

**NEW JERSEY SCHOOLS DEVELOPMENT AUTHORITY  
BOARD OF DIRECTORS MEETING  
WEDNESDAY, MARCH 4, 2026**

A meeting of the Board of Directors of the New Jersey Schools Development Authority (SDA or the Authority) was held on Wednesday, March 4, 2026 at 9:00A.M. in the Joseph A. McNamara Board Room 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)

Steven Colella (DOE)

John Capo, Public Member

Lester Lewis-Powder, Public Member

Michael McLaughlin, Public Member

Michael Maloney, Public Member

Mario Vargas, Public Member

Nicole Vecchione, Public Member

being a quorum of the Board. Mr. Nixon, Mr. Capo, Mr. Colella, Mr. Lewis-Powder, Mr. Maloney, Mr. McLaughlin, Mr. Moore and Ms. Vecchione participated by teleconference.

At the Chairman's request, Manuel Da Silva, chief executive officer; Laurette Pitts, vice president and chief financial officer; Janice Venables, vice president and assistant secretary; Ramy Kamel, vice president; Albert Barnes, chief counsel and additional assistant secretary of the SDA participated in the meeting. Aaron Cruz of the Governor's Authorities Unit also participated in the meeting by teleconference.

## ***Pledge of Allegiance***

Led by Mr. Da Silva, the assembled Members stood and recited the Pledge of Allegiance. The meeting was called to order by Mr. Nixon, who requested that Ms. Venables read the requisite notice of public meeting. Ms. Venables announced that in accordance with the recently amended Open Public Meetings Act, a link to the notice of this meeting was posted on the SDA website home page, at least 48 hours prior to the meeting. She said that for the last and final time, a notice of this meeting was also sent to the Trenton Times and the Star Ledger at least 48 hours prior to the meeting. She noted that as of March 1, 2026, the Open Public Meetings Act no longer requires public meetings notices to be published in newspapers in print or online.

Ms. Venables 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 February 4, 2026 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. Vargas seconded by Mr. Burgos, the Open Session minutes of the February 4, 2026 SDA Board meeting were approved with the Members' vote in favor of the resolution attached hereto as ***Resolution 3a.***

## ***Authority Matters***

### ***CEO's Report***

Mr. Nixon asked Mr. Da Silva for the report of the CEO. Mr. Da Silva gave an update on projects in the procurement stage. Mr. Da Silva said that for the Bridgeton High School addition and renovation project, the design-build award is on the Board agenda today as a bid-protest discussion in executive session. For the Elizabeth New Elementary School project, he advised

that the design is being finalized for submission to Department of Community Affairs (DCA). With respect to the Paterson STEAM High School project, he reported that the design-builder is looking to advance the retaining wall work as the building design proceeds. He noted that the construction management services package was advertised in December 2025. He added that proposals were received from six construction management firms with the bid opening scheduled for today. For the Pleasantville New Elementary School project, he said that the kick off meeting with Ernest Bock and Sons, Inc. (Bock) has taken place, and the design phase has commenced. He added that the construction management services package was advertised on February 5, 2026 with proposals due March 10 and a bid opening of April 1, 2026.

Turning, to design-build projects in the design phase, Mr. Da Silva informed the Members that for the Trenton New Elementary School project, the design phase is ongoing with demolition and site work design documents being finalized. For the Garfield New Elementary School project, he said that steel erection is ongoing as the design-builder finalizes Package 3 for submission to DCA. With respect to the West New York Middle School project, he reported that the design is ongoing in preparation for submission to DCA.

Turning to Authority events, outreach and other activities, Mr. Da Silva informed the Members that Senator Ruiz introduced Senate bill 3382 last month, which would increase Economic Development Authority's bonding limit to provide an additional \$10.5 billion in funding for SDA, with \$7 billion for SDA Districts and \$3.5 billion for Regular Operating Districts. He added that this funding is subject to voter approval so this bill is the first step in having a public referendum. He noted that the SDA is monitoring the bill and will keep the Board informed of any updates.

Finally, Mr. Da Silva said that the Members will notice an additional report in the monthly reports section of your meeting materials. He advised that the Completed Executive

Session Matters report is a listing of those items previously considered in the Executive Session meetings for the period covering September 2021 through May 2025. He noted that pursuant to Section 3.7 of the Bylaws, these matters were discussed in Executive Session and the handling of the matters is now complete, and it is therefore recommended and appropriate for them to be released in Open Session.

### ***Audit Committee***

Mr. Nixon, as Audit Committee Chairman, reported that the Audit Committee met on February 17, 2026 at which time management provided the Committee with the January 2026 New Funding Allocation and Capital Plan Update. He said that staff had informed the Committee that there were no changes in the reserve balances for the SDA Districts during the reporting period. He then advised the Board that the reserve balance for the RODs increased by \$1.1 million during the reporting period due to a reduction in state share for grant projects nearing completion. Next, Mr. Nixon said that the Internal Audit Division provided the Committee with the status of Open Audit Recommendations from various project and operational audits. He advised the Members that as last reported as of July 10, 2025, there were 45 open recommendations. He said that as of February 5, 2026, 33 recommendations have been closed and currently there are 12 open recommendations in progress. Lastly, Mr. Nixon advised that, in compliance with the Board's 2019 changes to the SDA Bylaws and Audit Committee Charter, SDA's CEO, Manny Da Silva, presented his quarterly staffing update regarding Authority personnel matters and changes.

### ***School Review Committee***

Next, Mr. Luckie reported that the School Review Committee met on February 17, 2026 at which time five voting items were discussed. Mr. Luckie said that the Committee is recommending approval of a Design-Build Award and Final Project Charter for the New

Bridgeton High School Additions and Renovations Project (Project) in the Bridgeton Public School District. He advised that, by way of background, the Project will consist of the construction of 113,196 square feet of phased additions and renovations in the occupied Bridgeton High School to provide additional capacity to educate 326 students in grades 9 to 12. He reported that on November 2, 2022, the Members approved the preliminary project charter, thereby approving the Project and related site development work utilizing in-house design and a design-build delivery method. He noted a package for design-build services was advertised beginning May 16, 2025 with “price” weighted as 60% of the overall weight and “all non-price factors” having a combined weight of 40%. He said that upon completion of the competitive procurement process, the highest ranked bidder was Bock with a bid in the amount of \$72,500,000, inclusive of SDA-established allowances totaling \$1,685,000. He explained that subsequent to the completion of the procurement process, the SDA received a bid protest from the fourth ranked bidder challenging the responsiveness of the bids submitted by Bock and the second, third and fifth ranked bidders. He explained that after review of the formal protest, the SDA determined that it was in the public interest to cancel the procurement and to re-bid the design-build contract for the Project, and cancelled this bid process on October 21, 2025.

In continuing, Mr. Luckie said that the design-build contract for the Project was re-advertised beginning on November 17, 2025, with the price weighted as more important than all other factors combined, with price equaling 60% of the overall weight, and all non-price factors having a combined weight of 40%. He advised that at the conclusion of price scoring and non-price scoring, Epic Management, Inc. (Epic) was the highest ranked bidder with a price proposal of \$73,962,000, including SDA-established allowances totaling \$1,685,000. He explained that since the bid submitted by Epic was less than the construction cost estimate, a conference was conducted on February 9, 2026 with Epic and SDA staff to review the bid, at which time Epic

confirmed it included all project scope work in its bid. He noted that the construction operations director and the financial operations director recommend an award to the highest ranked bidder, Epic in the amount of \$73,962,000, including SDA-established allowances totaling \$1,685,000. He said that along with the contract award SDA executive management recommends that the Members approve the final project charter as presented to the Board on this date and representing all expended and projected funds necessary for completion of the Project. He advised that the background of the Project, a detailed description of the procurement process followed and the specifics of the final charter recommended for approval are set forth in detail in the memorandum presented to the Board on this date and incorporated herein. He added that prior to execution of the contract, the contract and related documentation will be reviewed and approved by the SDA Division of Chief Counsel. He said that the Members will discuss a bid protest regarding this matter in executive session and a vote on this matter will take place upon return to Open Session.

Next, Mr. Luckie said that management is seeking approval of the Readoption of 3 regulations. He explained that while Sherill Executive Order No. 7 has imposed a 90-day pause on all new or pending regulatory matters, including rule proposals and readoptions, to allow sufficient time for the new administration to effectively review such new and pending regulatory matters, SDA sought an exemption from the effect of Executive Order No. 7 to allow the advancement of the: 1) Notice of Readoption (without amendment) of Regulations at N.J.A.C. 19:34B for the Delegation of School Facilities Projects; 2) Notice of Proposal for Readoption (without amendment) of Regulations at N.J.A.C. 19:38C for Procurement of Architects, Engineers, Land Surveyors and other Professional Services Consultants; and 3) Notice of Proposal for Readoption (without amendment) of Regulations at N.J.A.C. 19:38D for Procurement of Goods and Services. He advised that on February 17, 2026 the Governor's

Office approved SDA's exemption request, which allows the SDA to place these three matters before the Board of Directors to seek their approval to file the 3 Rules with the Office of Administrative Law (OAL).

In continuing, Mr. Luckie said that the Committee is recommending approval of the Notice of Readoption (without amendment) of Regulations at N.J.A.C. 19:34B for the Delegation of School Facilities Projects. He advised that on April 4, 2012 the Members approved for final adoption new regulations for the Delegation of School Facilities, N.J.A.C. 19:34B (the Rules), which implement Section 13e of Educational Facilities Construction Financing Act (EFCA) and provide the framework for SDA school districts to demonstrate their capacity to manage their own school facilities construction projects. He reported that the Members subsequently approved the readoption of such Rules on June 5, 2019, by ratifying the filing of a Notice of Readoption that extended the effectiveness of the Rules until April 17, 2026. He said that pursuant to N.J.S.A. 52:14B-5.1c(1), State agencies and authorities may utilize an expedited process to readopt existing regulations when no amendments to the existing regulations are sought, by filing of a Notice of Readoption with OAL at least thirty days prior to the expiration of the regulations. He advised that management is seeking Board approval of the proposed readoption of the Authority's Subchapter 34B Rules for the Delegation of School Facilities Projects, and the filing of the attached Notice of Readoption with the OAL consistent with the memorandum presented to the Board on this date and incorporated herein. He said that the proposed Notice of Readoption process will involve no amendments or modifications to the Rules and, upon readoption, the Rules will remain in their current form. He added that a complete copy of the Rules was provided to the Members of the Authority for review.

A resolution pertaining to this matter was provided to the Board in advance of the meeting. Upon motion duly made by Mr. Burgos and seconded by Mr. Vargas, the Board

approved the Notice of Readoption (without amendment) of Regulations at N.J.A.C. 19:34B for the Delegation of School Facilities Projects with its unanimous vote in favor of ***Resolution 6b***.

Next, Mr. Luckie said that management is seeking approval of the Notice of Proposal for Readoption (without amendment) of Regulations at N.J.A.C. 19:38C for Procurement of Architects, Engineers, Land Surveyors and other Professional Services Consultants and Notice of Proposal for of Readoption (without amendment) of Regulations at N.J.A.C. 19:38D - Procurement of Goods and Services. He advised that in 2005 the Members originally approved the adoption of regulations governing the Authority's Subchapter 38C for Procurement of Architects, Engineers, Land Surveyors and other Professional Services Consultants and Subchapter 38D for Procurement of Goods and Services, and in 2012 subsequently approved the readoption of those Rules with substantive amendments. He explained that on April 3, 2019, the Members most recently approved the readoption of the Rules through the filing of a Notice of Readoption to readopt Subchapter 38C without amendment and Subchapter 38D without amendment, which extended the effectiveness of the Rules until March 4, 2026. He said that Subchapter 38C Rules establish standards and procedures for the Authority's procurement of contracts with architects, engineers and other professional services consultants and Subchapter 38D Rules establish standards and procedures for the Authority's procurement of goods and services. He noted that Subchapter 38C and Subchapter 38D Rules are scheduled to expire on March 4, 2026 unless they are otherwise extended, and management has determined that a Notice of Proposal for readoption without amendments is the appropriate mechanism to extend the efficacy of the Rules while the Authority reviews the Rules for potential substantive amendments to be advanced in a subsequent regulatory filing. He reported that management is seeking Board approval of the proposed readoption of the Authority's Subchapter 38C Rules for the Procurement of Architects, Engineers, Land Surveyors and other Professional Services

Consultants, and the filing of the attached Notice of Proposal with OAL consistent with the memorandum presented to the Board on this date and incorporated herein. He added that the proposed Notice of Proposal process for Subchapter 38C will involve no amendments or modifications to the and Rules, and, upon readoption, the Rules will remain in their current form.

In continuing, Mr. Luckie said that management is also seeking Board approval of the proposed readoption of the Authority's Subchapter 38D Rules for the Procurement of Goods and Services, and the filing of the attached Notice of Proposal with OAL consistent with the memorandum presented to the Board on this date and incorporated herein. He reported that the proposed Notice of Readoption process Subchapter 38D Rules will involve no amendments or modifications to the Subchapter Rules, and, upon readoption, the Rules will remain in their current form. He added that a complete copy of the Subchapter 38C and Subchapter 38D Rules were provided to the Members of the Authority for review.

A resolution pertaining to this matter was provided to the Board in advance of the meeting. Upon motion duly made by Mr. Burgos and seconded by Mr. Vargas, the Board approved the approval of the Notice of Proposal for Readoption without amendment of Regulations at N.J.A.C. 19:38C for Procurement of Architects, Engineers, Land Surveyors and other Professional Services Consultants with its unanimous vote in favor of ***Resolution 6c.***

A resolution pertaining to this matter was provided to the Board in advance of the meeting. Upon motion duly made by Mr. Burgos and seconded by Mr. Vargas, the Board approved the approval of the Notice of Proposal for of Readoption (without amendment) of Regulations at N.J.A.C. 19:38D - Procurement of Goods and Services with its unanimous vote in favor of ***Resolution 6d.***

Finally, Mr. Luckie said that management also discussed a Settlement of Litigation Relating to the Millville High School Project. This item will be discussed in Executive Session,

and voted on when the Board returns to Open Session, as Resolution 6e.

### ***Public Comments***

At this time Mr. Nixon announced that the public comments portion of the Meeting will commence consistent with the New Jersey Open Public Meetings Act. There being no public speakers, Mr. Nixon asked for a motion to adjourn the Open Session of the meeting into Executive Session. He asked Ms. Venables to announce the matter to be considered by the Board in Executive Session. Ms. Venables advised that, the Board will adjourn into Executive Session to discuss 2 matters. The first matter is a bid protest pertaining to the Bridgeton High School additions and renovations project; and the second matter is a Recommendation for Settlement of Litigation Relating to the Millville High School Project. The Board will vote on these matters upon return to Open Session. She asked that the Chairman that the Members approve Resolution 8. reflecting its resolve to move into Executive Session to consider this matter.

Upon motion by Mr. Vargas seconded by Mr. Burgos the Board 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. Luckie announced that in Executive Session the Board and SDA management discussed the bid protest pertaining to the award of the Design Builder for the Bridgeton High School Additions and Renovations project as a potential litigated matter.

A resolution pertaining to this matter was provided to the Board in advance of the meeting. Upon motion duly made by Mr. Vargas and seconded by Mr. Burgos, the Board approved an award for Design-Build and Final Project Charter for the Bridgeton High School Addition and Renovations project pending the bid protest with its unanimous vote in favor of ***Resolution 6a.***

Next, Mr. Luckie said that in Executive Session the Board and SDA management discussed a Settlement of Litigation Relating to the Millville High School Project.

A resolution pertaining to this matter was provided to the Board in advance of the meeting. Upon motion duly made by Mr. Vargas and seconded by Mr. Burgos, the Board approved a Settlement of Litigation Relating to the Millville High School Project with its unanimous vote in favor of *Resolution 6e*.

### *Adjournment*

There being no further business to come before the Board, upon motion by Chairman Nixon 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 March 4, 2026 meeting.

/s/ Janice Venables  
Assistant Secretary