

**NEW JERSEY SCHOOLS DEVELOPMENT AUTHORITY
BOARD MEETING
WEDNESDAY, SEPTEMBER 7, 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 August 3, 2022
 - b. Board Executive Session Meeting Minutes of August 3, 2022
- 4. AUTHORITY MATTERS**
 - a. CEO Report
 - b. Chairman's Report
- 5. REPORT AND RECOMMENDATIONS OF THE AUDIT COMMITTEE (CHAIRMAN'S REPORT)**
- 6. REPORT AND RECOMMENDATIONS OF THE SCHOOL REVIEW COMMITTEE (CHAIRMAN'S REPORT)**
 - a. Approval of Awards - General Construction Services Task Order Contract GP-0280-C01
 - b. Company Name: LAN Associates
District: Orange Public School District
Contract Nos.: ES-0043-A01
CM: Epic Management, Inc.
Design Consultant: LAN Associates
School Name: Cleveland Street Elementary School
Amendment Nos.: 20
Reason: Additional Design Services – New Bid Documents
Amount: \$175,000.00 Time and Material Not to Exceed
Contract Status: 84.12% Paid to Date against the Current Contract Value
Anticipated Occupancy Date: September 2024
 - c. Construction Manager Award - Union City Public School District – New Grade 7-9 Middle School – HU-0029-M01
 - d. Company Name: Epic Management
District: Neptune
Contract No.: ET-0026-C02
PMF/CM: NJSDA
School Name: Green Grove Elementary School
Change Order No.: 1
Reason: Delaminating Leveling Material
Amount: \$210,000 Not to Exceed
Original Contract Amount: \$433,089.99
Contract Status: 0% Paid to Date against the Current Contract Value
Anticipated Occupancy Date: August 26, 2022

- e. NJSDA 2022 Strategic Plan Update/Authorization of Project Funds to Advance Planning Activities for Capital Plan Projects

7. REPORT AND RECOMMENDATIONS OF THE REAL ESTATE COMMITTEE (CHAIRMAN’S REPORT) – TO BE PROVIDED IN EXECUTIVE SESSION

- a. Recommendation for an Extension of the License Agreement between SDA and City of Newark regarding the Premises located at 464 Hawthorne Avenue, Newark, NJ

8. 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
 - x. Monthly Financial Report
 - xi. Design Contract De-Obligations Report (*no activity*)
 - xii. Completed Executive Session Matters Report

9. EXECUTIVE SESSION

- Recommendation for an Extension of the License Agreement between SDA and City of Newark regarding the Premises located at 464 Hawthorne Avenue, Newark, NJ
- Litigation/Contract Matter(s) – OPMA Exemption N.J.S.A. 10:4-12b (7) CCD Report (*no activity*)

10. ADJOURNMENT

APPROVAL OF MEETING MINUTES

AUGUST 3, 2022 OPEN SESSION MINUTES

**NEW JERSEY SCHOOLS DEVELOPMENT AUTHORITY
BOARD OF DIRECTORS MEETING
WEDNESDAY, AUGUST 3, 2022**

A meeting of the Board of Directors of the New Jersey Schools Development Authority (SDA or the Authority) was held on Wednesday, August 3, 2022 at 9:00A.M. at the offices of the Authority at 32 East Front Street, Trenton, New Jersey.

Participating were:

Robert Nixon, Public Member, Chairman

Juan Burgos (EDA)

Kevin Luckie (DCA)

David Moore (Treasury)

Bernard Piaia (DOE)

Richard Elbert, Public Member

Daniel Gumble, Public Member

Michael Maloney, Public Member

Mario Vargas, Public Member

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

At the 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; and Albert Barnes, 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 Chairman, the Members and all assembled stood and recited the Pledge of Allegiance.

The meeting was called to order by Mr. Nixon, who requested that Ms. Kelly read the requisite notice of the meeting. Ms. Kelly announced that the meeting notice had been sent to the *Trenton Times* and *Star-Ledger* at least 48 hours prior to the meeting, and 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 Chairman presented for consideration and approval the minutes of the Board's July 6, 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. Luckie and seconded by Mr. Vargas, the Open Session minutes of the July 6, 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. Nixon asked Mr. Da Silva for the report of the CEO. Mr. Da Silva began his report with an update on design-build projects in the design phase. He said that a notice-to-proceed (NTP) with design-build services for the Union City Grade 7-9 School project was issued to Dobco, Inc. the previous month. He added that the procurement for construction management (CM) services was advertised in June. He said that technical and price proposals were received from ten firms on July 26 and that the price proposals would be publicly opened on August 17.

Turning to design-build projects in construction, Mr. Da Silva reported that for the Plainfield Woodland Avenue Elementary School project, exterior masonry, window and curtain

wall installation is ongoing. For the Perth Amboy High School project, he said that roof work, exterior wall framing and sheathing are ongoing, along with masonry and mechanical, electrical and plumbing rough-in work on all floors.

With respect to design-bid-build projects in the construction stage. Mr. Da Silva reported that final site work and interior finishes are ongoing for the Keansburg Port Monmouth Road School project. He said that the A-wing and the B-wing administrative offices of the school are scheduled for September 2022 district occupancy. He noted that the remainder of the school is scheduled for completion December 2022.

Next, Mr. Da Silva provided the Board with a status update regarding the SDA owned property in the Astor Place section of Jersey City. He informed the Members that, as reported at the July Board meeting, legal counsel for the Black Interest Team Enterprise (BITE) organization, the Jersey City School District (District) and the SDA had a productive discussion on June 28, with all parties expressing support for reestablishing a community garden at the property. He said that the attorneys also acknowledged that the SDA and the District had reached agreement on the terms of prospective licensing documents more than a year ago in May of 2021. He explained that, during the meeting, BITE's counsel asked that he have until July 11 to further discuss the license/sublicense documents with his client. Mr. Da Silva advised the Board that SDA's Chief Counsel followed up with counsel for the District and BITE on July 12 and again on July 21 seeking an update on the status of BITE's comments on the licensing documents. He said that BITE's counsel responded on both occasions that he had attempted to discuss the matter with his client, but was still waiting to hear back from BITE representatives.

In concluding his report, Mr. Da Silva informed the Members that SDA's human resources director, Joseph Shiarappa, had provided his notice of resignation, noting that his last

day with the Authority will be on August 12. He said that he wanted to wish Mr. Shiarappa well and to publicly acknowledge his contributions during his time with SDA.

School Review Committee

Next, Mr. Nixon asked Mr. Luckie to provide the report of the School Review Committee. Mr. Luckie reported that the School Review Committee met twice--on July 18, 2022 and July 27, 2022-- at which time three items that require Board consideration were discussed. He said that the Committee is recommending Board approval of a contract amendment for the Orange Cleveland Street Elementary School (OCES) project. He reported that the OCES is a 39,000 square foot facility currently educating 306 students in grades K through 7. He advised that in March 2019, the SDA Board approved an award for construction services and a final charter for a project at the School. He explained that the project scope includes an 11,550 square foot addition and renovations (Project) to address overcrowding. He added that the Project will allow a change in grade alignment to Pre-K through grade 6, consistent with the district's approved Long Range Facilities Plan. He said that in May 2019, the Project's general contractor (GC), Brockwell & Carrington, initiated construction services with Epic Management (Epic) providing CM services.

In continuing, Mr. Luckie reported that in January 2022, the SDA issued a "Notice of Termination for Convenience" to the GC directing that they complete portions of the work and demobilize from the Project site by March 1. He explained that in preparing to procure a new GC, staff requested that the Project design consultant, LAN Associates (LAN), provide additional services needed to address structural and architectural issues related to conditions uncovered following asbestos abatement that were not visible during design of the renovation. He said that before the Board today is Amendment No. 18 which is necessary to compensate LAN in the lump sum amount of \$128,000 for these additional Project services. He advised that

LAN's performance of the services was confirmed following a review of relevant records with Epic and with the SDA Project team. He said that all documents supporting Amendment No. 18 have been reviewed by staff and determined to be in compliance with SDA policy and procedures. He noted that the items in the amendment and its amount have been determined to be justified, reasonable and appropriate. He advised the Members that the Board is requested to approve Amendment No. 18 for LAN Associates in connection with the OCES 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. Maloney, Amendment No. 18 for LAN Associates was approved with the Board's unanimous vote in favor of ***Resolution 5a.***

Next, Mr. Luckie said that management is seeking Board approval of Amendment No. 22 for the Orange High School (OHS) project. He reported that OHS is a 145,000 square-foot facility educating 804 students in grades 10 to 12. He explained that the scope of work underway there includes a two-story addition of approximately 50,000 square feet, an enclosed connecting bridge between the OHS and the adjacent Orange Preparatory Academy (OPA), and selective renovations to the existing OHS building to address facilities conditions deficiencies (the Project). He reported that in March 2019, the Board approved the award of a contract in the amount of \$37 million to Terminal Construction (Terminal) for Project construction services along with the Project's final charter. He advised that in April 2019, Terminal was issued a limited NTP with a constructability review to identify any potential conflicts in the Project documents and, once this was completed, any corresponding costs to address them. He said that the constructability review phase was completed in November 2019 and in December 2019, the Board approved Change Order No. 2 for Terminal and issued an NTP with construction in January 2020.

In continuing, Mr. Luckie informed the Members that during the course of construction, various unforeseen hidden conditions were encountered that differed from what was identified on the as-built plans of the existing High School that had been provided to the Project's design architect, Kliment Halsband Architects (KHA), for use during design. He said that following review, it was determined that these variances in existing conditions were not foreseeable by KHA and that the construction work necessary to address them was not accounted for in the Project scope which was the basis of KHA's original fee. He reported that in January of this year, the Board approved Amendment No. 20 to compensate KHA for additional construction phase service hours made necessary by identification of the unforeseen conditions. He said that Amendment No. 20, however, did not include compensation for additional construction administration phase services performed by KHA's mechanical, electrical and plumbing engineer, Loring Consulting Engineers (LCE), with the result that an additional amendment is now required to compensate LCE, through KHA, for their work in performing these additional services. Mr. Luckie advised that all documents supporting Amendment No. 22 have been reviewed by staff and determined to be in compliance with current SDA policy and procedures. He added that staff has also concluded that Amendment No. 22 is justified and the amount is reasonable and appropriate. Mr. Luckie said that the Board is requested to approve Amendment No. 22 in the lump sum amount of \$132,000 to KHA for its sub-consultant, LCE, for additional construction phase service hours for the OHS addition and renovations 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. Burgos and seconded by Mr. Vargas, Amendment No. 22 for Kliment Halsband Architects was approved with the Board's unanimous vote in favor of ***Resolution 5b***.

In continuing, Mr. Luckie informed the Members that management is also seeking Board

approval of Change Order No. 1 in connection with the Asbury Park Thurgood Marshall Elementary School (Marshall School or School) mercury in flooring project (Project).

By way of background, Mr. Luckie reported that in 2020, the Authority, in consultation with the state Department of Health (DOH) and in accordance with DOH guidance, advanced a multi-step initiative to evaluate flooring materials utilized in SDA-delivered school facilities to determine the presence of mercury. He said that in order to identify those facilities with flooring that contained mercury and thus required remedial work, the Authority conducted site visits to more than 140 school facilities in SDA Districts, along with 25 school facilities delivered in Regular Operating Districts. He explained that, of these facilities reviewed by staff, approximately 30% were determined to have poured polyurethane flooring systems requiring further evaluation. He advised that SDA then engaged qualified environmental professionals to perform bulk sample testing and an evaluation of those identified flooring types.

Mr. Luckie advised the Board that with DOH guidance, SDA continues to work in consultation with SDA school districts to complete air monitoring activities in school facilities, and also with impacted school districts to replace or remediate any flooring systems as needed.

With respect to the matter at hand, Mr. Luckie informed the Members that in 2006, the Schools Construction Corporation, SDA's predecessor entity, completed construction of a 3-story, 13,278 square foot addition with a new entrance at the Marshall School. He said that testing and air monitoring of the flooring at the School by an SDA-engaged environmental consultant revealed the presence of mercury in excess of DOH standards. He said that based on these test results, the Authority determined that it was necessary to remove the flooring in the Marshall School's multipurpose room and to install new flooring. He advised the Board that the work to this end is proceeding during non-school hours. He further advised that during the

removal process of the multipurpose room floor, additional problematic flooring material was found at the front edge of the concrete steps to the stage and at the adjacent brick columns.

Mr. Luckie explained that Change Order No. 1 would compensate the GC, Hall Building Corporation (HBC), for the removal of these two concrete steps at the stage front, the first course of brick at adjacent columns, and all flooring material beneath these elements. He said that in an effort to ensure timely project completion and allow for September occupancy, the Project team requested that the contractor provide two price proposals: the first for removal of the concrete steps and brick and floor material to facilitate the complete abatement of the conditions underneath; and the second for replacement of the stairs and brick. He explained that HBC's first cost proposal--for removal of the concrete stairs and brick and floor material to facilitate the complete abatement of the conditions underneath--was in the amount of \$38,295.00, with subsequent negotiations resulting in an agreed-upon not-to-exceed value of \$36,400 for Change Order No. 1. He said that management expects that the additional work-- replacement of the stairs and brick work--will be completed by the GC under a separate change order that would not be at a level that requires Board approval but, rather, would be presented to the CEO for authorization. Mr. Luckie said that all documents supporting Change Order No. 1 have been reviewed by the associated SDA Project team and it was determined that the items included therein are consistent with SDA policies and that the amount is reasonable and appropriate.

He concluded by advising the Members that management is requesting Board approval of Change Order No. 1 in the not-to-exceed amount of \$36,400 so that the contractor can proceed with removal of the stairs, brick and floor material and with abatement of the conditions underneath in order to ensure district occupancy of the building in September.

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. Piaia, Change Order

No. 1 for Hall Building Corporation was approved with the Board's unanimous vote in favor of ***Resolution 5c.***

Mr. Nixon then asked for a motion to adjourn the Open Session of the meeting into Executive Session. He asked Ms. Kelly to announce the matter to be considered in Executive Session. Ms. Kelly said that the Board will consider management's request for authorization to purchase Real Property in Newark, New Jersey. She said that the Board will vote on this matter upon its return to Open Session. Ms. Kelly requested that the Chairman present ***Resolution No. 8.***, reflecting the Members' resolve to move into Executive Session to discuss the above-described matters.

The Chairman presented ***Resolution No.8.*** for a vote. Upon motion duly made by Mr. Vargas and seconded by Mr. Luckie, the Members of the Authority unanimously voted to approve ***Resolution No. 8.*** and thereby adjourn the Open portion of the meeting into Executive Session.

Following the Board's return to Open Session, Mr. Vargas announced that in Executive Session the Board had discussed management's and the Real Estate Committee's recommendation that SDA management receive Board authorization to purchase Real Property in Newark, New Jersey and undertake the necessary due diligence to facilitate the acquisition.

A resolution pertaining to this matter was provided to the Board for review in advance of the meeting. Upon motion duly made by Mr. Maloney, and seconded by Mr. Luckie, the Board authorized management to conduct the necessary due diligence and to proceed with the purchase of Real Property in Newark, New Jersey with the Board's unanimous vote in favor of ***Resolution 6a.***

The Chairman then acknowledged the presence of those Jersey City residents who had arrived at the meeting after the CEO offered his monthly report. He said that, as these members

of the public had missed the CEO's status update regarding the Astor Place Community Garden, he would ask Mr. Da Silva to provide the update again for their benefit.

Mr. Da Silva advised that, as reported at the July Board meeting, on June 28, legal counsel for the BITE organization, the District and the SDA had a productive discussion with all parties expressing support for reestablishing a community garden at the property. He said that they also discussed that SDA and the District had reached agreement on the terms of prospective licensing documents more than a year ago in May of 2021. He reiterated that SDA and the District are in agreement to open the community garden. He explained that during the meeting, BITE's counsel asked that he have until July 11 to further discuss the license/sublicense documents with his client, adding that his client is the BITE organization. He said that SDA's Chief Counsel followed up with counsel for both the District and BITE on July 12 and again on July 21 to request any comments that BITE might have on the licensing documents. He added that BITE's counsel responded on both occasions that he had attempted to discuss the matter with his client (BITE) but was still waiting to hear back from the BITE organization. Mr. Da Silva said that as far as the licensing agreement, SDA and the District are on board and ready to execute the agreement, however, they are awaiting feedback and comments from BITE.

Mr. Nixon said that the ball is fully in BITE's court and that once BITE signs the agreement the community garden will open up again.

Adjournment

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

Certification: The foregoing represents a true and complete summary of the actions taken by the Board of the New Jersey Schools Development Authority at its August 3, 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 August 3, 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 August 3, 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: September 7, 2022

AUTHORITY MATTERS

CEO REPORT

CHAIRMAN'S REPORT

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

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

Approval of Awards - General Construction Services Task Order Contract - GP-0280-C01

**MEMORANDUM**

TO: Members of the Authority

FROM: Sean Murphy
Director, Procurement

DATE: September 7, 2022

RE: Approval of Awards
Package No. GP-0280-C01
General Construction Services Task Order Contract

BACKGROUND

The Authority is requesting the Members' approval to enter into a new three-year term General Construction Services Task Order Contract ("GC Task Order") with fifteen (15) firms. During the current three year GC Task Order, which is set to expire on January 1, 2023, the Authority issued nineteen (19) Task Orders valued at approximately \$15,600,000.

The GC Task Order is structured to quickly initiate two types of work through a pool of contractors available to the Authority and able to perform the work. First, the GC Task Order can be used by the Authority to address emergent projects, as designated by the New Jersey Department of Education, pursuant to regulations at N.J.A.C. 6A:26-1.2. Second, the GC Task Order can be used in situations determined to constitute an "emergency," consistent with the public exigency exception to the public bidding requirements of N.J.S.A. 52:18A-243i, as determined by NJSDA's Division of Chief Counsel.

As with the current GC Task Order, no individual Task Order can exceed \$3 million and no individual firm can receive more than \$7.5 million of work per region (Northern and Southern) during the three-year term.

Task Orders assigned or awarded under the terms of the Contract may be compensated on either a time and materials basis (for Task Orders assigned rotationally); on a lump sum basis (for Task Orders awarded following the conclusion of a competitive bidding process among the field of Task Order Contractors); or a combination of both, for certain Task Orders assigned rotationally on a time and materials basis for investigative and predesign work, which may then be converted to a negotiated fixed fee once the scope of work is defined by the preliminary investigation. It shall be entirely within the Authority's discretion whether to issue any Task Order or any number of Task Orders to a firm during the three-year term of the agreement.

The awarded firms will be expected to perform all phases of general construction and be able to mobilize and commence construction in a maximum of 14 calendar days, if requested by the Authority.

Below are listed the details relating to this procurement.

Members of the Authority
Approval of Awards
Package No. GP-0280-C01
General Construction Services Task Order Contract
September 7, 2022

PROCUREMENT PROCESS

In accordance with current New Jersey Schools Development Authority (“NJSDA”) regulations, the Request for Proposals was advertised beginning June 30, 2022 on the NJSDA website, NJ State website and in selected newspapers for interested firms to participate in the bidding process.

The Authority intends to award separate contracts under the General Construction Services Task Order Contract to each responsive contractor. However, to be considered for award, the contractor is required to: (1) accept the defined Cost Multiplier of 1.15, as selected by the Authority, for use in establishing compensation for those rotationally assigned Task Orders that are to be performed on a time and materials basis; and (2) have a Project Rating Limit of \$1,000,000 or greater. Additionally, bidders were required to identify, in their bid, whether the bid was submitted for the Northern New Jersey region, the Southern New Jersey region, or both.

Responsive Price Proposals and Project Rating Proposals were received by August 3, 2022 from fifteen (15) firms. The Contractors, calculated Project Rating Limits and selected Regions are listed in Table 1 below:

TABLE 1

Contractor	Project Rating Limit	Region(s)
Catcord Construction Company, Inc.	\$ 5,480,000	Both
Cypreco Industries, Inc.	\$ 2,750,297	Both
Delric Construction Company, Inc.	\$ 123,827,789	North
Epic Management, Inc.	\$ 129,025,258	Both
Ernest Bock & Sons, Inc.	\$ 143,439,924	Both
GL Group, Inc.	\$ 14,600,173	North
Grafas Painting Contrs, Inc. T/A GPC, Inc.	\$ 20,346,747	Both
Hall Building Corporation	\$ 55,814,369	Both
Hall Construction Company, Inc.	\$ 138,875,267	Both
Integrated Construction Enterprises, Inc.	\$ 18,202,547	North
Ranco Construction, Inc.	\$ 18,942,822	South
Scozzari Builders, Inc.	\$ 8,113,809	South
Seawolf Construction Corporation	\$ 12,999,657	Both
T.N. Ward Company	\$ 330,226,843	South
Terminal Construction Corporation	\$ 239,967,924	Both

RECOMMENDATION

The Authority is requesting approval to award GC Task Order contracts to the fifteen (15) firms listed in Table 1 above.

During the term of the engagement Task Orders will be assigned as follows:

1. Lump Sum Basis - Whenever possible and practical (meaning: whenever plans and specifications exist for Task Order work, or when a scope of work for a Task Order is otherwise sufficiently defined as to support competitive bidding based on lump sum bids) Task Orders will be awarded on a competitive basis after advertisement of the Task Order Work to the Task Order pool. Depending on the region in which the project site is located, the NJSDA will advertise an individual Task Order assignment to either the Northern or Southern regional Task Order Contractors. The Task Order assignment will be awarded to the Task Order Contractor

submitting the lowest responsive price proposal, after competitive bidding among all Task Order Contractors participating in that specific region. Examples of such Task Orders include, but are not limited to, emergent projects with defined scopes, the completion of punchlist work under a prior contract when the original contractor is unable or unwilling to complete such work, repairs to existing facilities and “change order” work when the original contractor is unable or unwilling to perform such work that is outside the scope of an existing contract.

2. Time & Materials Basis - In certain circumstances, plans and specifications for proposed work cannot be prepared prior to assignment or award of a Task Order because the scope of work is not defined with real specificity. In all likelihood this would be due to the cause and/or extent of the damage, deterioration or defective condition to be addressed by the Task Order cannot be immediately ascertained. In such circumstances, and when the nature of the Task Order work is consistent with the definition of “emergent condition” and “emergent project” contained in N.J.A.C. 6A:26-1.2, and the need for such Task Order Work is supported by the public exigency exception to the public bidding requirements of N.J.S.A. 52:18A-243i, Task Orders may be assigned on a rotational basis among all Task Order Contractors.
 - a. Task Order Contractors will be assigned a place in the rotation based on random selection. NJSDA staff will randomly generate a rotation list using a computerized program, and the first Task Order to be assigned under the Task Order Contract will be offered to the first Task Order Contractor on that randomly-generated rotation list. The next Task Order to be assigned will be offered to the next Task Order Contractor in the randomly-generated list, and this procedure will apply to all subsequent rotationally-assigned Task Orders.
 - b. When assigning Task Orders rotationally, the next Task Order Contractor on the list for the relevant region will be offered the Task Order assignment, as long as the Task Order Contractor:
 - i. operates in the relevant region;
 - ii. has a Project Rating Limit equal to or greater than the Construction Cost Estimate for the Task Order assignment; and
 - iii. confirms, in writing, that it is able to perform the requested work in the time frame specified by the NJSDA.
 - c. If a Task Order Contractor does not operate in the relevant region, lacks a sufficient Project Rating Limit, or does not or cannot provide a confirmation that it can complete the assignment in the time frame set by the Authority, the Task Order assignment will be offered to the next Task Order Contractor on the list that:
 - i. operates in the relevant region;
 - ii. has a Project Rating Limit equal to or greater than the Construction Cost Estimate for the Task Order assignment; and
 - iii. confirms, in writing, that it is able to perform the requested work in the time frame specified by the NJSDA.
 - d. A firm that is passed over for an assignment because it does not operate in the relevant region for the particular Task Order in question will be offered the next Task Order assignment, but must again satisfy all requirements for region, Project Rating Limit and confirmation of availability and ability to perform the work in the time frame specified.
 - e. A firm that is passed over for an assignment because of an insufficient Project Rating Limit for the particular Task Order in question will be offered the next Task Order

Members of the Authority
Approval of Awards
Package No. GP-0280-C01
General Construction Services Task Order Contract
September 7, 2022

assignment, but must again satisfy all requirements for region, Project Rating Limit and confirmation of availability and ability to perform the work in the time frame specified.

- f. A firm that is otherwise qualified for an assignment in terms of region and Project Rating Limit, but which fails to confirm the ability to perform the work within the time frame requested by the Authority will forfeit its turn to receive an assignment in that rotation.
 - g. It is the intent of the NJSDA that, to the extent possible, all Task Order Contractors for a specific region will receive a rotational Task Order assignment before any Task Order Contractor receives a second rotational Task Order assignment for that region (exclusive of Task Orders assigned in accordance with competitive bidding procedures described in numbered paragraph 1, above).
3. Task Orders assigned rotationally may, at the discretion of the Authority, be converted from a “time and materials” invoicing basis into a negotiated fixed fee contract with the assigned Contractor, if the preliminary investigation work of the Task Order assignment supports the establishment of a defined scope of work for completion of the Task Order that may be accomplished on a fixed fee, lump sum basis.
 4. No Task Order Contractor will be assigned or awarded a Task Order for work which constitutes uncompleted or rejected work on another NJSDA Project on which the Task Order Contractor had previously performed work as a General Contractor engaged by the Authority.

/s/ Sean Murphy
Sean Murphy
Director, Procurement

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

Resolution—6a.

Approval of Award
Package No. GP-0280-C01
General Construction Services Task Order Contract

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 award of contracts for certain professional goods and services; and

WHEREAS, the Authority’s General Construction Services Task Order Contract (GCTOC), pursuant to which the Authority issued nineteen (19) Task Orders valued at approximately \$15,600,000, is due to expire on January 1, 2023; and

WHEREAS, SDA executive management and associated program staff recommend that the Members of the Authority approve the execution of a new three year GCTOC with fifteen (15) firms consistent with the provisions of the memorandum presented to the Board on this date and incorporated herein; and

WHEREAS, under the GCTOC, as proposed, two types of work may be performed by the firms, namely, certain work on emergent projects as designated by the New Jersey Department of Education and in situations determined to constitute an “emergency” consistent with the public exigency exception to statutory public bidding requirements as determined by the SDA Division of Chief Counsel; and

WHEREAS, the GCTOC has been structured so that the SDA can quickly initiate work through a pool of contractors, with the awarded firms expected to perform all phases of general construction and to mobilize and commence construction in a maximum of fourteen (14) calendar days; and

WHEREAS, the details, terms and parameters of the proposed GCTOC, along with the names of the fifteen (15) firms and particulars of the procurement process followed are fully set forth in detail in the memorandum presented to the Board on this date and incorporated herein.

NOW, THEREFORE, BE IT RESOLVED, that the Members of the Authority authorize and approve the Authority’s execution of a General Construction Services Task Order Contract with fifteen (15) firms consistent with the provisions of the memorandum presented to the Board on this date and incorporated herein.

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

Attached: Memorandum, Approval of Award, Package No. GP-0280-C01, General Construction Services Task Order Contract, dated September 7, 2022

Dated: September 7, 2022

**Amendment No. 20 - LAN Associates - Orange Public School District -
Cleveland Street Elementary School**



MEMORANDUM

TO: Members of the Authority
FROM: Joseph Lucarelli
Director, Construction Operations
DATE: September 7, 2022
SUBJECT: Amendment No. 20

COMPANY NAME: LAN Associates
DISTRICT: Orange Public School District
CONTRACT NOS.: ES-0043-A01
CM: Epic Management, Inc.
DESIGN CONSULTANT: LAN Associates
SCHOOL NAME: Cleveland Street Elementary School
AMENDMENT NO.: 20
REASON: Additional Design Services – New Bid Documents
AMOUNT: \$ 175,000.00 Time and Material (T&M) Not to Exceed (NTE)
CONTRACT STATUS: 84.12% Paid to Date against the Current Contract Value
ANTICIPATED OCCUPANCY DATE: September 2024

INTRODUCTION

I am writing to request approval by the Members of the Authority of a contract amendment to Lan Associates (LAN) for additional design services to prepare new bid documents for the Orange Cleveland Street Elementary School project. The recommended amendment, in the T&M NTE amount of \$175,000.00, is precipitated by the termination of the previous general contractor and the need to prepare new updated design and bid documents to include the revised scope of work to correct conditions uncovered after abatement, selective demolition and construction activities.

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.

BACKGROUND

The Cleveland Street ES, 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 (the Project) to address overcrowding at the existing facility. The Project also will allow a change in grade alignment to Pre-K through Grade 6 consistent with the District’s approved Long Range Facilities Plan (LRFP) for the Cleveland Street ES. In the interim, the students have been relocated and are currently being educated in a NJSDA-leased facility.

On March 6, 2019, the Members approved an award to Brockwell & Carrington Contractors, Inc. (B&C) for construction services along with the Project’s Final Charter. On May 2, 2019, the NJSDA issued a Notice to Proceed (NTP) for the performance by B&C of a Constructability Review. Per the contract, as part of the Constructability Review scope of work, B&C was 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. Subsequently, the Construction Administration Phase NTP was issued to LAN on January 13, 2020.

Consistent with the Contract requirements, B&C submitted a proposed change order at the conclusion of the Constructability Review to remedy identified Constructability Review deficiencies. At the same time, B&C waived its rights to further change orders resulting from deficiencies in the documents that could or should have been identified during the Constructability Review. After a series of negotiations, Change Order No. 1 was approved by the NJSDA in January 2020 in the net total amount of \$411,505.89. On January 13, 2020, B&C was issued a NTP for Construction Services.

At the May 2021 Board Meeting, the Members approved a Revised Final Project Charter for the project that was necessary due to significant additional renovation scope that was required for the Project. This additional scope, revealed after the NJSDA engaged B&C, significantly impacted the Project schedule. Specifically, the revised Project Charter served to change the planned school opening date from September 2021 to September 2022. It also included associated costs for the extension of the temporary educational space lease, general contractor extended general conditions, additional construction administration services and additional construction and project management services.

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. At the same time, NJSDA directed B&C to complete portions of the work and demobilize from the Project site by March 1, 2022.

Given the length of time between the termination of B&C and the pending procurement of a new construction services contract, at its April and July 2022 meetings, the Board approved the following in support of the revised forecasted substantial completion date of August 2024:

- Amendments to the Construction Manager's (Epic Management, Inc.) contract to compensate the firm for added security and site maintenance services, along with the provision of additional services in preparation for procurement of a new GC for the Project.
- A contract amendment for the extended services to be provided by Epic through the revised substantial completion date of August 2024; and
- An extension and modification of the lease period for temporary educational space to accommodate the students relocated during the period of construction.

CURRENT PROJECT STATUS

Preparations are ongoing for procurement of a new construction services contract with revised design documents in order to complete the Project. Amendment No. 20 is critical to the finalization of the revised design documents. In the near future, NJSDA anticipates advancing a recommendation for approval of an additional amendment to LAN to extend their construction administration services to align with the planned revised forecasted substantial completion date.

REASON FOR AMENDMENT

LAN's design consultant contract has previously been amended several times for the provision of additional services. These amendments include the following: Amendment No. 17, issued prior to the termination for convenience of B&C, to extend LAN's construction administration services through July 2022; Amendment No. 18, presented to the August 2022 Board for approval, for additional design services necessary to address numerous structural issues discovered after abatement and selective demolition performed post constructability review; and Amendment No. 19

for additional design services to prepare as-built drawings documenting the existing conditions of the building post termination of B&C. The as-built drawings will be included as existing conditions drawings in the new construction documents being utilized to procure a new construction services contract to complete the project.

Amendment No. 20 is for the preparation of this project's revised design for the rebidding and procurement of a new general contractor. The NJSDA requested a cost proposal from LAN for the following additional scope of services to be incorporated into the procurement documents:

1. Windows
 - a. Review existing conditions for replacement installation
 - b. Survey windows for additional scope of work
 - c. Prepare construction details and specifications to include new windows and installation of procured windows currently on site
2. Interior Doors
 - a. Prepare construction details and specifications for removal and replacement of existing door and frames previously designed to remain in place and replace with new doors and frames throughout
3. HVAC DOAS Relocation / HVAC Redesign
 - a. Relocate DOAS Unit to the courtyard in the rear of the building
 - b. Review and locate main duct trunk line path to all floors while providing Ground Level and duct access to all spaces
 - c. Provide design modifications as required for the installation of ductwork, piping and all other associated work from the new location, including but not limited to, structural changes to allow for shafts etc.
4. Prepare and upload complete redesign to NJ DCA for review, address all comments and provide DCA release for permits
5. Prepare final design documents for bid. Participate in bidder questions review and response and assist in preparing addendum during bid period
6. Schedule
 - a. All design work is to be completed in August 2022 with NJDCA submission and drawings to be ready for advertising for bid in September 2022

SUMMARY OF CHANGE

This amendment is to prepare new updated design and bid documents to include the revised scope of work to correct conditions uncovered after abatement, selective demolition and construction activities. The additional scope of design services will be incorporated into the current existing conditions documents for the purpose of engaging a new general contractor to complete the project.

The additional services will be performed by LAN on a time and materials (T&M) basis and will be confirmed by a review of relevant records by the Construction Management Team (EPIC) and NJSDA's Project Team.

All documents supporting this amendment have been reviewed by the associated NJSDA Project Team members, inclusive of Financial Operations, as well as the Directors and Deputy Director, for adherence to current NJSDA policy and procedures. All reviewing NJSDA staff members, including Financial Operations, have determined that the items contained in LAN Amendment No. 20 are justified and the amount is reasonable and appropriate.

CALCULATIONS

Additional Design Consultant Services

a. Original Contract Amount	\$ 1,820,017.00
b. Amendments to Date	\$ 732,478.35
c. Proposed Amendment Amount	\$ 175,000.00
d. Total Amendments to Date including this Amendment (Total of Line (b.) and Line (c.))	\$ 907,478.35
e. Percentage Change to Original Contract (Line (d.) represents a percent of Line (a.))	49.86%
f. Proposed Adjusted Contract Price (Line (a.) plus Line (d.))	\$ 2,727,495.35

RECOMMENDATION

The Members of the Authority are requested to approve Amendment No. 20 in the T&M NTE amount of \$175,000 for additional design services to prepare new updated design and bid documents to include the revised scope of work to correct conditions uncovered after abatement, selective demolition and construction activities. The new documents will support the engagement of a new general contractor to complete the project at the Orange Cleveland Street Elementary School. LAN will perform the additional design services on a T&M basis.

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.

Recommended by:

/s/ Joseph Lucarelli

Joseph Lucarelli, Director, Construction Operations

Reviewed and Recommended by:	Jane Kelly, Vice President Corporate Governance and Legal Affairs
Reviewed and Recommended by:	Donald Guarriello, Vice President and Chief Financial Officer
Reviewed and Recommended by:	Gregory Voronov, Managing Director, Planning and Program Operations
Reviewed and Recommended by:	Denise Petraglia, Deputy Director, Construction Operations
Prepared and Recommended by:	Felipe Marrero, Senior Program Officer, Construction Operations

Resolution 6b.

Amendment No. 20 – LAN Associates, Orange School District, Cleveland Street Elementary School, Additional Design Services – New Bid Documents

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 consultant contracts greater than \$100,000; 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 to, and a final project 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, 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, a procurement to award a new contract for construction services for the Project is currently being prepared; and

WHEREAS, it is necessary to prepare new updated design and bid documents to include a revised scope of work to correct conditions uncovered after abatement, selective demolition and construction activities; and

WHEREAS, Amendment No. 20, in the time and material not-to-exceed amount of \$175,000 would facilitate preparation by the Project’s design consultant, LAN Associates (LAN), of new updated design and bid documents to include the revised scope of work; and

WHEREAS, the additional scope of design services will be incorporated into the current existing conditions documents for the purpose of engaging the new GC to complete the Project; and

WHEREAS, the additional services would be performed by LAN on a time and materials basis and would be confirmed by a review of relevant records by the Construction Management Team (Epic) and SDA’s Project Team; and

WHEREAS, all documents supporting this amendment have been reviewed by the associated SDA Project Team members for adherence to current SDA policy and procedures and all reviewing SDA staff members have determined that the items contained in LAN Amendment No. 20 are justified and the amount is reasonable and appropriate.

NOW, THEREFORE, BE IT RESOLVED, that, consistent with the memorandum presented to the Board on this date and incorporated herein, the Members of the Authority hereby authorize and approve Amendment No. 20 in the time & materials not-to-exceed amount of \$175,000 for additional design services to support engagement of a new general contractor for 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 the same, in which case such action shall become effective upon such approval.

Attached: Amendment No. 20, LAN Associates, Orange School District, Cleveland Street Elementary School, Additional Design Services – New Bid Documents, dated September 7, 2022

Dated: September 7, 2022

**Construction Manager Award - Union City Public School District – New Grade 7-9 Middle School –
HU-0029-M01**

**MEMORANDUM**

TO: Members of the Authority

FROM: Sean Murphy
Director, Procurement

RE: District: Union City Public School District
School: New Grade 7-9 School
Description: Construction Management Services
Package No.: HU-0029-M01
Estimated Fee: \$2,273,000
Award: \$2,282,336
Contractor: Dobco, Inc.

DATE: September 7, 2022

SUBJECT: Construction Manager Award

INTRODUCTION

I am writing to recommend approval by the Members of the Authority of the award of a contract for Construction Management (“CM”) Services. This contract is for services to manage the design-build construction of the new Grade 7-9 Middle School (“School”) in the Union City Public School District.

Pursuant to the NJSDA Operating Authority adopted by the Board on December 1, 2010, as amended March 7, 2012, Board approval is required for the award of consultant contracts greater than \$100,000. Funding for this engagement is available within the Project Budget, in accordance with the Final Project Charter approved by the Members on June 8, 2022.

BACKGROUND

At the December 4, 2019 Board Meeting, the Members of the Authority approved the revised Preliminary Project Charter for the new School. The project is planned to be an approximately 132,000 SF facility designed to educate 827 students in grades 7 through 9.

The project includes the completed acquisition by NJSDA of four (4) properties required to provide an adequately sized site for the project. These NJSDA owned properties adjoin a larger site acquired by the District from the Union City Parking Authority. Taken together, these comprise the complete project site. At the August 4, 2021 Board Meeting, the Members approved the engagement of a Contractor to demolish existing structures on the NJSDA owned properties, remove underground storage tanks (“UST”), and perform limited site restoration activities in preparation for construction activities. At this time, all demolition and UST activities have been completed.

On June 8, 2022, the Members of the Authority approved the Final Project Charter and the award of a Design-Build Construction contract to Dobco, Inc. (“Dobco”). On June 24, 2022, Dobco was issued a Notice of Award for the

construction of the new School facility, and on July 26, 2022, Dobco received the Notice to Proceed for the design phase of the project.

PROCUREMENT PROCESS

This package for CM Services was advertised as a “Price and Other Factors” solicitation beginning on June 15, 2022 on the NJSDA website, NJ State website, and in selected newspapers for interested firms to participate in the bidding process. In addition, the advertisement was distributed to those firms that are pre-qualified in the area of Construction Management (P029) by both the Department of Treasury-Division of Property Management and Construction and the NJSDA. For this procurement, price was weighted as 40% of the Final Combined Score, and all non-price factors were weighted as 60% of the Final Combined Score.

A Selection Committee consisting of four (4) NJSDA staff members was established.

Responsive Proposals were received from ten (10) firms by July 25, 2022. Qualifications and Technical Proposals were evaluated by the Selection Committee. Evaluations were based upon the information provided by the firms in response to the Request for Qualifications and Proposals (“RFQ/RFP”) for this project. The committee members evaluated the Qualifications and Technical Proposals for Construction Management Services separately based on the following criteria:

- Firm’s CM Experience on Similarly Sophisticated Projects
- Staffing Proposal
- Key Team Members’ Experience on Similarly Sophisticated Projects

Each Selection Committee member evaluated each Qualifications and Technical Proposal, assigning a raw score for each criterion on a scale of 0 to 10 as follows:

- Outstanding (9-10): depth and quality of response offers significant advantages.
- Superior (7-8): exceeds RFQ/RFP requirements with no deficiencies.
- Sufficient (5-6): meets RFQ/RFP requirements with no significant deficiencies.
- Minimal (3-4): meets RFQ/RFP requirements but contains some significant deficiencies.
- Marginal (1-2): comprehends intent of RFQ/RFP but contains many significant deficiencies.
- Unsatisfactory (0): requirements not addressed and lack of detail precludes adequate evaluation.

Weighting factors were applied to each of the Selection Committee member’s raw scores for each criterion to arrive at a total weighted score as indicated in Table 1 below:

TABLE 1

Criteria	Weighting Factor (Applied to Raw Score)	Maximum Weighted Points
Firm’s CM Experience on Similarly Sophisticated Projects	2.0	20
Staffing Proposal	3.0	30
Key Team Members’ Experience on Similarly Sophisticated Projects	5.0	50
Total Possible Points		100

For each firm’s Qualifications and Technical Proposal, the individual criteria scores awarded by a particular Selection Committee member were added together to calculate a score for that Qualifications and Technical Proposal. The maximum score for a Qualifications and Technical Proposal is 100. All of the scores awarded by the Selection Committee members to a particular firm’s Qualifications and Technical Proposal were added together and averaged to arrive at a Final Qualifications and Technical Proposal Score for each firm. The firms, their scores and rankings are listed in Table 2 below:

TABLE 2

Firm	Final Qualifications and Technical Proposal Score	Qualifications and Technical Proposal Rank
CBRE Heery, Inc.	73.375	1
Gilbane Building Company	69.750	2
Anser Advisory Management, LLC	69.375	3
Epic Management, Inc.	68.125	4
GREYHAWK North America, LLC	64.625	5
STV Construction, Inc.	62.250	6
Johnson, Mirmiran & Thompson, Inc.	54.000	7
Pinnacle Consulting & Construction Services, Inc.	52.375	8
The McCloud Group, LLC	44.000	9
M&M Construction Company, Inc.	34.500	10

The RFQ/RFP stipulated that a shortlist of the six (6) highest-ranked firms would be determined based on the Final Qualifications and Technical Proposal Scores. The shortlisted firms participated in interviews with the Selection Committee on August 16, 2022. The interviews allowed the firms to expand and detail their firm and team experience with respect to NJSDA requirements for Construction Management Services. The Selection Committee interviewed each of the shortlisted firms and evaluated each firm on Interview Criteria and Weighting Factors that were the same as those used in the evaluation of the Qualifications and Technical Proposals, as detailed above.

The individual criteria scores awarded by a particular Selection Committee member were added together to calculate an Interview Score for that firm. The maximum Interview Score is 100. All of the Interview Scores awarded to a particular firm by the Selection Committee members were added together and averaged to arrive at a Final Interview Score for each firm. The shortlisted firms, their scores and rankings are listed in Table 3 below:

TABLE 3

Firm	Final Interview Score	Interview Rank
Gilbane Building Company	83.625	1
Anser Advisory Management, LLC	76.875	2
Epic Management, Inc.	76.500	3
GREYHAWK North America, LLC	69.750	4
CBRE Heery, Inc.	66.000	5
STV Construction, Inc.	63.000	6

The Final Interview Score for each shortlisted firm was added to the Final Qualifications and Technical Proposal Score for each such firm, and the two scores were averaged to arrive at a Non-Price Score for each shortlisted firm. The maximum Non-Price Score is 100. The shortlisted firms, their scores and rankings are listed in Table 4 below:

TABLE 4

Firm	Non-Price Score	Non-Price Rank
Gilbane Building Company	76.688	1
Anser Advisory Management, LLC	73.125	2
Epic Management, Inc.	72.313	3
CBRE Heery, Inc.	69.688	4
GREYHAWK North America, LLC	67.188	5
STV Construction, Inc.	62.625	6

Once all of the Non-Price Scores for all shortlisted firms were calculated, the NJSDA opened the sealed Price Proposals and reviewed them for responsiveness. The Price Proposals were publicly opened on August 17, 2022 and the bids were read aloud as required by law.

The lowest responsive Price Proposal was awarded the maximum number of points for the price component, which is 100. All other Price Proposals were awarded points based on the percentage that each proposal exceeded the lowest bid.

The results of the NJSDA’s review and scoring of the Price Proposals are listed in Table 5 below:

TABLE 5

Firm	Bid Price	Price Score	Price Rank
Anser Advisory Management, LLC	\$2,282,336.00	100.000	1
Epic Management, Inc.	\$2,300,600.00	99.200	2
STV Construction, Inc.	\$2,369,848.00	96.166	3
GREYHAWK North America, LLC	\$2,375,790.00	95.905	4
Gilbane Building Company	\$2,643,401.00	84.180	5
CBRE Heery, Inc.	\$2,654,957.05	83.674	6

As stipulated in the RFQ/RFP, each Bid Price is inclusive of NJSDA-established Allowances totaling \$385,000, as follows: \$350,000 for Testing and Inspection Services, \$20,000 for Cleaning Services and \$15,000 for Additional FFTE Services.

After the Price Scores were determined for all shortlisted firms, the Price Scores were adjusted by a weighting factor of 40%. The Non-Price Scores for “Other Factors” criteria were adjusted by a weighting factor of 60%. The weighted Price Score and weighted Non-Price Score for each shortlisted firm were added together for a Final Combined Score. The maximum Final Combined Score is 100. The Final Combined Scores and Final Rankings are listed in Table 6 below:

TABLE 6

Firm	Raw Non-Price Score	Raw Price Score	Weighted Non-Price Score (60%)	Weighted Price Score (40%)	Final Combined Score	Final Rank
Anser Advisory Management, LLC	73.125	100.000	43.875	40.000	83.875	1
Epic Management, Inc.	72.313	99.200	43.388	39.680	83.068	2
Gilbane Building Company	76.688	84.180	46.013	33.672	79.685	3
GREYHAWK North America, LLC	67.188	95.905	40.313	38.362	78.675	4
STV Construction, Inc.	62.625	96.166	37.575	38.466	76.041	5
CBRE Heery, Inc.	69.688	83.674	41.813	33.469	75.282	6

The highest ranked firm was Anser Advisory Management, LLC (“Anser”).

The bid submitted by Anser was slightly higher than the NJSDA estimate. In order to ensure the firm’s Price Proposal was inclusive of all scope elements, a conference was conducted on August 18, 2022 with Anser and staff from Procurement, Construction Operations, Program Operations and Financial Operations to review the bid. At the time of the review, Anser confirmed to the satisfaction of staff that its Price Proposal is inclusive of all scope elements contained in the Contract Documents.

The Construction Operations Director and the Financial Operations Director recommend award of the project to Anser.

RECOMMENDATION

The Members of the Authority are requested to approve the award of a contract to the firm with the highest Final Combined Score, Anser Advisory Management, LLC, in the amount of \$2,282,336 for Construction Management Services for the new Grade 7-9 Middle School in the Union City Public School District.

Prior to execution of the contract, the contract and related documentation will be reviewed and approved by the NJSDA Division of Chief Counsel.

/s/ Sean Murphy
 Sean Murphy
 Director, Procurement

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: Gregory Voronov, Managing Director, Planning and Program Operations
 Reviewed and Recommended by: Robert Ryan, Director, Construction Operations
 Reviewed and Recommended by: Robert Carney, Director, Financial Operations

Resolution—6c.

Construction Manager Services Award

District:	Union City Public School District
School:	New Grade 7-9 Middle School
Description:	Construction Management Services
Package No.:	HU-0029-M01
Estimated Fee:	\$2,273,000
Award:	\$2,282,336
Contractor:	Dobco, Inc.

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 consultant contracts greater than \$100,000; and

WHEREAS, in December 2019, the Members of the Authority approved the revised preliminary project charter for a new approximately 132,000 square foot school facility (School) in the Union City School District designed to educate 827 students in grades 7 through 9 (Project); and

WHEREAS, all property acquisition, underground storage tank and demolition activities necessary for advancement of the Project have been completed; and

WHEREAS, on June 8, 2022, the Members of the Authority approved a final charter and the award of a design-build construction contract for the Project to Dobco, Inc. (Dobco); and

WHEREAS, on June 24, 2022, Dobco was issued a notice of award for the construction of the new School and on July 26, 2022, Dobco received the notice-to-proceed with the design phase of the Project; and

WHEREAS, a package for construction management (CM) services for the Project was advertised as a “price and other factors” solicitation beginning on June 15, 2022 with price weighted at 40% and all non-price factors weighted at 60% of the final combined score; and

WHEREAS, the details of the CM services procurement process conducted by management are comprehensively set forth in the memorandum presented to the Board on this date; and

WHEREAS, upon completion of the competitive procurement process for CM services, it was determined that Anser Advisory Management, LLC (Anser) was the highest ranked firm, with a price in the amount of \$2,282,336 for the Project; and

WHEREAS, following review, Anser has confirmed that its price proposal is inclusive of all scope elements contained in the contract documents and management recommends the CM services contract award for the Project to Anser; and

WHEREAS, upon completion of the procurement process, the construction operations director and financial operations director recommend award of the CM services contract in the amount of \$2,282,336 to Anser for the Project; and

WHEREAS, prior to execution of the contract, the contract and related documentation will be reviewed and approved by the SDA Division of Chief Counsel.

NOW, THEREFORE, BE IT RESOLVED, that the Members of the Authority hereby authorize and approve the award of a contract to the firm with the highest final combined score, Anser Advisory Management, LLC in the amount of \$2,282,336, for construction management services for the new Union City Grade 7-9 Middle School project consistent with the memorandum presented to the Board on this date and incorporated herein.

BE IT FURTHER RESOLVED that, prior to execution of the contract, the contract and related documentation will be reviewed and approved by the SDA Division of Chief Counsel.

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 the same, in which case such action shall become effective upon such approval.

Attached: Memorandum, Construction Manager Award, (Package No. HU-0029-M01), Union City School District, New Grade 7-9 Middle School, dated September 7, 2022

Dated: September 7, 2022

**Change Order No. 1 - Epic Management, Inc. - Neptune School District -
Green Grove Elementary School**



TO: Members of the Authority

FROM: Joseph Lucarelli
Program Director, Construction Operations

DATE: September 7, 2022

SUBJECT: Change Order #1 Epic Management

COMPANY NAME: Epic Management
DISTRICT: Neptune
CONTRACT NO.: ET-0026-C02
PMF/CM: NJSDA
SCHOOL NAME: Green Grove Elementary School
CHANGE ORDER NO.: 1
REASON: Delaminating Leveling Material
AMOUNT: \$210,000.00 (Not-to-Exceed)
ORIGINAL CONTRACT AMOUNT: \$ 433,089.99
CONTRACT STATUS: 0% Paid to Date against the Current Contract Value
ANTICIPATED OCCUPANCY DATE: August 26, 2022

INTRODUCTION

I am writing to request approval by the Members of the Authority of Change Order (CO) #1 in the time and material not-to-exceed (NTE) value of \$210,000.00 for the Neptune Green Grove Elementary School project (Project). This change order will compensate the Project's General Contractor ("GC"), Epic Management ("Epic"), for the labor, material and equipment required to 1) remove the existing delaminating subfloor leveling material; and 2) properly prepare the subfloor with a level surface that will facilitate the installation of the new gym floor and render the flooring acceptable for warranty purposes.

Pursuant to the NJSDA Operating Authority adopted by the Board on December 1, 2010, as amended March 7, 2012, a change order that singularly exceeds \$500,000.00 or singularly or in the aggregate is greater than 10% of the contract value requires approval by the Members of the Authority. This change order exceeds 10% of the contract value.

BACKGROUND

NJSDA Flooring Initiatives

The NJSDA, in consultation with the New Jersey Department of Health ("NJDOH") and in accordance with the latter's guidance document, advanced a multi-step initiative in 2020 to evaluate flooring materials installed in NJSDA-delivered school facilities. To identify those facilities that potentially required remedial work, NJSDA conducted site visits to more than 140 school facilities in NJSDA Districts, and 25 school facilities delivered in Regular Operating Districts ("RODs"). Of these facilities, approximately 30% were determined to have poured polyurethane flooring systems requiring further evaluation.

NJSDA then engaged qualified environmental professionals to perform bulk sample testing and evaluation of those identified flooring types. Bulk sample testing identified whether subsequent air monitoring was appropriate. NJSDA continues to work in consultation with SDA school districts to complete air monitoring activities in school facilities, consistent with NJDOH guidance. Upon completion of these activities, NJSDA is working with impacted school districts to replace or remediate flooring systems as needed, in accordance with NJDOH guidance.

Based upon testing and air monitoring results, flooring at the Green Grove Elementary School (“Green Grove ES”) in the Neptune School District was determined to require removal and replacement.

In 2020, the NJSDA engaged an environmental site consultant, Mott MacDonald, to test the flooring in the gymnasium at the Green Grove ES. Two (2) rounds of air sampling followed in September 2020 and February 2021. The bulk sampling results revealed the presence of mercury in the flooring, prompting the NJSDA to inform the District of these test results.

Given the results of the bulk testing, the NJSDA determined that it was necessary to remove the flooring in the gymnasium and to install new flooring. The flooring is being removed using procedures similar to an asbestos abatement project. These procedures include the construction of air-tight containment barriers and decontamination enclosure systems, and the utilization of high-efficiency particulate absorbing (“HEPA”) filtration equipment.

The physical removal of the flooring is taking place during non-school hours. Air testing for mercury is being performed by the NJSDA’s environmental consultant in the school hallways during the removal phase as a safety precaution.

REASON FOR CHANGE

After the removal of the existing poured gym floor, and while preparing to commence installation of the new gym floor, the flooring contractor inspected the remaining concrete subfloor surface. During the inspection, tests were conducted to determine moisture levels and the condition of the existing concrete subfloor. The inspection revealed that the existing concrete subfloor includes a leveling material, previously applied below the removed poured gym floor, to correct the level of the concrete slab. In addition, the flooring contractor noted that the existing subfloor leveling material was delaminating. The delaminating leveling material thickness in the subfloor varies in depth from less than an eighth of an inch to approximately one inch.

The flooring subcontractor noted that the new gym floor material could not be installed as the existing condition of the subfloor leveling material would render it impossible for the flooring to be warranted by the manufacturer or the installer. A review of the overall subfloor revealed that the entire floor area was covered with this leveling material in various stages of delamination. The Project Team reviewed the condition of the subfloor with both the general contractor, Epic, and their flooring subcontractor, and requested that Epic provide an NTE cost to 1) protect existing finishes; 2) remove the existing delaminating subfloor leveling material; and 3) properly prepare the subfloor with a level surface to allow for the installation of new gym flooring that will be acceptable for warranty purposes.

Epic provided a NTE proposal in the amount of \$212,355.88 for the requested scope of work. The Project Team noted that the base contract includes up to a quarter of an inch of leveling compound to correct any damage resulting from removal of the existing gym floor. Due to the need for total removal of the delaminating leveling material, the subfloor will need to be prepared for the new gym floor and require more material than the quarter of an inch included in the original scope. The Project Team has reviewed the NTE proposal with Financial Operations and determined, based upon prior experience and values, that the proposed cost is appropriate. The Project Team and Epic agreed upon a time and material not to exceed value of \$210,000.00 for CO #1. During the course of the work, NJSDA staff will monitor the installation and track the progress of the work using daily reports to document labor, material and equipment utilized in the construction to verify the actual cost.

SUMMARY OF THE CHANGE

Change Order #1 is for the removal of existing delaminating subfloor leveling material, and properly prepare the subfloor with a level surface. This change order is recommended to establish a NTE T&M value of \$210,000.00 for services that will be billed based upon actual, verified time and material costs.

The cost breakdown is as follows:

Subcontractors Work	\$	197,943.75
Epic 5% Mark Up	\$	9,897.19
Total	\$	207,840.94
Epic Insurance	\$	1,953.70
Epic Bond	\$	1,621.16
Total	\$	207,840.94
NTE Value	\$	210,000.00

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

CALCULATIONS

a. Original Contract Amount	\$	433,089.99
b. Change Orders to Date (excluding proposed change order)	\$	0.00
c. Proposed Change Order Amount	\$	210,000.00
d. Total Change Orders to Date including this Change Order (Total of Line (b.) and Line (c.))	\$	210,000.00
e. Percentage Change to Original Contract (Line (d.) represents a percent of Line (a.))		48.48%
f. Proposed Adjusted Contract Price (Line (a.) plus Line (d.))	\$	643,089.99

RECOMMENDATION

The Members of the Authority are requested to approve Change Order #1 in the time and material not-to-exceed amount of \$210,000.00 to Epic Management, for the labor, material and equipment required to 1) remove existing delaminating subfloor leveling material; and 2) properly prepare the subfloor with a level surface that will facilitate the installation of the new gym floor and render the flooring acceptable for warranty purposes.

Pursuant to the NJSDA Operating Authority adopted by the Board on December 1, 2010, as amended March 7, 2012, a change order that singularly exceeds \$500,000.00 or singularly or in the aggregate is greater than 10% of the contract value requires approval by the Members of the Authority. This Change Order exceeds 10% of the contract value.

Recommended by:

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

Reviewed and Recommended by: Donald Guarriello, Vice President, CFO

Reviewed and Recommended by: Jane F. Kelly, Vice President, Corporate Governance & Legal Affairs

Reviewed and Recommended by: Gregory Voronov, Managing Director, Planning & Program Operations

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

Prepared and Recommended by: Dhimant Dave, Program Officer, Construction Operations

Resolution—6d.

Approval of Change Order No. 1 – Epic Management, Inc. – Neptune School District –
Green Grove Elementary School

COMPANY NAME:	Epic Management
DISTRICT:	Neptune
CONTRACT NO.:	ET-0026-C02
PMF/CM:	NJSDA
SCHOOL NAME:	Green Grove Elementary School
CHANGE ORDER NO.:	1
REASON:	Delaminating Leveling Material
AMOUNT:	\$210,000.00 (Not-to-Exceed)
ORIGINAL CONTRACT AMOUNT:	\$ 433,089.99
CONTRACT STATUS:	0% Paid to Date against the Current Contract Value
ANTICIPATED OCCUPANCY DATE:	August 26, 2022

Resolution

WHEREAS, the Operating Authority of the New Jersey Schools Development Authority (SDA or the Authority) provides that a change order (CO) that singularly exceeds \$500,000 or singularly or in the aggregate is greater than 10% of the contract value requires approval by the Members of the Authority; and

WHEREAS, in 2020, in consultation with the state Department of Health, SDA commenced a multi-step initiative to evaluate flooring materials installed in SDA-delivered and/or funded schools; and

WHEREAS, the objective of the initiative was to identify those with poured polyurethane flooring systems that could pose a health risk due to the presence of mercury; and

WHEREAS, among the school facility flooring identified as requiring further evaluation was the gymnasium (gym) flooring at the Green Grove Elementary School (the School) in the Neptune Township School District (District); and

WHEREAS, in 2020, the Authority’s environmental site consultant tested the flooring in the School’s gym and two (2) rounds of air sampling followed in September 2020 and February 2021; and

WHEREAS, the bulk sampling test results revealed the presence of mercury in the School’s gym flooring and a determination was made to remove the flooring in the gym and install new flooring; and

WHEREAS, following removal of the existing gym floor and while preparing to install the new gym floor, conditions in the existing concrete subfloor were discovered that warranted its removal and the undertaking of subfloor preparation activities (the work) before warrantable new flooring could be installed; and

WHEREAS, Authority staff reviewed the condition of the subfloor with both Epic Management, Inc. (Epic) the general contractor, and their flooring subcontractor and requested that Epic provide a not-to-exceed cost for the work; and

WHEREAS, SDA and Epic agreed upon a time and material not-to-exceed value of \$210,000 for Change Order No. 1 to compensate Epic for the labor, material and equipment required to remove the existing delaminating subfloor leveling material and properly prepare the subfloor to allow for the installation of a warrantable new gym floor; and

WHEREAS, SDA staff will monitor the installation and track the progress of the work using daily reports to document labor, material and equipment used in the construction to verify actual costs; and

WHEREAS, SDA management recommends that the Members of the Authority authorize and approve Change Order No. 1 for general contractor Epic for the School flooring work.

NOW, THEREFORE BE IT RESOLVED, that the Members of the Authority hereby authorize and approve Change Order No. 1 in the time and material not-to-exceed amount of \$210,000 for Epic Management, Inc. for gymnasium flooring removal and preparation activities at the Green Grove Elementary School in the Neptune School District.

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, Epic Management, Inc. Contract No. ET-0026-C02, Change Order No. 1, Neptune School District, Green Grove Elementary School, dated September 7, 2022

Dated: September 7, 2022

**NJSDA 2022 Strategic Plan Update/Authorization of Project Funds to
Advance Planning Activities for Capital Plan Projects**



TO: Members of the Authority

FROM: Gregory Voronov, Managing Director, Program Operations

DATE: September 7, 2022

SUBJECT: NJSDA 2022 Strategic Plan Update
Authorization of Project Funds to Advance Planning Activities for Capital Plan Projects

INTRODUCTION

The Members of the New Jersey Schools Development Authority (NJSDA or the Authority) are requested to authorize SDA management to obligate and expend project funds necessary to support planning activities needed to validate and advance projects identified in the 2022 Strategic Plan Update approved by the Members at the April 2022 Board Meeting.

The Operating Authority adopted by the Board on December 1, 2010 as amended on March 7, 2012, requires approval by the Board of NJSDA Capital Plans. The Operating Authority also requires approval by the Board of Project Charters. Pursuant to established controls, a Project Charter or an alternative Board approval must precede management's expenditure of project funds.

BACKGROUND

The NJSDA 2022 Strategic Plan Update, approved by the Members at the April 2022 Board Meeting, identified 19 projects as the first tranche of projects for advancement to either address overcrowding or provide replacement facilities for which there was land available under either district or NJSDA control. In conjunction with the approval of the Strategic Plan Update, the Members also approved the advancement of 3 projects in Bridgeton, Elizabeth and Garfield to be funded from the \$200 million authorized for the Authority in the State FY 2022 budget.

During the State FY 2023 budget approval process, \$1.55 billion was allocated to the Authority for the advancement of additional work identified in the Strategic Plan Update. As such, staff is recommending that the remaining 16 first tranche projects identified in the Strategic Plan be authorized by the Board to advance to the validation and planning stage. The projects recommended include:

Projects to Address Overcrowding

County	District	Grades Served	Project Type
Cumberland	Bridgeton	PK, 6 - 8	Addition/Renovation
Cumberland	Bridgeton	6 - 8	Addition/Renovation
Bergen	Garfield	PK - 5	New School (Replacement)
Hudson	Jersey City	PK	New School
Middlesex	New Brunswick	6 - 8	Addition/Renovation
Essex	Newark	PK - 8	New School (Replacement)
Essex	Newark	PK - 8	New School (Replacement)
Passaic	Passaic City	9 - 12	TBD
Passaic	Paterson	9 - 12	New School or Addition/Renovation
Middlesex	Perth Amboy	K - 5	New School
Atlantic	Pleasantville	PK - 5	New School (Replacement)
Mercer	Trenton	K - 5	New School
Hudson	West New York	PK - 8	New School

Projects to Address Serious Facilities Deficiencies through Replacement Facilities

County	District	Grades Served	Project Type
Camden	Camden City	PK – 8	New School (Replacement)
Camden	Camden City	PK – 8	New School (Replacement)
Salem	Salem City	PK – 8	New School (Replacement)

PLANNING ACTIVITIES/FUNDING

The below defined parameters will provide control and oversight of the expenditure of funds and advancement of needed planning activities for the identified projects. These activities will support the development of project scope (including confirming whether new construction, addition, or another alternative is appropriate), as well as facility size, anticipated costs and other details. These planning activities will also provide the foundation for the establishment of Project Charters for subsequent Board review and approval.

Activities supporting a project’s defining characteristics for inclusion in a Charter may include feasibility studies, cost analyses, planning analyses, site surveys and environmental assessments. Timely advancement of necessary activities with the appropriate fiscal controls will support development of recommended Charters and enable fully-informed decision making by the Board.

Planning activity funding shall be limited to a not-to-exceed amount of \$200,000 per project, prior to the approval of a Project Charter or additional Board approved funding. Obligations within that value must receive the approval of the NJSDA Chief Executive Officer following his review of a planning activities recommendation memorandum which shall detail the preliminary project parameters requiring validation and development. Such parameters will include construction type, target capacity and building size and site investigation requirements.

RECOMMENDATION

The Members of the Authority are requested to approve the proposed amendment to the NJSDA’s Capital Plan to incorporate additional projects for advancement and to authorize the necessary funding to proceed with planning activities for the above listed projects. Consistent with the Operating Authority adopted by the Board on December 1, 2010 as amended on March 7, 2012, management will seek the Members’ approval for all Project Charters developed based upon the results of these activities.

/s/ Gregory Voronov

Gregory Voronov, Managing Director, Strategic Planning and Program Operations

Resolution – 6e.

SDA 2022 Strategic Plan Update/Authorization of Project Funds to Advance Planning Activities for Capital Plan Projects

Resolution

WHEREAS, the New Jersey Schools Development Authority (SDA or the Authority) was established by law pursuant to P.L.2007, C.137 (N.J.S.A. 52:18A-235 et. seq.) as an entity “in but not of” the New Jersey State Department of the Treasury; and

WHEREAS, P.L. 2007, C. 137 (N.J.S.A. 52L18A-235 et seq.) provides that “(SDA) shall establish a Statewide strategic plan to be used in the sequencing of SDA district school facilities projects; and

WHEREAS, the SDA Operating Authority requires that the Authority’s Capital Plans receive approval by the Members of the Authority; and

WHEREAS, the SDA Operating Authority further requires that the Members authorize the expenditure of funds to perform the necessary planning work to inform the development of project charters for subsequent Board approval; and

WHEREAS, the SDA’s Capital Planning efforts recognize the ongoing inclusion of projects for the continuation of a rolling advancement of work; and

WHEREAS, the SDA 2022 Strategic Plan Update, approved by the Members at the April 2022 Board Meeting, identified nineteen (19) projects as the first tranche of projects for advancement to either address overcrowding or provide replacement facilities for which there was land available under either district or SDA control; and

WHEREAS, in conjunction with the approval of the Strategic Plan Update, the Members also approved the advancement of three (3) projects to be funded from the \$200 million authorized for the Authority in the State FY 2022 budget; and

WHEREAS, the State FY 2023 budget allocated \$1.55 billion to the Authority for the advancement of additional work identified in the Strategic Plan Update; and

WHEREAS, SDA management and staff recommend that the Members of the Authority authorize advancement to the validation and planning stage of the remaining sixteen (16) first tranche projects identified in the SDA 2022 Strategic Plan and set forth in the memorandum presented to the Board on this date and incorporated herein; and

WHEREAS, SDA management further recommends that the Board authorize the expenditure of funds necessary for the advancement of planning activities as described in the Board memorandum, with total funding for the same to be in the not-to-exceed amount of \$200,000 per project prior to approval of a project charter or additional Board approved funding.

NOW, THEREFORE, BE IT RESOLVED, that the Members of the Authority hereby authorize and approve the proposed amendment to the SDA's Capital Plan to incorporate additional projects for advancement and authorize expenditure of the necessary funding to proceed with planning activities for the projects set forth in the memorandum presented to the Board on this date and incorporated herein.

BE IT FURTHER RESOLVED, that consistent with the SDA Operating Authority, Board approval will be sought going forward for all project charters developed based upon the results of these planning activities.

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: SDA 2022 Strategic Plan Update/Authorization of Project Funds to Advance Planning Activities for Capital Plan Projects, dated September 7, 2022

Dated: September 7, 2022

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

TO BE PROVIDED IN EXECUTIVE SESSION

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: September 7, 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 8/23/22

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 8/23/22

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 8/23/22

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. (Dobco, Inc.)	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 8/23/22

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 8/1/2022

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	4Q 2022	On-target	Phased	On-target	\$ 56,063,605
3	Keansburg	Port Monmouth Road School	Addition/Renovation	Construction	4Q 2022	On-target	Sep-22	On-target	\$ 28,440,130
4	Millville	Millville Senior High School	Addition/Renovation	Construction	4Q 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
7	Union City	New Grade 7 to 9 School	New Construction	Design-Build Design	3Q 2025	On-target	Sep-25	On-target	\$ 93,696,300

Active Project Status Report

Status as of 8/1/2022

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	Achieved	3Q 2022	On-Target	\$ 1,758,900
4	Newark	Malcolm X. Shabazz HS	Structural Repairs	Construction	3Q 2022	On Target	3Q 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 2023	On Target	3Q 2023	On-Target	\$ 2,867,680
7	Paterson	PS #5	Roof Replacement & Masonry Repairs	Construction	3Q 2022	On Target	3Q 2022	On-Target	\$ 10,968,112
8	Plainfield	Plainfield HS	Boiler Room Roof Repairs	Construction	3Q 2022	Achieved	4Q 2022	On-Target	\$ 674,800

PROJECT STATUS REPORT



STATE OF NEW JERSEY

SCHOOLS DEVELOPMENT AUTHORITY

MEMORANDUM

TO: Members of the Authority

FROM: Gregory Voronov
Managing Director – Program Operations

DATE: September 7, 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 July 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%	86%	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%	92%	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: July 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: July 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: September 7, 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 July 1 through July 31, 2022.

Noteworthy Items during the reporting period:

- Execution of 1 contract for Design-Build services for the Union City New Grade 7 to 9 School totaling \$74M.

Amendments & Change Orders Report

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

Noteworthy Items during the reporting period:

- 3 Professional Services Amendments were executed during the reporting period totaling a credit of \$74k, of the 3 executed amendments none required Board approval.
- 37 Construction Services Change Orders were executed during the reporting period totaling \$248k, of the 37 executed change orders none required Board Approval.

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

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

- No Activity to Report



Contracts Executed Report

Reporting Period: 7/1/2022 through: 7/31/2022

District	School Name(s)	Project Type	Contract Type	Contract Number	Vendor	MWSBE Cert(s)	Contract Award Amount	Contract Execution Date	Per School CCE	Total CCE
Part 2. Construction Services										
Contractor										
Union City	New Grade 7 to 9 School	New	DB	HU-0029-B01	Dobco Inc.		\$74,000,000	7/26/2022	-	\$65,300,000
Contractor										
Part 2. Construction Services							\$74,000,000			\$65,300,000



Contracts Executed Report

Reporting Period: 7/1/2022 through: 7/31/2022

District	School Name(s)	Project Type	Contract Type	Contract Number	Vendor	MWSBE Cert(s)	Contract Award Amount	Contract Execution Date	Per School CCE	Total CCE
Part 4. Other Contracts & Services										
Others										
Plainfield	New K-5 Elementary School	New	FFE	ET-0100-Q01	Daco Limited Partnership dba Dauphin North America		\$24,524	07/18/2022	-	
Others										
Part 4. Other Contracts & Services							\$24,524			Total Contracts Awarded
Grand Totals - Professional and Construction Services Combined							\$74,024,524			2

** Contracts less than \$10,000 are not displayed

Project Types Legend

- HS Health & Safety
- New New Constuction
- Add Addition
- RenoAdd Addition & Renovation
- Reno Renovation

Contract Types Legend

- Aquisition Property Acquisition Related Costs
- Appraisal Appraisal, Appraisal Review, NRE
- Construction Construction
- Design Design or Site Investigation
- DB Design-Build
- E-Rate E-Rate
- FFE Furniture, Fixtures, and Equipment
- General General Program Cost
- Legal Legal
- Material Material Supply
- ProjectMgmt Project Management Firm
- PreDevelopment Predevelopment or Demolition
- Relocation Relocation Services
- SiteInvstgtn Site Investigation
- Testing Testing
- Title Title Services
- Utilities Utilities Services

MWSBE CERTIFICATIONS

- M = Minority Business Enterprise
- W = Women Business Enterprise
- S = Small Business Enterprise



Amendments & Change Orders Report

Reporting Period: 7/1/2022 through: 7/31/2022

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	05/05/15	23	Kliment Halsband Architects LLP	07/15/22	\$3,558,511	\$567,970	\$54,600			\$4,181,081	17.50%
Construction Management Services													
Passaic City	Dayton Ave. Educational Campus	NT-0052-M02	05/21/18	3	Gilbane Building Company	07/20/22	\$4,043,560	(\$474,787)	(\$79,021)			\$3,489,752	-13.69%
Paterson	Union Avenue Middle School E.S.	PA-0011-M01	07/01/19	5	Cambridge Construction Management, Inc.	07/06/22	\$1,788,346	\$24,960	(\$49,579)			\$1,763,727	-1.37%
Professional Services													
Construction Services													
Contractor													
City Of Orange Township	Orange H.S.	ES-0042-C01	04/29/19	12	Terminal Construction Corp.	07/08/22	\$37,000,000	\$5,802,026	\$2,263			\$42,804,288	15.68%
City Of Orange Township	Orange H.S.	ES-0042-C01	04/29/19	24	Terminal Construction Corp.	07/12/22	\$37,000,000	\$5,804,288	\$1,731			\$42,806,019	15.69%
City Of Orange Township	Orange H.S.	ES-0042-C01	04/29/19	43	Terminal Construction Corp.	07/12/22	\$37,000,000	\$5,806,019	\$2,012			\$42,808,031	15.69%
City Of Orange Township	Orange H.S.	ES-0042-C01	04/29/19	50	Terminal Construction Corp.	07/12/22	\$37,000,000	\$5,808,031	\$1,696			\$42,809,727	15.70%
City Of Orange Township	Orange H.S.	ES-0042-C01	04/29/19	120	Terminal Construction Corp.	07/12/22	\$37,000,000	\$5,809,727	\$23,849			\$42,833,576	15.76%
City Of Orange Township	Orange H.S.	ES-0042-C01	04/29/19	130	Terminal Construction Corp.	07/12/22	\$37,000,000	\$5,833,576	\$11,448			\$42,845,024	15.79%
City Of Orange Township	Orange H.S.	ES-0042-C01	04/29/19	142	Terminal Construction Corp.	07/12/22	\$37,000,000	\$5,845,024	\$16,316			\$42,861,340	15.84%
City Of Orange Township	Orange H.S.	ES-0042-C01	04/29/19	143	Terminal Construction Corp.	07/12/22	\$37,000,000	\$5,861,340	\$7,897			\$42,869,237	15.86%
City Of Orange Township	Orange H.S.	ES-0042-C01	04/29/19	155	Terminal Construction Corp.	07/12/22	\$37,000,000	\$5,869,237	\$1,867			\$42,871,104	15.86%
City Of Orange Township	Orange H.S.	ES-0042-C01	04/29/19	156	Terminal Construction Corp.	07/12/22	\$37,000,000	\$5,871,104	\$3,950			\$42,875,054	15.87%
City Of Orange Township	Orange H.S.	ES-0042-C01	04/29/19	166	Terminal Construction Corp.	07/12/22	\$37,000,000	\$5,875,054	\$3,859			\$42,878,913	15.88%
City Of Orange Township	Orange H.S.	ES-0042-C01	04/29/19	170	Terminal Construction Corp.	07/12/22	\$37,000,000	\$5,878,913	\$29,040			\$42,907,953	15.96%
City Of Orange Township	Orange H.S.	ES-0042-C01	04/29/19	172	Terminal Construction Corp.	07/12/22	\$37,000,000	\$5,907,953	\$4,078			\$42,912,031	15.97%
City Of Orange Township	Orange H.S.	ES-0042-C01	04/29/19	173	Terminal Construction Corp.	07/12/22	\$37,000,000	\$5,912,031	\$4,626			\$42,916,657	15.99%
City Of Orange Township	Orange H.S.	ES-0042-C01	04/29/19	157	Terminal Construction Corp.	07/13/22	\$37,000,000	\$5,916,657	\$3,567			\$42,920,224	16.00%
City Of Orange Township	Orange H.S.	ES-0042-C01	04/29/19	174	Terminal Construction Corp.	07/15/22	\$37,000,000	\$5,920,224	\$27,331			\$42,947,555	16.07%
City Of Orange Township	Orange H.S.	ES-0042-C01	04/29/19	175	Terminal Construction Corp.	07/15/22	\$37,000,000	\$5,947,555	\$92,871			\$43,040,426	16.32%
City Of Orange Township	Orange H.S.	ES-0042-C01	04/29/19	121	Terminal Construction Corp.	07/22/22	\$37,000,000	\$6,040,426	\$80,930			\$43,121,356	16.54%
City Of Orange Township	Orange H.S.	ES-0042-C01	04/29/19	154	Terminal Construction Corp.	07/25/22	\$37,000,000	\$6,121,356	\$112,822			\$43,234,178	16.84%
City Of Orange Township	Orange H.S.	ES-0042-C01	04/29/19	171	Terminal Construction Corp.	07/28/22	\$37,000,000	\$6,234,178	\$1,972			\$43,236,151	16.85%



STATE OF NEW JERSEY
SCHOOLS DEVELOPMENT AUTHORITY

Amendments & Change Orders Report

Reporting Period: 7/1/2022 through: 7/31/2022

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 %
City Of Orange Township	Orange H.S.	ES-0042-C01	04/29/19	180	Terminal Construction Corp.	07/28/22	\$37,000,000	\$6,236,151	\$35,367			\$43,271,518	16.95%
City Of Orange Township	Orange H.S.	ES-0042-C01	04/29/19	179	Terminal Construction Corp.	07/29/22	\$37,000,000	\$6,271,518	\$12,143			\$43,283,661	16.98%
Harrison	Harrison Kennedy E.S.	HU-0027-C01	01/04/22	1	Catcord Construction Co., Inc.	07/20/22	\$384,850	\$0	\$16,446			\$401,296	4.27%
Keansburg Borough	Port Monmouth Road School	ET-0098-C01	12/19/19	12	Niram Inc.	07/29/22	\$18,645,000	\$1,185,115	\$1,359			\$19,831,474	6.36%
Newark	Ivy Hill	EP-0111-C01	05/25/21	7	Catcord Construction Co., Inc.	07/28/22	\$843,900	\$28,334	(\$100,000)			\$772,234	-8.49%
Newark	Ivy Hill	EP-0111-C01	05/25/21	8	Catcord Construction Co., Inc.	07/28/22	\$843,900	(\$71,667)	(\$50,000)			\$722,234	-14.41%
Newark	Ivy Hill	EP-0111-C01	05/25/21	9	Catcord Construction Co., Inc.	07/28/22	\$843,900	(\$121,667)	(\$15,000)			\$707,234	-16.19%
Newark	Ivy Hill	EP-0111-C01	05/25/21	10	Catcord Construction Co., Inc.	07/28/22	\$843,900	(\$136,667)	(\$22,353)			\$684,881	-18.84%
Newark	Ivy Hill	EP-0111-C01	05/25/21	11	Catcord Construction Co., Inc.	07/28/22	\$843,900	(\$159,019)	(\$15,000)			\$669,881	-20.62%
Paterson	Number 5 E.S.	EP-0113-C01	06/15/21	10	Paul Otto Building Co., Inc.	07/28/22	\$7,494,000	\$394,360	(\$327,523)			\$7,560,836	0.89%
Millville	High School	ST-0046-B01	05/24/17	50	Hall Construction Co., Inc.	07/25/22	\$114,453,000	\$8,089,834	\$31,391			\$122,574,225	7.09%
Passaic City	New ES at Leonard Place	NT-0050-B01	01/14/16	13	Dobco, Inc.	07/15/22	\$32,750,000	(\$795,933)	\$337,748			\$32,291,815	-1.39%
Passaic City	Dayton Ave. Educational Campus	NT-0052-B01	01/02/18	37	Terminal Construction Corp.	07/08/22	\$163,560,000	(\$296,934)	(\$15,548)			\$163,247,518	-0.19%
Passaic City	Dayton Ave. Educational Campus	NT-0052-B01	01/02/18	38	Terminal Construction Corp.	07/25/22	\$163,560,000	(\$312,482)	(\$4,032)			\$163,243,486	-0.19%
Perth Amboy	New Perth Amboy High School	ET-0099-B01	01/06/20	11	Terminal Construction Corp.	07/06/22	\$247,950,000	\$2,738,549	(\$5,326)			\$250,683,223	1.10%
Perth Amboy	New Perth Amboy High School	ET-0099-B01	01/06/20	13	Terminal Construction Corp.	07/06/22	\$247,950,000	\$2,733,223	(\$61,705)			\$250,621,518	1.07%
Plainfield	New K-5 Elementary School	ET-0100-B01	03/11/20	7	Epic Management, Inc.	07/15/22	\$45,335,000	\$608,058	(\$3,832)			\$45,939,226	1.33%

Construction Services \$248,260

Total Change Order Summary	Total Change Orders
\$174,260	40

Grand Totals	
Column Description Legend	
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: September 7, 2022

SUBJECT: Diversity and Workforce Participation Monthly Update for June 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 June 30, 2022 was \$6,964,169. The total contract dollars awarded to all SBE contractors was \$1,459,225 (including minorities, women and veterans). This represents an initial participation of 20.96% 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	\$ 1,304,300	18.73%
Small/ Minority Business Enterprises	\$ 74,925	1.08%
Small/Women Business Enterprises	\$ 80,000	1.15%
Small/Veteran Owned Business Enterprises	\$ -0-	0.00%
Small/Minority/Women Business Enterprises	\$ -0-	0.00%
TOTAL DIVERSITY CONTRACTS	\$ 1,459,225	20.96%

WORKFORCE PARTICIPATION

For the month of June 2022, there was a contractor workforce of 555 on SDA projects. This represents a total of 42,421 contractor workforce hours as follows:

Contractor Workforce Breakdown (All Trades/Districts/Counties)			
Ethnicity	Total Workforce	Total Workforce Hours	Workforce Hours Percentage
Black	47	3,600	8.49%
Hispanic	112	8,125	19.15%
American Indian	0	0	0.00%
Asian	0	0	0.00%
Total Minority Participation	159	11,725	27.64%
Total Non-Minority Participation	396	30,696	72.36%
Total Contractor Workforce	555	42,421	100.00%

There was a contractor workforce of 260,409 total workforce hours and 2,248 total female workforce hours on SDA projects for the period of January 1, 2022 through June 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	260,409	100.00%
*Total Local County Workforce Hours	31,596	12.13%
Total Local County Non-Minority Workforce Hours	15,654	6.01%
Total Local County Female Workforce Hours	0	0.00%
Total Local County Minority Workforce Hours	15,942	6.12%
**Local County Workforce Hours by Ethnicity:		
Black	5,380	2.07%
Hispanic	10,562	4.06%
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 June 30, 2022.

SDA Managed Project	Total Workforce Hours	Minority Workforce Hours & Percentage		Local County Workforce Hours & Percentage	
Port Monmouth Road School	20,704	4,593	22.18%	0	0.00%
Millville HS	43,625	11,644	26.69%	5,694	13.05%
Union Ave MS	543	149	27.44%	0	0.00%
Orange HS	9,070	2,545	28.06%	120	1.32%
Perth Amboy HS	128,223	31,861	24.85%	7,905	6.17%
Plainfield ES	48,890	16,730	34.22%	17,877	36.57%
Emergent Projects	7,853	3,584	45.64%	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: September 7, 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 July 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.
- 5 grant impacting 3 districts were closed out during the reporting period representing total project costs of \$2.2 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

July 2022

ROD Grant Summary Since Program Inception				
	Offered ¹	Executed	Closed-Out	Active
Districts Impacted	-	524	520	51
Number of Grant Projects	-	5,404	5,203	201
Total Project Cost Estimate	\$ -	\$ 8,941,995,214	\$ 8,786,969,141	\$ 155,026,072
Grant Amount	\$ -	\$ 3,001,515,867	\$ 2,926,754,065	\$ 74,761,801
Amount Disbursed	N/A	\$ 2,950,723,350	\$ 2,926,754,065	\$ 23,969,284

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	-	3
Number of Grant Projects	-	5
Total Project Cost Estimate	\$ -	\$ 2,198,197
Grant Amount	\$ -	\$ 1,190,103
Amount Disbursed	NA	\$ 1,190,103

* 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

MEMORANDUM

TO: Members of the Authority

FROM: /s/ Edye Maier, Director of Communications

DATE: September 7, 2022

SUBJECT: Monthly Communications Report

SDA Celebrates the Ribbon Cutting for the Dayton Avenue Educational Campus



On August 23, SDA CEO Manuel Da Silva joined Governor Murphy, Senate Majority Leader Theresa Ruiz, Senator Paul Sarlo, Assemblyman Gary Schaer, Mayor Hector Lora, Acting Education Commissioner Angelica Allen-McMillan, and Superintendent Sandra Montanez-Diodonet at a ribbon cutting ceremony for the Dayton Avenue Educational Campus in Passaic City, the largest SDA project completed in the state to-date. In addition to celebrating the opening of the school, the event highlighted the State's allocation of \$1.55 billion to support the Schools Development Authority's (SDA) 2022 Strategic Plan to advance more than a dozen

school construction projects in SDA districts and an additional \$350 million for facilities projects in Regular Operating Districts.

The Dayton Avenue Educational Campus project consisted of the construction of an approximately 448,000 square-foot, four-story educational campus that includes four school facilities located in a unified structure with shared central facilities. The campus is designed to educate a maximum of approximately 3,000 students in grades Pre-Kindergarten through 8.

CEO Staff Speak at Alliance for Action’s ‘The Inside Scoop’



On August 12, SDA staff including Manuel Da Silva, Gregory Voronov, and Edye Maier, spoke at the New Jersey Alliance for Action’s ‘The Inside Scoop’ meeting. Dozens of companies were present to learn more about the opportunities in new school construction following the recent appropriation of funding in the Fiscal Year 2023 State Budget.

MONTHLY FINANCIAL REPORT



MEMORANDUM

TO: Members of the Authority

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

DATE: September 7, 2022

SUBJECT: Monthly Financial Report – July 2022

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

For July 2022 year to date, Authority operating expenses, **\$8.7M**, are **\$1.6M** lower than budget for the corresponding period. This variance is attributable to lower employee salary and benefit costs as compared to budget, **\$2.2M**, partially offset by a lower payroll and benefits expense allocation to project costs, **\$1.6M**. Other contributing factors include lower spending for contracted services, **\$314K** information system purchases, **\$255K**, general office expenses, **\$227K**, and SDA-owned vehicles, **\$18K**.

The full time employee (FTE) headcount is 134 as of July 31, 2022. This total represents a 33 FTE decrease in comparison to the year to date budget.

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

For July 2022 year to date, Authority operating expenses, **\$8.7M**, are **\$491K** lower when compared to the corresponding prior year. This variance is due to a decrease in year over year employee salary and benefit costs, **\$1.9M**, partially offset by a lower payroll and benefits expense allocation to project costs, **\$1.2M**.

The current number of FTEs, 134, is down 28 FTEs as compared to the corresponding prior year.

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

For July 2022 year to date, project expenditures, **\$190.7M**, are **\$28.3M** higher than the capital spending forecast for the corresponding period. This variance is due to higher than forecasted spending for grant activity, **\$64.5M**, offset by lower than forecasted spending for construction work, **\$31.1M**, project insurance, **\$2.3M**, payroll expense allocation, **\$1.6M**, design services, **\$708K**, school furniture and fixtures, **\$451K**, and inter-agency transfers, **\$266K**.

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

For July 2022 year to date, project expenditures **\$190.7M**, are higher by **\$53.5M**, when compared to the corresponding prior year. This variance is related to increased spending activity in grants, **\$70.1M**, school furniture and fixtures, **\$8.5M**, and design services, **\$1.1M** offset by a decrease in spending activity for construction work, **\$22.0M**, project insurance, **\$1.8M**, payroll expense allocation, **\$1.2M**, PMF/CM services, **\$861K**, and inter-agency transfers, **\$383K**.

Other

Since program inception, 92.1% 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
July 2022
(Unaudited)

New Jersey Schools Development Authority

Overview of Financial Position

July 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, July 31, 2022.

► Overall **Cash and Cash Equivalents** have decreased by \$197.2 million to \$423.9 million, as follows:

■ Receipt of bond and note proceeds (Issued by EDA)	\$ -
■ Investment earnings	1,345,106
■ Miscellaneous revenue	20,104
■ Project costs	(190,722,008)
■ SDA operating expenses	(9,058,890)
■ SDA capital expenditures	-
■ Deposits (primarily district local shares)	1,199,529
Net Change in Cash	\$ (197,216,159)

► **Prepaid Expenses** total \$260,458 as follows:

- Prepaid insurance of \$232,847.
- Prepaid security deposit of \$1,950 for the Authority's flexible spending accounts.
- Prepaid MIS maintenance service contracts of \$23,206.
- Other prepaids of \$2,455.

► **Capital Assets** total \$1,237,308 (net of accumulated depreciation of \$4,956,129), 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 \$318,992.

► **Accrued Liabilities** total \$82.1 million, as follows:

- Accrued project costs of \$21.7 million consisting of unpaid invoices (\$3.7 million) and retainage (\$18.0 million).
- Net pension liability of \$25.0 million.
- Other post-employment benefits obligation of \$29.7 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 \$1.5 million.
- Payroll related liabilities of \$1.8 million.
- Other accrued liabilities of \$0.3 million.

► **Deposits** total \$7.8 million, as follows:

- \$7.8 million is held for local share agreements (pass-through item).

► The Authority's **Net Position** at month end is \$311.7 million.

New Jersey Schools Development Authority

School Facilities Project Expenditures & Funding Allocation

July 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 \$17.8 million and \$190.7 million, respectively, as follows:

<u>Category</u>	<u>Current Month</u>	<u>Current Year-To-Date</u>	<u>Since Program Inception</u>
Construction	\$ 12,101,865	\$ 94,211,959	\$ 5,593,453,893
Design Services	25,662	363,498	413,106,342
PMF/CM Services	477,904	2,884,283	478,053,370
SDA Project Management	670,726	5,490,235	127,107,842
Property Acquisition, Relocation & Enviro	128,471	1,082,644	585,998,911
School Furniture, Fixtures & Equipment	561,290	10,515,852	231,911,337
Project Insurance	34,033	(568,925)	114,022,463
NJ State Inter-Agency Transfers	-	-	52,505,486
SDA District Grant & Funding Agreements	1,959,666	51,138,811	930,103,546
Regular Operating District Grant Agreements	1,799,889	24,990,203	2,979,675,497
Real-Time Project Audits	19,633	162,657	953,366
Property Management, Maintenance & Utils	26,683	190,338	19,044,754
Outside Legal & Claims Resolution Services	40,637	145,590	11,659,175
Temporary Staffing	-	33,013	10,709,577
Other Project Costs	666	81,850	62,274,453
Project Credits	-	-	(54,902,944)
Total Project Expenditures	17,847,125	190,722,008	11,555,677,068
Less: Local Share Contributions	-	-	(185,112,439)
Project Expenditures (State Share)	\$ 17,847,125	\$ 190,722,008	\$ 11,370,564,629
2022 Capital Spending Forecast	\$ 21,831,105	\$ 162,431,094	

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	\$ 9,027,766,337	\$ 8,316,126,539
■ Regular Operating Districts	3,450,000,000	3,500,572,371	3,276,622,922
■ Vocational Schools	150,000,000	152,021,034	122,523,024
Total - State Share	\$ 12,500,000,000	\$ 12,680,359,742	\$ 11,715,272,485

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

■ SDA Districts	92.1%
■ Regular Operating Districts	93.6%
■ Vocational Schools	80.6%
Total - State Share	92.4%

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 \$516,746,810.

New Jersey Schools Development Authority

Fund Reporting Operating Expenses vs Budget

July 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	\$ 7,373,972	\$ 9,059,925	\$ (1,685,953)
Employee Benefits	4,387,346	4,891,644	(504,298)
Direct Hire Temporary Employee Costs	16,496	28,259	(11,763)
Total Employee Salaries & Benefits Costs	11,777,814	13,979,828	(2,202,014)
Less: Employee Salaries & Benefits Costs			
Charged to Projects	5,490,235	7,090,418	(1,600,183)
Salaries & Benefits Charged to Operating Expense	6,287,579	6,889,410	(601,831)
Temporary Staffing Services	-	87,500	(87,500)
Travel & Expense Reimbursements	10,354	15,288	(4,934)
Training & Professional Development	16,440	57,463	(41,023)
Total Personnel Expenses	6,314,373	7,049,661	(735,288)
Non-Personnel Operating Expenses:			
Facilities & General Office Expenses	1,201,539	1,428,343	(226,804)
Information Systems	594,071	848,942	(254,871)
Professional & Other Contracted Services	269,527	583,606	(314,079)
Property & Casualty Insurance	269,897	272,594	(2,697)
SDA-Owned Automobiles	91,753	109,581	(17,828)
Communications & Outreach	72	1,050	(978)
Reserve for Unforeseen Events & New Initiatives	-	29,169	(29,169)
Total Authority Operating Expenses	\$ 8,741,232	\$ 10,322,946	\$ (1,581,714)

2022 Annual Operating Budget

\$ 15,754,151

New Jersey Schools Development Authority

Fund Reporting Operating Expenses vs Prior Year

July 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	\$ 7,373,972	\$ 8,609,669	\$ (1,235,697)
Employee Benefits	4,387,346	5,034,544	(647,198)
Direct Hire Temporary Employee Costs	16,496	-	16,496
Total Employee Salaries & Benefits Costs	11,777,814	13,644,213	(1,866,399)
Less: Employee Salaries & Benefits Costs			
Charged to Projects	5,490,235	6,715,688	(1,225,453)
Salaries & Benefits Charged to Operating Expense	6,287,579	6,928,525	(640,946)
Temporary Staffing Services	-	-	-
Travel & Expense Reimbursements	10,354	11,005	(651)
Training & Professional Development	16,440	12,828	3,612
Total Personnel Expenses	6,314,373	6,952,358	(637,985)
Non-Personnel Operating Expenses:			
Facilities & General Office Expenses	1,201,539	1,174,573	26,966
Information Systems	594,071	587,993	6,078
Professional & Other Contracted Services	269,527	249,266	20,261
Property & Casualty Insurance	269,897	235,578	34,319
SDA-Owned Automobiles	91,753	32,477	59,276
Communications & Outreach	72	64	8
Reserve for Unforeseen Events & New Initiatives	-	-	-
Total Authority Operating Expenses	\$ 8,741,232	\$ 9,232,309	\$ (491,077)

New Jersey Schools Development Authority

Employee Headcount

July 31, 2022

	<u>Current Month End</u>	<u>Budget</u>	<u>Over/ (Under)</u>
Office of Chief Executive Officer	2	3	(1)
Human Resources	4	4	-
Vacant Positions	0	11	(11)
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	7	8	(1)
Internal Audit	2	3	(1)
Office of Chief Financial Officer	1	2	(1)
Financial Operations	7	7	-
Financial Accounting & Disbursements	9	10	(1)
Procurement	8	8	-
Risk Management	2	8	(6)
Property Management	1	2	(1)
Facilities	5	4	1
Total Full-Time Employees at Month End	<u>134</u>	<u>167</u>	<u>(33)</u>
Total Full-Time Employees at Year End		<u>175</u>	

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

	<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	\$ 423,944,004	\$ 621,160,163	\$ (197,216,159)
Receivables	700	4,847	(4,147)
Prepaid Expenses	260,458	155,694	104,764
Capital Assets (Net of Accumulated Depr.)	1,237,308	1,556,300	(318,992)
Total Assets	<u>425,442,470</u>	<u>622,877,004</u>	<u>(197,434,534)</u>
DEFERRED OUTFLOWS OF RESOURCES			
Deferred Amount for Pensions & OPEB	<u>7,890,061</u>	<u>10,362,143</u>	<u>(2,472,082)</u>
TOTAL ASSETS & DEFERRED OUTFLOWS OF RESOURCES			
	<u>\$ 433,332,531</u>	<u>\$ 633,239,147</u>	<u>\$ (199,906,616)</u>
LIABILITIES			
Accrued Project Costs	\$ 25,381,131	\$ 52,907,777	\$ (27,526,646)
Net Pension Liability	25,006,500	25,006,500	-
Accrued Other Post-Employment Benefits	29,722,181	29,188,405	533,776
Other Accrued Liabilities	2,006,009	4,690,689	(2,684,680)
Deposits	7,822,898	6,623,369	1,199,529
Total Liabilities	<u>89,938,719</u>	<u>118,416,740</u>	<u>(28,478,021)</u>
DEFERRED INFLOWS OF RESOURCES			
Deferred Amount for Pensions & OPEB	<u>31,718,760</u>	<u>31,718,760</u>	<u>-</u>
NET POSITION			
Invested in Capital Assets	1,237,308	1,556,300	(318,992)
Restricted for Schools Construction:			
Special Revenue Fund	<u>310,437,744</u>	<u>481,547,347</u>	<u>(171,109,603)</u>
Net Position	<u>311,675,052</u>	<u>483,103,647</u>	<u>(171,428,595)</u>
TOTAL LIABILITIES, DEFERRED INFLOWS OF RESOURCES & NET POSITION			
	<u>\$ 433,332,531</u>	<u>\$ 633,239,147</u>	<u>\$ (199,906,616)</u>

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

	<u>Current</u> <u>Year-To Date</u>	<u>2021</u> <u>Year-To Date</u>	<u>Over/</u> <u>(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	1,345,106	123,353	1,221,753
Rental Income	9,120	7,000	2,120
Other Revenue-OPRA	10,984	1,831	9,153
Total Revenues	<u>1,365,210</u>	<u>350,132,184</u>	<u>(348,766,974)</u>
EXPENSES			
Administrative & General Expenses	9,275,008	9,678,487	(403,479)
Capital Depreciation	318,992	317,512	1,480
School Facilities Project Costs	163,199,805	129,548,128	33,651,677
Total Expenses	<u>172,793,805</u>	<u>139,544,127</u>	<u>33,249,678</u>
CHANGE IN NET POSITION	(171,428,595)	210,588,057	(382,016,652)
Beginning of Period Net Position	<u>483,103,647</u>	<u>132,495,342</u>	<u>350,608,305</u>
NET POSITION END OF PERIOD	<u>\$ 311,675,052</u>	<u>\$ 343,083,399</u>	<u>\$ (31,408,347)</u>

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

COMPLETED EXECUTIVE SESSION MATTERS REPORT



To: Members of the Authority

From: Jane F. Kelly, Vice President, Corporate Governance and Legal Affairs

Date: September 7, 2022

Re: Report On Completed Executive Session Matters

Section 3.6 of the Bylaws of the New Jersey Schools Development Authority (NJSDA) authorizes the conduct of certain business of the Authority in Executive Session. Pursuant to Section 3.7 of the Bylaws, the Board shall determine when those matters discussed in Executive Session are appropriate for release in Open Session.

Attached is a list of certain matters that were the subject of discussion in Executive Session meetings of the Board held between March 2009 and June 2022. It has been determined that these matters have now been completed. As such, it is recommended that the resolution of the items listed on the attached be publically released by the Authority in the Open Session of the September 7, 2022 meeting of the NJSDA Board of Directors. Minutes and documents relating to these matters or any portion thereof that are exempt from disclosure under the Open Public Records Act, pursuant to the attorney-client privilege or in accordance with other applicable law shall remain exempt from disclosure, notwithstanding the release of the associated matter by the Board.

**New Jersey Schools Development Authority
Unresolved Board Meeting Executive Session Resolutions
Sorted by Date Originally Presented in Executive Session
March 2009 – June 1, 2022**

DATE ORIGINALLY PRESENTED IN EXECUTIVE SESSION	DETAILS
	AMMENDMENTS/CHANGE ORDERS/AWARDS/CHARTERS
March 4, 2009	COMPANY NAME: Design Ideas Group DISTRICT: Phillipsburg CONTRACT #: NT-0003-A01 PMF: Heery International, Inc. SCHOOL NAME: Phillipsburg High School AMENDMENT: #:1 REASON: Additional Design Services
January 7, 2015	Ratification of Task Order Contract - RBA Group Inc. Engineers, Architects and Planners, P.A. Chancellor Avenue School, Newark Public Schools District.
	SETTLEMENTS
November 7, 2018	Recommendation for Settlement with DLR Architects & Engineering P.C., et al and Penmoni Associates Inc. in the Long Branch High School Cost Recovery Litigation.
December 5, 2018	Recommendation for Settlement in lieu of Prospective Litigation Relating to the Long Branch High School Project.
June 5, 2019	Recommendation for Global Settlement of All Claims Asserted By Dobco, Inc. in Connection with the Jersey City ES No. 3, Passaic Henry Street ES and Jersey City PS No. 20 projects.
June 5, 2019	Recommendation for Global Settlement of All Claims Asserted By and Against the Spector Group.
June 5, 2019	Recommendation for Settlement of the Newark Science Park HS Cost Recovery Litigation.
May 6, 2020	Recommendation for Settlement of Claim Asserted by Torcon, Inc. in Connection with the Elizabeth Elementary School Project.
August 5, 2020	Recommendation for the Settlement of the Cost Recovery Litigation Relating to Elizabeth No. 21 (Victor Mravlag) Elementary School Project.
February 3, 2021	Recommendation for Settlement of Cost Recovery Litigation Relating to Long Branch High School. (New Jersey Schools Development Authority v. DLR Group Architecture & Engineering, P.C., a New Jersey Corporation et al., New Jersey Superior Court, Law Division, Mercer County Docket No. MER-L-1171-14).
March 3, 2021	Recommendation for Settlement of Cost Recovery Litigation Relating to the Jersey City P.S. 3/M.S. 4 School Facilities Project. (New Jersey Schools Development Authority v. Edwards and Kelsey Architectural & Design Services, Inc. and Jacobs Engineering Group, Inc. New Jersey Superior Court, Law Division, Mercer County Docket No. MER-L-555-14).
	REAL ESTATE MATTERS
November 6, 2013	Extension and Modification of Lease: Administrative Office Space at 375 McCarter Highway, Newark NJ.
December 19, 2014	Paterson School District: Amended Real Estate Property Acquisition of former Paterson Catholic High School.
July 1, 2015	Property Acquisition, City of Orange Township, Cleveland Street Elementary School.
September 2, 2015	Request for Real Property Acquisition Approval, Harrison School District New Elementary School.
February 3, 2016	Recommendation for Declaration of Surplus Property, Determination of Property Value, and Authorization for Transfer of South 11 th & 12 th Street Properties to the City of Newark West Side High School.
June 1, 2016	Request for Authorization to Transfer Newark West Ward Property to the City of Newark in Exchange for Delivery of a School Facilities Project or, Alternatively, as Surplus Property; for Determination of Property Value; and for Rescission and Supersedence of February 3, 2016 Board Action.
June 1, 2016	Request to Acquire Temporary Construction Easements – Harrison New Elementary School in the Harrison School District.
January 4, 2017	Recommendation for Declaration of Surplus Property, Determination of Property Value and Authorization for Public Sale and Conveyance of 707-709 Market Street and 108 North 7 th Street in the City of Camden to the Successful Bidder.
August 2, 2017	Request for Authority to enter into Agreement Providing the SDA's consent to Transfer and Redevelopment of Real Property Purchased in Connection with the East Orange Cicely L. Tyson Community School of Performing and Fine Arts Demonstration Project.

**New Jersey Schools Development Authority
Unresolved Board Meeting Executive Session Resolutions
Sorted by Date Originally Presented in Executive Session
March 2009 – June 1, 2022**

DATE ORIGINALLY PRESENTED IN EXECUTIVE SESSION	DETAILS
January 3, 2018	Temporary Facility Lease, Orange Cleveland School.
April 4, 2018	Exercise of an Option for Lease Extension for the TCHS Facilities.
May 2, 2018	Request to Lease Vacant Land and to Acquire Temporary construction Easements Related to the New Perth Amboy School District High School project.
June 6, 2018	Recommendation for Declaration of Surplus Property and Authorization for Transfer of Real Property Formerly Associated with the Newark University High School Project.
August 1, 2018	Recommendation for Determination of Property Value, Declaration of Surplus property and Authorization for Sale and Conveyance of 711-729 main Avenue, Passaic.
December 5, 2018	Fourth Lease Modification and Extension, 375 McCarter Highway, Newark, New Jersey.
December 4, 2019	Recommends that the Board authorize and approve the acquisition of four (4) properties necessary to support the Union City School District's New Grades 7 to 9 School Project.
February 5, 2020	Orange Cleveland Street Elementary School Project Exercise of an Option to Extend a Lease for Temporary Facilities.
February 5, 2020	Request for Authority to Enter Into an Agreement Providing the NJSDA's Consent to the Disposition and Redevelopment of Real Property Acquired with NJSDA funds in connection with the former Trenton Early Childhood Center Project.
May 6, 2020	Approval to exercise lease extension options for 375 McCarter Highway, Newark, NJ and, Approval of a Memorandum of Agreement and Sublease as successor to the MOA with the New Jersey Department of Community Affairs (DCA) providing for the full assumption of the obligations of the Authority under a Lease of office space located at 375 McCarter Highway, Newark.
August 5, 2020	Amendment to MOA: Approval to exercise lease extension options for 375 McCarter Highway, Newark, NJ and, Approval of a Memorandum of Agreement and Sublease as successor to the MOA with the New Jersey Department of Community Affairs (DCA) providing for the full assumption of the obligations of the Authority under a Lease of office space located at 375 McCarter Highway, Newark.
November 4, 2020	Recommendations for Extension of Deadlines in Connection with Property Transferred to the City of Newark, West Ward.
May 5, 2021	Extension of the Lease of Temporary Educational Space, Our Lady of the Valley School, Cleveland Elementary School, Orange School District (One-year and Two-six month Renewal Options).
February 16, 2022	Recommendation for Extension of Deadlines in Connection with Property Transferred to the City of Newark, West Side High School Facilities Project.
April 6, 2022	Authorization to exercise both six-month extensions provided by the current lease, authorization to modify the existing lease to provide for two additional six-month extensions and authorization to exercise additional options to extend the lease for Orange Cleveland Street Elementary School.
June 1, 2022	Recommendation for an Extension of the License Agreement between SDA and NJ Transit regarding the Premises located at 371-395 Ferry Street, Newark, NJ, Block 2487, Lot 1.02.

Prepared by: Stacy Maliszewski, Corporate Governance and Records Manager

Assisted by:

John Dragani, Senior Counsel, Division of Chief Counsel

John Hamilton, Program Officer, Real Estate and Predevelopment

Vishal Maher, Cost Engineer, Financial Operations

Barbara McNeil, Administrative Specialist, Division of Chief Counsel

RESOLUTION TO ADJOURN INTO EXECUTIVE SESSION

Resolution—9.

Resolution to Adjourn into Executive Session

Resolution

WHEREAS, the “Senator Byron M. Baer Open Public Meetings Act” (OPMA), N.J.S.A. 10:4-6, declares “the right of the public to be present at all meetings of public bodies” except as expressly provided in the Act; and

WHEREAS, N.J.S.A. 10:4-12 (b) provides that a public body may exclude the public from that portion of a meeting at which the public body discusses, among other things, any matter involving the lease... of real property with public funds...or any pending or anticipated litigation or contract negotiations in which the public body is or may become a party...falling within the attorney-client privilege, to the extent that confidentiality is required to preserve the attorney-client relationship; and

WHEREAS, the Members of the New Jersey Schools Development Authority (SDA or the Authority) have before them on this date one matter that, pursuant to N.J.S.A. 10:4-12, is appropriate for consideration in Executive Session; and

WHEREAS, the matter for Executive Session consideration involves a potential extension of a licensing agreement between the SDA and the City of Newark regarding SDA owned property located at 464 Hawthorne Avenue, Newark, NJ; and

WHEREAS, the minutes of the Board’s September 7, 2022 Executive Session meeting will be available for release for public review upon the full and final conclusion of all negotiations, legal proceedings, and settlements, and associated matters and/or the execution of all documentation, agreements and leases associated therewith.

NOW, THEREFORE, BE IT RESOLVED, that the Members of the Authority hereby resolve to adjourn into Executive Session to consider and deliberate with regard to the matter described herein and, thereafter, to vote on the associated Resolution No. 7a. upon the Board’s return to Open Session.

BE IT FURTHER RESOLVED, that the minutes of the Board’s September 7, 2022 Executive Session meeting will be available for release for public review upon the full and final conclusion of all negotiations, legal proceedings, settlements, and associated matters, and/or the execution of all documentation, agreements and leases associated therewith.

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: Resolution to Adjourn into Executive Session, dated September 7, 2022

Dated: September 7, 2022