NEW JERSEY SCHOOLS DEVELOPMENT AUTHORITY
BOARD OF DIRECTORS MEETING
WEDNESDAY, OCTOBER 7, 2026

A meeting of the Board of Directors of the New Jersey Schools Development Authority (SDA or the Authority) was held on Wednesday, October 7, 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
Mario Vargas, Public Member
Nicole Vecchione, Public Member

being a quorum of the Board. Mr. Nixon, Mr. Capo, Mr. Colella, Mr. Lewis-Powder, 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; and David Magyar, director 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. 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 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 August 5, 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 August 5, 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. He said that for the Bridgeton High School Additions and Renovations project proposal opening was on September 2. He advised that the award is an item being considered as a part of today's agenda. He noted that one of the bidders filed a bid protest and SDA has issued its Final Agency Decision rejecting the protest. He added that the details of the protest and Final Agency Decision will be discussed in Executive Session. For the Camden

Eastside High School project, he reported that the bids for design-build services are due on October 14. He said that the Project's bid due date was extended due to the number of RFI's and bidding community request. He explained that as a result of the tight delivery timeframe, the SDA will be looking to schedule a special meeting next month. He said that the SDA doesn't normally hold special meetings, however, in this situation it could be the difference between missing a school year. He advised that Janice Venables will notify the Members with more details once we receive the bids and the Members should know that management is currently reserving November 18th for the Special Board meeting. With respect to the Newark University High School project, he said that the SDA Procurement Department issued the Final Addenda and proposals were received yesterday. He added that the Early Site Demolition and Preparation Package work has commenced on site and progressing.

Turning to active design-build projects, Mr. Da Silva said that for the Elizabeth New Elementary School project, slab on deck is being placed. For the Paterson STEAM High School project, he reported that foundation and retaining wall work are ongoing, as is the remainder of the building design. With respect to the Trenton New Elementary School project, he advised that footing and foundations work continues, with structural steel erection scheduled to start this month. He noted that final design for the remainder of the building is with Department of Community Affairs (DCA) for review and release.

In continuing, Mr. Da Silva said that for the Garfield New Elementary School project, mechanical, electrical and plumbing work is ongoing, as is roof installation. For the Passaic High School project, he reported that the contractor is preparing to commence hazmat removals and demolition. He advised that the design-builder's design for the foundations, structural steel, and underground utilities for the Pleasantville New Elementary School project was released by the DCA. He added that they have mobilized to the site, and started construction activities. He noted

that the final design for the remainder of the building is ongoing with submission to DCA expected this month.

Next, Mr. Da Silva said that in the meeting materials you will notice a report in the executive section. He added that this report is consistent with Operating Authority requirements documenting recently issued change directives.

Turning to Authority events, outreach and other activities, Mr. Da Silva said that the SDA held a groundbreaking event on Wednesday, September 23 to celebrate the start of construction of the new STEAM High School in Paterson. He noted that Superintendent Newell, Senator Wimberly, Assemblyman Abdelaziz, Mayor Sayegh, and several other local and district officials were on hand for the ceremony. He added that the SDA was also joined by two current STEAM students.

Mr. Da Silva informed the Members that management is looking forward to celebrating project milestone events at several project sites over the next couple months. He added that next week, on October 14, management will highlight demolition and early site preparation activities in Newark. He added that the notice of this new date was emailed to the Board members last week.

Mr. Da Silva said that the SDA will also look to schedule a groundbreaking ceremony in Pleasantville, as well as a demolition and early site prep event in Passaic City. He noted that management will continue to keep the Members informed as dates are confirmed. He said that he hopes that the Members' schedules will permit them to join the SDA at one of these great events this fall.

In continuing, Mr. Da Silva said that next week he will discuss SDA's portfolio at the NJ Alliance for Action's Inside Scoop event. He noted that the SDA will once again have a table at the School Boards Convention on October 20 and 21.

Lasty, Mr. Da Silva said that he wanted to remind the Members that the 2026 Ethics Training has kicked off and is due by November 13. He asked the Members to forward their ethics training receipts to Jamie Henneke.

Audit Committee

Mr. Nixon, as Audit Committee Chairman, reported that the Audit Committee met on September 21, 2026 at which time management provided the Committee with the July 2026 New Funding Allocation and Capital Plan Update. He reported 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 $3.5 million due to a reduction in state share for grant projects nearing completion. Next, he said that for the August 2026 monthly financial report for the Authority's operating expenses, at approximately $9.9 million, are down $1.3 million as compared to the operating budget for the corresponding period. He noted that this is largely attributable to decreased spending in professional and other contacted services, information systems, personal costs and SDA automobiles. He reported that the current full-time equivalents (FTE) headcount is 119 through August 31 representing a 12 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 $156.6 million, down $46.9 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 and payroll and benefits expense allocation to project costs partially offset by a combined spending increase in grant activity. Mr. Nixon further reported that project expenditures (Actual vs. Prior Year

Actual), at $156.6 million, are $34.8 million higher when compared to the capital spending forecast for the corresponding prior year period. He said that this variance is a result of an increase in spending in grant activity, construction work offset by spending reductions in project insurance and school furniture and fixtures & equipment. He advised that, since program inception, 83.9% 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. Next, Mr. Nixon reported that, in compliance with the Board's 2019 changes to the SDA Bylaws and Audit Committee Charter, the CEO presented his quarterly staffing update to the Committee regarding Authority personnel matters.

Mr. Nixon then advised that the Committee approved one item for consideration by the Board today. He noted that the Internal Audit function of the SDA operates under N.J.S.A. 52:18A-238 et seq. and the Educational Facilities Construction and Financing Act. He explained that an Internal Audit Charter was originally adopted by the Board of Directors of the New Jersey Schools Construction Corporation which became known as the SDA and the SDA thereby succeeded to the SCC's Internal Audit charter. He said that the purpose of a Charter for a public entity is to formalize the internal audit activity's purpose, authority, and responsibility, serving as an official mandate that establishes its position within the organization. He noted the significant organizational, regulatory, and professional standards changes have occurred that necessitate a comprehensive revision of this foundational governance document. Mr. Nixon reported that the Institute of Internal Auditors promulgated the Global Internal Audit Standards, which became effective January 9, 2025, replacing the previous International Professional Practices Framework, and pursuant to the guidance of the New Jersey Office of the State Comptroller to

public Authorities, the Internal Audit division of the SDA strives to meet or exceed these best practices and standards of the Institute. He said that the Audit Committee, SDA management and the Director of Internal Audit have determined that a revision to the original Charter is necessary to bring the SDA's Internal Auditing function in compliance with the recently revised Global Standards. He said that the proposed revised Internal Audit Charter enhances independence, accountability, objectivity and integrity in conducting internal audits.

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 adoption of the Revised SDA Internal Audit Charter with its unanimous vote in favor of ***Resolution 5a.***

In conclusion, Mr. Nixon reported that the Committee discussed a procurement for an external quality assessment of internal audit function along with approval of a quality assurance and improvement program. He cited that the Article IX, Section 9.5 of the Authority's By-Laws charges the Audit Committee with overseeing "the performance of the Authority's internal audit and internal control functions." He stated that an external quality assessment provides the Audit Committee, the Board, and Authority management with independent, objective assurance regarding the quality and effectiveness of the internal audit function—a cornerstone of the Authority's governance structure. He said that the procurement is in accordance with Article V: Section 5.1 of the Revised IA Charter and Global Internal Audit Standards. He advised that the Audit Committee authorized management to proceed with a procurement of an independent External Quality Assessment along with a proposed scope of work as the basis for soliciting proposals from qualified assessors.

School Review Committee

Next, Mr. Luckie reported that the School Review Committee met on September 21, 2026 at which time two 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. By way of background, he said that the Bridgeton High School 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 advised that a package for design-build services was advertised beginning June 1, 2026 with "price" weighted as 60% of the overall weight and "all non-price factors" having a combined weight of 40%. He explained that upon completion of the competitive procurement process, including two bid protests that resulted in the cancellation of the two prior procurements, the highest ranked bidder for the most recent advertised procurement is Ernest Bock & Sons, Inc. (Bock), with a bid in the amount of $80,985,000, inclusive of SDA-established allowances totaling $1,685,000. He noted that the construction operations director and the financial operations director recommend an award to the highest ranked bidder, Bock. 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 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 Resolving Change Order No. 3 for the Trenton New Elementary School (School). He informed the Members that the Trenton New Elementary School project is an approximately 124,000 square foot school facility designed to educate 837 students in grades Kindergarten through Six. He advised that at the September 3, 2025 Board Meeting, the Members approved the Final Project Charter and the award of a construction contract to Bock. He noted that the Project is finishing up the Final Design Phase and is expected to be released in late October or early November 2026. He informed the Members that the Stormwater Management Report submitted by the Bridging Consultant utilized 2 permeability tests providing a soils classification of soils Type D, and the basin was designed to hold a specific volume of stormwater, requiring the improvements to the site reduce stormwater discharged by a small volume. He said that the Design Builder's Site Consultant performed additional soils testing as required under the Design Build Agreement and New Jersey Department of Environmental Protection standards, and test results indicated that the existing onsite soils classification was not all Type D, but was a mixture of soils types which increased the size of the required underground basins to store the additional volume of water infiltrating into the soils. He noted that the size of the underground basins and the additional stored stormwater to be captured grew by approximately 150%, requiring changes to the design for Basin No. 1. Mr. Luckie explained that in order to avoid a potential delay, on May 8, 2026, the SDA issued a Construction Change Directive No. 1 to Bock for $0.00 and directed the Design Builder to design and install the stormwater management system for Basin No. 1 utilizing the soils testing report provided by the Design Builder's Site Consultant, ensuring that the design and the stormwater control structures meet all applicable codes and requirements of Authorities

having jurisdiction at the project. He said that the issues resulting in the redesign of Basin No. 1 also affect the design parameters required for the design and construction of Basin No. 2, which require a change in the contract to complete, which are also included within Change Order No. 3. He advised that the total cost of Change Order No. 3 for the design and construction of Basin Nos. 1 and 2, including all the control structures, piping, and appurtenances was negotiated to a total lump sum cost of $1,519,054.00. He noted that all current documents supporting this Resolving Change Order have been reviewed by the associated SDA project team including the Program Director, Deputy Program Director, Financial Operations, and Design Studio for adherence to current SDA policy and procedures, who have determined that the Lump Sum value is reasonable and appropriate for the total Lump Sum value of $1,519,054.00.

Mr. Vargas asked whether, if the SDA's site consultant did additional testing, it would have revealed that the soil was not all Type D. Mr. Magyar answered in the affirmative and said that the SDA's site consultant did two tests and both tests came up with the same soil type. He added that Design Builder's Site Consultant performed additional soils testing and discovered all different soil types. He said that the SDA is going to change our standards to require additional testing so this doesn't happen in the future.

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. Capo, the Board approved Resolving Change Order No. 3 for the Trenton New Elementary School project with its unanimous vote in favor of ***Resolution 6b.***

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 a bid protest pertaining to the Bridgeton High School additions and renovations project. She said that the Board will vote on this matter 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 Ms. Vecchione 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.

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.***

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 October 7, 2026 meeting.

/s/ Janice Venables
Assistant Secretary