NEW JERSEY SCHOOLS DEVELOPMENT AUTHORITY
BOARD OF DIRECTORS MEETING
WEDNESDAY, AUGUST 5, 2026

A meeting of the Board of Directors of the New Jersey Schools Development Authority (SDA or the Authority) was held on Wednesday, August 5, 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 Maloney, Public Member
Mario Vargas, Public Member
Nicole Vecchione, Public Member

being a quorum of the Members of the Board. Mr. Nixon, Mr. Burgos Mr. Capo, Mr. Colella, Lewis-Powder, Mr. Maloney, 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; and Cecelia Haney, deputy chief counsel of the SDA participated in the meeting. Michael Eleneski of the Governor's Authorities Unit also participated in the meeting by teleconference.

Pledge of Allegiance

Led by Mr. Nixon, 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 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 a link to the SDA website home page is also posted on the Secretary of State website in the "Statewide Legal Notices" listings.

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 July 1, 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. Luckie, the Open Session minutes of the July 1, 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 began his report with an update on projects in the procurement stage. He said that for the Bridgeton High School Additions and Renovations project, the procurement for design-build services was advertised in June and is ongoing with final addendum due today and bids due on August 18. For the Camden Eastside High School project, the procurement for design-build services was advertised in July and the pre-bid is scheduled for tomorrow. He noted that the bids due September 29. With respect to the Newark University High School project, he reported that the design-build advertisement was issued in July and bids are due September 15. He added that for early site demolition and preparation package the contractor is mobilizing to the site.

Turning to active design-build project, Mr. Da Silva said that steel erection is ongoing for the Elizabeth New Elementary School project. For the Paterson STEAM High School project, he reported that the separation wall is complete and the contractor continues with the construction of the site's retaining wall. He said that demolition of the existing parking lot is underway and sanitary sewer connection has been completed. He added that the design package for footings, foundation, underground mechanical, electrical and plumbing (MEP), radon, stair towers and elevator shafts has been submitted to Department of Community Affairs (DCA) for review. In regard to the Trenton New Elementary/Intermediate School, he advised that foundations, structural steel, and underground utilities design was released by DCA. He said that building and plumbing permits have been issued and waiting on the electrical permit. He noted that design on the rest of the building is ongoing. He added that site work and storm activities are complete and footings have started.

In continuing, Mr. Da Silva reported that for the Passaic High School project, early site package inclusive of demolition and site preparation package is targeted for notice-to-proceed this month. For the Pleasantville New Elementary School project, he said that the design package for the foundations, structural steel and underground MEP has been submitted to DCA for review. With respect to the West New York Middle School project, he advised that footings and foundations is ongoing. He added that the design package containing the remainder of the building is in submission to DCA his month.

Next, Mr. Da Silva said that for the Newark Science Park High School project, selective demolition is ongoing in preparation of duct and louvers installation later this month followed by smoke control evacuation control work next month.

Turning to Authority events, outreach and other activities, Mr. Da Silva said that SDA staff held the groundbreaking ceremony at the Trenton New Elementary/Intermediate School on July 7 which was attended by students, District officials, a representative of Senator Turner, Assemblywoman Reynolds-Jackson, Mayor Gusciora, and members of the Coles and Hernandez families. He said that the schools are named after Betty Coles and Miguel Hernandez for their contributions to the Trenton school district (Betty Coles Elementary and Miguel Hernandez Intermediate Schools).

Audit Committee

Mr. Nixon, as Audit Committee Chairman, reported that the Audit Committee met on July 20, 2026 at which time management provided the Committee with the May 2026 New Funding Allocation and Capital Plan Update. He said that there were no changes in any of the reserve balances for the SDA Districts during the reporting period. He advised that the reserve balance for the Regular Operating Districts increased by $3.4 million during the reporting period due to a reduction in state share for grant projects nearing completion. Next, Mr. Nixon provided the July 2026 Financial Report. He said that the Authority's operating expenses, at $7.1 million, are down $1.6 million as compared to the operating budget for the corresponding period. He noted that this is largely attributable to lower personnel costs, information systems, professional and other contacted services and SDA automobiles. He said that the current full-time equivalents (FTE) headcount is 120 through June 30, 2026 representing a 7 FTE decrease compared to year-to-date projections. Mr. Nixon then reported that school facilities project expenditures (Actual vs. Forecast) for the year-to-date period total $109.7 million, down $38.8

million as compared to the capital spending forecast for the corresponding period. He advised that this variance is due to lower costs associated with construction work partially offset by a combined spending increase in grant activity. Mr. Nixon further reported that project expenditures (Actual vs. Prior Year Actual), at $109.7 million, are $8.4 million higher when compared to the capital sending forecast for the corresponding prior year period. He said that this variance is a result of increased spending in grant activity, construction work, offset by spending reductions in project insurance and school furniture, fixtures and equipment. He said that, since program inception, 83.6% of the funds authorized for the SDA districts have been disbursed. Additionally, he noted that 96% of all SDA disbursements relate to school facilities projects, while 4% relate to operating expenses. He advised that the estimated value of active school facilities capital projects, along with emergent and regular operating district grant projects, is approximately $2.55 billion.

Mr. Nixon then advised the Members that the Audit Committee is presenting one agenda item for consideration by the Board today. He advised that section 5.4 of the SDA's By-Laws provides that the Members of the Authority "shall designate by resolution those individual members, officers, employees (or any combination thereof) who shall be authorized (either generally or in specific transactions) to approve contracts and to execute documents legally binding on the Authority, or to sign checks and disbursements on behalf of the Authority." He noted that SDA's Operating Authority (OA) Policy (Policy) effectuates the Board's delegation to designated well-suited SDA employees of the authority to participate in and to exercise specified decision-making functions and approvals and to execute documents on behalf of the SDA. He said that the current iteration of the Policy was promulgated by the SDA Board and became effective on January 24, 2025. Mr. Nixon then explained that since that time prospective modifications to the Policy have been identified that will, among other things, clarify and streamline implementation of the Policy addressing changes in staffing and organizational structure implementing SDA's business continuity planning. He then outlined the modifications to the Policy: First, management proposes that the Policy include a general rule for the execution of documents. He noted that under this general rule, once proposed actions have received required approvals in accordance with the Operating Authority, unless otherwise specified, any SDA employee who participated in the approval process at any level is authorized to execute documents necessary to implement the approved action, and; Second, management proposes new Policy provisions that address how delegations of authority are to be effectuated; (1) In the normal course of SDA operations for planned absences of the CEO and Vice Presidents; and (2) In emergency situations and for unplanned absences. Mr. Nixon noted that for planned absences, such as vacations and planned sick leave, the new provisions address the manner and scope of short-term delegations of authority by the CEO and Vice Presidents and adopt a new written form to document such delegations. He further explained that the new Policy provisions, follow the business continuity plan by providing a clear process for delegations of authority in emergency or unplanned situations in which the CEO or any of the Vice Presidents are unavailable to advance necessary actions by the SDA. He said that all the new provisions provide a strategic, actionable framework enabling the Authority to survive, maintain essential functions and rapidly recover during and after unexpected disruptions such as cyberattacks and natural disasters.

Mr. Nixon then advised that, pursuant to Section 13.1 of the By-Laws of the SDA (Laws), the Laws may be amended "at any meeting of the Authority by the affirmative vote of at least ten members, after written notice of such an intention is provided by the Secretary to each member."

He said that the amendments correct the current physical address of the SDA's business offices, and provide and clarify that written designations by ex officio members of the SDA Board as to an officer or employee of the member's department or authority who may represent the member at meetings, together with revocations or modifications to such written designations, are to be delivered to the Assistant Secretary for the Authority.

In conclusion, Mr. Nixon advised that the Audit Committee unanimously determined to advance and recommend to the full Board for approval the proposed revisions to the SDA's Policy Governing Operating Authority and the adoption and promulgation of the amended SDA By-Laws. The Members agreed that the modifications to the SDA Policy Governing the Operating Authority and By-Law amendment corrections were timely and valuable to the Authority.

A resolution pertaining to this matter was provided to the Board for review in advance of the meeting. Upon a motion duly made by Mr. Vargas and seconded by Mr. Luckie the Board approved the Revisions to the SDA's Policy Governing Operating Authority and the adoption and promulgation of the amended SDA By-Laws. with its unanimous vote in favor of ***Resolution 5a.***

School Review Committee

Next, Mr. Luckie reported that the School Review Committee met on July 20, 2026 at which three items were discussed. He said that the Committee is recommending approval of award of contracts for Design Consultant Services for Limited-Scope Projects. He advised that the SDA executive management and associated program staff recommend that the Members approve the award of contracts to 8 firms for design consultant services that will provide viable, cost-effective solutions for projects throughout SDA Districts involving emergent facilities conditions, capital improvement needs, or other limited scope tasks. He explained that these 8 engagements, resulting from a competitive procurement process will provide a pool of design consultants from which SDA staff is authorized to assign task orders on an as-needed basis for time-sensitive, limited-scope projects requiring predesign, design and/or construction administration services and to amend or modify the same as deemed necessary. He noted that it is necessary and appropriate that the SDA Chief Executive Officer and staff effectuate execution of individual project planning charters for the projects for which design services will be assigned through these task orders. He said that prior to the execution of each contract, the contract and related documentation will be reviewed and approved by the SDA Division of Chief Counsel. He added that the terms and provisions of the contracts to be awarded, the details of the competitive procurement process and the proposed methodologies to be utilized in award of the task orders are comprehensively set forth in the memorandum presented to the Board on this date and incorporated herein.

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 award of contracts for design consultant services for limited-scope projects with its unanimous vote in favor of ***Resolution 6a.***

Next, Mr. Luckie said that Management is seeking approval of Rule Readoption without amendments of Regulations at N.J.A.C. 19:38C for Procurement of Architects, Engineers, Land Surveyors and other Professional Services Consultants and Rule Readoption without amendments of Regulations at N.J.A.C. 19:38D for Procurement of Goods and Services (the Rules). He reported that on March 4, 2026, the Members approved for proposal and publication the readoption of the Rules, without amendments. He advised that the proposed Rules appeared in the New Jersey Register on April 20, 2026, on the SDA website and social media accounts, and were subject to a 60-day public comment period ending June 19, 2026, and no comments were received during the public comment period. He explained that the Rules are unchanged from the form previously approved by the Board for publication on March 4, 2026 with the exception of minor technical edits from the Office of Administrative Law. He reported that management is seeking Board approval of the completion of the readoption process for the Authority's Subchapter 38C Rules for the Procurement of Architects, Engineers, Land Surveyors and other Professional Services Consultants, and the filing of the Notice of Adoption with Office of Administrative Law (OAL) consistent with the memorandum presented to the Board on this date and incorporated herein. He added that management is also seeking Board approval of the completion of the readoption process for the Authority's Subchapter 38D Rules for the Procurement of Goods and Services, and the filing of the Notice of Adoption with OAL consistent with the memorandum presented to the Board on this date and incorporated herein. He noted that a complete copy of the Rules was provided to the Members for review.

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 Rule Readoption without amendments 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 6b.***

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. Vecchione, the Board approved Rule Readoption without amendments of Regulations at N.J.A.C. 19:38D for Procurement of Goods and Services with its unanimous vote in favor of ***Resolution 6c.***

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 were no speakers present.

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 August 5, 2026 meeting.

/s/ Janice Venables
Assistant Secretary