for which they were originally adopted. He said that management recommends that the Board approve the proposed re-adoption of the Authority's Section 15 Grant Procedures Rules with minor amendments and authorize the issuance of the Notice of Re-adoption and the filing of the same with the Office of Administrative Law.

Ms. Haney emphasized that the amendments to the Rules are minor and are primarily made to allow the process to move to an all-electronic platform. She said that the amendments are limited to two sections of the proposed Rules.

A resolution pertaining to this matter was provided to the Board for review in advance of the meeting. Upon motion duly made by Mr. Vargas and seconded by Mr. Burgos, the proposed re-adoption of the Section 15 Grant Procedure Rules with amendments, issuance of the Notice of Proposal, and filing of the Notice with the Office of Administrative Law were approved with the Board's unanimous vote in favor of ***Resolution 6b***.

In concluding his report, Mr. Luckie informed the Board that management also discussed a design-build award and final project charter for the Union City New Grade 7 to 9 School. He said that this item will be discussed in Executive Session.

Public Comments

The Vice Chairman opened the Public Comments portion of the meeting. He asked if any member of the public was present who wished to address the Board. No member of the public came forward.

Mr. Vargas then asked for a motion to adjourn the Open Session of the meeting and to move into Executive Session. He asked Ms. Kelly to announce the matters to be considered in

Executive Session. Ms. Kelly said that the Board will adjourn into Executive Session to discuss two matters. She said that the first matter is a design-build award and final project charter for the Union City New Grade 7 to 9 School. She explained that legislation enacted in 2021 set forth certain requirements as to how design-build procurements and contract awards must proceed. She explained that in order to comply with the new law, SDA has determined that the Board must first consider this award recommendation in Executive Session and then vote on the award when it returns to Open Session. She added that the Board memorandum and resolution pertinent to this matter will be posted on the SDA Website immediately following the Board meeting.

Ms. Kelly said that the second item that the Board will consider in Executive Session is a proposed extension of a license agreement between SDA and NJ Transit for Transit's continued use of SDA-owned land on Ferry Street in Newark, NJ. She said that the Board will also vote on this matter upon its return to Open Session. Ms. Kelly requested that the Vice Chairman present **Resolution No. 9.**, reflecting the Members' resolve to move into Executive Session to discuss the above-described matters, for Board consideration and approval.

The Vice Chairman presented **Resolution No. 9.** for a vote. Upon motion duly made by Mr. Maloney and seconded by Mr. Luckie, the Members of the Authority unanimously voted to approve **Resolution No. 9.** and thereby adjourn the Open portion of the meeting into Executive Session.

Following the Board's return to Open Session, Mr. Luckie announced that in Executive Session the Board had discussed the School Review Committee's recommendation that management approve a final project charter and design-build award in the amount of \$74 million, inclusive of SDA established allowances totaling \$1.2 million, to the highest ranked bidder, Dobco, Inc. for the Union City New Grade 7 to 9 School project.

A resolution pertaining to this matter was provided to the Board for review in advance of the meeting. Upon motion duly made by Mr. Vargas, and seconded by Mr. Burgos, the final project charter and design-build award for the Union City New Grade 7 to 9 School project was awarded to Dobco Inc. with the Board's unanimous vote in favor of ***Resolution 6c.***

At the Vice Chairman's request, Mr. Elbert announced that in Executive Session the Board had discussed management's and the Real Estate Committee's recommendation that the Board approve an Extension of the License Agreement between the Authority and NJ Transit regarding the premises located at 371-395 Ferry Street in Newark, NJ.

A resolution pertaining to this matter was provided to the Board for review in advance of the meeting. Upon motion duly made by Mr. Piaia, and seconded by Mr. Luckie, the Board approved management's recommendation for an Extension of the License Agreement between SDA and NJ Transit with its unanimous vote in favor of ***Resolution 7a.***

Adjournment

There being no further business to come before the Board, upon motion by the Vice 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 June 8, 2022 meeting.

/s/ Jane F. Kelly
Assistant Secretary

Resolution—3a./3b.

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 June 8, 2022 Board meeting of the New Jersey Schools Development Authority, for the Open and Executive Sessions were duly forwarded to the Office of the Governor following the meeting.

NOW, THEREFORE, BE IT RESOLVED, that the minutes of the New Jersey Schools Development Authority's June 8, 2022 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: July 6, 2022

AUTHORITY MATTERS

CEO REPORT

CHAIRMAN'S REPORT

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

**Memorandum of Agreement between the SDA and the New Jersey Cybersecurity and
Communications Integration Cell (NJCCIC) in the New Jersey Office of Homeland
Security and Preparedness (OHSP) for Cybersecurity Endpoint Detection and Response
Services**



STATE OF NEW JERSEY

SCHOOLS DEVELOPMENT AUTHORITY

MEMORANDUM

TO: Members of the Authority

FROM: Anthony Gilfillan, Director, Information Systems
Cecelia Haney, Deputy Chief Counsel

DATE: July 6, 2022

RE: Memorandum of Agreement between the SDA and the New Jersey Cybersecurity and Communications Integration Cell (NJCCIC) in the New Jersey Office of Homeland Security and Preparedness (OHSP) for Cybersecurity Endpoint Detection and Response Services

Management of the New Jersey Schools Development Authority (SDA) is seeking the approval of the Board to execute and enter a Memorandum of Agreement (MOA) with the New Jersey Cybersecurity and Communications Integration Cell (NJCCIC) of the New Jersey Office of Homeland Security and Preparedness (OHSP) for the procurement and deployment of cybersecurity Endpoint Detection and Response (EDR) software and the provision of cybersecurity alert monitoring services to the SDA.

The purpose of this MOA is for SDA to seek the assistance of OHSP's NJCCIC Division to:

- 1) procure CrowdStrike Falcon EDR software to be deployed on NJSDA's desktop and laptop computers, mobile devices and other endpoints, in order to detect and prevent against cybersecurity threats such as malicious and/or unauthorized activity;
- 2) provide targeted alert notifications to specific SDA personnel when security alerts are generated by the CrowdStrike system; and
- 3) provide training and support to NJSDA for use of the CrowdStrike system and the resolution of security alerts generated by the CrowdStrike system.

NJCCIC serves as the central State civilian interface for coordinating cybersecurity information sharing, performing cybersecurity threat analysis, and promoting real-time situational awareness between and among the public and private sectors. The engagement of NJCCIC through this MOA will allow for centralized state coordination of SDA's cybersecurity alert monitoring and alert notification processes.

The proposed MOA provides for a three-year Initial Term, with an optional two-year renewal term. The MOA requires SDA to reimburse NJCCIC for the costs of procuring the CrowdStrike software

and licenses, an expense that is anticipated to cost approximately \$10,000 to \$15,000 per year. The obligations of the parties are more fully described in the provisions of the attached form of MOA.

Requested Board Action

The Members of the Authority are requested to ratify and approve the execution of the attached MOA between the Schools Development Authority and the New Jersey Cybersecurity and Communications Integration Cell (NJCCIC) in the New Jersey Office of Homeland Security and Preparedness (OHSP) for the procurement of CrowdStrike endpoint detection and response software, and provision of cybersecurity alert monitoring services to SDA, all in accordance with the provisions of the attached MOA.

/s/ Anthony T. Gilfillan

Anthony T. Gilfillan
Director, Information Systems

Prepared by: Cecelia Haney, Deputy Chief Counsel and
Anthony T. Gilfillan, Director, Information Systems

ATG/ceh

MEMORANDUM OF AGREEMENT FOR SERVICES

**The New Jersey Cybersecurity and Communications Integration Cell (NJCCIC) within the State of New Jersey Office of Homeland Security and Preparedness (OHSP)
and
The New Jersey Schools Development Authority (NJSDA)**

I. PARTIES

This Memorandum of Understanding (MOU) is made and entered into by and between the New Jersey Cybersecurity and Communications Integration Cell (NJCCIC) within the State of New Jersey Office of Homeland Security and Preparedness (OHSP), whose address is 1200 Negrón Drive, Hamilton, NJ 08619 and the New Jersey Schools Development Authority (NJSDA) whose address is 32 East Front Street, Trenton, NJ 08625 (hereinafter referred to as the “Parties” or individually as a “Party”). This MOU shall become effective upon execution by both parties.

II. BACKGROUND

WHEREAS, The New Jersey Office of Homeland Security and Preparedness (NJOHSP) leads and coordinates New Jersey’s counterterrorism, cybersecurity, and emergency preparedness efforts while building resiliency throughout the State. A component organization within the NJOHSP, the New Jersey Cybersecurity and Communications Integration Cell (NJCCIC) is tasked with the strategic development and execution of the NJOHSP’s cybersecurity functions. Pursuant to State of New Jersey Executive Order 178 (Christie, May 2015), the NJCCIC serves as the central State civilian interface for coordinating cybersecurity information sharing, performing cybersecurity threat analysis, and promoting real time situational awareness between and among the public and private sectors.

WHEREAS, the NJCCIC procures and implements multiple cybersecurity technologies in support of its cybersecurity functions;

WHEREAS, the NJCCIC provides an Endpoint Detection and Response (EDR) platform to New Jersey State government organizations. The EDR platform consists of software used to detect malicious and unauthorized activity on a system, management services for the software, and security event notification service, collectively known as the CrowdStrike Falcon platform, also referred to as “Services”.

WHEREAS, The New Jersey Schools Development Authority (NJSDA) is an independent state authority created by the Legislature to administer the governmental function of planning, funding and constructing school facilities in certain economically disadvantaged school districts in New Jersey, pursuant to the Educational Facilities Construction and Financing Act, P.L. 2007, c. 137 (N.J.S.A. 52:18A-237 et seq.). As part of its planning and construction functions, NJSDA utilizes and maintains confidential financial information about its vendors, as well as information regarding utilities, security systems and other critical infrastructure elements in and around the school facilities it builds. While NJSDA makes extensive efforts

to protect this confidential information from disclosure or misuse, the networked computer assets utilized by NJSDA staff to perform their job functions, such as laptop and desktop computers and smartphones (also called “endpoints”) are vulnerable to cybersecurity threats such as viruses and malware that can compromise NJSDA’s network servers, other hardware assets and sensitive data. NJSDA seeks to secure NJCCIC’s assistance and expertise to mitigate the risk of cybersecurity threats to NJSDA’s data and systems through actively-monitored protection of these endpoints.

WHEREAS, the NJCCIC and NJSDA wish to enter into this MOA to further set forth the duties and obligations of the Parties.

NOW, THEREFORE, in consideration of the mutual covenants contained herein, the Parties do hereby agree as follows:

III. NJCCIC RESPONSIBILITIES

The NJCCIC hereby agrees to undertake the following:

- A. The NJCCIC will purchase the CrowdStrike Falcon EDR and CrowdStrike Mobile software that is to be deployed on the NJSDA’s supported endpoints and mobile devices to detect and protect against malicious or unauthorized activity that may adversely impact the NJSDA’s abilities to administer the governmental function of planning, funding and constructing school facilities in certain economically disadvantaged school districts in New Jersey.
- B. The NJCCIC will provide reasonable assistance to the NJSDA in supporting the installation and configuration of the CrowdStrike software on its endpoints and mobile devices.
- C. The NJCCIC will provide NJSDA authorized personnel with access to the CrowdStrike cloud platform through which the NJSDA can monitor and manage and monitor the CrowdStrike software and security alerts specific to NJSDA endpoints and mobile devices.
- D. The NJCCIC will provide notifications to authorized NJSDA personnel upon the detection of security alerts specific to NJSDA endpoints and mobile devices.
- E. The NJCCIC will provide access to CrowdStrike technical support services and also provide direct support and on a best effort basis to assist NJSDA in resolving issues with the CrowdStrike software and/or security alerts produced by CrowdStrike.
- F. The NJCCIC will provide NJSDA with access to NJCCIC provided training specific to CrowdStrike.

IV. NJSDA RESPONSIBILITIES

The NJSDA hereby agrees that it will undertake the following:

- A. NJSDA shall provide the NJCCIC with an accurate count of the number of annual CrowdStrike software licenses for NJSDA endpoints and mobile devices.
- B. NJSDA will reimburse the NJCCIC for the annual costs of the CrowdStrike software

licenses and support, along with any intergovernmental transfer costs related to the procurement made by the NJCCIC on behalf of the NJSDA.

- C. NJSDA agrees to reimburse the NJCCIC for any additional software licenses it desires to purchase after the initial annual procurement.
- D. NJSDA shall provide the NJCCIC with the necessary contact information, including: names, titles, email addresses and phone numbers to which alerts and notifications are to be sent both during normal business hours and after hours.
- E. During the period that the NJSDA is using the Services, NJSDA shall provide the NJCCIC following:
 - 1. Timely updates of changes to the NJSDA's contacts.
 - 2. Active involvement with the NJCCIC to resolve any alerts, notifications, issues, or tickets requiring NJSDA input or action.

V. TERM OF THIS MOA; TERMINATION

- A. Term. This MOA will commence on the date it is signed by the Parties (the "Effective Date") and shall continue in full force and effect for a three (3) year term (the "Initial Term"). Thereafter, this MOA may be renewed for an additional two (2) year term, or a shorter term at the request of either Party. Unless this MOA is terminated early or extended in writing by the Parties, it shall terminate upon the expiration of the Term.
- B. Termination. Either Party may terminate this MOA during the Term by providing written notice to the other Party at least ninety (90) days prior to termination.

VI. FORCE MAJEURE

No Party shall be liable for performance delays or for non-performance due to causes beyond its reasonable control.

VII. NO THIRD PARTY RIGHTS

Except as otherwise expressly stated herein, nothing in this MOA shall create or give to third parties any claim or right of action of any nature against the NJCCIC or NJSDA.

VIII. ASSIGNMENT

No Party may assign their rights and obligations under this Agreement without the prior written approval of the other Party which approval shall not be unreasonably withheld, conditioned or delayed. This Agreement shall be binding upon and inure to the benefits of each Party and their respective successors and assigns.

IX. AUTHORITY

This Agreement is consistent with the missions and responsibilities of the Parties. Further, this MOU is authorized under the provisions of:

- A. Executive Order No. 5 signed by Governor Corzine on March 16, 2006 establishes the New Jersey Office of Homeland Security and Preparedness as the State Agency responsible for administering, coordinating, leading, and supervising New Jersey's counter-terrorism and preparedness efforts. OHSP is led by a Director, who also acts as the State's Homeland Security Advisor and the Chair of the Domestic Security Preparedness Task Force. The OHSP may, to the extent not inconsistent with any other law, employ, consult, and contract with private and public entities, and enter into such agreements with public and private individuals or entities as necessary to further the mission of the Office or of other offices and units that fall under the Director's supervision.
- B. Executive Order No. 178 signed by Governor Christie on May 20, 2015 establishes the New Jersey Cybersecurity and Communications Integration Cell (NJCCIC) as a component organization within the Office of Homeland Security and Preparedness that acts as the central State civilian interface authorized to coordinate cybersecurity information sharing and analysis across all levels of government, agencies, authorities, and the private sector pursuant to 6 U.S.C. § 133 et seq. The NJCCIC is authorized to draw upon the assistance of any department, office, division, or agency of this State to supply it with expertise and assistance, including information and personnel, to carry out the NJCCIC mission. The NJCCIC is composed of representatives of State entities, including the Office of Homeland Security and Preparedness, the Division of State Police, and the Office of Information Technology.
- C. N.J.S.A. 52:14-1 to -4, which encourages and authorizes cooperation between and among state agencies, including independent authorities such as NJSDA.

X. NEW JERSEY OPEN PUBLIC RECORDS ACT (N.J.S.A. 47:1A-1 et seq.) (OPRA):

The configuration of any hardware, software, and networks along with the contents of the alert notifications, and all associated communications between the Parties would inherently include administrative or technical information which, if disclosed would jeopardize computer security. As such, to the extent permitted by law, all information, records, notes, written comments, reports, or analysis generated in or in the execution of this MOA shall be treated and deemed as exempt from public disclosure under OPRA;

XI. CONFIDENTIALITY

- A. NJCCIC's obligation to maintain the confidentiality of the NJSDA's confidential information provided to NJCCIC under this MOA is conditioned upon and subject to the State's obligations under OPRA, The New Jersey Domestic Security Preparedness Act, the New Jersey common law right to know, and any other lawful document request or subpoena.

- B. By virtue of this MOA, the parties may have access to information that is confidential to one another. The parties agree to disclose only information that is required for the performance of their obligations under this MOA. In addition to any information related to cybersecurity threat and defense assessments, computer network defense operations, and incident response activities conducted as a part of this MOA, confidential information, to the extent not expressly prohibited by law, shall consist of all information clearly identified as confidential at the time of disclosure by either party (“Confidential Information”).
- C. A party’s Confidential Information shall not include information that: (a) is or becomes a part of the public domain through no act or omission of the other party, except that if the information is personally identifying to a person or entity regardless of whether it has become part of the public domain through other means, the other party must maintain full efforts under this MOA to keep it confidential; (b) was in the other party’s lawful possession prior to the disclosure and had not been obtained by the other party either directly or indirectly from the disclosing party; (c) is lawfully disclosed to the other party by a third party without restriction on the disclosure; or (d) is independently developed by the other party.
- D. The parties agree to hold each other’s Confidential Information in confidence, using at least the same degree of care in doing so that it uses to protect its own Confidential Information.
- E. In the event that NJCCIC receives a request for NJSDA’s Confidential Information related to this MOA pursuant to a court order, subpoena, lawful document request or other operation of law, NJCCIC agrees, if permitted by law, to provide NJSDA with as much notice, in writing, as is reasonably practicable and NJCCIC’s intended response to such request. NJSDA shall take any action it deems appropriate to protect its documents and/or information. In the event that NJSDA receives a request for NJCCIC’s Confidential Information related to this MOA pursuant to a court order, subpoena, lawful document request or other operation of law, NJSDA agrees, if permitted by law, to provide NJOHSP with as much notice, in writing, as is reasonably practicable and NJSDA’s intended response to such request. NJCCIC shall take any action it deems appropriate to protect its documents and/or information.

XII. NOTICES

- A. All notices permitted or required hereunder shall be in writing and shall be transmitted either: via certified or registered United States mail, return receipt requested; by facsimile transmission; by personal delivery; by expedited delivery service; or by e-mail with acknowledgement of receipt of the notice.
- B. Such notices shall be addressed as follows or to such different addresses as the Parties may from time-to-time designate:

NJCCIC

Name: Michael T. Geraghty
Title: Director, NJ Cybersecurity and Communications Integration Cell

Address: NJ Regional Operations and Intelligence Center
Address: 2 Schawrzkopf Dr., West Trenton, NJ 08628
Phone: 609.963.6900 ext 6720
E-Mail: mgeraghty@cyber.nj.gov

NJSDA

Name: Anthony Gilfillan
Title: Director, Information Systems
Address: 32 East Front Street, Trenton , NJ 08625
Phone: 609.858.5300
E-Mail: agilfillan@njsda.gov

- C. Any such notice shall be deemed to have been given either at the time of personal delivery or, in the case of expedited delivery service or certified or registered United States mail, as of the date of first attempted delivery at the address and in the manner provided herein, or in the case of facsimile transmission or email, upon receipt.
- D. The Parties may, from time to time, specify any new or different contact information address for the purpose of receiving notice under this MOA by giving fifteen (15) days written notice to the other Parties sent in accordance herewith. The Parties agree to mutually designate individuals as their respective representatives for the purposes of receiving notices under this MOA. Additional individuals may be designated in writing by the Parties for purposes of implementation and administration, resolving issues and problems and/or for dispute resolution.

XIII. NON-WAIVER

None of the provisions of this MOA shall be considered waived by any Party unless such waiver is given in writing by the other Parties. No such waiver shall be a waiver or any past or future default, breach or modification of any of the terms, provision, conditions or covenants of the MOA unless expressly set forth in such waiver.

XIV. ENTIRE AGREEMENT

This MOA constitutes the entire understanding and agreement between the Parties with respect to the subject matter hereof and shall replace and supersede all prior understandings, communications, agreements or arrangements between the Parties with respect to this subject matter, whether oral or written.

XV. VALIDITY

If any provision of this MOA be adjudged by a court of competent jurisdiction to be unenforceable or invalid, that provision shall be limited or eliminated to the minimum extent necessary so that this MOA shall otherwise remain in full force and effect and enforceable.

XVI. AMENDMENT

This MOA may be amended only by written agreement executed by both Parties. The Parties agree to give each other sixty (60) days' notice of any needed changes, unless changes are required by law and must take effect within a shorter period.

XVII. MISCELLANEOUS

- A. Compliance: The Parties agree that in performance of this MOA, they shall comply with all applicable state, federal, and local laws, and regulations.
- B. Validity: If any provision of this MOA or any provision or any document incorporated by reference shall be held invalid, such invalidity shall not affect the other provisions of this MOA that can be given effect without the invalid provision, if such remainder conforms to the requirements of applicable law and the fundamental purpose of this MOA, and to this end the provisions of this MOA are declared to be severable.
- C. No Indemnification: Subject to the New Jersey Tort Claims Act, N.J.S.A. 59:1-1, et seq., the New Jersey Contractual Liability Act, N.J.S.A. 59:13-1, et seq., and appropriations and the availability of funding, NJCCIC, at its own expense, shall be responsible for, and shall defend itself against, and hereby releases NJSDA from any and all suits, claims, losses demands, expenses, or damages of whatsoever kind or nature, arising out of or in connection with any act or omission of NJCCIC, its employees representatives, agents, independent contractors or invitees, related to this MOA. NJSDA, at its own expense, shall be responsible for, and shall defend itself against, and hereby releases NJCCIC from any and all suits, claims, losses, demands, expenses, or damages of whatsoever kind or nature, arising out of or in connection with any act or omission of NJSDA, its employees, representatives, agents, independent contractors or invitees related to this MOA.
- D. Governing Law: This MOU and any and all litigation arising therefrom or related thereto shall be governed by the applicable laws, regulations and rules of evidence of the State of New Jersey without reference to conflict of laws principles and shall be filed in the appropriate Division of the New Jersey Superior Court.

XVIII. ACKNOWLEDGEMENT

The terms of this MOA have been read and understood by the Parties whose signatures appear below. The Parties agree to comply with all of the terms and conditions of the MOA including any attachments or amendments.

The foregoing has been agreed to and accepted by the authorized representatives of each Party whose signatures appear below:

NJCCIC:

By: _____

Name: _____

Title: _____

Date: _____

NJSDA:

By: _____

Name: _____

Title: _____

Date: _____

Resolution –5a.

Memorandum of Agreement between the SDA and the New Jersey Cybersecurity and Communications Integration Cell (NJCCIC) in the New Jersey Office of Homeland Security and Preparedness (OHSP) for Cybersecurity Endpoint Detection and Response Services

Resolution

WHEREAS, the Operating Authority of the New Jersey Schools Development Authority (SDA or the Authority) requires that the Members of the Authority authorize, ratify and/or approve management's execution of all Memoranda of Agreement (MOA) or Understanding and any amendments thereto, regardless of contract value; and

WHEREAS, interagency cooperation is permitted by N.J.S.A. 52:14-1 et seq.; and

WHEREAS, SDA management is seeking Board approval to execute and enter into an MOA with the New Jersey Cybersecurity and Communications Integration Cell (NJCCIC) of the New Jersey Office of Homeland Security and Preparedness (OHSP) for the procurement and deployment of CrowdStrike cybersecurity endpoint detection and response software and the provision of cybersecurity alert monitoring services; and

WHEREAS, the services and software to be provided to SDA by NJCCIC pursuant to the MOA are described in detail therein and also in the Board memorandum; and

WHEREAS, as NJCCIC serves as the central State civilian interface for coordinating cybersecurity information sharing, performing cybersecurity threat analysis, and promoting real-time situational awareness between and among the public and private sectors, the Authority's engagement of NJCCIC through this MOA will allow for centralized state coordination of SDA's cybersecurity alert monitoring and alert notification processes; and

WHEREAS, the term of the proposed MOA would be an initial three years with a two-year renewal option; and

WHEREAS, pursuant to the MOA, SDA will reimburse NJCCIC for the costs of procuring the identified software and licenses, an expense that is anticipated to cost approximately \$10,000 to \$15,000 per year; and

WHEREAS, the obligations of the SDA and the NJCCIC pursuant to the MOA are more fully described in the memorandum presented to the Board on this date and incorporated herein.

NOW, THEREFORE, BE IT RESOLVED, that the Members of the Authority hereby approve the execution of the proposed MOA between the Schools Development Authority and the New Jersey Cybersecurity and Communications Integration Cell (NJCCIC) in the New Jersey Office of Homeland Security and Preparedness (OHSP) for the procurement of CrowdStrike endpoint detection and response software and the provision of cybersecurity alert monitoring services to SDA, all in accordance with the provisions of the attached MOA presented to the Board on this date.

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, Memorandum of Agreement between the SDA and the New Jersey Cybersecurity and Communications Integration Cell (NJCCIC) in the New Jersey Office of Homeland Security and Preparedness (OHSP) for Cybersecurity Endpoint Detection and Response Services, dated July 6, 2022

Dated: July 6, 2022

Owner Controlled Insurance Program (OCIP IV) Broker Services and Excess Liability



TO: The Members of the Authority

FROM: Karon Simmonds
Director, Risk Management

DATE: July 6, 2022

SUBJECT: Owner Controlled Insurance Program (OCIP IV)
Broker Services and Excess Liability

Management is requesting Board approval to purchase Excess Liability insurance to continue this coverage under the current Owner Controlled Insurance Program (OCIP IV). The purchase of this Excess Liability coverage is requested for four (4) capital projects that are scheduled to deliver after the current Excess Liability program's March 1, 2023 expiration date. Additionally, as discussed below, the Excess Liability insurers are requiring that there be a dedicated aggregate underlying (i.e., primary coverage) the separate, stand-alone Excess Liability program for two (2) of the four capital projects. As a result, Management is also requesting Board approval to purchase Primary coverage for these two (2) capital projects. The total cost to purchase the new Excess Liability insurance program and required Primary policy is for an amount not to exceed \$1,200,000.

On November 3, 2021, the Board previously approved an amendment to the OCIP IV Broker Services Agreement with Willis of New York (Willis) tasking Willis with marketing a new Excess Liability insurance program. Coverage under the current OCIP IV Excess Liability program is set to expire on March 1, 2023, which would have caused a gap in Excess Liability coverage on certain school facilities projects.

The "Operating Authority by Level" requires the approval by the Members of the Authority Pursuant to the "Operating Authority By Level" adopted by the Board on December 1, 2010, as amended March 7, 2012, Board approval is required for the award of Goods and Services contracts greater than \$500,000. The cost for the new Excess Liability insurance program would be for an amount that exceeds \$500,000.

The purchase of a new Excess Liability insurance program will also require an amendment to the Willis contract to perform policy and claims administration during the extended policy term; however, since this amendment (cost is \$25,000) does not exceed \$100,000 or 10% of the contract value, Board approval is not required.

BACKGROUND

The current 5-year OCIP IV "wraps -up" multiple types of casualty policies, including Workers' Compensation, General Liability and Excess Liability insurance coverage into one program. In February 2018 the Members approved the purchase of OCIP IV with The Hartford as the primary insurer, and various Excess Liability insurers, based on a 3-year term to enroll projects (March 1, 2018 – March 1, 2021) plus an additional 2-years to allow for enrolled projects to complete, or March 1, 2023. At the time of purchase the program was priced on an estimated construction value

(CV) of \$903M for (13) capital projects and (17) emergent projects; however, the Board approved costs based upon \$1B CV to allow for unanticipated increases in CV and/or to enroll additional school facilities projects in OCIP IV.

For various reasons, including impacts resulting from the pandemic, it became apparent that five (5) projects were going to deliver after March 1, 2023. Consequently, Risk Management staff initiated discussions with The Hartford which resulted in The Hartford agreeing to extend the program’s policy expiration until December 31, 2025. More recent schedule updates indicate that one project schedule, currently under review, will not be included in OCIP IV. Since there is no anticipated increase in the total insured CV associated with the inclusion of the remaining impacted projects, The Hartford is amenable to providing the extension at no additional cost to the Authority. However, The Hartford has advised that for the extended program the Authority may be subject to a potential increase in the maximum aggregate of claim expenses the Authority would be responsible for. Presently, the Authority is responsible for the first \$250,000 of any one claim. Incurred claims, developed for ultimate costs, are currently \$4.7M; at the inception of OCIP IV, the Members had approved maximum costs up to \$10.9M.

Though The Hartford is willing to extend Primary coverage under OCIP IV, the eight (8) current insurers providing various layers of Excess Liability coverage advised that they could not extend their coverage, which would have caused a gap in Excess Liability coverage for those projects expected to complete in 2024 and 2025.

The current Excess Liability program contemplated (13) capital projects and (17) emergent projects sharing limits of \$200 million. Of the four (4) projects which will complete after March 1, 2023, two (2) are currently enrolled in OCIP. Although the various Excess Insurers initially advised Willis that they could not extend coverage beyond March 1, 2023, Willis was able to negotiate a one-time extension to September 10, 2024 in regard to two (2) capital projects, as outlined below in Table A:

TABLE A		
Coverage Limits	Insurer	Cost
Primary: \$2,000,000 occurrence \$4,000,000 aggregate	The Hartford	\$ 0
Excess (Layer 1): \$25,000,000	AWAC	\$200,000
Excess (Layer 2): \$25,000,000 excess of \$25,000,000	Sompo Endurance	\$ 75,000
Excess (Layer 3): \$50,000,000 excess of \$50,000,000	Liberty Mutual /Allianz	\$ 50,000
Total Excess Liability = \$100,000,000		\$325,000

The two (2) remaining capital projects, which have not yet commenced construction, will have a separate, stand-alone, Excess Liability program which will expire concurrent with The Hartford, December 31, 2025. However, the Excess Liability insurers are requiring that there be a dedicated aggregate underlying (i.e., primary coverage) the separate, stand-alone Excess Liability program.

Indications for the standalone policies are outlined below in Table B:

TABLE B		
Coverage Limits	Insurer	Cost
Primary: \$2,000,000 occurrence \$4,000,000 aggregate	The Hartford	\$200,000
Excess (Layer 1): \$10,000,000	AWAC	\$252,500
Excess (Layer 2): \$15,000,000 excess of \$10,000,000	Sompo Endurance	\$170,450
Excess (Layer 3): \$25,000,000 excess of \$25,000,000	Liberty Mutual / Allianz	\$160,000
Total Excess Liability = \$50,000,000		\$782,950
Aggregate Cost Not To Exceed		\$1,107,950

RECOMMENDATION

In consideration that all costs are subject to audit based upon final construction values, the Members of the Authority are requested to approve the purchase of various insurance policies, as outlined above in this memorandum, at a total cost not to exceed \$1.2 million. The purchase of these insurance policies is necessary to continue the Excess Liability program related to four (4) capital projects under the current OCIP IV.

/s/ Karon Simmonds

Karon Simmonds
 Director, Risk Management

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

Resolution—5b.

Owner Controlled Insurance Program (OCIP IV) Broker Services and Excess Liability

Resolution

WHEREAS, the Operating Authority of the New Jersey Schools Development Authority (SDA or the Authority) requires that the Members of the Authority approve the award of Goods and Services contracts greater than \$500,000; and

WHEREAS, since 2003, the Authority has implemented an Owner Controlled Insurance Program (OCIP) to wrap-up multiple types of insurance coverage into one program; and

WHEREAS, on September 6, 2017, the Members of the Authority approved a contract award for OCIP IV Broker Services to Willis of New York (Willis) to provide a full range of services, including the marketing, design, negotiation and implementation of various insurance needs of the Authority; and

WHEREAS, Willis' services also encompass policy administration and claim services and the engagement extends for a period of three (3) years from the effective date of the new OCIP policies to be purchased, or until all obligations to deliver services pursuant to the contract have been performed; and

WHEREAS, following Willis' marketing of a new 5-year OCIP IV that "wrapped-up" multiple types of casualty policies into one program, the Members approved the purchase of OCIP IV based on a 3-year term to enroll projects (March 1, 2018 – March 1, 2021) plus an additional 2-years to allow for enrolled projects to complete, or March 1, 2023; and

WHEREAS, management is requesting Board approval to purchase excess liability insurance to continue this coverage under the current OCIP IV for four (4) capital projects that are scheduled to deliver after the current excess liability program's March 1, 2023 expiration date; and

WHEREAS, as reflected in the Board memorandum, the excess liability insurers are requiring that there be a dedicated aggregate (primary coverage) underlying the separate, stand-alone excess liability program for two (2) of the four capital projects; and

WHEREAS, for this reason, management further requests Board approval to purchase primary coverage for the two (2) identified capital projects; and

WHEREAS, the total cost to purchase the new excess liability insurance program and required primary policy is for an amount not-to-exceed (NTE) \$1,200,000, thus exceeding the \$500,000 amount and requiring Board approval as set forth in the SDA Operating Authority; and

WHEREAS, while not required under the SDA Operating Authority since its \$25,000 cost does not exceed \$100,000 or 10% of the contract value, management further requests Board approval to amend its contract with Willis to perform policy and claims administration during the extended policy term.

NOW, THEREFORE, BE IT RESOLVED, that the Members of the Authority hereby authorize and approve SDA's purchase of various insurance policies, as outlined in the memorandum presented to the Board on this date, at a total cost not-to-exceed \$1.2 million.

BE IT FURTHER RESOLVED, that the Members of the Authority approve SDA's purchase of primary coverage for two capital projects as required.

BE IT FURTHER RESOLVED that the Members of the Authority approve an amendment to SDA's contract with Willis consistent with the memorandum presented to the Board on this date and incorporated herein.

BE IT FURTHER RESOLVED, that, with this approval, the Members of the Authority acknowledge that all costs expended are subject to audit based upon final construction values and that the purchase of these insurance policies is necessary to continue the excess liability program related to four (4) capital projects under the SDA's current OCIP IV.

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 Controlled Insurance Program (OCIP IV), Brokers Services
and Excess Liability Amendment, dated July 6, 2022,

Dated: July 6, 2022

**REPORT AND RECOMMENDATIONS OF THE SCHOOL REVIEW COMMITTEE
(CHAIRMAN'S REPORT)**

**Amendment No. 7 - Epic Management, Inc. - Orange Public School District
- Cleveland Street Elementary School**



MEMORANDUM

TO: Members of the Authority
FROM: Joseph Lucarelli
Director, Construction Operations
DATE: July 6, 2022
SUBJECT: Amendment No. 7 – Epic Management, Inc.

COMPANY NAME: Epic Management, Inc.
DISTRICT: Orange
CONTRACT NO.: ES-0043-M01
SCHOOL NAME: Cleveland Street Elementary School
AMENDMENT NO.: 7
REASON: Additional and Extended CM Services
AMOUNT: \$ 868,325.00
ORIGINAL CONTRCT AMOUNT: \$ 1,185,078.41
CONTRACT STATUS: 57.21% Paid to Date
ANTICIPATED OCCUPANCY DATE: TBD

INTRODUCTION

I am writing to request approval by the Members of the Authority of a contract amendment to Epic Management, Inc. (Epic) for additional and extended Construction Management services at the Orange Cleveland Street Elementary School project. This amendment is precipitated by the NJSDA’s issuance of a Notice of Termination for Convenience to Brockwell & Carrington Contractors, Inc. (B&C), the General Contractor for the project, on January 20, 2022.

Pursuant to the NJSDA Operating Authority adopted by the Board on December 1, 2010, as amended March 7, 2012, an Amendment which singularly exceeds \$100,000.00 or 10% of the Contract value requires approval by the Members of the Authority. This amendment exceeds \$100,000.00 and 10% of the Contract value.

BACKGROUND

The Orange Cleveland Street Elementary School, built in 1898, is a 38,750 square foot facility educating 306 students in grades Kindergarten to 7. The project scope includes an 11,550 square foot addition and renovations to the existing facility to address overcrowding at the existing facility and will allow a change in grade alignment to Pre-K though Grade 6 consistent with the District’s approved Long Range Facilities Plan (LRFP) for the Orange Cleveland Street Elementary School.

On March 6, 2019 the Members approved the award of a contract to B&C for Construction Services and the Final Project Charter for the Project. On May 2, 2019, the NJSDA issued a Notice to Proceed (NTP) for the performance by B&C of a Constructability Review, consistent with the contract, to verify the following: Constructability of the Work, Coordination of the Work, Elimination of Conflicts in the Work, and Completeness of the Work as detailed in the Contract Documents. After performance of the Constructability Review B&C was issued a NTP for Construction Services on January 13, 2020, with a commencement date of January 15, 2020.

Concurrent with the NTP for Construction Services, Epic was issued a NTP to provide Construction Management Services for the Orange Cleveland Street Elementary School project with a commencement date of January 15, 2020.

Approximately two years after the construction NTP was issued to B&C, the NJSDA determined that termination of the Construction Services contract was in the best interest of the NJSDA and the State of New Jersey. Accordingly, the NJSDA issued a Notice of Termination for Convenience to B&C on January 20, 2022 in accordance with Section 11.3.2 of the contract, while at the same time directing B&C to complete portions of the work and demobilize from the project site by March 1, 2022. Due to the length of time between the termination of B&C and the impending procurement of a new Construction Services contract, Epic's contract was amended to add security and site services to maintain the site security. The project is currently being prepared for procurement of a new contract for Construction Services, with revised design documents, in order to complete the project.

REASON FOR CHANGE

For the reasons discussed above, the project design documents must now be updated in preparation for bidding to procure a new General Contractor. In preparing for this procurement the Construction Manager (CM), Epic, has been requested to provide additional services not included within its base contract. Also, the CM Services contract with Epic must be extended to the revised substantial completion date of August 2024. This amendment covers the following services and time extension;

- 1) Constructability Review: review of all design submissions and provide written response comments on drawings
- 2) Preparation of documents to include with bid package, including but not limited to photographic documentation of existing conditions, stored materials and transfer of existing utilities
- 3) Assist in Pre-bid activities including bid walk through, review of bidder questions and response to bidder questions
- 4) Develop draft completion schedule
- 5) Assist in bid review including bid cost analysis
- 6) Provide a Project Executive, Project Manager and Office Engineer for construction services
- 7) Provide internet services for CM Staff utilization until close out
- 8) Initial schedule review and a monthly schedule review

All previous contracted services for close out remain as per the original contract. This amendment is for the services listed above and continuation of the CM Services per contract.

SUMMARY OF CHANGE

Epic was requested to provide a proposal for these additional services and time extension based upon the assignment of staff to the project, the initial schedule review based upon the new Construction Services contract, and monthly schedule reviews during construction. Epic's proposal is based upon original staffing levels and original monthly cost provided in the contract.

All documents supporting this amendment have been reviewed by the associated NJSDA Project Team and Financial Operations for adherence to current NJSDA policy and procedures. All reviewing NJSDA staff members have determined that the items included in the amendment are justified and that the amount is reasonable and appropriate.

CALCULATIONS

a. Original Contract Amount	\$ 1,185,078.41
b. Amendment(s) to Date	\$ 519,466.90
c. Proposed Amendment Amount	\$ 868,325.00
d. Total Amendments to Date including this Amendment (Total of Line (b.) and Line (c.))	\$ 1,387,791.90
e. Percentage Change to Original Contract (Line (d.) represents a percent of Line (a.))	\$ 117.0%
f. Proposed Adjusted Contract Price (Line (a.) plus Line (d.))	\$ 2,572,870.31

RECOMMENDATION

As detailed above, the Members of the Authority are requested to approve a contract amendment to Epic for the amount of \$868,325.00 to provide additional and extended Construction Management services at the Orange Cleveland Street Elementary School project.

Pursuant to the NJSDA Operating Authority adopted by the Board on December 1, 2010, as amended March 7, 2012, an Amendment which singularly exceeds \$100,000.00 or 10% of the Contract value requires approval by the Members of the Authority. This amendment exceeds \$100,000.00 and 10% of the Contract value.

Recommended by:

/s/ Joseph Lucarelli
Joseph Lucarelli, Director, Construction Operations

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

Reviewed and Recommended by: Denise Petraglia, Deputy Director, Construction Operations

Reviewed and Recommended by: Felipe Marrero, Senior Program Officer, Construction Operations

Resolution 6a.

Amendment No. 7 - Epic Management, Inc., Orange School District, Cleveland Street Elementary School, Extended Staff Services

Resolution

WHEREAS, the Operating Authority of the New Jersey Schools Development Authority (SDA or the Authority) requires that the Members of the Authority authorize and approve a contract amendment in an amount exceeding \$100,000 or 10% of the contract value; and

WHEREAS, the Orange Cleveland Street Elementary School (OCES) is a 38,750 square foot facility currently educating 306 students in grades Kindergarten through 7; and

WHEREAS, in March 2019 the SDA Board approved an award for construction services and a final charter for a project at the OCES (the Project); and

WHEREAS, the Project scope includes an 11,550 square foot addition and renovations to address overcrowding at the existing facility and will allow a change in grade alignment to Pre-Kindergarten through grade 6, consistent with the district's approved Long Range Facilities Plan; and

WHEREAS, on January 15, 2020, Brockwell & Carrington, the general contractor (GC), commenced the provision of construction services for the Project, with Epic Management, Inc. (Epic) concurrently providing construction management services; and

WHEREAS, on January 20, 2022, the SDA issued a Notice of Termination for Convenience to the GC in accordance with Section 11.3.2 of the contract while, at the same time, directing the GC to complete portions of the work and demobilize from the project site by March 1, 2022; and

WHEREAS, the Project is currently being prepared for procurement of a new contract for construction services; and

WHEREAS, as detailed in the memorandum presented to the Board on this date, the Project design documents must now be updated in preparation for bidding to procure the new GC; and

WHEREAS, in preparing for this procurement Epic has been requested to provide additional services not included within its base contract and the Authority's CM Services contract with Epic must be extended to the revised substantial completion date of August 2024; and

WHEREAS, Epic was requested to provide a proposal for these additional services and time extension and the proposal so provided is based upon original staffing levels and original monthly cost provided in the contract; and

WHEREAS, the additional services to be provided by Epic are described in detail in the memorandum presented to the Board on this date and incorporated herein; and

WHEREAS, Amendment No. 7 in amount of \$868,325 is necessary to provide additional and extended CM Services at the Project; and

WHEREAS, all documents supporting this proposed contract amendment have been reviewed by the associated SDA project team and financial operations for adherence to current SDA policy and procedures and all reviewing SDA staff members have determined that the items included in the amendment are justified and that the amount is reasonable and appropriate.

NOW, THEREFORE, BE IT RESOLVED, that the Members of the Authority hereby authorize and approve an amendment to SDA's contract with Epic Management, Inc. in the amount of \$868,325 to provide additional and extended Construction Management services at the Orange Cleveland Street Elementary School project.

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, Amendment No. 7, Epic Management, Inc., Orange Public School District, Cleveland Street Elementary School, Extended Staff Services, dated July 6, 2022

Dated: July 6, 2022

**Amendment No. 1 - Anser Advisory - Plainfield School District -
New Woodland Elementary School**

**MEMORANDUM**

TO: Members of the Authority

FROM: Joseph Lucarelli
Director, Construction Operations

DATE: July 6, 2022

SUBJECT: Amendment No. 1 - Anser Advisory

COMPANY NAME: Anser Advisory
DISTRICT: Plainfield
CONTRACT NO.: ET-0100-M01
SCHOOL NAME: New Woodland Elementary School
AMENDMENT NO.: 1
REASON: Staff Extension for Construction Management Services
AMOUNT: \$224,796.00
ORIGINAL CONTRACT
AMOUNT: \$1,541,484.00
CONTRACT STATUS: 61.4% Paid to Date against the Current Contract Value
ANTICIPATED OCCUPANCY
DATE: March 2023

INTRODUCTION

I am writing to request approval by the Members of the Authority of a contract amendment to Anser Advisory (Anser) in the amount not to exceed \$224,796.00 for the extension of Construction Management (CM) Services at the New Woodland Elementary School in the Plainfield School District. This amendment is precipitated by the NJSDA's March 9, 2022 issuance of CO No. 6 for an Extension of Time to Epic Management, Inc. (Epic), the Design-Build Contractor for the project.

Pursuant to the NJSDA Operating Authority adopted by the Board on December 1, 2010, as amended March 7, 2012, an Amendment which singularly exceeds \$100,000.00 or 10% of the Contract value requires approval by the Members of the Authority. This amendment exceeds \$100,000.00 and 10% of the Contract value.

BACKGROUND

Anser was issued a Notice-to-Proceed on October 9, 2020, with a commencement date of October 12, 2020, to provide Construction Management Services for the New Woodland Elementary School in the Plainfield School District.

The New Woodland Elementary School project consists of the construction of an approximately 120,000 SF building to educate approximately 756 students in grades K through 5.

REASON FOR CHANGE

In preparation of the initial engagement for Construction Management (CM) services for this project, the Project Team developed a staffing plan to include a Project Executive (PE), Project Manager (PM), Office Engineer (OE) and a Mechanical, Electrical and Plumbing Project Manager (MEP), the standard staff for a project of this size.

Following a competitive procurement process Epic Management (Epic) was awarded the Design-Build contract for this project. Epic was issued a Notice to Proceed for the Design Phase of this project on March 11, 2020 with a commencement date of March 20, 2020. The first Limited Notice to Proceed for Site Work Activities commenced on October 12, 2020. After release by DCA the Package 1 Notice to Proceed was issued with a commencement date of April 27, 2021. Then, after final DCA release Epic was issued the full Notice to Proceed of Package 2 with a commencement date of December 15, 2021.

Epic’s progress was noticeably impacted due to supply chain issues delaying the delivery of concrete masonry units and other materials causing many schedule activities to be missed. To minimize the impact these delays had on project completion, the Project Team worked with the contractor to re-sequence activities and add concurrencies wherever feasible. As a result, Epic was able to achieve limited schedule improvements, such that Epic and the Project Team have now agreed to a revised substantial completion date of March 31, 2023, and a final completion date of July 3, 2023. The Project Team will continue to closely monitor the progress of the work to ensure the project remains on schedule for a September 2023 school opening.

With this establishment of the new completion date, the Project Team has reviewed Anser’s staffing requirements and determined the following: the PE and PM positions need to be extended from the initial contractual engagement of 25 months to 31 months, the OE position from 24 months to 30 months, and the MEP position from 24 months to 27 months. This extension of staff includes the continuation of all contractual requirements including, but not limited to, safety reviews, staffing levels, scheduling of inspections and field observations to meet the reestablished substantial completion date of March 31, 2023.

SUMMARY OF CHANGE

At the request of NJSDA, Anser submitted a proposal for their extended CM services based upon the reestablished substantial and final completion dates for construction, and the monthly services identified above. Anser’s proposal in the amount of \$224,796.00 is based upon the original contract monthly fees established for each position and will provide the additional services necessary to complete the project. All documents supporting this amendment have been reviewed by the associated NJSDA Project Team and Financial Operations for adherence to current NJSDA policy and procedures. All reviewing NJSDA staff members have determined that the items included in the amendment are justified and that the amount is reasonable and appropriate.

a. Original Contract Amount	\$ 1,541,484.00
b. Amendment(s) to Date	\$ 0.00
c. Proposed Amendment Amount	\$ 224,796.00
d. Total Amendments to Date including this Amendment (Total of Line (b.) and Line (c.))	\$ 224,796.00
e. Percentage Change to Original Contract (Line (d.) represents a percent of Line (a.))	\$ 14.58%
f. Proposed Adjusted Contract Price (Line (a.) plus Line (d.))	\$ 1,766,280.00

RECOMMENDATION

As detailed above, the Members of the Authority are requested to approve Contract Amendment No. 1 to Anser in the amount not to exceed \$224,796.00 to provide extended construction management services at the New Woodland Elementary School project. The extended construction management services include the services of a Project Engineer and Project Manager for a period of six (6) months, the services of an Office Engineer for a period of six (6) months, and the services of a Mechanical Electrical Plumbing Project Manager for a period of three (3) months through the reestablished substantial completion date of March 31, 2023.

Pursuant to the NJSDA Operating Authority adopted by the Board on December 1, 2010, as amended March 7, 2012, an Amendment which singularly exceeds \$100,000.00 or 10% of the Contract value requires approval by the Members of the Authority. This amendment exceeds \$100,000.00 and 10% of the Contract value.

Recommended by:

/s/ Joseph Lucarelli
Joseph Lucarelli, Director, Construction Operations

Reviewed and Recommended by: Donald Guarriello, Vice President and Chief Financial Officer
Reviewed and Recommended by: Denise Petraglia, Deputy Director, Construction Operations
Reviewed and Recommended by: Felipe Marrero, Senior Program Officer, Construction Operations
Reviewed and Recommended by: Karen Triunfo, Assistant Program Officer, Construction Operations

Resolution—6b.

Company Name:	Anser Advisory
District:	Plainfield
Contract No.	ET-0100-M01
School:	New Woodland Elementary School
Amendment No.:	1
Reason:	Staff Extension for Construction Management Services
Amount:	\$224,796.00
Award:	\$1,541,484
Contract Status:	61.4%
Anticipated Occupancy Date:	March 2023

Resolution

WHEREAS, the Operating Authority of the New Jersey Schools Development Authority (SDA or the Authority) requires that the Members of the Authority authorize and approve contract amendments in an amount exceeding \$100,000 or 10% of the contract value; and

WHEREAS, the New Woodland Elementary School project (the Project) will consist of the construction of an approximately 120,000 square foot building to educate approximately 756 students in grades Kindergarten through 5; and

WHEREAS, Epic Management, Inc. (Epic) was issued a notice-to-proceed (NTP) with the design phase of the Project on March 11, 2020, with a commencement date of March 20, 2020; and

WHEREAS, beginning April 6, 2020, a package for construction management (CM) services was advertised as a “price and other factors” solicitation; and

WHEREAS, Epic later received the first limited NTP for site work activities on October 12, 2020, the Package 1 NTP for commencement on April 27, 2021 and, after final Department of Community Affairs release, the full NTP of Package 2 with a commencement date of December 15, 2021; and

WHEREAS, following a competitive procurement process, Anser Advisory (Anser) (formerly Cambridge Construction Management, Inc.) was issued a NTP on October 9, 2020, with a commencement date of October 12, 2020, to provide construction management services for the Project; and

WHEREAS, Epic’s progress on the Project was negatively impacted by supply chain issues which delayed the delivery of concrete masonry units and other materials causing scheduled activity dates to be missed; and

WHEREAS, SDA staff and Epic worked to minimize the impact these delays would have on Project completion, with the result that Epic and the project team have now agreed to a revised substantial completion date of March 31, 2023, and a final completion date of July 3, 2023 with the goal of a September 2023 school opening; and

WHEREAS, as described in the Board memorandum, the project team has reviewed the impact of the newly established completion date on CM staffing requirements and determined that it is necessary to extend the utilization of certain Anser staff positions in order to meet the reestablished substantial completion date; and

WHEREAS, the needed extended construction management services include those of a project engineer and project manager for a period of 6 months, an office engineer for a period of 6 months, and a mechanical electrical plumbing project manager for a period of 3 months through the reestablished substantial completion date of March 31, 2023; and

WHEREAS, Anser submitted a proposal in the amount of \$224,796.00 for their extended CM services on the bases described in the Board memorandum; and

WHEREAS, following review, the associated SDA project team and financial operations have determined that the proposal adheres to current SDA policy and procedures and that the items included in the amendment are justified and the amount is reasonable and appropriate.

NOW, THEREFORE, BE IT RESOLVED, that the Members of the Authority hereby authorize and approve Contract Amendment No. 1 to Anser Advisory in an amount not-to-exceed \$224,796.00 to provide extended construction management services at the Plainfield New Woodland Elementary School project.

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, Amendment No. 1, Staff Extension for Construction Management Services, (Package No. ET-0100-M01), Plainfield School District, New Woodland Elementary School, dated July 6, 2022

Dated: July 6, 2022

**Extension of the Lease for Temporary Classroom Units –Plainfield School District -
New Woodland Elementary School - Temporary Space at Frederick W. Cook Elementary School**

TO: Members of the Authority

FROM: Joseph Lucarelli, Director, Construction Operations

RE: District: Plainfield School District
School: New Woodland Elementary School – Temporary Space at
Frederick W. Cook Elementary School
Description: 12-Month Extension of Lease for Temporary Classroom Units
Cost: \$68,670.00

DATE: July 6, 2022

SUBJECT: Extension of the Lease for Temporary Classroom Units

INTRODUCTION

We are writing to recommend approval by the Members of the Authority of a 12-month extension of the lease for Temporary Classroom Units (TCUs) being utilized as swing space at the site of the District-owned Frederick W. Cook Elementary School facility (Cook ES) during the construction of the New Woodland ES project undertaken by NJSDA. The TCUs are provided by Vanguard Modular Building Systems, LLC (Vanguard), now known as Boxx Modular. The total cost of the proposed lease extension, which would extend the lease up to and through the end of the 2022-2023 school year to coincide with student occupancy of the New Woodland ES, is \$68,670.00.

Pursuant to the Operating Authority adopted by the Board on December 1, 2010, as amended March 7, 2012, approval by the Members of the Authority is required to enter into an extension of any Board approved Lease.

BACKGROUND

At the February 5, 2020 Board Meeting the Members approved the Final Project Charter for a new three-story school facility on the District-owned Woodland ES site. The project includes the construction of a new approximately 121,000 square foot facility to educate 756 students in grades Kindergarten to Five to serve as a replacement facility for the existing Woodland and Cook Elementary Schools.

The project required the District to vacate the existing Woodland ES after completion of the 2017-2018 school year. This allowed the existing Woodland School to be demolished and provided the site for construction of the new school. To accommodate all the students from the existing Woodland ES facility, eight additional classrooms were required at the Cook ES, which were provided through the installation of leased TCUs on the site of the Cook ES. At the April 4, 2018 Board Meeting, the Members approved a contract award for the lease of TCUs from Vanguard Modular, now known as Boxx Modular, for a lease term not exceeding four years.

Occupancy of the TCUs commenced at the start (September) of the 2018-2019 school year and the lease was to extend for a period of 48 months up to and through the end of the 2021-2022 school year. Due to the supply chain issues delaying the delivery of concrete masonry units and other materials the substantial completion date for the New Woodland ES has since been revised to March 31, 2023, with a school occupancy of September 2023. Therefore, a one-year extension of the lease is now necessary.

The current cost for the leased TCUs is \$5,450.00 per month, or a total of \$261,600.00 during the initial 48-month term. Boxx Modular has provided a quote of \$5,722.50 per month, or a total of \$68,670.00 for the extended 12-month term (September 1, 2022 to August 30, 2023).

RECOMMENDATION

The Members of the Authority are requested to approve a 12-month extension of the lease for TCUs being utilized as swing space at the site of the Cook ES during the construction of the New Woodland ES. The total cost of the proposed 12-month extension is \$68,670.00.

Pursuant to the Operating Authority adopted by the Board on December 1, 2010, as amended March 7, 2012, approval by the Members of the Authority is required to enter into an extension of any Board approved Lease.

/s/ Joseph Lucarelli

Joseph Lucarelli Director, Construction Operations

Reviewed and Recommended by: Manuel Da Silva, Chief Executive Officer

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

Reviewed and Recommended by: Denise Petraglia, Deputy Program Director, Program Operations

Resolution—6c.

Extension of Lease for Temporary Classroom Units

District: Plainfield School District
School: New Woodland Elementary School – Temporary Space at Frederick W. Cook Elementary School
Description: 12-Month Extension of Lease for Temporary Classroom Units
Cost: \$68,670.00

Resolution

WHEREAS, the Operating Authority of the New Jersey Schools Development Authority (SDA or the Authority) requires that the Members of the Authority authorize and approve the SDA’s extension of any Board-approved lease; and

WHEREAS, on September 7, 2016, the SDA Board approved the preliminary project charter for a new two-story school facility (the Project) on the Plainfield School District-owned Woodland Elementary School (Woodland ES) site; and

WHEREAS, the Project includes the construction of a new approximately 121,000 square foot facility to educate 756 students in grades Kindergarten to 5 to serve as a replacement facility for the Plainfield School District’s (District) Woodland and Frederick W. Cook (Cook) Elementary Schools; and

WHEREAS, the Project required the District to vacate the existing Woodland ES after completion of the 2017-2018 school year, allowing the existing Woodland School to be demolished and thus providing the site for construction of the new school; and

WHEREAS, following demolition of the Woodland ES, it was necessary that the Woodland ES students be educated along with the Cook ES students in the existing Cook ES until completion of the new school; and

WHEREAS, to accommodate both the Woodland and Cook ES students in the Cook facility, eight additional classrooms were required at the Cook ES, which were provided through the installation of leased temporary classroom units (TCUs) on the Cook ES site; and

WHEREAS, at the April 4, 2018 Board Meeting, the Members approved a contract award for the lease of TCUs from Vanguard Modular Building Systems, LLC, now known as Boxx Modular, for a lease term not exceeding four years; and

WHEREAS, occupancy of the TCUs commenced at the start of the 2018-2019 school year and the term of the lease was for a period of 48 months up to and through the end of the 2021-2022 school year; and

WHEREAS, due to supply chain issues delaying the delivery of concrete masonry units and other materials, the substantial completion date for the New Woodland ES has since been revised to March 31, 2023, with school occupancy anticipated September 2023, necessitating a one-year extension of the TCU lease agreement; and

WHEREAS, the cost for the additional 12 months, with the term extending from September 1, 2022 to August 30, 2023, is a total of \$68,670 in addition to the total \$261,600 cost for the initial 48-month term; and

WHEREAS, management recommends that the Members of the Authority authorize an extension of the lease agreement with Boxx Modular for TCUs for a period of 12 additional months consistent with the provisions of the memorandum presented to the Board on this date and incorporated herein.

NOW, THEREFORE, BE IT RESOLVED, that the Members of the Authority hereby authorize an extension of the Authority's contract for the lease of temporary classroom units from Boxx Modular with the same to be utilized as swing space for the Plainfield New Woodland Elementary School project at a cost of \$68,670.

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, Award for Temporary Classroom Units, Plainfield School District, New Woodland Elementary School, Temporary Space at Frederick W. Cook Elementary School, dated July 6, 2022

Dated: July 6, 2022

MONTHLY REPORTS
(For Informational Purposes)

ACTIVE PROJECTS STATUS REPORT



STATE OF NEW JERSEY
SCHOOLS DEVELOPMENT AUTHORITY

MEMORANDUM

TO: Members of the Authority

FROM: Gregory Voronov
Managing Director

DATE: July 6, 2022

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 6/22/22

2011 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*
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** - 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.

2011 & 2012 Portfolio Projects Activities Summary

as of 6/22/22

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** - 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.

2011 & 2012 Portfolio Projects Activities Summary

as of 6/22/22

2012 Portfolio Projects (Educational Priority that require further conversations with District & 2013 Amended 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*
East Orange	Sheila Y. Oliver Academy (GW Carver ES)	PK-5	470	512	\$41.2	Kit of Parts/ Design-Build	School delivered Sep. 2020 (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	School delivered Nov. 2020 (Dobco)	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	\$145.0	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	School delivered Sep. 2020. (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	840	\$59.4	Kit of Parts/ Design-Build	Award for D-B approved Feb. 2020 Board. (Epic Management)	5/23/18 8/29/19
Union City	New Grade 7 to 9 School	7-9	756	840	\$75.5	Kit of Parts/ Design-Build	Award for D-B approved Jun. 2022 Board - awaiting expiration of veto period	5/19/21 11/15/21
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** - 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.

2011 & 2012 Portfolio Projects Activities Summary

as of 6/22/22

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	School occupied Sep. 2021 (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	\$38.9	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	\$56.1	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.

Active Project Status Report Status as of 6/1/2022

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	City of Orange	Cleveland Street ES	Addition/Renovation	Construction	Under Review	Under Review	Under Review	Under Review	\$ 38,860,332
2	City of Orange	Orange High School	Addition/Renovation	Construction	3Q 2022	On-target	Phased	On-target	\$ 56,063,605
3	Keansburg	Port Monmouth Road School	Addition/Renovation	Construction	3Q 2022	On-target	Sep-22	On-target	\$ 28,440,130
4	Millville	Millville Senior High School	Addition/Renovation	Construction	3Q 2022	On-target	Phased	On-target	\$ 145,005,733
5	Perth Amboy	New High School	New Construction	Construction	2Q 2024	On-target	Sep-24	On-target	\$ 283,830,000
6	Plainfield	New Woodland ES	New Construction	Construction	3Q 2023	On-target	Sep-23	On-target	\$ 59,440,000

Active Project Status Report

Status as of 6/1/2022

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	Irvington	Grove Street School	Boiler Replacement	GCTO w/ Design Design Phase	2Q 2023	On Target	2Q 2023	On-Target	\$ 3,762,782
2	Newark	Cleveland School	Boiler Room Vault Repairs	GCTO w/ Design Design Phase	2Q 2023	On Target	2Q 2023	On-Target	\$ 1,664,389
3	Newark	Ivy Hill School	Boiler Room Vault Repairs	Construction	2Q 2022	On Target	2Q 2022	On-Target	\$ 1,758,900
4	Newark	Malcolm X. Shabazz HS	Structural Repairs	Construction	2Q 2022	On Target	2Q 2022	On-Target	\$ 3,189,000
5	Newark	Roberto Clemente School	Sub-Basement Water Infiltration	Construction	3Q 2022	On Target	4Q 2022	On-Target	\$ 1,456,800
6	Newark	Techonology High School	Structural Vault Repairs and Façade Repairs	GCTO w/ Design Design Phase	2Q 2022	On Target	2Q 2022	On-Target	\$ 2,867,680
7	Paterson	PS #5	Roof Replacement & Masonry Repairs	Construction	2Q 2022	On Target	2Q 2022	On-Target	\$ 10,968,112
8	Plainfield	Plainfield HS	Boiler Room Roof Repairs	Construction	3Q 2022	On Target	4Q 2022	On-Target	\$ 674,800

PROJECT STATUS REPORT



MEMORANDUM

TO: Members of the Authority

FROM: Gregory Voronov
Managing Director – Program Operations

DATE: July 6, 2022

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: January 2008 to May 2022

District	Project	Board Approved Project Charter Contingency	Contingency Expended/Committed	Contingency Remaining ¹	% of Contingency Expended/Committed	Project Completion %	Cause(s)	Current Status
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In Construction

Millville	Millville Senior HS - Addition & Renovation	\$5,000,000	\$5,000,000	\$0	100.0%	84%	Board approved additional building condition repair work and flood hazard area mitigation work added to the project.	Project is in construction and scheduled for completion per the original schedule. Revised Final Project Charter approved by the CEO in June 2021 to allocate additional contingency to the project from the Unforeseen Events Reserve.
Orange	Orange HS - Addition & Renovation	\$4,525,000	\$4,525,000	\$0	100.0%	90%	Unforeseen conditions related to the site and renovation portions of the project and connection of the HS to the Orange Preparatory Academy.	Project is in construction and scheduled for completion this year. Revised Final Project Charter approved by the CEO to allocate additional contingency to the project from the Unforeseen Events Reserve.

Substantially Complete & Building Occupied

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

Newark	Speedway Avenue E.S.	\$1,826,000	\$1,754,119	\$71,881	96.1%	99%	1. Removal of unforeseen impacted materials	Project complete and building occupied. Project close-out pending resolution of open contracts.
West New York	West New York P.S. #2	\$2,708,883	\$2,708,883	\$0	100.0%	99%	1. Unforeseen site foundation issues	Project complete and building occupied. Project close-out pending resolution of open contracts.

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: May 2022

#	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
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No Data During the Reporting Period

Revisions to Project Charters

Reporting Period: May 2022

#	District	Project	Financial & Schedule Impacts	Additional Funds Approved	Additional Funds as % of Total Project Budget	Operating Authority Approval Requirement	Description of Revision
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No Data During the Reporting Period

CONTRACTS EXECUTED REPORT/AMENDMENTS & CHANGE ORDERS REPORT

**MEMORANDUM**

TO: Members of the Authority

FROM: Gregory Voronov
Managing Director, Program Operations

DATE: July 6, 2022

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 May 1 through May 31, 2022.

Noteworthy Items during the reporting period:

- No noteworthy items during the reporting period.

Amendments & Change Orders Report

This report contains the activity of Amendments and Change Orders executed during the period May 1 through May 31, 2022.

Noteworthy Items during the reporting period:

- 3 Professional Services Amendments were executed during the reporting period totaling \$268k, of the 3 executed amendments 1 required Board approval totaling \$155k.
- 21 Construction Services Change Orders were executed during the reporting period totaling \$188k, of the 21 executed change orders 2 required Board Approval totaling \$742k.

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: 5/1/2022 through: 5/31/2022

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 Services													
Design Consultant													
City Of Orange Township	Orange H.S.	ES-0042-A01	5/5/2015	21	Kliment Halsband Architects LLP	5/24/2022	\$3,558,511	\$513,970	\$54,000			\$4,126,481	15.96%
Construction Management Services													
City Of Orange Township	Orange H.S.	ES-0042-M01	1/9/2019	2	Cambridge Construction Management, Inc.	5/11/2022	\$1,504,858	\$88,490	\$58,993			\$1,652,341	9.80%
City Of Orange Township	Cleveland Street E.S.	ES-0043-M01	1/9/2019	6	Epic Management, Inc.	5/31/2022	\$1,185,078	\$364,467	\$155,000	Y	4/6/2022	\$1,704,545	43.83%
Professional Services									\$267,993				
Construction Services													
Contractor													
City Of Orange Township	Orange H.S.	ES-0042-C01	4/29/2019	122	Terminal Construction Corp.	5/9/2022	\$37,000,000	\$5,052,331	\$8,781			\$42,061,112	13.67%
City Of Orange Township	Orange H.S.	ES-0042-C01	4/29/2019	126	Terminal Construction Corp.	5/9/2022	\$37,000,000	\$5,061,112	\$8,468			\$42,069,580	13.70%
City Of Orange Township	Orange H.S.	ES-0042-C01	4/29/2019	127	Terminal Construction Corp.	5/9/2022	\$37,000,000	\$5,069,580	\$7,290			\$42,076,869	13.72%
City Of Orange Township	Orange H.S.	ES-0042-C01	4/29/2019	128	Terminal Construction Corp.	5/9/2022	\$37,000,000	\$5,076,869	\$7,855			\$42,084,725	13.74%
City Of Orange Township	Orange H.S.	ES-0042-C01	4/29/2019	129	Terminal Construction Corp.	5/9/2022	\$37,000,000	\$5,084,725	\$21,739			\$42,106,464	13.80%
City Of Orange Township	Orange H.S.	ES-0042-C01	4/29/2019	134	Terminal Construction Corp.	5/9/2022	\$37,000,000	\$5,106,464	\$47,791			\$42,154,254	13.93%
Keansburg Borough	Port Monmouth Road School	ET-0098-C01	12/19/2019	9	Niram Inc.	5/19/2022	\$18,645,000	\$1,155,221	\$18,812			\$19,819,033	6.29%
NEPTUNE TOWNSHIP	Neptune Senior H.S.	ET-0015-C06	7/26/2021	3	Hall Building Corporation	5/19/2022	\$495,158	(\$7,614)	(\$139,041)	Y	4/6/2022	\$348,503	-29.61%
Newark	Ivy Hill	EP-0111-C01	5/25/2021	1	Catcord Construction Co., Inc.	5/9/2022	\$843,900	\$19,673	\$8,661			\$872,234	3.35%
Newark	Malcolm X. Shabazz H.S.	EP-0114-C01	10/4/2021	3	Hall Building Corporation	5/18/2022	\$1,699,000	(\$366,794)	\$14,666			\$1,346,872	-20.72%
Newark	Malcolm X. Shabazz H.S.	EP-0114-C01	10/4/2021	4	Hall Building Corporation	5/25/2022	\$1,699,000	(\$352,128)	\$7,961			\$1,354,833	-20.25%
Paterson	Number 5 E.S.	EP-0113-C01	6/15/2021	9	Paul Otto Building Co., Inc.	5/6/2022	\$7,494,000	\$353,097	\$35,404			\$7,882,501	5.18%
Millville	High School	ST-0046-B01	5/24/2017	48	Hall Construction Co., Inc.	5/9/2022	\$114,453,000	\$6,966,252	\$220,000			\$121,639,252	6.27%
Millville	High School	ST-0046-B01	5/24/2017	49	Hall Construction Co., Inc.	5/9/2022	\$114,453,000	\$7,186,252	\$22,555			\$121,661,807	6.29%
Millville	High School	ST-0046-B01	5/24/2017	16	Hall Construction Co., Inc.	5/11/2022	\$114,453,000	\$7,208,807	\$881,027	Y	5/6/2020	\$122,542,834	7.06%
Paterson	Union Avenue Middle School E.S.	PA-0011-B01	10/18/2018	13	Epic Management, Inc.	5/11/2022	\$57,932,000	\$417,718	(\$187,632)			\$58,162,086	0.39%
Paterson	Union Avenue Middle School E.S.	PA-0011-B01	10/18/2018	14	Epic Management, Inc.	5/11/2022	\$57,932,000	\$230,086	(\$500,000)			\$57,662,086	-0.46%
Paterson	Union Avenue Middle School E.S.	PA-0011-B01	10/18/2018	15	Epic Management, Inc.	5/11/2022	\$57,932,000	(\$269,914)	(\$199,077)			\$57,463,009	-0.80%



Amendments & Change Orders Report

Reporting Period: 5/1/2022 through: 5/31/2022

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 %
Paterson	Union Avenue Middle School E.S.	PA-0011-B01	10/18/2018	16	Epic Management, Inc.	5/11/2022	\$57,932,000	(\$468,991)	(\$22,835)			\$57,440,174	-0.84%
Paterson	Union Avenue Middle School E.S.	PA-0011-B01	10/18/2018	17	Epic Management, Inc.	5/11/2022	\$57,932,000	(\$491,826)	(\$150,000)			\$57,290,174	-1.10%
Plainfield	New K-5 Elementary School	ET-0100-B01	3/11/2020	5	Epic Management, Inc.	5/11/2022	\$45,335,000	\$532,688	\$75,370			\$45,943,058	1.34%

Contractor	
Construction Services	\$187,795

Total Change Order Summary	Total Change Orders
\$455,788	24

Grand Totals	
CO Execution Date	Date the Change Order was entered into the SIMS system
Revised Contract Amount	Current value of the contract (excluding additional assignments) including current change order

CONTRACT TERMINATIONS REPORT *(no activity)*

SETTLEMENT CLAIMS *(no activity)*

DIVERSITY AND WORKFORCE PARTICIPATION REPORT



MEMORANDUM

TO: Members of the Authority

FROM: Karon L. Simmonds, Director, Risk Management

DATE: July 6, 2022

SUBJECT: Diversity and Workforce Participation Monthly Update for April 2022

The Risk Management staff continues to participate at mandatory pre-bid and pre-construction meetings to instruct and inform bidders regarding SDA’s Small Business Enterprise (SBE) and Workforce goals, policies and procedures, including:

- SBE subcontracting goal of 25% of all contracts
- County workforce goals for minorities and females
- Local 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 women-owned 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 ATTAINMENT

The SDA regularly exceeds the State-mandated 25% SBE goal. The total SDA contract dollars awarded through April 30, 2022 was \$5,022,896. The total contract dollars awarded to all SBE contractors was \$944,405 (including minorities, women and veterans). This represents an initial participation of 18.80% of all SDA contracts awarded in calendar year 2022. Participation will continue to increase as the Prime contractor continues to hire additional subcontractors/subconsultants through the lifecycle of the construction project.

Diversity Breakdown

Type of Business Enterprise	Contract Amount	% of Total SDA Contracts
Small Business Enterprises	\$ 789,480	15.72%
Small/ Minority Business Enterprises	\$ 74,925	1.49%
Small/Women Business Enterprises	\$ 80,000	1.59%
Small/Veteran Owned Business Enterprises	\$ -0-	0.00%
Small/Minority/Women Business Enterprises	\$ -0-	0.00%
TOTAL DIVERSITY CONTRACTS	\$ 944,405	18.80%

WORKFORCE PARTICIPATION

For the month of April 2022, there was a contractor workforce of 621 on SDA projects. This represents a total of 49,893 contractor workforce hours as follows:

Contractor Workforce Breakdown (All Trades/Districts/Counties)			
Ethnicity	Total Workforce	Total Workforce Hours	Workforce Hours Percentage
Black	45	3,374	6.83%
Hispanic	115	10,661	21.57%
American Indian	0	0	0.00%
Asian	0	0	0.00%
Total Minority Participation	160	14,035	28.40%
Total Non-Minority Participation	461	35,385	71.60%
Total Contractor Workforce	621	49,420	100.00%

There was a contractor workforce of 162,395 total workforce hours and 878 total female workforce hours on SDA projects for the period of January 1, 2022 through April 30, 2022. The following table highlights the *Local County Contractor Workforce* participation for this period:

Local County Contractor Workforce Participation	Workforce Hours	Percentage
*Total Workforce Hours	162,395	100.00%
*Total Local County Workforce Hours	17,623	10.85%
Total Local County Non-Minority Workforce Hours	8,611	5.30%
Total Local County Female Workforce Hours	0	0.00%
Total Local County Minority Workforce Hours	9,012	5.55%
**Local County Workforce Hours by Ethnicity:		
Black	2,936	1.81%
Hispanic	6,076	3.74%
American Indian	0	0.00%
Asian	0	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.

The following table represents contractor minority and female workforce for all SDA active Capital Projects and all active and completed Emergent Projects for the period of January 1, 2022 through April 30, 2022.

SDA Managed Project	Total Workforce Hours	Minority Workforce Hours & Percentage		Local County Workforce Hours & Percentage	
Port Monmouth Road School	13,768	2,914	21.17%	0	0.00%
Millville HS	29,063	7,336	25.24%	3,561	12.25%
Dayton Ave Campus	779	97	12.45%	0	0.00%
Union Ave MS	504	149	29.56%	0	0.00%
Cleveland ES	698	75	10.74%	0	0.00%
Orange HS	7,544	2,124	28.15%	88	1.17%
Perth Amboy HS	77,399	17,278	22.32%	5,534	7.15%
Plainfield ES	27,786	10,035	36.12%	8,440	30.38%
Emergent Projects	4,830	2,389	49.46%	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: July 6, 2022

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 May 2022. Also included is a detailed list of grants executed and grants offered during the reporting period if applicable.

Monthly Update:

- No grants were offered during the reporting period.
- No grants were executed during the reporting period.
- 2 grants impacting 1 district were closed out during the reporting period representing total project costs of \$2.6 million and state share of \$1.2 million.
- Since inception, over \$2.9B has been disbursed to 524 regular operating districts through the grant program.
- 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.



SCHOOLS DEVELOPMENT AUTHORITY

Monthly Regular Operating District Grant Report - Summary

May 2022

ROD Grant Summary Since Program Inception				
	Offered ¹	Executed	Closed-Out	Active
Districts Impacted	-	524	520	52
Number of Grant Projects	-	5,404	5,197	207
Total Project Cost Estimate	\$ -	\$ 8,941,998,186	\$ 8,779,699,298	\$ 162,298,887
Grant Amount	\$ -	\$ 3,001,515,867	\$ 2,923,076,842	\$ 78,439,024
Amount Disbursed	N/A	\$ 2,949,824,748	\$ 2,923,076,842	\$ 26,747,906

Total Funding Offered to School Districts via Grant Program	\$ 3,342,209,450
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Total ROD Grant Funding remaining for new Grant Projects	\$ 118,022,522
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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	-	2
Number of Grant Projects	-	2
Total Project Cost Estimate	\$ -	\$ 2,551,670
Grant Amount	\$ -	\$ 1,237,571
Amount Disbursed	NA	\$ 1,237,571

* 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.

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

COMMUNICATIONS MONTHLY REPORT *(no report)*

MONTHLY FINANCIAL REPORT



MEMORANDUM

TO: Members of the Authority

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

DATE: July 6, 2022

SUBJECT: Monthly Financial Report – May 2022

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

For May 2022 year to date, Authority operating expenses, **\$7.2M**, are **\$1.0M** lower than budget for the corresponding period. This variance is attributable to lower employee salary and benefit costs as compared to budget, **\$1.4M**, partially offset by a lower payroll and benefits expense allocation to project costs, **\$1.1M**. Other contributing factors include lower spending for contracted services, **\$225K**, general office expenses, **\$167K**, information system purchases, **\$88K** and SDA-owned vehicles, **\$72K**.

The full time employee (FTE) headcount is 137 as of May 31, 2022. This total represents a 27 FTE decrease in comparison to the year to date budget.

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

For May 2022 year to date, Authority operating expenses, **\$7.2M**, are **\$283K** lower when compared to the corresponding prior year. This variance is due to a decrease in year over year employee salary and benefit costs, **\$1.3M**, partially offset by a lower payroll and benefits expense allocation to project costs, **\$926K**.

The current number of FTEs, 137, is down 29 FTEs as compared to the corresponding prior year.

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

For May 2022 year to date, project expenditures, **\$150.7M**, are **\$33.3M** higher than the capital spending forecast for the corresponding period. This variance is due to higher than forecasted spending for grant activity, **\$59.2M**, and school furniture and fixture purchases, **\$1.4M**, partially offset by lower than forecasted spending for construction work, **\$24.6M**, payroll expense allocation, **\$1.1M**, and project insurance, **\$1.0M**.

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

For May 2022 year to date, project expenditures **\$150.7M**, are higher by **\$54.4M**, when compared to the corresponding prior year. This variance is related to increased spending activity in grants, **\$62.2M** and school furniture and fixtures, **\$8.8M**, offset by a decrease in spending activity for construction work, **\$14.5M**.

Other

Since program inception, 91.8% 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 \$1.1B.

Attachment

New Jersey Schools Development Authority
Monthly Financial Report
May 2022
(Unaudited)

New Jersey Schools Development Authority

Overview of Financial Position

May 31, 2022

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, May 31, 2022.

► Overall **Cash and Cash Equivalents** have decreased by \$156.9 million to \$464.2 million, as follows:

■ Receipt of bond and note proceeds (Issued by EDA)	\$ -
■ Investment earnings	558,841
■ Miscellaneous revenue	15,984
■ Project costs	(150,736,609)
■ SDA operating expenses	(7,680,730)
■ SDA capital expenditures	-
■ Deposits (primarily district local shares)	920,173
Net Change in Cash	\$ (156,922,341)

► **Prepaid Expenses** total \$355,722 as follows:

- Prepaid insurance of \$325,986.
- Prepaid security deposit of \$1,950 for the Authority's flexible spending accounts.
- Prepaid MIS maintenance service contracts of \$25,286.
- Other prepaids of \$2,500.

► **Capital Assets** total \$1,327,763 (net of accumulated depreciation of \$4,879,674), consisting of leasehold improvements (SDA office), 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 \$0 and **Depreciation Expense** is \$228,537.

► **Accrued Liabilities** total \$95.8 million, as follows:

- Accrued project costs of \$19.3 million consisting of unpaid invoices (\$2.6 million) and retainage (\$16.7 million).
- Net pension liability of \$42.4 million.
- Other post-employment benefits obligation of \$29.6 million.
- Pollution remediation obligations (PRO) under GASB 49 net to \$2.1 million (PRO liability \$2.1 million, offset by expected cost recoveries of \$0 million).
- Estimated liability for loss contingencies totaling \$0.4 million.
- Payroll related liabilities of \$1.7 million.
- Other accrued liabilities of \$0.3 million.

► **Deposits** total \$7.5 million, as follows:

- \$7.5 million is held for local share agreements (pass-through item).

► The Authority's **Net Position** at month end is \$348.6 million.

New Jersey Schools Development Authority

School Facilities Project Expenditures & Funding Allocation

May 31, 2022

► **School Facilities Construction Bond / Note Proceeds & Project Expenditures**

- During the current year to date, the SDA has received \$0 million in bond proceeds.
The total amount of bond/note proceeds received since program inception is \$11.848 billion.
- Project expenditures for the month and year-to-date periods total \$24.7 million and \$150.7 million, respectively, as follows:

<u>Category</u>	<u>Current Month</u>	<u>Current Year-To-Date</u>	<u>Since Program Inception</u>
Construction	\$ 16,294,670	\$ 66,546,997	\$ 5,565,788,931
Design Services	(300,076)	379,135	413,121,979
PMF/CM Services	334,029	2,031,397	477,200,484
SDA Project Management	663,248	3,860,834	125,478,441
Property Acquisition, Relocation & Enviro	173,546	808,099	585,724,366
School Furniture, Fixtures & Equipment	1,464,927	9,802,026	231,197,511
Project Insurance	-	(605,782)	113,985,606
NJ State Inter-Agency Transfers	-	-	52,505,486
SDA District Grant & Funding Agreements	3,218,497	46,050,121	925,014,856
Regular Operating District Grant Agreements	2,797,497	21,458,273	2,976,143,567
Real-Time Project Audits	5,137	121,859	912,568
Property Management, Maintenance & Utils	26,671	110,469	18,964,885
Outside Legal & Claims Resolution Services	13,217	86,302	11,599,887
Temporary Staffing	-	30,068	10,706,632
Other Project Costs	5,097	56,811	62,249,414
Project Credits	-	-	(54,902,944)
Total Project Expenditures	24,696,460	150,736,609	11,515,691,669
Less: Local Share Contributions	-	-	(185,112,439)
Project Expenditures (State Share)	\$ 24,696,460	\$ 150,736,609	\$ 11,330,579,230
 2022 Capital Spending Forecast	 \$ 21,976,104	 \$ 117,390,537	

Allocations Since Program Inception

► **Bond/Note Funding & Expenditures**

	<u>Bonding Caps</u> ¹	<u>Total Funding</u> ²	<u>Paid to Date</u> ³
■ SDA Districts	\$ 8,900,000,000	\$ 9,027,345,701	\$ 8,287,196,823
■ Regular Operating Districts	3,450,000,000	3,500,398,823	3,278,678,463
■ Vocational Schools	150,000,000	152,014,091	122,620,220
Total - State Share	\$ 12,500,000,000	\$ 12,679,758,615	\$ 11,688,495,506

► **Percentage of Total Bond/Note Funding Paid to Date**

■ SDA Districts	91.8%
■ Regular Operating Districts	93.7%
■ Vocational Schools	80.7%
Total - State Share	92.2%

1 Of the \$12.5 billion authorized for the school construction program, \$11,847,702,648 principal amount of bond/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).

3 These amounts include the allocation of SDA operating expenses and capital expenditures totaling \$515,368,650.

New Jersey Schools Development Authority

Fund Reporting Operating Expenses vs Budget

May 31, 2022

<u>Category</u>	<u>Actual</u> <u>Year-To-Date</u>	<u>Budget</u> <u>Year-To-Date</u>	<u>Over/</u> <u>(Under)</u>
Personnel Expenses:			
Employee Salaries	\$ 5,383,493	\$ 6,471,375	\$ (1,087,882)
Employee Benefits	3,875,492	4,202,627	(327,135)
Direct Hire Temporary Employee Costs	-	20,185	(20,185)
Total Employee Salaries & Benefits Costs	9,258,985	10,694,187	(1,435,202)
Less: Employee Salaries & Benefits Costs			
Charged to Projects	3,860,834	4,963,291	(1,102,457)
Salaries & Benefits Charged to Operating Expense	5,398,151	5,730,896	(332,745)
Temporary Staffing Services	-	62,500	(62,500)
Travel & Expense Reimbursements	6,834	10,920	(4,086)
Training & Professional Development	13,195	41,045	(27,850)
Total Personnel Expenses	5,418,180	5,845,361	(427,181)
Non-Personnel Operating Expenses:			
Facilities & General Office Expenses	853,208	1,020,245	(167,037)
Information Systems	526,670	615,030	(88,360)
Professional & Other Contracted Services	212,493	437,978	(225,485)
Property & Casualty Insurance	192,763	194,710	(1,947)
SDA-Owned Automobiles	23,035	95,415	(72,380)
Communications & Outreach	-	750	(750)
Reserve for Unforeseen Events & New Initiatives	-	20,835	(20,835)
Total Authority Operating Expenses	\$ 7,226,349	\$ 8,230,324	\$ (1,003,975)

2022 Annual Operating Budget

\$ 15,754,151

New Jersey Schools Development Authority

Fund Reporting Operating Expenses vs Prior Year

May 31, 2022

<u>Category</u>	<u>Actual</u> <u>Year-To-Date</u>	<u>2021</u> <u>Year-To-Date</u>	<u>Over/</u> <u>(Under)</u>
Personnel Expenses:			
Employee Salaries	\$ 5,383,493	\$ 6,115,676	\$ (732,183)
Employee Benefits	3,875,492	4,418,892	(543,400)
Direct Hire Temporary Employee Costs	-	-	-
Total Employee Salaries & Benefits Costs	9,258,985	10,534,568	(1,275,583)
Less: Employee Salaries & Benefits Costs			
Charged to Projects	3,860,834	4,787,002	(926,168)
Salaries & Benefits Charged to Operating Expense	5,398,151	5,747,566	(349,415)
Temporary Staffing Services	-	-	-
Travel & Expense Reimbursements	6,834	7,609	(775)
Training & Professional Development	13,195	11,022	2,173
Total Personnel Expenses	5,418,180	5,766,197	(348,017)
Non-Personnel Operating Expenses:			
Facilities & General Office Expenses	853,208	879,935	(26,727)
Information Systems	526,670	514,236	12,434
Professional & Other Contracted Services	212,493	157,312	55,181
Property & Casualty Insurance	192,763	168,131	24,632
SDA-Owned Automobiles	23,035	23,125	(90)
Communications & Outreach	-	-	-
Reserve for Unforeseen Events & New Initiatives	-	-	-
Total Authority Operating Expenses	\$ 7,226,349	\$ 7,508,936	\$ (282,587)

New Jersey Schools Development Authority
Employee Headcount
May 31, 2022

	<u>Current</u> <u>Month End</u>	<u>Budget</u>	<u>Over/</u> <u>(Under)</u>
Office of Chief Executive Officer	2	3	(1)
Human Resources	4	4	-
Vacant Positions	0	8	(8)
Communications	3	3	-
Legislative Affairs	1	1	-
EEO/AA & Vendor Services	2	0	2
Office of Program Operations & Strategic Planning	1	2	(1)
Capital Planning & Program Operations	7	7	-
Design Studio	12	16	(4)
Grants Administration	8	9	(1)
Real Estate Services & Predevelopment	4	4	-
Office of Construction Operations	0	0	-
Project Teams	22	26	(4)
Office of Corporate Governance & Legal Affairs	4	5	(1)
Chief Counsel	7	8	(1)
Information Systems	12	13	(1)
Central Records Management	3	3	-
Safety	8	8	-
Internal Audit	2	3	(1)
Office of Chief Financial Officer	1	2	(1)
Financial Operations	7	7	-
Financial Accounting & Disbursements	9	10	(1)
Procurement	9	8	1
Risk Management	3	8	(5)
Property Management	1	2	(1)
Facilities	5	4	1
Total Full-Time Employees at Month End	<u>137</u>	<u>164</u>	<u>(27)</u>
Total Full-Time Employees at Year End		<u>175</u>	

New Jersey Schools Development Authority
Statement of Net Position
May 31, 2022

Excludes 2021 GASB 68 Entries

	<u>Current</u> <u>Month End</u>	<u>2021</u> <u>Year End</u>	<u>Over/</u> <u>(Under)</u>
ASSETS			
Cash and Cash Equivalents	\$ 464,237,822	\$ 621,160,163	\$ (156,922,341)
Receivables	5,081	4,847	234
Prepaid Expenses	355,722	155,694	200,028
Capital Assets (Net of Accumulated Depr.)	1,327,763	1,556,300	(228,537)
Total Assets	465,926,388	622,877,004	(156,950,616)
 DEFERRED OUTFLOWS OF RESOURCES			
Deferred Amount for Pensions & OPEB	12,191,178	14,663,260	(2,472,082)
 TOTAL ASSETS & DEFERRED OUTFLOWS OF RESOURCES			
	\$ 478,117,566	\$ 637,540,264	\$ (159,422,698)
 LIABILITIES			
Accrued Project Costs	\$ 21,777,568	\$ 52,907,777	\$ (31,130,209)
Net Pension Liability	42,434,159	42,434,159	-
Accrued Other Post-Employment Benefits	29,575,782	29,188,405	387,377
Other Accrued Liabilities	1,964,488	4,690,689	(2,726,201)
Deposits	7,543,542	6,623,369	920,173
Total Liabilities	103,295,539	135,844,399	(32,548,860)
 DEFERRED INFLOWS OF RESOURCES			
Deferred Amount for Pensions & OPEB	26,235,802	26,235,802	-
 NET POSITION			
Invested in Capital Assets	1,327,763	1,556,300	(228,537)
Restricted for Schools Construction:			
Special Revenue Fund	347,258,462	473,903,763	(126,645,301)
Net Position	348,586,225	475,460,063	(126,873,838)
 TOTAL LIABILITIES, DEFERRED INFLOWS OF RESOURCES & NET POSITION			
	\$ 478,117,566	\$ 637,540,264	\$ (159,422,698)

New Jersey Schools Development Authority
Statement of Activities
May 31, 2022

Excludes 2021 GASB 68 Entries

	<u>Current Year-To Date</u>	<u>2021 Year-To Date</u>	<u>Over/ (Under)</u>
REVENUES			
Program Revenues:			
Bond and Note Proceeds (Issued by EDA)	\$ -	\$ 350,000,000	\$ (350,000,000)
Bidding Fees-Plans & Specs	-	-	-
General Revenues:			
Investment Earnings	558,841	94,001	464,840
Rental Income	5,000	4,000	1,000
Other Revenue-OPRA	10,984	-	10,984
Total Revenues	574,825	350,098,001	(349,523,176)
EXPENSES			
Administrative & General Expenses	7,613,726	7,837,298	(223,572)
Capital Depreciation	228,537	232,831	(4,294)
School Facilities Project Costs	119,606,400	79,435,941	40,170,459
Total Expenses	127,448,663	87,506,070	39,942,593
CHANGE IN NET POSITION	(126,873,838)	262,591,931	(389,465,769)
Beginning of Period Net Position	475,460,063	132,495,342	342,964,721
NET POSITION END OF PERIOD	\$ 348,586,225	\$ 395,087,273	\$ (46,501,048)

DESIGN CONTRACT DE-OBLIGATIONS REPORT (*no activity*)