

**NEW JERSEY SCHOOLS DEVELOPMENT AUTHORITY
BOARD MEETING
WEDNESDAY, AUGUST 2, 2023 AT 9:00 A.M.
32 E. FRONT STREET, TRENTON, NJ
JOSEPH A. MCNAMARA 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 July 5, 2023
4. AUTHORITY MATTERS
 - a. CEO Report
 - b. Chairman's Report
5. REPORT AND RECOMMENDATIONS OF THE AUDIT COMMITTEE (CHAIRMAN'S REPORT)
 - a. Approval of Awards - Legal Services (GP-0287-R01)
 - b. Approval of Award - Internal Auditing Consultant Services (GP-0288-R01)
 - c. Amendment to the Memorandum of Agreement Between SDA and the New Jersey State Police for Investigative Services - **(to be discussed in Executive Session and voted on upon the Board's return to Open Session)**
 - d. Review of CEO responsibilities and compensation - **(to be discussed in Executive Session and voted on upon the Board's return to Open Session)**
6. REPORT AND RECOMMENDATIONS OF THE SCHOOL REVIEW COMMITTEE (CHAIRMAN'S REPORT)
 - a. Amendment to Bridging Design Consultant Services Contracts (GP-0281-R02 through GP-0281- R07)
 - b. Release of Funds from Program Reserve, Award of Contract, Approval of Final Project Charter - Camden Public School District -Veterans Family Memorial School - Existing Conditions deficiency Corrective Work - EP-0116-C01
 - c. Change Order No. 61, Revised Final Project Charter and Reestablishment of Design-Builders Contract Value – Millville School District – Millville High School Addition and Renovations
7. REPORT AND RECOMMENDATIONS OF THE REAL ESTATE COMMITTEE (CHAIRMAN'S REPORT) –TO BE PROVIDED IN EXECUTIVE SESSION
 - a. Request for Real Property Acquisition in New Brunswick, New Jersey

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*)

9. EXECUTIVE SESSION

- a. Amendment to the Memorandum of Agreement Between SDA and the New Jersey State Police for Investigative Services
- b. Request for Real Property Acquisition in New Brunswick, New Jersey
- c. Review of CEO responsibilities and compensation
- d. Litigation/Contract Matter(s) – OPMA Exemption N.J.S.A. 10:4-12b (7) CCD Report (*no activity*)

10. ADJOURNMENT

APPROVAL OF MEETING MINUTES

July 5, 2023 Open Session Minutes

**NEW JERSEY SCHOOLS DEVELOPMENT AUTHORITY
BOARD OF DIRECTORS MEETING
WEDNESDAY, JULY 5, 2023**

A meeting of the Board of Directors of the New Jersey Schools Development Authority (SDA or the Authority) was held on Wednesday, July 5, 2023 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)
David Moore (Treasury)
Bernard Piaia (DOE)
John Capo, Public Member
Lester Lewis-Powder, Public Member
Michael Maloney, Public Member
Mario Vargas, Public Member

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

At the Chairman's request, Manuel Da Silva, chief executive officer (teleconference); Donald Guarriello, vice president and chief financial officer; Jane F. Kelly, vice president and assistant secretary; and Albert Barnes, chief counsel (teleconference) of the SDA, participated in the meeting. Janice Venables of the Governor's Authorities Unit 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 the Chairman, 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 was 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 then presented for consideration and approval the minutes of the Board's June 7, 2023 Open Session meeting. A copy of the meeting minutes and a resolution had been provided to the Members for review in advance of the meeting. Upon motion duly made by Mr. Mr. Burgos and seconded by Mr. Vargas, the Open Session minutes of the June 7, 2023 SDA Board meeting were approved with the Members' unanimous vote in favor of the resolution attached hereto as ***Resolution 3a***.

Authority Matters

CEO's Report

Next, Mr. Nixon asked Mr. Da Silva for the report of the CEO. Mr. Da Silva provided an update on design-build projects in construction. He said that the Passaic Dayton Avenue Educational Campus project (Project) has been delivered and is occupied. He added that management is waiting on a Leadership in Energy and Environmental Design (LEED) decision from the U.S. Green Building Council (USGBC) to finalize the Project. For the Perth Amboy High School project, he reported that interior wall framing continues. He added that drywall work, and ceiling grid and light installation work are ongoing, as are painting and ceramic tile work. He noted that casework installation is also ongoing. He advised that the Plainfield

Woodland Avenue Elementary School will be occupied in September. He noted that a temporary certificate of occupancy for the facility was received on June 29. He said that furniture and technology fit installation is complete and that the training of District staff is underway.

Turning to design-bid-build projects in the construction stage, Mr. Da Silva informed the Members that for the Orange Cleveland Street Elementary School project, plumbing and site work is going. He noted that the general contractor is expediting the procurement of long lead items (i.e. HVAC, doors and hardware).

Turning to Authority events, outreach and other activities, Mr. Da Silva informed the Members that the SDA will join Plainfield Public School District officials at a ribbon cutting ceremony on July 19 at the Charles and Anna Booker School. He encouraged the Members, if available, to attend the event. He advised the Members that the Bookers recently toured the school which is named in their honor. He noted that Mr. Booker has just turned 100 years old and that Mrs. Booker is in her late 90s.

Next, Mr. Da Silva said that the SDA will also be scheduling a groundbreaking event for the Union City project in August, as well as events in Millville and Keansburg.

Finally, Mr. Da Silva advised the Members that Governor Murphy signed the FY2024 budget late Friday (June 30) night after the Assembly and Senate had passed it earlier that day. He said that, similar to the last two years, the budget provides the SDA with \$75 million to administer the capital maintenance grant program for the SDA Districts and Regular Operating Districts.

Audit Committee

Mr. Nixon, as Audit Committee Chairman, reported that the Audit Committee met on June 19, 2023 at which time management provided the Committee with the April-May 2023 New Funding Allocation and Capital Plan Update. He said that there was a \$12.8 Million

decrease in the Unforeseen Events Reserve balance. He explained that this increase in commitments follows Board approval of the revised final project charter for the Orange Cleveland Street addition and renovation project which reflects the budget and schedule impacts of the Authority's engagement of a new general contractor to complete the project. He also reported that there was a \$700,000 decrease in the 2011 Emergent Projects Reserve balance following CEO approval of the release of funds for two emergent projects: 1) the Newark Salome Urena School (emergent building envelope repairs); and 2) the Trenton Franklin Elementary School (emergent exterior structural repairs). He advised that there were no changes in any of the other SDA reserve balances during the reporting period.

Mr. Nixon then reported that the reserve balance for the Regular Operating Districts (RODs) increased by \$100,000 during the reporting period due to a reduction in state share for grant projects nearing completion.

Next, Mr. Nixon reported that SDA's internal audit division, through SDA's external auditor, Baker Tilly, provided the Committee with the results of one Operational Audit.

Mr. Nixon then provided the Board with the May 2023 Monthly Financial Report. He advised the Members that the Authority's operating expenses (Actual vs. Budget) for the year-to-date period totaled \$6.7 million, down \$1.4 million as compared to the budget for the corresponding period. He explained that this decrease is mainly attributable to lower than projected employee salary and benefit costs, along with costs for professional and other contracted services, information systems, automobile purchases, temporary staffing services and facilities and general office expenses; partially offset by a lower than projected payroll expense allocation to project costs. He reported that SDA's current staff headcount is 129 through May 31, representing a decrease of 11 employees 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 approximately \$133.1 million, approximately \$13.1 million lower as compared to the capital spending forecast for the corresponding period. He advised the Members that this variance is due to costs associated with construction activity, grant activity, project insurance, design services, construction management and property management services. He reported that the decrease is offset by the Authority's acquisition of a school facility and school furniture purchases. Mr. Nixon said that project expenditures (Actual vs. Prior Year Actual), at \$133.1 million, are \$17.6 million lower when compared to the corresponding prior year period. He advised that this variance is the result of a decrease in expenditures for construction activity, grant activity and school furniture purchases, offset by costs associated with acquisition of a school facility.

Mr. Nixon said that, since program inception, 79.9% 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 \$1.2 billion.

School Review Committee

The Chairman asked Mr. Vargas to provide the report of the School Review Committee. Mr. Vargas said that the School Review Committee met on June 19, 2023 and advanced three items for the Board's consideration. He said that the Committee is recommending Board approval of a Preliminary Charter for the New High School project (Project) in the Paterson School District (District). He advised that the SDA's 2022 Strategic Plan Update and Capital Plan (Plan) identified the need for a high school project in the District for approximately 1,000 students in order to address overcrowding. He reported that the Plan had anticipated that the Project would advance as an addition and renovation; however, SDA and the District later

concluded that the limitations imposed by the existing building made it more effective to construct a new replacement facility. He explained that, after working with the District and Department of Education (DOE) staff, SDA staff has validated the District's needs and is asking that the Board approve a Project scope to address those needs. He said that management recommends Board approval of a Preliminary Project Charter detailing Project advancement recommendations, including estimated costs and schedules for Project completion. Mr. Vargas clarified that, in approving the Project Charter, the Board would be authorizing management to procure the professional and construction services necessary to advance the Project. He said that, once completed, the School would be an approximately 245,000 square foot facility built on the former Paterson Catholic School site.

In continuing, Mr. Vargas informed the Members that the new school is planned for construction opposite the existing school and would provide capacity to educate 1,200 students in grades 9 to 12. He said that the new school would continue to house the District's Science Technology Engineering Arts and Math (STEAM) and Students Transitioning and Achieving Real Success (STARS) High School Programs. He said that SDA's in-house design staff would complete a program concept design, and that a bridging design consultant would then complete schematic designs and prepare bridging documents for a design-build delivery. He advised that the estimated cost of \$160.3 million for the Project includes all estimated costs necessary for advancement of the planned Project scope. He noted that costs are based upon the application of planning estimates to the anticipated scope.

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. Piaia, the proposed Preliminary Project Charter for the Paterson High School project was approved with the Board's unanimous vote in favor of ***Resolution 6a***.

Next, Mr. Vargas said that management is seeking Board approval of a Preliminary Project Charter for a New Elementary School project (Project) in the Trenton School District (District). He reported that the Authority's aforementioned 2022 Plan also identified the need for an elementary school project for the District to address overcrowding and provide capacity for approximately 725 students. He explained that the Project would be constructed on the existing Grace A. Dunn Middle School (Dunn School) site. He advised the Board that the Dunn School will continue to serve as an active school facility during Project construction and is expected to remain operational after the Project is completed. He said that today management is asking the Board to approve a Preliminary Project Charter which details Project advancement recommendations, including estimated project costs and schedules for completion. He clarified that, in approving the Charter, the Board would be authorizing management to procure the professional and construction services necessary to advance this Project. He advised that the recommended Project scope calls for construction of an approximately 124,000 square foot new school facility to provide capacity for 750 students in grades Kindergarten to 6. He noted that, upon completion, this Project will significantly address District capacity needs in grades Kindergarten to 5. He added that the estimated Project cost is \$83.8 million, including all estimated costs necessary for advancement of the planned Project scope.

A resolution pertaining to this matter was provided to the Board in advance of the meeting. Upon motion duly made by Mr. Maloney and seconded by Mr. Burgos, the proposed Preliminary Project Charter for the Trenton New Elementary School project was approved with the Board's unanimous vote in favor of ***Resolution 6b***.

Finally, Mr. Vargas informed the Members that management is seeking Board approval of a Release of Funds from the Program Reserve, a Task Order Award and a Final Project Charter for the Burlington City Samuel Smith Elementary School (School) emergent project

(Project). He reported that the School is an approximately 46,750 square foot facility educating approximately 317 students in grades Pre-Kindergarten to 2. He said that in September 2021, after confirming the need for emergent roofing and window repair work at the School, SDA engaged T&M Associates to perform Project scope development services to address these conditions. He advised the Board that once the Project scope development services were completed, the SDA decided to advance the Project using the general construction services task order (GCTO) contract to engage a general contractor (GC). He added that the GC would then be required to engage a design consultant to complete the needed design services.

In continuing, Mr. Vargas said that on April 12, 2023, procurement staff contacted Hall Construction Co., Inc. (Hall), the next firm on the GCTO's rotational list and Hall accepted the task order assignment. He advised that the assignment would be awarded on a time and material basis for a not-to-exceed (NTE) value for the most extensive scope of work. He reported that on April 19, 2023, SDA staff and Hall conducted a site visit to assess the condition of the roof and windows and SDA staff instructed Hall to develop a proposal, cost estimate, and schedule for the Project. He noted that the scope of work includes all design services and necessary construction work for the emergent project. Mr. Vargas explained that Hall will initially focus on Project design work and, once this design work is completed, staff will validate the final projected cost and schedule and determine whether to advance the work on a time and material basis for the NTE amount or on a fixed cost basis. He reported that the value of Hall's award will be in the NTE amount of approximately \$2.99 million, which includes \$273,000 for design services and \$2.7 million for construction work. He said that total Project funding is estimated to be in the amount of approximately \$3.9 million. Mr. Vargas said that management recommends the release of approximately \$3.8 million from the Program Reserve, noting that SDA staff will provide construction management oversight for the Project. He concluded his report by advising

the Board that management recommends Board approval of the Project's Final Charter.

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. Piaia, the proposed release of funds from the program reserve, task order award and final charter for the Burlington City Samuel Smith Elementary School emergent project were approved with the Board's unanimous vote in favor of *Resolution 6c*.

Real Estate Committee

At the Chairman's request, Mr. Vargas reported that the Real Estate Committee met on June 19. He advised the Board that staff presented for Committee review a proposed contract award for state-wide property management and maintenance services that is advancing for final approval today. Referencing materials that previously were provided for Board review, he reminded the Members that the Authority owns properties in various parts of the state that require maintenance until such time as they are utilized for school facilities or otherwise. He noted that the Authority's current inventory includes ten vacant lots. He said that, since 2008, SDA has periodically procured the services of an outside property management and maintenance services firm, with the current firm's contract expiring August 31, 2023. He advised that, upon completion of the competitive procurement process, management is recommending award of an agreement for state-wide property management and maintenance services to Bluegrass Hydro-Seed LLC (Bluegrass), the incumbent provider. Mr. Vargas reported that the negotiated total compensation for the three-year agreement is \$1,786,000. He said that the services could then be extended for one additional year on such terms as the SDA and Bluegrass might agree to at that time. He advised that, prior to execution of the contract, the contract and all related documentation would be reviewed and approved by the SDA Division of Chief Counsel. Mr.

Vargas said that management and the Committee recommend approval of the proposed contract award by the full Board.

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. Piaia, the contract award to Bluegrass Hydro-Seed LLC for state-wide property management and maintenance services was approved with the Board's unanimous vote in favor of *Resolution 7a*.

Public Comment

The Chairman then inquired as to whether there were any members of the public present who wished to address to address the Board. There were none.

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 July 5, 2023 meeting.

/s/ Jane F. Kelly
Assistant Secretary

Resolution—3a.

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 July 5, 2023 Board meeting of the New Jersey Schools Development Authority, for the Open Session 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 July 5, 2023 Open Session meeting is 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: August 2, 2023

AUTHORITY MATTERS

CEO REPORT

CHAIRMAN'S REPORT

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

Approval of Awards - Legal Services (GP-0287-R01)



MEMORANDUM

TO: Members of the Authority

FROM: Albert D. Barnes
Chief Counsel

Sean Murphy
Managing Director, Procurement

DATE: August 2, 2023

RE: Description: Legal Services
Package No.: GP-0287-R01
Award: \$21,600,000 (aggregate Not-to-Exceed amount)

INTRODUCTION

The NJSDA previously procured legal services in 2008, 2011, 2013, 2015, 2017, 2019 and 2021 to complement legal support provided to the NJSDA through its Division of Chief Counsel and through the Division of Law in the Office of the Attorney General. Since the current task order contracts will expire in December 2023, the Members of the Authority are requested to approve the retention of a new group of twelve (12) law firms with legal expertise in the following specific areas: (1) Environmental Law; (2) Government Contracting, Bid Protests and Procurement; (3) Employment Law; (4) Professional Errors and Omissions and Cost Recovery; (5) Construction Litigation; and (6) Real Estate Law. Specific work assignments under the contracts will be made by way of “task order” on an as needed basis. The term of agreement for these contracts is two (2) years. For any assignment(s) accepted during the term of the agreement, the firm(s) will be allowed to complete the particular assignment(s), even if extending beyond the term of the agreement.

The selected law firms may be tasked, on an as-needed basis, to assist the NJSDA’s Division of Chief Counsel and to provide legal advice, consultative services, and, when required, formal representation of the NJSDA. Selection of a firm, however, does not guarantee that the firm will be assigned work. Task order assignments customarily will be made on a rotating basis within the six (6) specialty areas and multiple matters may be included as part of a single task order assignment. Assignments will be made subject to firm availability and a conflict of interest check. Firms will be required to submit a proposed budget for each task order assignment. The budget shall be subject to the NJSDA’s approval and acceptance prior to commencement of services under the task order assignment.

Additionally, as described in the Request for Proposals (“RFP”), each selected firm must comply with the NJSDA Legal Services Management Guidelines and agree to provide its services at a blended hourly rate of \$240 for attorney services and an hourly rate of \$110 for paralegal services. Total compensation to an individual Firm, regardless of whether it is engaged in one or more of the specialty areas, shall not exceed \$1,800,000 for the two (2) year term.

Expenditures attributed to previously procured legal services task order contracts through July 20, 2023 are as indicated in Table 1 below:

TABLE 1

Contract & Award Year	Firms Issued Task Orders	Total Billings
GP-0089 (2008)	7 of 7	\$2,425,233.67
GP-0162 (2011)	9 of 16	\$4,211,121.99
GP-0200 (2013)	8 of 14	\$543,535.41
GP-0225 (2015)	9 of 16	\$1,542,731.14
GP-0242 (2017)	10 of 16	\$1,012,856.44
GP-0258 (2019)	8 of 12	\$390,657.06
GP-0276 (2021)	9 of 11	\$742,468.53

PROCUREMENT PROCESS

The RFP was advertised beginning on March 16, 2023 on the NJSDA website, on the New Jersey State website, in the New Jersey Law Journal, and in selected newspapers for interested firms to participate in the bidding process. Outreach was also performed via e-mail.

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

Responsive proposals were received from nineteen (19) firms by April 19, 2023. The proposals were evaluated by the Selection Committee. Evaluations were based upon the information provided by the firms in response to the RFP for this project. The Selection Committee members independently evaluated the proposals per legal specialty area based on the following criteria:

- Firm Capabilities and Experience
- Team Structure and Key Team Member Experience and Qualifications
- Approach to Providing the Scope of Services/Control of Schedule

Each Selection Committee member evaluated each proposal per legal specialty area, 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 RFP requirements with no deficiencies.
- Sufficient (5-6): meets RFP requirements with no significant deficiencies.
- Minimal (3-4): meets RFP requirements but contains some significant deficiencies.
- Marginal (1-2): comprehends intent of 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 2 below:

TABLE 2

Criteria	Weighting Factor (Applied to Raw Score)	Maximum Weighted Points
Firm Capabilities and Experience	2.0	20
Team Structure and Key Team Member Experience and Qualifications	6.5	65
Approach to Providing the Scope of Services / Control of Schedule	1.5	15
Total Possible Points		100

For each firm’s proposal, the individual criteria scores awarded by a particular Selection Committee member for each legal specialty area were added together to calculate a Proposal Score for that legal specialty area. Each firm could receive a maximum of 100 points per evaluator per legal specialty area. All of the scores awarded by the Selection Committee members to a particular firm for each legal specialty area were added together and averaged to arrive at a Final Proposal Score for that legal specialty area.

On June 15, 2023, Archer & Greiner P.C. withdrew from further participation in the procurement process.

The Selection Committee conducted interviews with the remaining eighteen (18) responding firms from June 12, 2023 through June 21, 2023, as applicable. The interviews allowed the firms to expand and detail their team experience and approach with respect to each legal specialty area. The Selection Committee interviewed each of the firms and evaluated each firm on Interview Criteria and Weighting Factors that were the same as those used in the evaluation of the proposals, as detailed above.

The individual criteria scores awarded by a particular Selection Committee member for each legal specialty area were added together to calculate an Interview Score for that legal specialty area. Each firm could receive a maximum of 100 points per evaluator per legal specialty area. All of the scores awarded by the Selection Committee members to a particular firm for each legal specialty area were added together and averaged to arrive at a Final Interview Score for that legal specialty area.

The Final Proposal Score and the Final Interview Score assigned each firm for each legal specialty area were added together and averaged to obtain the firm’s Final Combined Score for that legal specialty area.

The Final Combined Scores and Final Rankings are listed in Tables 3-8 below:

TABLE 3 – ENVIRONMENTAL LAW

Firm	Final Combined Score	Final Rank
Law Offices of Wanda Chin Monahan, LLC	86.281	1
Saiber, LLC	81.906	2
DeCotiis, FitzPatrick, Cole & Giblin, LLP	76.906	3
Hill Wallack, LLP	75.344	4
Greenbaum, Rowe, Smith & Davis, LLP	73.063	5
Carella, Byrne, Cecchi, Olstein, Brody & Agnello	72.219	6
McManimon, Scotland & Baumann, LLC	71.031	7

TABLE 4 – GOVERNMENT CONTRACTING, BID PROTESTS & PROCUREMENT

Firm	Final Combined Score	Final Rank
DeCotiis, FitzPatrick, Cole & Giblin, LLP	81.125	1
Schenck Price Smith & King, LLP	78.250	2
Dilworth Paxson, LLP	77.219	3
McManimon, Scotland & Baumann, LLC	67.688	4
Greenbaum, Rowe, Smith & Davis, LLP	64.688	5
Aloia Law Firm LLC	43.781	6

TABLE 5 – EMPLOYMENT LAW

Firm	Final Combined Score	Final Rank
Ruderman & Roth, LLC	83.344	1
Greenbaum, Rowe, Smith & Davis, LLP	83.156	2
Methfessel & Werbel	80.844	3
Saiber, LLC	80.688	4
Hill Wallack, LLP	74.719	5
Weiner Law Group, LLP	74.250	6
DeCotiis, FitzPatrick, Cole & Giblin, LLP	71.719	7
Brown & Connery, LLP	71.594	8
Eric M. Bernstein & Associates, L.L.C.	70.375	9
McManimon, Scotland & Baumann, LLC	65.594	10
Carella, Byrne, Cecchi, Olstein, Brody & Agnello	63.844	11
Law Offices of Yvette Gibbons, LLC	60.219	12
Aloia Law Firm LLC	48.000	13

TABLE 6 – PROFESSIONAL ERRORS AND OMISSIONS & COST RECOVERY

Firm	Final Combined Score	Final Rank
Dilworth Paxson, LLP	79.500	1
Hill Wallack, LLP	74.531	2
Schenck Price Smith & King, LLP	73.031	3
DeCotiis, FitzPatrick, Cole & Giblin, LLP	69.906	4
Greenbaum, Rowe, Smith & Davis, LLP	68.156	5
McManimon, Scotland & Baumann, LLC	58.875	6

TABLE 7 – CONSTRUCTION LITIGATION

Firm	Final Combined Score	Final Rank
Schenck Price Smith & King, LLP	81.281	1
Dilworth Paxson, LLP	79.094	2
Hill Wallack, LLP	78.063	3
Saiber, LLC	75.250	4
DeCotiis, FitzPatrick, Cole & Giblin, LLP	72.875	5
Greenbaum, Rowe, Smith & Davis, LLP	70.094	6
Parker McCay, P.A.	68.844	7
Carella, Byrne, Cecchi, Olstein, Brody & Agnello	66.781	8
Weiner Law Group, LLP	66.063	9
McManimon, Scotland & Baumann, LLC	64.531	10
Rutter & Roy, LLP	61.406	11

TABLE 8 – REAL ESTATE LAW

Firm	Final Combined Score	Final Rank
Brown & Connery, LLP	77.344	1
Hill Wallack, LLP	76.031	2
Saiber, LLC	74.688	3
DeCotiis, FitzPatrick, Cole & Giblin, LLP	72.219	4
Weiner Law Group, LLP	70.375	5
McManimon, Scotland & Baumann, LLC	68.531	6
Greenbaum, Rowe, Smith & Davis, LLP	68.188	7
Carella, Byrne, Cecchi, Olstein, Brody & Agnello	67.063	8
Rutter & Roy, LLP	65.469	9

Based on the Final Combined Scores and Final Rankings as listed in Tables 3-8 above, the twelve (12) firms listed in Table 9 below are proposed for awards of contracts in the legal specialty areas indicated. It should be noted that three (3) or five (5) firms were selected for the various specialty areas, depending upon the anticipated volume of assignments in each specialty area and/or the potential need to address conflicts.

TABLE 9 – SUMMARY OF HIGHEST RANKED FIRMS PER SPECIALTY AREA

Firm	Environmental Law	Government Contracting, Bid Protests & Procurement	Employment Law	Professional Errors and Omissions & Cost Recovery	Construction Litigation	Real Estate Law
Brown & Connery, LLP						X
DeCotiis, FitzPatrick, Cole & Giblin, LLP	X	X			X	X
Dilworth Paxson, LLP		X		X	X	
Greenbaum, Rowe, Smith & Davis, LLP	X	X	X			
Hill Wallack, LLP	X		X	X	X	X
Law Offices of Wanda Chin Monahan, LLC	X					
McManimon, Scotland & Baumann, LLC		X				
Methfessel & Werbel			X			
Ruderman & Roth, LLC			X			
Saiber, LLC	X		X		X	X
Schenck Price Smith & King, LLP		X		X	X	
Weiner Law Group, LLP						X

RECOMMENDATION

We are requesting the Members' approval to contract with the three (3) highest ranked firms in the following legal specialty area: (1) Professional Errors and Omissions and Cost Recovery.

Additionally, we are requesting the Members' approval to contract with the five (5) highest ranked firms in each of the following legal specialty areas: (1) Environmental Law; (2) Government Contracting, Bid Protests and Procurement; (3) Employment Law; (4) Construction Litigation; and (5) Real Estate Law.

Attorney services will be provided at a blended hourly rate of \$240 and paralegal services will be provided at an hourly rate of \$110. The awarded firms in each specialty would enter into a contract for a two-year term. The contract term would extend until completion of work assignments made during the two-year period from issuance of the contract Notice to Proceed. The blended rates will be the hourly rates charged through the duration of all assignments.

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

/s/ Albert D. Barnes
Albert D. Barnes, Chief Counsel

/s/ Sean Murphy
Sean Murphy, Managing Director, Procurement

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

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

Resolution—5a.

Approval of Award
Package No. GP-0287-R01
Legal Services

Resolution

WHEREAS, the Operating Authority of the New Jersey Schools Development Authority (SDA or the Authority) requires that the Members of the Authority authorize the award of professional services contracts; and

WHEREAS, in 2021, the SDA entered into two-year legal services contracts with several law firms in a variety of legal specialties, pursuant to which those firms would serve to complement legal support provided to the SDA through its Division of Chief Counsel and by the Department of Law and Public Safety; and

WHEREAS, these legal services contracts will expire in December 2023; and

WHEREAS, the Board is now requested to approve the retention of a new group of law firms with legal expertise in the areas of environmental law, government contracting, bid protests and procurement, employment law, professional errors and omissions and cost recovery, construction litigation, and real estate law; and

WHEREAS, any law firm selected to provide legal services to the SDA will be required to submit a proposed budget for any task order assignment; and

WHEREAS, each selected firm must agree to provide services in a manner consistent with the terms set forth in the memorandum presented to the Board on this date and in compliance with the SDA Legal Services Management Guidelines as described in the Request for Proposals; and

WHEREAS, the process followed for the procurement of all selected law firms was conducted in accordance with applicable SDA regulations as set forth in greater detail in the memorandum presented to the Board on this date; and

WHEREAS, prior to execution, the contracts with the selected law firms and related documentation will be reviewed and approved by the SDA Division of Chief Counsel; and

WHEREAS, executive management has deemed these awards in the best interest of the Authority and recommends their approval by the SDA Board of Directors.

NOW, THEREFORE, BE IT RESOLVED, that the Members of the Authority hereby authorize and approve the award of contracts for the provision of legal services for the Authority to the law firms recommended by executive management and identified herein, following a competitive procurement process as described in the memorandum presented to the Board on this date and incorporated herein.

BE IT FURTHER RESOLVED, 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.

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 this action shall become effective upon such approval.

Attached: Memorandum, Approval of Awards Package No. GP-0287-R01, Legal Services, dated
August 2, 2023

Dated: August 2, 2023

Approval of Award - Internal Auditing Consultant Services (GP-0288-R01)



MEMORANDUM

TO: Members of the Authority

FROM: Sean Murphy
Managing Director, Procurement

Peter Green
Director, Internal Audit

DATE: August 2, 2023

RE: Description: Internal Audit Consulting Services
Package No.: GP-0288-R01
Fee: Not-to-Exceed \$2,000,000

INTRODUCTION

The Members of the Authority are requested to approve the award of a contract for Internal Audit Consulting Services. Specific work assignments under the contract will be made by way of “task order” on an as-needed basis. The term of agreement for this contract is three years with an option by the NJSDA to extend the agreement for one additional year. For any assignment(s) accepted during the term of the agreement, or any such extended period, the firm will be allowed to complete the particular assignment(s), even if such completion will occur after the end of the initial or extended engagement period. The contract will have a not-to-exceed value of \$2,000,000; however, prior to commencement, each task order assignment under the contract will have a distinct budget that is approved by the Director of Internal Audit and the Vice President of Corporate Governance & Legal Affairs. Furthermore, fees associated with internal audits of school facilities projects will be charged to the specific project, whereas, fees for operational audits will be charged to the annual operating budget approved by the Board.

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.

DESCRIPTION

The consultant will perform tasks assigned on an as-needed basis in support of the NJSDA in-house auditing function. The contract will be managed by the Director of Internal Audit with the oversight of the Vice President of Corporate Governance & Legal Affairs and in tandem with the Audit Committee of the NJSDA Board.

This contract will provide for internal auditing services to supplement and support NJSDA’s internal auditing staff in the performance of operational and statutorily required project audits. During the term of the engagement, the NJSDA will issue individual task orders to the consultant. Compensation for specific work assignments will be based on the loaded hourly rates established in the contract and the applicable approved budget for each assignment.

PROCUREMENT PROCESS

This procurement was advertised beginning on April 4, 2023 on the NJSDA website, on the New Jersey State website, and in selected newspapers for interested firms to participate in the bidding process. Outreach

was also performed via e-mail. A Selection Committee consisting of four NJSDA staff members was established.

Proposals were received from four firms by May 4, 2023¹. The Technical Proposals were evaluated by the Selection Committee. Evaluations were based upon the information provided by the firms in response to the Request for Proposals (“RFP”) for this procurement. The Selection Committee members independently evaluated the Technical Proposals based on the following criteria:

- Understanding of the Required Services, including Access to the Firm’s Online Guidance and Audit Programs
- Approach to Providing the Scope of Services, including the Firm’s Technique for Auditing and Reporting of Active Construction Projects
- Experience in Construction and Operational Audits, including Case Studies of Assignments
- Key Team Members Experience and Qualifications

Each Selection Committee member evaluated each 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 RFP requirements with no deficiencies.
- Sufficient (5-6): meets RFP requirements with no significant deficiencies.
- Minimal (3-4): meets RFP requirements but contains some significant deficiencies.
- Marginal (1-2): comprehends intent of 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
Understanding of the Required Services, including Access to the Firm’s Online Guidance and Audit Programs	2.0	20
Approach to Providing the Scope of Services, including the Firm’s Technique for Auditing and Reporting of Active Construction Project	2.0	20
Experience in Construction and Operational Audits, including Case Studies of Assignments	3.0	30
Key Team Members Experience and Qualifications	3.0	30
Total Possible Points		100

All of the scores awarded by the Selection Committee members to a particular firm’s Technical Proposal

¹ The proposal submitted by Crowe, LLP was rejected for being non-responsive to the RFP requirements.

were added together and averaged to arrive at a Final Technical Proposal Score for each firm. The maximum Final Technical Proposal Score is 100. The responsive firms, their scores and rankings are listed in Table 2 below:

TABLE 2

Firm	Final Technical Proposal Score	Final Technical Proposal Rank
Baker Tilly Virchow Krause, LLP	81.500	1
Experis US LLC through its division, Jefferson Wells	59.375	2
BDO USA, LLP	49.000	3

The RFP stipulated that a shortlist of the three highest-ranked firms would be determined based on the Final Technical Proposal Scores. The shortlisted firms participated in interviews with the Selection Committee on May 25, 2023. The interviews allowed the firms to expand and detail their experience with respect to NJSDA requirements. 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 Technical Proposals, as detailed above.

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 maximum Final Interview Score is 100. The shortlisted firms, their scores and rankings are listed in Table 3 below:

TABLE 3

Firm	Final Interview Score	Final Interview Rank
Baker Tilly Virchow Krause, LLP	82.750	1
Experis US LLC through its division, Jefferson Wells	72.375	2
BDO USA, LLP	63.375	3

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

TABLE 4

Firm	Final Combined Score	Final Combined Rank
Baker Tilly Virchow Krause, LLP	82.125	1
Experis US LLC through its division, Jefferson Wells	65.875	2
BDO USA, LLP	56.188	3

The Fee Proposals, which had been kept separate and sealed, were then opened on May 30, 2023. The fee schedule required firms to propose loaded hourly rates for specified job titles. The proposed loaded hourly

rates are listed in Table 5 below:

TABLE 5

Job Title	Baker Tilly Virchow Krause, LLP	Experis US LLC through its division, Jefferson Wells	BDO USA, LLP
Partner/Principal	\$515.00	\$225.00	\$350.00
Senior Manager	\$420.00	\$215.00	\$250.00
Manager	\$305.00	\$175.00	\$190.00
Senior Auditor (3+ years at position)	\$230.00	\$155.00	\$165.00
Senior Auditor (0-3 years at position)	\$230.00	\$155.00	\$155.00
Staff Auditor (3+ years at position)	\$185.00	\$140.00	\$145.00
Staff Auditor (0-3 years at position)	\$165.00	\$140.00	\$125.00

After reviewing the hourly rates proposed by all firms, it was determined on the basis of comparison that the loaded hourly rates proposed by the highest-ranked firm, Baker Tilly Virchow Krause, LLP, were excessive. Therefore, Procurement staff engaged in fee negotiations with the firm. Near the conclusion of those discussions, Baker Tilly Virchow Krause, LLP informed Procurement staff that they would be unable to sign the standard NJSDA contract without modification. At that point, discussions with Baker Tilly Virchow Krause, LLP were terminated and NJSDA staff moved on to the second highest-ranked firm, Experis US LLC through its division, Jefferson Wells.

Once determining that the loaded hourly rates proposed by the second highest-ranked firm, Experis US LLC through its division, Jefferson Wells, are generally lower than the loaded hourly rates proposed by the other bidders and are lower than the loaded hourly rates NJSDA is currently paying to the incumbent Internal Audit Consulting Services firm, NJSDA staff concluded that the loaded hourly rates proposed by Experis US LLC through its division, Jefferson Wells are fair and reasonable. The recommended loaded hourly rates are listed in Table 6 below:

TABLE 6

Experis US LLC through its division, Jefferson Wells	
Job Title	Loaded Hourly Rate
Partner/Principal	\$225.00
Senior Manager	\$215.00
Manager	\$175.00
Senior Auditor (3+ years at position)	\$155.00
Senior Auditor (0-3 years at position)	\$155.00
Staff Auditor (3+ years at position)	\$140.00
Staff Auditor (0-3 years at position)	\$140.00

Approval of Award
Package No. GP-0288-R01
Internal Audit Consulting Services
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RECOMMENDATION

The Members of the Authority are requested to authorize NJSDA management to execute a contract with Experis US LLC for Internal Audit Consulting Services at the loaded hourly rates listed in Table 6 above. The contract will have a not-to-exceed amount of \$2,000,000 over the term of the agreement. The term of agreement is three years with an option by the NJSDA to extend the agreement for one additional year.

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, Managing Director, Procurement

/s/ Peter Green
Peter Green, Director, Internal Audit

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

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

Resolution—5b.

Approval of Award
Package No. GP-0288-R01
Internal Auditing Consultant Services

Resolution

WHEREAS, the Operating Authority of the New Jersey Schools Development Authority (SDA or the Authority) requires that the Members of the Authority authorize and approve the award of contracts for certain professional goods and services; and

WHEREAS, the SDA has identified the need to procure contractual internal auditing consultant services (the Services) to support and supplement the work of the Authority's internal auditing function in performing operational audits and certain project audits required by statute; and

WHEREAS, specific work assignments under the contract will be made by way of a "task order" on an as needed basis pursuant to a budget to be established by the SDA Director of Internal Audit with the oversight of the Vice President of Corporate Governance & Legal Affairs; and

WHEREAS, a comprehensive overview of the competitive process followed by management in procuring the Services and management's recommendation for award are set forth in the memorandum presented to the Board on this date; and

WHEREAS, the Members of the Authority are requested to approve the award of a contract for internal auditing consultant services to Experis US LLC through its division, Jefferson Wells at the hourly rates and upon such terms as are set forth in the memorandum presented to the Board on this date and incorporated herein, for the not-to-exceed amount of \$2,000,000 over the three year term of the agreement; and

WHEREAS, prior to execution, the contract with Experis US LLC through its division, Jefferson Wells and related documentation shall 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 for internal auditing consultant services (Package No. GP-0288-R01) to Experis US LLC at the hourly rates set forth in the memorandum presented to the Board on this date and incorporated herein, for the not-to-exceed amount of \$2,000,000 over the three-year term of the contract.

BE IT FURTHER RESOLVED, that prior to execution, the contract with Experis US LLC and related documentation shall 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 same, in which case such action shall become effective upon such approval.

Attachment: Memorandum—Internal Auditing Consultant Services (Package No. GP-0288-R01),
dated August 2, 2023

Dated: August 2, 2023

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

**Amendment to Bridging Design Consultant Services Contracts
(GP-0281-R02 through GP-0281-R07)**



MEMORANDUM

TO: Members of the Authority

FROM: Sean Murphy
Managing Director, Procurement

David Magyar
Program Director, Design Studio

DATE: August 2, 2023

RE: Description: Bridging Design Consultant Services
Contract Nos.: GP-0281-R02 through GP-0281-R07
Amendment 1: Increase Contract Not-To-Exceed Values to \$4,000,000

INTRODUCTION

At the November 2, 2022 NJSDA Board Meeting, the Members of the Authority approved the award of six (6) Bridging Design Consultant contracts with Not-To-Exceed (“NTE”) values of \$2,000,000 for the three-year term of the contract, which is scheduled to expire on December 1, 2025.

At this time, the Members are requested to approve an increase to the NTE value for each of the six (6) contracts from \$2,000,000 to \$4,000,000.

Pursuant to the NJSDA Operating Authority adopted by the Board on December 1, 2010, as amended March 7, 2012, Board approval is required for amendments to professional services contracts that exceed \$100,000 or 10% of the contract value. This amendment exceeds both \$100,000 and 10% of the original contract value.

PROCUREMENT PROCESS FOR BRIDGING DESIGN CONSULTANT CONTRACT

The Bridging Design Consultant contract has been structured to permit expedited assignment and award of Task Orders for Bridging Design Consultant services on school facilities projects to be advanced under a Design-Build methodology. This contract will not be used to engage a design professional to act as Architect of Record for a project, or to otherwise develop full, buildable construction documents for a new school facilities project. Under the terms of the original procurement, firms could receive up to \$2,000,000 of work during the three-year term of the contract.

The Request for Qualifications and Proposals for the Bridging Design Consultant contract was advertised beginning on August 9, 2022 for interested firms to participate in the bidding process. Responsive Technical Proposals were received by September 15, 2022 from sixteen (16) firms. Ultimately, the NJSDA executed six (6) three-year term contracts with the following firms:

- Design Ideas Group Architecture + Planning, LLC
- Michael Graves & Associates, Inc.
- RSC Architects

Increase Contract Not-To-Exceed Values
Contract Nos. GP-0281-R02 through GP-0281-R07
Bridging Design Consultant Services
August 2, 2023
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- SSP Architectural Group, Inc.
- STV Architects, Inc.
- USA Architects, Planners + Interior Designers, Ltd.

REASON FOR INCREASE TO CONTRACT NTE VALUES

In November 2022, when management sought Board approval to create the pool of bridging design consultant firms, a \$2,000,000 fee cap was deemed sufficient. At that time, it was anticipated that the Authority would be able to advance two projects per firm within the \$2,000,000 fee cap. To date, one task order has been issued to RSC Architects for the Garfield School District New Replacement Elementary School project for a value of \$1,453,895, inclusive of allowances. Staff is also in the process of developing documents for the procurement of six additional projects by the end of the year and currently expects that two additional projects will advance in the first or second quarter of 2024. Based upon the Authority's experience with the RSC engagement and cognizant of the fees we now anticipate in connection with the other projects, management is seeking Board approval to increase the fee cap from \$2,000,000 to \$4,000,000. This would provide sufficient funding for at least two assignments per firm during the life of the engagement, enable the Authority to proceed consistent with the engagement's original intent, and allow for timely advancement of the work.

RECOMMENDATION

The Members of the Authority are requested to approve an increase to the NTE value for each of the six (6) Bridging Design Consultant contracts from \$2,000,000 to \$4,000,000.

/s/ Sean Murphy
Sean Murphy, Managing Director - Procurement

/s/ David Magyar
David Magyar, Program Director - Design Studio

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

Resolution—6a.

Amendment to Bridging Design Consultant Services Contract
Package Nos. GP-0281-R02 through GP-0281-R07

Resolution

WHEREAS, while the New Jersey Schools Development Authority's (SDA or the Authority) Operating Authority does not specifically address amendments to construction task order contracts, Board approval is required for amendments to goods and services contracts that exceed \$100,000 or 10% of the contract value; and

WHEREAS, in November 2022, the Members of the Authority approved the award of six (6) bridging design consultant contracts (contracts) with not-to-exceed (NTE) values of \$2,000,000 for their three-year term, which are scheduled to expire on December 1, 2025; and

WHEREAS, the contracts enable expedited assignment and award of Task Orders for bridging design consultant services on school facilities projects to be advanced under a design-build methodology; and

WHEREAS, pursuant to the contracts as approved by the Board, no individual firm can receive more than \$2,000,000 of work during the three-year term; and

WHEREAS, at the time of Board approval in November 2022, management anticipated that the proposed \$2,000,000 fee cap would be sufficient to advance the anticipated two projects per firm; and

WHEREAS, given the Authority's recent project experience, along with staff's anticipated procurement of six additional projects by year-end 2023 and the expectation that two additional projects will advance in the first or second quarter of 2024, management has determined that it is necessary to increase the \$2,000,000 fee cap; and

WHEREAS, management recommends that the Members of the Authority authorize an increase from \$2,000,000 to \$4,000,000, in the contracts' fee cap to ensure sufficient funding for at least two assignments per firm during the life of the engagement thus enabling timely advancement of the work.

NOW, THEREFORE, BE IT RESOLVED, that the Members of the Authority hereby authorize and approve an increase, from \$2,000,000 to \$4,000,000, in the not-to-exceed value of each of the six (6) bridging design consultant services contracts approved by the Members of the Authority in November 2022.

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

Attached: Memorandum, Amendment to Bridging Design Consultant Services Contract
Package Nos. GP-0281-R02 through GP-0281-R07, dated August 2, 2023

Dated: August 2, 2023

**Release of Funds from Program Reserve, Award of Contract, Approval of Final Project Charter
- Camden Public School District - Veterans Family Memorial School - Existing Conditions
deficiency Corrective Work - EP-0116-C01**

MEMORANDUM

TO: Members of the Authority

FROM: Sean Murphy
Managing Director, Procurement

Bob Ryan
Program Director, Construction Operations

RE: District: Camden
School: Veterans Family Memorial School
Description: General Construction
Package No.: EP-0116-C01
CCE: \$3,179,707
Advertised CCE Range: \$3,000,000 to \$3,500,000
Award: \$3,811,000
CM: NJSDA Self-Managed

DATE: August 2, 2023

SUBJECT: Release of Funds from Program Reserve, Award of Contract, and Approval of the Final Project Charter
Camden Public School District – Veterans Family Memorial School
Building Envelope, Site Work and Limited Utility Repairs – Emergent Project

INTRODUCTION

We are writing to recommend that the Members of the Authority approve three related actions to address emergent conditions (Project) at the Veterans Family Memorial School (School) in the Camden Public School District (District):

1. The release of funds from the NJSDA Program Reserve maintained for emergent projects;
2. The award of a construction contract to Seawolf Construction Corp. dba Imperial Construction & Electric for \$3,811,000; and
3. The Final Project Charter (copy attached) representing the Project budget inclusive of dollar values for the award for construction, design services, appropriate contingency, allowances, NJSDA staff costs and other costs.

Pursuant to the NJSDA Operating Authority adopted by the Board on December 1, 2010, as amended on March 7, 2012, Board approval is required for the release of monies from the Program Reserve for emergent projects or emergency situations exceeding \$500,000.00. The Operating Authority also requires Board approval of Final Project Charters and the award of construction contracts greater than \$500,000.00. Both the construction award and the release of funds from the reserve for the proposed Building Envelope, Site Work and Limited Utility Repairs Project at the School exceed \$500,000.00.

At the July 2008 Board meeting, the Members approved the 2008 New Funding Allocation and Capital Plan which allocated \$97 million to fund emergent projects in the 31 SDA Districts (Program Reserve for Emergent Projects).

Thereafter, at the March 2, 2011 Board meeting, the Members approved the 2011 Capital Program which allocated an additional \$100 million to fund emergent projects. Most recently, at the July 1, 2020 Board meeting, the Members approved a reallocation of funds from the Unforeseen Events Reserve to the Program Reserve for Emergent Projects, providing an additional \$55.6 million to support the advancement of emergent projects in SDA Districts. Funding for the Project is available within the established reserves for emergent projects.

BACKGROUND

The Veterans Family Memorial School, built in 1939, is an approximately 72,000 square foot facility educating approximately 450 students in grades Pre-Kindergarten through Eight.

The District submitted a potential emergent project for New Jersey Department of Education (NJDOE) review to address the existing conditions deficiencies at the School, including, but not limited to, the deterioration of the building envelope (exterior masonry, windows, roof, cupola, etc.) and the deterioration of the hardscape (paved areas, walkways retaining walls, fencing, site stairs, etc.). A site visit to review the facility's existing conditions was conducted by NJSDA Planning and Program Operations staff, NJDOE and the District. NJDOE issued Preliminary Project Approval for a project to address the deterioration of the building envelope and hardscape at the School.

The NJSDA engaged NK Architects through utilization of the Design Consultant Services Task Order Contract and authorized NK Architects to perform Pre-Design Phase Services inclusive of investigation and testing in order to provide the NJSDA with recommendations for addressing building envelope, deterioration of surrounding hardscape elements and deficiencies in existing site utilities at the School.

On November 3, 2021 the CEO approved the advancement of Design Phase Services authorizing NK Architects to complete design documents for the Project. On December 19, 2022, NK Architects submitted Construction Documents to the New Jersey Department of Community Affairs (NJDCA) for review. NJDCA release was received on February 6, 2023.

The design work is now complete, therefore we are now recommending Board approval of an engagement for General Construction services for the Project.

PROCUREMENT PROCESS

This construction package was advertised beginning on May 12, 2023 on the NJSDA website, NJ State website, and in selected newspapers for interested firms to participate in the bidding process.

A non-mandatory pre-bid teleconference and mandatory site visit were held on May 31, 2023.

Project Rating Proposals were received from bidders on or before June 5, 2023. The Project Rating Proposal was used by the NJSDA to determine each bidder's Project Rating Limit (i.e. the maximum amount that a bidder may bid for the Project). Bidders were evaluated based on a review of the largest of their four projects completed in the past ten years, reference checks, their safety rating, and prevailing wage record. Based on an evaluation of the information submitted, six (6) bidders received a Project Rating Limit.

The Project Rating Limits resulting from the Project Rating Evaluations are listed in Table 1 below:

TABLE 1

Contractor	Project Rating Limit
D.A. Nolt, Inc.	\$ 23,213,177
Hall Construction Company, Inc.	\$ 147,777,528
Niram, Inc.	\$ 35,052,763
Seawolf Construction Corp. dba Imperial Construction & Electric	\$ 12,999,657
T.N. Ward Company	\$ 263,738,217
Terminal Construction Corporation	\$ 239,967,924

In advance of submission of Price Proposals, bidders were permitted to submit questions seeking clarification of the procurement documents until June 15, 2023. Although no Bidder Questions were received, an addendum was issued to the bidders on June 27, 2023 to modify the procurement documents.

Price Proposals were received on July 11, 2023. The Price Proposals were publicly opened and the lump sum base bids were read aloud as required by law.

Following the public bid opening, the NJSDA performed a review of the Price Proposals to determine the responsiveness of each bidder to the solicitation. The review determined that two (2) bidders were responsive. The results of the review are listed in Table 2 below:

TABLE 2

Contractor	Bid Amount	Comments
Seawolf Construction Corp. dba Imperial Construction & Electric	\$3,811,000.00	Qualified and responsive bidder.
Hall Construction Company, Inc.	\$4,624,000.00	Qualified and responsive bidder.
Niram, Inc.	\$4,843,000.00	Non-responsive bidder. Bid rejected.

As stipulated in the Contract Documents, each Bid Amount is inclusive of NJSDA-established Allowances totaling \$625,000 as follows: \$250,000 for General Construction; \$50,000 for Impacted and Unsuitable Material; \$200,000 for Hazardous Materials and Related Activities; \$50,000 for

General Structural; \$35,000 for Replacement of Damaged Roof Sheathing; and \$40,000 for Brick Repointing and Replacement.

The responsive low bidder was Seawolf Construction Corp. dba Imperial Construction & Electric¹ (Imperial).

The bid submitted by Imperial was greater than the CCE. In order to understand the differential between the CCE and the bid price and to ensure the contractor's Price Proposal was inclusive of all scope elements, a conference was conducted on July 17, 2023 with Imperial and staff from NJSDA's Procurement, Construction Operations, Program Operations, and Financial Operations divisions to review the bid. The discussion verified that Imperial had included all Project scope work in its bid and identified that the majority of the overall variance between the NJSDA's CCE and Imperial's Price Proposal is attributable to additional labor costs estimated by Imperial due to the numerous small areas of renovation, the intricacy of the work and the high elevation of parts of the scope. At the time of review, Imperial confirmed 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 Imperial.

SCOPE OF WORK

The necessary corrective construction work includes:

- Repairs to Exterior Building Envelope
 - Roofing repairs and replacement
 - Cupola replacement
 - Exterior masonry repairs
 - Selective removal and reinstallation of existing windows and doors
- Repairs to Exterior Site Hardscape
 - Paved areas
 - Walkways
 - Retaining walls
 - Fencing
 - Stairs
- Limited Site Utilities Repairs
 - Underground stormwater system pipe replacement and repairs.
- Hazardous Materials Abatement Work (as deemed necessary for implementation of the scope listed above).
- Code or Regulatory Improvements that might be triggered by implementation of the scope listed above.

¹Imperial listed the following subcontractors for the required trades in its Price Proposal: Southern N.J. Steel Co., Inc. (Structural Steel), Imperial Construction & Electric (Electrical), Berto Construction, Inc. (Sewer Piping & Storm Drains), and Strober-Wright Roofing, Inc. (Roofing-Membrane Modified Bitumen).

The schedule for performance of the corrective work is phased in recognition that it will be performed in an occupied school facility.

FINAL BUDGET

The value of Imperial's award to address the emergent Project is \$3,811,000. As reflected in the attached Project Charter, total Project funding, including design costs, construction costs, contingencies, allowances, NJSDA staff and other costs is estimated at a value in the amount of \$6,588,900 (inclusive of prior funding of \$1,723,275 in addition to the \$4,865,625 proposed for release from the Program Reserve). Funding for the total Project costs is available within the NJSDA Program Reserve maintained for emergent projects.

SCHEDULE

Project construction is anticipated to begin September 15, 2023. The schedule recognizes an overall construction duration of 255 calendar days. We anticipate that Project substantial completion would be reached on May 27, 2024.

RECOMMENDATION

The Members of the Authority are requested to approve the following actions:

1. The release of \$4,865,625 from the Program Reserve maintained for emergent projects;
2. The award of a construction contract to Seawolf Construction Corp. dba Imperial Construction & Electric in the amount of \$3,811,000, inclusive of NJSDA-established Allowances totaling \$625,000. Prior to execution of the contract, the contract and related documentation will be reviewed and approved by the NJSDA Division of Chief Counsel; and
3. The Final Project Charter (copy attached) representing all expended and projected funds necessary for completion of the Project.

/s/ Sean Murphy

Sean Murphy, Managing Director, Procurement

/s/ Bob Ryan

Bob Ryan, Program Director, Construction Operations

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

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

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

Reviewed and Recommended by: Robert Carney, Director, Financial Operations

New Jersey Schools Development Authority Emergent Project Charter - Summary

Charter Date

08/02/23

Region: Southern
District: Camden
School Name: Veteran's Memorial School
Project Type: Emergent
DOE # / Project #: 0680-080-19-0BBJ
Project Location: 800 N 26th St. Camden, NJ

Supersedes

Charter Dated

N/A

Project Budget: \$ 6,588,900
Anticipated Construction NTP Date September-23
Anticipated Final Completion Date July-24
Project Initiation Date: June-19

Funding Sources

2011 Emergent Reserve

Charter Version and Date	Project Summary
<input checked="" type="checkbox"/> Final 08/02/23	Emergent project to address the following: - Repairs to Exterior Building Envelope including roofing repairs and replacement, cupola replacement, exterior masonry repairs and selective removal and reinstallation of existing windows and doors - Repairs to Exterior Site Hardscape including paved areas, walkways, retaining walls, fencing and site stairs - Limited underground stormwater system pipe replacement and repairs
Revision # and Date	
<input type="checkbox"/> One	
<input type="checkbox"/> Two	
<input type="checkbox"/> Three	
Purpose for Advancement of Emergent Charter	
To establish the final budget for the project inclusive of dollar values for the award for construction, appropriate contingency, allowances, NJSDA staff costs, and estimated other costs.	

Recommendation

/s/ Robert Ryan	Aug 2, 2023	/s/ Gregory Voronov	Aug 2, 2023
Program Director - Project	Date	Managing Director - Program Operations	Date
Robert Ryan		Gregory Voronov	
	Date	VP - Program Ops and Strategic Planning	Date
		Vacant	

Approval

(If Project Budget is greater than \$500,000 Attach Board Memo and Minutes indicating authorization of funding)

/s/ Manuel Da Silva	Aug 2, 2023
Chief Executive Officer	Date
Manuel Da Silva	

**New Jersey Schools Development Authority
Emergent Project Charter
Project Budget**

District / Project Name:	Camden/Veteran's Memorial School
DOE # / Project #:	0680-080-19-0BBJ
Charter Date:	08/02/23

Special Considerations:

The project budget is based upon the award value of the Contract for General Construction Services. Other Costs for projects range from 2% to 5% of Building Costs, with such costs for Emergent Projects budgeted at 5%. These costs are inclusive of projected DCA fees for permits and anticipated inspections. Allowances totaling \$625,000 have been established - 1. General Construction Allowance: \$250,000 2. Impacted and Unsuitable Soils Allowance: \$50,000 3. Hazardous Materials: \$200,000 4. General Structural Allowance: \$50,000 5. Replacement of Damaged Roof Sheathing: \$35,000 6. Brick Repointing and Replacement \$40,000

Project Budget:

Construction Costs	
Construction Costs	\$3,186,000
Allowances	\$625,000
Construction Contingency	\$600,000
Total Construction Costs	\$4,411,000
Other Costs:	
Design Services	\$1,527,900
Project Management (SDA Staff)	\$460,000
Other Costs	\$190,000
Total Other Costs	\$2,177,900
PreDevelopment & Environmental Costs:	
PreDevelopment	\$0
Environmental/Remediation	\$0
Total PreDevelopment & Environmental Costs	\$0
Total Project Budget	\$6,588,900
2011 Emergent Reserve Impact	
Prior Released Funding	\$1,723,275
Current Funding Requested	\$4,865,625

Resolution—6b.

Release of Funds from Program Reserve, Award of Contact, Approval of Final Project Charter
Veterans Family Memorial School, EP-0116-C01, Emergent Project

District:	Camden
School:	Veterans Family Memorial School
Description:	General Construction
Package No.:	EP-0116-C01
CCE:	\$3,179,707
Advertised CCE Range:	\$3,000,000 to \$3,500,000
Award:	\$3,811,000
CM:	SDA Self-Manages

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 release of funds from the Program Reserve for emergent projects or emergency situations exceeding \$500,000; and

WHEREAS, the Operating Authority further requires Board approval for the award of construction contracts greater than \$500,000 as well as final project charters; and

WHEREAS, in 2008 and 2011, the SDA Board approved a total of \$197 million to fund emergent project work in SDA Districts and, in July 2020, provided an additional \$55.6 million to support the advancement of emergent projects by authorizing the reallocation of funds from the SDA’s Unforeseen Events Reserve to the Emergent Projects Reserve; and

WHEREAS, built in 1939, the Veterans Family Memorial School (School) is an approximately 72,000 square foot facility in the Camden Public School District (District) educating approximately 450 students in grades Pre-Kindergarten through eighth; and

WHEREAS, the District submitted a potential emergent project for New Jersey Department of Education (DOE) review to address existing conditions deficiencies at the School as fully described in the memorandum presented to the Board on this date and incorporated herein; and

WHEREAS, following SDA’s site visit to review the facility’s existing conditions, DOE issued Preliminary Approval for a project to address the emergent conditions (Project); and

WHEREAS, after engaging NK Architects through utilization of the design consultant services Task Order Contract, SDA authorized NK to perform pre-design phase services, inclusive of investigation and testing, in order to provide the SDA with recommendations for addressing the building envelope, deterioration of surrounding hardscape elements and deficiencies in existing site utilities at the School; and

WHEREAS, on November 3, 2021, the SDA Chief Executive Officer approved the advancement of the design phase authorizing NK to complete design documents for the Project; and

WHEREAS, on December 19, 2022, NK submitted the construction documents to the New Jersey Department of Community Affairs (DCA) for review and DCA release was received on February 6, 2023; and

WHEREAS, with design work now complete, management recommends Board approval of an engagement for general construction services for the Project; and

WHEREAS, the construction package was advertised beginning on May 12, 2023, a non-mandatory pre-bid teleconference and mandatory site visit were held on May 31, 2023, and project rating proposals were received from bidders on or before June 5, 2023; and

WHEREAS, price proposals were received on July 11, 2023 and the responsive low bidder was subsequently determined to be Seawolf Construction Corp. dba Imperial Construction & Electric (Imperial); and

WHEREAS, following review, management determined that Imperial has included all Project scope work in its bid in the amount of \$3,811,000 (inclusive of SDA-established Allowances totaling \$625,000) and has confirmed that its price proposal is inclusive of all scope elements contained in the contract documents; and

WHEREAS, management recommends that the contract be awarded to Imperial; and

WHEREAS, funding for the Project is available within the established reserves for emergent projects and approval of a release of funds from the reserves and of the Project's final charter is required; and

WHEREAS, management therefore recommends that the Members of the Authority approve the Project's final charter and the release of \$4,865,625 from the Program Reserve for the Project resulting in a total project budget of \$6,588,900 (inclusive of prior funding of \$1,723,275); and

WHEREAS, as the construction award and the release of funds from the Program Reserve for the Project exceed \$500,000, both require Board approval; and

WHEREAS, the memorandum presented for Board review on this date and incorporated herein sets forth in detail the Project's scope of work, the Project budget and schedule, a discussion of the Project's final charter, and a description of the procurement process utilized by management to obtain the Services; 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 release of \$4,865,625 from the SDA Emergent Program Reserve to address the emergent project at the Camden Veterans Family Memorial School in the Camden Public School District.

BE IT FURTHER RESOLVED, that the Members of the Authority approve the award of a construction contract to Seawolf Construction Corp. dba Imperial Construction & Electric in the amount

of \$3,811,000 for Contract No. EP-0116-C01, inclusive of SDA-established Allowances and prior funding.

BE IT FURTHER RESOLVED, that the Members of the Authority approve the Project's Final Charter, representing all expended and projected funds necessary for completion of the emergent project presented to the Board on this date.

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

Attached: Memorandum, Release of Funds from Program Reserve, Award of Contract, and Approval Final Project Charter, Camden Public School District, Emergent Project EP-0116-C01, dated, August 2, 2023

Dated: August 2, 2023

**Change Order No. 61, Revised Final Project Charter and Reestablishment of Design-Builders
Contract Value – Millville School District – Millville High School Addition and Renovations**



MEMORANDUM

TO: Members of the Authority

FROM: Robert Ryan, Program Director, Construction Operations
Gregory Voronov, Managing Director, Planning and Program Operations

RE: District: Millville Public Schools
School: Millville Senior High School
Package No: ST-0046-B01
Design-Builder: Hall Construction Company, Inc.

DATE: August 2, 2023

SUBJECT: Millville High School Additions and Renovations Project
Action No. 1: Change Order No. 61 – Replacement of Existing A&B Wing Unit Ventilators
Action No. 2: Revised Final Project Charter
Action No. 3: Reestablishment of Design-Builders Contract Value

INTRODUCTION

We are writing to recommend approval by the Members of the Authority of three related actions necessary to address conditions at the Millville High School (School) Additions and Renovations Project (Project) in the Millville Public Schools District (District). Specifically, we are asking the Board to approve:

1. Change Order No. 61 in the Not-To-Exceed Amount of \$5,000,000.00 for the required construction services to replace the unit ventilators of the School's existing A&B Buildings, including all labor, material, and equipment necessary to complete the work. The replacement of these existing unit ventilators was not included in the original Project scope.
2. The Project's Revised Final Project Charter (Charter) representing the Project budget inclusive of dollar values for construction, appropriate contingency, NJSDA staff cost, other costs and prior allocation of funds to complete the Project moving forward.
3. Reestablishment of the design-build contract value for the purpose of the application of ongoing Operating Authority requirements. The reestablished value for this purpose shall be the revised contract value inclusive of all previously approved change orders up to June 30, 2022 for an adjusted contract value of \$129,388,524.11 (\$114,453,000.00 plus all change orders executed as of June 30, 2023 and including Change Order 61).

Pursuant to the SDA 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. CO No. 61 singularly exceeds \$500,000.00.

BACKGROUND/REASON FOR CHANGE

The Project includes additions and renovations to Millville High School to increase its capacity by 860 new seats for 2,026 students in grades 9 through 12. The School is located on a site owned by the Millville Public Schools District located at 200 Wade Boulevard in Millville, New Jersey. The Project will increase the School's size from approximately 200,000 square feet to approximately 375,000 square feet. Additions include a three-story wing housing a new cafeteria and classrooms; a new gymnasium and two-story wing housing administration and guidance areas, health and fitness rooms and science labs. The Project will also provide a two-story connector wing that will house art rooms, small-group rooms and a broadcast studio; a new auditorium; and a renovated boiler room. Other work will include conversion of the High School's existing auditorium to a media center and administration offices, and include a number of alterations and renovations required to re-purpose existing spaces.

On May 24, 2017, Hall Construction Co., Inc. (Hall) was issued a Notice-To-Proceed (NTP) for the design phase of the Project. The District has been occupying completed phases of the building since 2018 and the Project is now nearing completion of all work. The last phase of the project, consisting of the new auditorium addition, was recently completed and the District will begin occupying that space in May 2023.

In 2003, an HVAC Health and Safety project was undertaken in the School's A and B wings by the state's school construction program to replace the unit ventilators in all the classrooms. Subsequent to that project, the District added cooling. In 2019, the District notified SDA of recurring humidity issues in the existing A and B Wings at the School. In response to the District's outreach, the SDA agreed to investigate these conditions with the objective of identifying the source of the humidity and, if possible, devising a solution to the problem once identified.

To this end, in 2021 Change Order No. 19 enabled the performance of HVAC investigative services of the Existing A and B Wings. These services were completed and it was determined that the existing cooling system is undersized, unable to dehumidify the spaces, beyond its life expectancy, and in need of required repairs. However, the parts required to repair the District-installed cooling system are no longer available due to the age of the system. Therefore, the only remedy is to replace the existing individual classroom unit ventilators with new ones.

In 2022, SDA issued Change Order No. 54 which funded the preliminary and final design services required to address the issues noted in the previously submitted HVAC Investigative Report and to design the recommended solutions and replacement unit ventilators.

As explained below, Change Order No. 61, presented for Board approval, would enable the Authority to take the next steps towards addressing the HVAC problems in the School's A and B Wings.

SUMMARY OF CHANGE

Change Order No. 61 would provide the construction costs required to implement the removal and replacement of the existing unit ventilators and associated appurtenances for the Project. In addition to removal and replacement of the unit ventilators, the scope of work includes installation of new control valves for baseboard and cabinet unit heaters, new Direct Digital Controls (DDC) of all new mechanical equipment, and integration into the existing Honeywell Building Management System (BMS).

Hall has submitted a proposal in the amount of \$4,279,391.98 to SDA for the construction services required to

perform the required scope of work at the School. SDA staff and Greyhawk continue to review the proposal's dollar value; however, it is recommended that the Board authorize advancement of the work now by approving Change Order No. 61 with a NTE value, in order to support the Project schedule and procurement of long lead-time items. Project construction will not commence until DCA has accepted and released the design.

CALCULATIONS

a. Original Contract Amount	\$ 114,453,000.00
b. Change Orders to Date	\$ 9,935,524.11
c. Proposed Change Order Amount (Total Amount)	\$ 5,000,000.00
d. Total Change Orders to Date including this Change Order (Total of Line (b.) and Line (c.))	\$ 14,935,524.11
e. Percentage Change to Original Contract (Line (d.) represents a percent of Line (a.))	13.05%
f. Proposed Adjusted Contract Price (Line (a.) plus Line (d.))	\$ 129,388,524.11

Documents supporting Change Order No. 61 were reviewed by the SDA project team members as well as the Program Director, Deputy Program Director, and Financial Operations for adherence to current SDA policy and procedures. All reviewing SDA staff members have determined that the proposed value of Change Order No. 61, in the total NTE amount of \$5,000,000.00, is reasonable and appropriate.

REASON FOR CHARTER REVISION

The Project's most recent Revised Final Charter was approved by the Chief Executive Officer in June 2021 and included various budget line items that are now known to be insufficient to support completion of the Project. As of June 30, 2023, the construction contingency for the Project has been nearly depleted.

For this reason, it is now necessary to revise the Final Project Charter, and provide the additional funding necessary to ensure that sufficient funds exist to support completion of the Project. The recommended increase in the amount of \$4,162,825 primarily includes additional increases to Construction Contingency and SDA Staff Costs. The increase to Construction Contingency reflects \$5,700,000.00.00 to address Change Order No. 61 as noted above and for future contingency needs based on the remaining amount of work awaiting completion. The budget increase is partially offset by a reduction in the Furniture Fixtures Technology & Equipment (FFT&E) budgets which are being reduced as that portion of the Project is complete.

REASON FOR REESTABLISHMENT OF CONTRACT VALUE

During the course of construction of the Project, various unforeseen hidden conditions were encountered. These unforeseen conditions required the issuance of numerous change orders. We have determined that the value inclusive of this work, as well as prior executed change orders, represents the true value of the work necessary to implement the additions and renovations Project. Therefore, we recommend that the adjusted value inclusive of all approved change orders to date (including Change Order No. 61) is the appropriate baseline for the application of Operating Authority requirements going forward.

If approved, SDA management will again seek Board approval should future change orders individually exceed \$500,000.00, or singularly or in the aggregate exceed 10% of the reestablished contract amount of \$129,388,524.11, including Change Order #61, as set forth above.

RECOMMENDATION

For the reasons above, management and staff recommend that the Members of the Authority authorize and approve three related actions necessary to address conditions at the Millville High School Additions and Renovations Project in the Millville Public Schools District:

1. The issuance of Change Order No. 61 in the Not-To-Exceed Amount of \$5,000,000.00 to provide the construction services required to address the Project scope, including all labor, material, and equipment necessary to remove and replace the unit ventilators of the School’s existing A and B Buildings.
2. Revisions to the Final Project Charter representing the project budget inclusive of dollar values for construction, appropriate contingency, SDA staff costs, other costs and prior allocation of funds to complete the Project moving forward.
3. Reestablishment of the design-build contract value for the purpose of the application of ongoing Operating Authority requirements. The reestablished value for this purpose shall be the revised contract value inclusive of all previously approved change orders up to June 30, 2022 for an adjusted contract value of \$129,388,524.11 (\$114,453,000.00 plus all change orders executed as of June 30, 2023 and including Change Order No. 61).

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. Change Order No. 61 singularly exceeds \$500,000.00.

/s/ Robert Ryan

Bob Ryan, Program Director, Construction Operations

/s/ Gregory Voronov

Gregory Voronov, Managing Director, Planning and Program Operations

Reviewed and Recommended by: Steve Wendling, Deputy Program Director, Construction Operations
Prepared and Recommended by: William Coonahan, Deputy Program Director, Program Operations
Prepared and Recommended by: Ted Bosnjak, Senior Program Officer, Construction Operations

New Jersey Schools Development Authority Project Charter - Summary

Charter Date
08/02/23

Supersedes Charter Dated
05/20/21

Region: Southern
District: Millville
Project Name: Senior High School Addition Renovation
School Type: High School
DOE # / Project #: 3230-050-13-0AEF
Project Type (New/Add/Reno): Add/Reno
Project Location: 200 Wade Boulevard, Millville, NJ
Number of Students: 2,026 (FES Capacity) 2,384 (Maximum Capacity)

Land Acquisition Required? Yes No
Temporary Space Required? Yes No

Funding Source
2012 Capital Plan

Project Budget: \$ 149,168,558
Anticipated Substantial Completion Date: May-23
Anticipated School Occupancy Date: Phased

Funding Allocated
\$149,168,558

Project Team Leader: Robert Ryan
Project Initiation Date: 09/13/13
SDA Board - Project Charter Approval Date: 08/02/23

District Local Share
\$0.00

Charter Version and Date	Project Summary
<input type="checkbox"/> Planning 09/04/13	Additions and Renovations to the existing Senior HS to expand the facility to provide capacity to educate 2,026 students in grades 9 to 12. The Project is comprised of additions of 230,000 GSF and 58,000 GSF of renovations necessary to accommodate the high school educational program. The project scope also includes necessary site work to implement the project.
<input type="checkbox"/> Preliminary 01/07/15	
<input checked="" type="checkbox"/> Final 04/05/17	
Purpose for Advancement of Current/Revised Project Charter	
Revision # and Date	To provide funding to address identified HVAC issues within the existing school which will be addressed via a change order to the design-build engagement.
<input type="checkbox"/> One 09/06/17	District Project Goals
<input type="checkbox"/> Two 05/20/21	
<input checked="" type="checkbox"/> Three 08/02/23	
<input type="checkbox"/> Four	
<input type="checkbox"/> Five	
<input type="checkbox"/> Six	
The project will serve to address overcrowding at the HS grade level.	

Recommendation

/s/ Robert Ryan August 2, 2023
 Program Director - Program Operations Date
Robert Ryan

/s/ Gregory Voronov August 2, 2023
 Managing Director - Planning & Prog. Ops. Date
Gregory Voronov

Vice President - Construction Operations Date
Vacant

VP - Program Ops. & Strategic Planning Date
Vacant

Approval

/s/ Manuel Da Silva August 2, 2023
 Chief Executive Officer Date
Manuel Da Silva

New Jersey Schools Development Authority Project Charter - Milestones & Delivery Method

Charter Date

08/02/23

District / Project Name: Millville / Senior High School Addition Renovation
DOE # / Project #: 3230-050-13-0AEF

Project Milestones	Date
School Occupancy Date	Phased

DELIVERY METHOD	Design/Build
------------------------	---------------------

<u>Real Estate Services</u>	<u>Start</u>	<u>Est.</u>	<u>Act.</u>	<u>Finish</u>	<u>Est.</u>	<u>Act.</u>
Feasibility	05/22/13	<input type="checkbox"/>	<input checked="" type="checkbox"/>	07/31/13	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Site Investigations	05/22/13	<input type="checkbox"/>	<input checked="" type="checkbox"/>	07/31/13	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Site Acquisition	N/A	<input type="checkbox"/>	<input type="checkbox"/>	N/A	<input type="checkbox"/>	<input type="checkbox"/>
Relocation	N/A	<input type="checkbox"/>	<input type="checkbox"/>	N/A	<input type="checkbox"/>	<input type="checkbox"/>
Demolition	N/A	<input type="checkbox"/>	<input type="checkbox"/>	N/A	<input type="checkbox"/>	<input type="checkbox"/>
Early Site Package	TBD	<input type="checkbox"/>	<input type="checkbox"/>	TBD	<input type="checkbox"/>	<input type="checkbox"/>
Deed Restriction Required?	N/A	Date				
District Notified?	N/A	<input type="checkbox"/>	<input type="checkbox"/>			
Classification Exception Area?	N/A	<input type="checkbox"/>	<input type="checkbox"/>			
District Notified?	N/A	<input type="checkbox"/>	<input type="checkbox"/>			

Special Considerations

<u>Design:</u>	<u>Date</u>	<u>Est.</u>	<u>Act.</u>		<u>Est.</u>	<u>Act.</u>
Design Start (NTP)	05/01/14	<input type="checkbox"/>	<input checked="" type="checkbox"/>			
Design Restart (if applicable)	N/A	<input type="checkbox"/>	<input type="checkbox"/>			
	<u>Start</u>	<u>Est.</u>	<u>Act.</u>	<u>Finish</u>	<u>Est.</u>	<u>Act.</u>
Program Concept Phase	05/01/14	<input type="checkbox"/>	<input checked="" type="checkbox"/>	07/07/15	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Schematic Design	07/08/15	<input type="checkbox"/>	<input checked="" type="checkbox"/>	01/21/16	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Bridging Documents	02/12/16	<input type="checkbox"/>	<input checked="" type="checkbox"/>	10/14/16	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Design-Build Bid/Award	09/30/16	<input type="checkbox"/>	<input checked="" type="checkbox"/>	04/05/17	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Design-Build NTP	04/06/17	<input type="checkbox"/>	<input checked="" type="checkbox"/>	05/24/17	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Special Considerations

<u>Construction:</u>	<u>Date</u>	<u>Est.</u>	<u>Act.</u>
Construction Start (NTP)	03/29/18	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Substantial Completion (TCO)	May-23	<input type="checkbox"/>	<input checked="" type="checkbox"/>
School Occupancy Date	Phased	<input type="checkbox"/>	<input type="checkbox"/>
Title Transfer	N/A	<input type="checkbox"/>	<input type="checkbox"/>
Final Completion (C of O)	Sep-24	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Post Occupancy Walk Through	Apr-24	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Project Close-Out	Dec-24	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Special Considerations

Final Completion anticipates additional change order work to address existing HVAC deficiencies.

New Jersey Schools Development Authority Project Charter - Project Budget

Charter Date

08/02/23

District / Project Name: Millville / Senior High School Addition Renovation
DOE # / Project #: 3230-050-13-0AEF

2012 Capital Plan Funding Allocation \$ **149,168,558**

Special Considerations:

The project budget represented below is based upon the award amount for the Design-Build engagement, current estimates for all project scope elements and estimated costs for future scope elements. The budget also includes prior expenditures related to completed site investigations and engaged bridging design services.

Project Budget:

Gross Building Area (GSF):		Grossing Factor:
New	0	1.55
Addition	230,000	
Renovation	58,000	
Total Gross Building Area (GSF):	288,000	
Estimated Building Cost / GSF		
Building Cost/GSF	\$340.00	

Design-Builder Costs

Design	\$6,763,000
Building Costs	\$101,562,693
Demolition & Site Costs	\$5,946,700
E-Rate (If separately bid)	\$180,607
District Funded Change Orders	\$983,578
Construction Contingency (Original)	\$5,000,000
Construction Contingency (Additional)	\$9,700,000
Total Construction Costs	\$130,136,578

Pre-Development Costs:

Consultant Services	\$229,293
Early Site Package	\$0
Land Acquisition	\$0
Relocation	\$0
Property Maintenance/Carry Costs	\$0
Total Pre-Development Costs	\$229,293

Other Costs:

Design	
Design Services	\$2,300,000
SDA Design Studio Support	\$21,932
Project Management (SDA Staff)	\$2,760,000
CM Services	\$3,424,000
FF&E	\$3,979,700
Technology	\$5,994,900
Commissioning	(Included in DB Scope)
Temporary Space	\$0
Other Costs	\$1,461,832
Total Other Costs	\$19,942,364

Other Funding Sources

Rebates & Refunds	(\$156,099)
District Local Share Funds	(\$983,578)
Total Other Funding Sources	(\$1,139,677)

Total Project Budget	\$149,168,558
Funding from Prior Allocation	N/A
Funding from 2012 Capital Plan	\$149,168,558

**New Jersey Schools Development Authority
Project Charter - Budget Variance**

Charter Date

08/02/23

District / Project Name: Millville / Senior High School Addition Renovation
DOE # / Project #: 3230-050-13-0AEF

Project Budget:

	Revised Final Charter 5/20/21	Current Budget	VARIANCE Fav/(Unfav)
Grossing Factor:	1.55	1.55	
Gross Building Area (GSF):			
New	0	0	0
Addition	230,000	230,000	0
Renovation	58,000	58,000	0
Total Gross Area (GSF):	288,000	288,000	0
Design-Builder Costs			
Design	\$6,763,000	\$6,763,000	\$0
Building Costs	\$101,562,693	\$101,562,693	\$0
Demolition & Site Costs	\$5,946,700	\$5,946,700	\$0
E-Rate (If separately bid)	\$180,607	\$180,607	\$0
District Funded Change Orders	\$601,930	\$983,578	(\$381,649)
Construction Contingency (Original)	\$5,000,000	\$5,000,000	\$0
Construction Contingency (Additional)	\$4,000,000	\$9,700,000	(\$5,700,000)
Total Construction Costs	\$124,054,930	\$130,136,578	(\$6,081,649)
Pre-Development Costs:			
Consultant Services	\$185,000	\$229,293	(\$44,293)
Early Site Package	\$0	\$0	\$0
Land Acquisition	\$0	\$0	\$0
Relocation	\$0	\$0	\$0
Property Maintenance/Carry Costs	\$0	\$0	\$0
Total Pre-Development Costs	\$185,000	\$229,293	(\$44,293)
Other Costs:			
Design			
Design Services	\$2,300,000	\$2,300,000	\$0
SDA Design Studio Support	\$200,000	\$21,932	\$178,068
Project Management (SDA Staff)	\$1,844,000	\$2,760,000	(\$916,000)
CM Services	\$3,418,000	\$3,424,000	(\$6,000)
FF&E	\$5,300,000	\$3,979,700	\$1,320,300
Technology	\$7,000,000	\$5,994,900	\$1,005,100
Commissioning	(Included in DB Scope)	(Included in DB Scope)	\$0
Temporary Space	\$0	\$0	\$0
Other Costs	\$1,461,832	\$1,461,832	\$0
Total Other Costs	\$21,523,832	\$19,942,364	\$1,581,468
Other Funding Sources			
Rebates & Refunds	(\$156,099)	(\$156,099)	\$0
District Local Share Funds	(\$601,930)	(\$983,578)	\$381,649
Total Other Funding Sources	(\$758,028)	(\$1,139,677)	\$381,649
Total Project Budget	\$145,005,733	\$149,168,558	(\$4,162,825)
Funding from Prior Allocation	N/A	N/A	N/A
Funding from 2012 Capital Plan	\$145,005,733	\$149,168,558	(\$4,162,825)

Budget Variance Analysis:

Budget increase necessary to provide funding for newly identified HVAC repairs required in the existing A&B wings of the school. Also, the budgets for SDA Project Management & CM services have been increased to ensure there is sufficient funding through completion of the project. The budget increase is partially offset by a reduction in the FF&E and Technology budgets which are being reduced as that portion of the project is complete.

Schedule Variance Analysis:

Resolution—6c.

Millville High School Addition & Renovations Project - Change Order No. 61 – Replacement of Existing A&B Wing Unit Ventilators; Revised Final Project Charter; Reestablishment of Design-Builders Contract Value

Resolution

WHEREAS, the Operating Authority of the New Jersey Schools Development Authority (SDA or the Authority) requires that the Members of the Authority approve a change order which singularly exceeds \$500,000.00, or is greater than 10% of the contract value; and

WHEREAS, the SDA Operating Authority further requires that the Members of the Authority approve the revision of final project charters when the same exceed 10% of the approved final project charter estimate or final project budget or the most recent Board approved project charter; and

WHEREAS, the Millville High School Project (School, Project) includes additions and renovations to increase its capacity by 860 new seats for 2,026 students in grades 9 through 12, increasing the School's size from approximately 200,000 square feet to approximately 375,000 square feet; and

WHEREAS, in 2003, an HVAC Health and Safety project was undertaken in the School's A and B wings by the state's school construction program and, subsequent to that project, the District added cooling to the system; and

WHEREAS, on May 24, 2017, SDA issued Hall Construction Co., Inc. (Hall) a notice-to-proceed for the design phase of the Project; and

WHEREAS, in 2019, the District reported recurring humidity issues in the existing A and B Wings at the School to the Authority who agreed to investigate these conditions and potentially devise a solution to the problem once identified; and

WHEREAS, in 2021, Change Order No. 19 enabled the performance of the HVAC investigative services which determined that the existing cooling system was deficient and beyond its life expectancy; and

WHEREAS, since the parts required to repair the District-installed system are no longer available, the only remedy is to replace the existing individual classroom unit ventilators with new ones; and

WHEREAS, in 2022, SDA issued Change Order No. 54 which funded the preliminary and final design services required to address the issues and to design the recommended solutions and replacement unit ventilators; and

WHEREAS, Change Order No. 61, presented to the Board on this date, would provide the construction costs required to advance the Project towards addressing the recurring humidity issues conditions in the School's A and B Wings; and

WHEREAS, while review of the proposed \$4,279,391.98 cost for the construction services remains under review, management recommends approval of Change Order No. 61 with a not-to-exceed value now to advance the work in order to support the Project schedule and procurement of long lead-time items; and

WHEREAS, documents supporting Change Order No. 61 were reviewed by the SDA project team members as well as the Program Director, Deputy Program Director, and Financial Operations for adherence to current SDA policy and procedures and all reviewing SDA staff members have determined that the proposed value of Change Order No. 61, in the total not-to-exceed amount of \$5,000,000.00, is reasonable and appropriate; and

WHEREAS, for the reasons set forth in the memorandum presented to the Board, it is also now necessary to revise the Project's final charter and provide the increased funding necessary to ensure that sufficient funds exist to support completion of the Project; and

WHEREAS, the additional funding provided by Change Order No. 61 will support completion of the remaining work inclusive of staff and contingency costs; and

WHEREAS, management has determined that the adjusted contract value, inclusive of Change Order No. 61 and all approved change orders to date and totaling \$129,388,524.11 is the appropriate baseline for the on-going application of Operating Authority requirements to the Project and recommends the Members' approval of the same; and

WHEREAS, SDA management will again seek Board approval should future change orders individually exceed \$500,000.00, or singularly or in the aggregate exceed 10% of the reestablished contract amount; and

WHEREAS, the reason for the change, a summary of the change and reason for the reestablishment of the contract value are 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 hereby authorize and approve the issuance of Change Order No. 61 in the not-to-exceed amount of \$5,000,000.00 to provide the construction services required to remove and replace the unit ventilators of the existing A and B Buildings for the Millville High School project.

BE IT FURTHER RESOLVED, that the Members of the Authority approve revisions to the Project's Final Charter representing the project budget inclusive of dollar values for construction, appropriate contingency, SDA staff costs, other costs and prior allocation of funds to complete the Project moving forward.

BE IT FURTHER RESOLVED, that the Members of the Authority authorize the reestablishment of the Project's design-build contract value for purposes of the application of ongoing Operating Authority requirements consistent with the memorandum presented to the Board on this date and incorporated herein.

BE IT FURTHER RESOLVED, that these three related actions are necessary and appropriate to address and facilitate advancement of the Project.

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

Attached: Memorandum, Change Order No. 61, Replacement of Existing A&B Wing Unit Ventilators, Revised Final Project Charter; Reestablishment of Design-Builders Contract Value, dated, August 2, 2023

Dated: August 2, 2023

**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

MEMORANDUM

TO: Members of the Authority

FROM: Gregory Voronov
Managing Director

DATE: August 2, 2023

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 7/19/23

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 7/19/23

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 7/19/23

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	\$93.7	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 7/19/23

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	\$51.7	Design-Bid-Build	Award for GC approved Apr. 2023. (Terminal) <i>Note: Previous GC Terminated for convenience 3/1/22.</i>	9/10/18 11/14/18 1/30/23
Orange	High School	9-12	1,440	1,694	\$59.8	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 7/1/2023

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	2Q 2024	On-target	Sep-24	On-target	\$ 51,682,267
2	City of Orange	Orange High School	Addition/Renovation	Construction	2Q 2023	Achieved	Phased	Achieved	\$ 59,769,930
3	Keansburg	Port Monmouth Road School	Addition/Renovation	Construction	2Q 2023	Achieved	Phased	Achieved	\$ 28,440,130
4	Millville	Millville Senior High School	Addition/Renovation	Construction	2Q 2023	Achieved	Phased	Achieved	\$ 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	2Q 2023	Achieved	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 7/1/2023

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	1Q 2024	On Target	2Q 2024	On-Target	\$ 3,762,782
2	Newark	Cleveland School	Boiler Room Vault Repairs	GCTO w/ Design Design Phase	4Q 2023	On Target	1Q 2024	On-Target	\$ 1,664,389
3	Newark	Salome Urena School	Exterior Masonry Repairs	GCTO w/ Design Design Phase	1Q 2024	On Target	2Q 2024	On-Target	\$ 342,938
4	Newark	Techonology High School	Structural Vault Repairs and Façade Repairs	GCTO w/ Design Design Phase	4Q 2023	On Target	1Q 2024	On-Target	\$ 2,867,680
5	Newark	University High School	Building Envelope Repairs	GCTO w/ Design Design Phase	1Q 2024	On Target	2Q 2024	On-Target	\$ 1,819,548
6	Paterson	PS #5	Roof Replacement & Masonry Repairs	Construction	1Q 2023	Achieved	3Q 2023	On-Target	\$ 10,968,112
7	Trenton	Franklin ES	Exterior Structural Repairs	GCTO w/ Design Design Phase	1Q 2024	On Target	2Q 2024	On-Target	\$ 476,424
8	Union City	Emerson Middle School	Roof, Masonry & Stucco Repairs	GCTO w/ Design Design Phase	1Q 2024	On Target	2Q 2024	On-Target	\$ 2,842,848
9	Union City	Union Hill Middle School	Roof, Masonry, Stucco & Chimney Repairs	GCTO w/ Design Design Phase	1Q 2024	On Target	2Q 2024	On-Target	\$ 3,507,102

PROJECT STATUS REPORT



MEMORANDUM

TO: Members of the Authority

FROM: Gregory Voronov
Managing Director – Planning and Program Operations

DATE: August 2, 2023

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 June 2023

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%	99%	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%	99%	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: June 2023

#	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 Activity During the Reporting Period



Revisions to Project Charters

Reporting Period: June 2023

#	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 Activity 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: August 2, 2023

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 June 1, 2023 through June 30, 2023.

Noteworthy Items during the reporting period:

- No activity during the reporting period.

Amendments & Change Orders Report

This report contains the activity of Amendments and Change Orders executed during the June 1, 2023 through June 30, 2023.

Noteworthy Items during the reporting period:

- 4 Professional Services Amendment were executed during the reporting period totaling a credit of \$170k, of the executed amendments none required Board approval.
- 24 Construction Services Change Orders were executed during the reporting period totaling \$1.6M, of the executed change orders one required Board approval totaling \$1.4M.

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

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

- No Activity to Report

Amendments & Change Orders Report

Reporting Period: 6/1/2023 through: 6/30/2023

District	School Name(s)	Contract Number	Contract Execution Date	CO #	Vendor Name	CO Execution Date	Contract Award Amount	Prior CO's (cumulative)	Current CO Amount	Board Approval Required	Board Approval Date	Revised Contract Amount	Cumulative CO %	
Professional Services														
Design Consultant														
City Of Orange Township	Orange H.S.	ES-0042-A01	5/5/2015	28	Kliment Halsband Architects LLP	6/28/2023	\$3,558,511	\$855,380	\$36,622			\$4,450,513	25.07%	
Newark	Malcolm X. Shabazz H.S.	EP-0114-A01	10/29/2018	4	Design Resources Group, Architects, AIA	6/29/2023	\$755,933	\$0	(\$48,875)			\$707,058	-6.47%	
Newark	Malcolm X. Shabazz H.S.	EP-0114-A01	10/29/2018	5	Design Resources Group, Architects, AIA	6/29/2023	\$755,933	(\$48,875)	(\$100,000)			\$607,058	-19.69%	
Newark	Malcolm X. Shabazz H.S.	EP-0114-A01	10/29/2018	6	Design Resources Group, Architects, AIA	6/29/2023	\$755,933	(\$148,875)	(\$57,954)			\$549,104	-27.36%	
Design Consultant														
Professional Services														
									(\$170,207)					
Construction Services														
Contractor														
City Of Orange Township	Orange H.S.	ES-0042-C01	4/29/2019	260	Terminal Construction Corp.	6/20/2023	\$37,000,000	\$8,080,234	(\$40,365)			\$45,039,869	21.72%	
City Of Orange Township	Orange H.S.	ES-0042-C01	4/29/2019	261	Terminal Construction Corp.	6/20/2023	\$37,000,000	\$8,039,869	\$1,966			\$45,041,834	21.73%	
Irvington Township	Grove Street E.S.	EP-0119-C01	3/29/2022	1	Catcord Construction Co., Inc.	6/5/2023	\$2,832,782	\$0	\$75,000			\$2,907,782	2.64%	
Irvington Township	Grove Street E.S.	EP-0119-C01	3/29/2022	2	Catcord Construction Co., Inc.	6/5/2023	\$2,832,782	\$75,000	\$14,012			\$2,921,794	3.14%	
Keansburg Borough	Port Monmouth Road School	ET-0098-C01	12/19/2019	26	Niram Inc.	6/12/2023	\$18,645,000	\$1,348,196	\$1,356			\$19,994,552	7.23%	
Keansburg Borough	Port Monmouth Road School	ET-0098-C01	12/19/2019	27	Niram Inc.	6/12/2023	\$18,645,000	\$1,349,552	\$740			\$19,995,292	7.24%	
Keansburg Borough	Port Monmouth Road School	ET-0098-C01	12/19/2019	31	Niram Inc.	6/12/2023	\$18,645,000	\$1,350,292	\$8,995			\$20,004,287	7.29%	
Keansburg Borough	Port Monmouth Road School	ET-0098-C01	12/19/2019	32	Niram Inc.	6/12/2023	\$18,645,000	\$1,359,287	\$30,245			\$20,034,532	7.45%	
Keansburg Borough	Port Monmouth Road School	ET-0098-C01	12/19/2019	33	Niram Inc.	6/12/2023	\$18,645,000	\$1,389,532	\$3,320			\$20,037,852	7.47%	
Keansburg Borough	Port Monmouth Road School	ET-0098-C01	12/19/2019	46	Niram Inc.	6/12/2023	\$18,645,000	\$1,392,852	\$8,502			\$20,046,355	7.51%	
Keansburg Borough	Port Monmouth Road School	ET-0098-C01	12/19/2019	47	Niram Inc.	6/12/2023	\$18,645,000	\$1,401,355	\$18,627			\$20,064,982	7.61%	
Keansburg Borough	Port Monmouth Road School	ET-0098-C01	12/19/2019	48	Niram Inc.	6/12/2023	\$18,645,000	\$1,419,982	\$1,238			\$20,066,220	7.62%	
Keansburg Borough	Port Monmouth Road School	ET-0098-C01	12/19/2019	49	Niram Inc.	6/12/2023	\$18,645,000	\$1,421,220	\$17,798			\$20,084,017	7.71%	
Keansburg Borough	Port Monmouth Road School	ET-0098-C01	12/19/2019	51	Niram Inc.	6/13/2023	\$18,645,000	\$1,439,017	\$4,186			\$20,088,203	7.74%	
Keansburg Borough	Port Monmouth Road School	ET-0098-C01	12/19/2019	52	Niram Inc.	6/13/2023	\$18,645,000	\$1,443,203	\$3,917			\$20,092,121	7.76%	
Keansburg Borough	Port Monmouth Road School	ET-0098-C01	12/19/2019	34	Niram Inc.	6/27/2023	\$18,645,000	\$1,447,121	\$517			\$20,092,637	7.76%	
Keansburg Borough	Port Monmouth Road School	ET-0098-C01	12/19/2019	43	Niram Inc.	6/27/2023	\$18,645,000	\$1,447,637	\$5,216			\$20,097,853	7.79%	
Keansburg Borough	Port Monmouth Road School	ET-0098-C01	12/19/2019	56	Niram Inc.	6/27/2023	\$18,645,000	\$1,452,853	\$1,560			\$20,099,413	7.80%	
Keansburg Borough	Port Monmouth Road School	ET-0098-C01	12/19/2019	61	Niram Inc.	6/27/2023	\$18,645,000	\$1,454,413	\$5,993			\$20,105,406	7.83%	

Amendments & Change Orders Report

Reporting Period: 6/1/2023 through: 6/30/2023

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 %
Keansburg Borough	Port Monmouth Road School	ET-0098-C01	12/19/2019	62	Niram Inc.	6/27/2023	\$18,645,000	\$1,460,406	\$2,185			\$20,107,591	7.84%
Keansburg Borough	Port Monmouth Road School	ET-0098-C01	12/19/2019	60	Niram Inc.	6/29/2023	\$18,645,000	\$1,462,591	\$2,845			\$20,110,436	7.85%
Paterson	Number 5 E.S.	EP-0113-C01	6/15/2021	17	Paul Otto Building Co., Inc.	6/12/2023	\$7,494,000	\$322,128	\$43,000			\$7,859,128	4.87%
Millville	High School	ST-0046-B01	5/24/2017	56	Hall Construction Co., Inc.	6/19/2023	\$114,453,000	\$8,555,329	\$1,364,560	Y	4/5/2023	\$124,372,889	8.66%
Millville	High School	ST-0046-B01	5/24/2017	57	Hall Construction Co., Inc.	6/21/2023	\$114,453,000	\$9,919,889	\$15,635			\$124,388,524	8.68%

Contractor	
Construction Services	\$1,591,048

Total Change Order Summary	Total Change Orders
\$1,420,841	28

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: J Manuel Castillo, Director – EEO/Affirmative Action & Vendor Services

DATE: August 2, 2023

RE: Diversity and Workforce Participation Monthly Update for May 2023

The EEO/Affirmative Action & Vendor Services Team consistently participates in mandatory pre-bid and pre-construction meetings to inform and provide guidance to bidders regarding SDA’s Small Business Enterprise (SBE) and Workforce goals, policies and procedures. The guidance provided in such meetings is on, among other things, the following:

- 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

During these meetings, our Team strongly encourages vendors to identify and hire minority-owned, female-owned and disabled veteran-owned firms, as well as locally based enterprises, for diverse business participation on all school building projects. As each project progresses, our Team provides vendors outreach strategies to support their efforts in reaching the above-mentioned goals.

SMALL BUSINESS ENTERPRISE ATTAINMENT

The SDA regularly exceeds the State-mandated 25% SBE goal. The total SDA contract dollars awarded in May 2023 was \$22,537,457. The total contract dollars awarded in 2023 through May 31, 2023 was \$27,478,888. Of those total contract dollars, \$10,488,037 was awarded to SBE contractors (including minorities, females and veterans). This represents an initial participation of 38.17% of all SDA contracts awarded in calendar year 2023. Participation will continue to increase as prime contractors hire additional subcontractors/subconsultants throughout the lifecycle of the construction project.

Diversity Breakdown

Type of Business Enterprise	Contract Amount	% of Total SDA Contracts
Small Business Enterprises	\$ 6,164,074	22.43%
Small/ Minority Business Enterprises	\$ 3,040,963	11.07%
Small/Female Business Enterprises	\$ 1,283,000	4.67%
Small/Minority/Female Owned Business Enterprises	\$ -0-	0.00%
Small/Veteran Owned Business Enterprises	\$ -0-	0.00%
Small/Disabled Veteran Owned Business Enterprises	\$ -0-	0.00%
TOTAL DIVERSITY CONTRACTS	\$ 10,488,037	38.17%

WORKFORCE PARTICIPATION

For the month of May 2023, there was a contractor workforce of 431 on SDA projects. This represents a total of 44,578 contractor workforce hours. This is explained in more detail below:

Contractor Workforce Breakdown (All Trades/Districts/Counties)			
Ethnicity	Total Workforce	Total Workforce Hours	Workforce Hours Percentage
Black	31	3,730	8.37%
Hispanic	114	10,266	23.03%
American Indian	0	0	0.00%
Asian	3	399	0.90%
Total Minority Participation	148	14,395	32.29%
Total Non-Minority Participation	283	30,183	67.71%
Total Contractor Workforce	431	44,578	100.00%

There was a contractor workforce of 205,002 total workforce hours on SDA projects for the period of January 1, 2023 through May 31, 2023, which includes 5,246 total female workforce hours.

The following table highlights the *Local County Contractor Workforce* participation for this period:

Local County Contractor Workforce Participation	Workforce Hours	Percentage
*Total Workforce Hours	205,002	100.00%
*Total Local County Workforce Hours	18,495	9.02%
Total Local County Non-Minority Workforce Hours	12,721	6.21%
Total Local County Female Workforce Hours	485	0.24%
Total Local County Minority Workforce Hours		2.82%
**Local County Workforce Hours by Ethnicity:		
Black	901	0.44%
Hispanic	4,761	2.32%
American Indian	0	0.00%
Asian	112	0.06%

*Total workforce and total local county workforce represent all laborers including females.

**Ethnicity breakdown of Total Local County Minority Workforce Hours.

NOTE: Hours worked by female laborers who are minority are included in total number of hours worked by female laborers. Therefore, for the purposes of this memorandum, hours worked by female minority laborers 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, 2023 through May 31, 2023.

SDA Managed Project	Total Workforce Hours	Minority Workforce Hours & Percentage		Local County Workforce Hours & Percentage	
Millville HS	7,678	1,276	16.62%	187	2.48%
Orange HS	766	234	30.55%	82	10.70%
Perth Amboy HS	171,585	52,108	30.37%	14,540	8.47%
Plainfield ES	22,431	5,092	22.70%	55	0.25%
Cleveland ES	234	144	61.53%	72	30.77%
Emergent Projects	2,076	1,432	68.98%	0	0.00%

Reviewed and recommended by: J Manuel Castillo
 Prepared by: Charlotte Brooks

REGULAR OPERATING DISTRICTS (RODs) ACTIVITY REPORT

MEMORANDUM

TO: Members of the Authority

FROM: Gregory Voronov
Managing Director, Planning and Program Operations

DATE: August 2, 2023

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 June 2023. 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 grants impacting 2 districts were closed out during the reporting period representing total project costs of \$604k and state share of \$266k.
- Since inception, over \$2.9B has been disbursed to 523 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.

Monthly Regular Operating District Grant Report - Summary

June 2023

ROD Grant Summary Since Program Inception				
	Offered¹	Executed	Closed-Out	Active
Districts Impacted	-	523	520	46
Number of Grant Projects	-	5,398	5,220	178
Total Project Cost Estimate	\$ -	\$ 8,940,285,924	\$ 8,799,504,103	\$ 140,781,822
Grant Amount	\$ -	\$ 3,000,311,244	\$ 2,932,836,822	\$ 67,474,422
Amount Disbursed	N/A	\$ 2,953,554,255	\$ 2,932,836,822	\$ 20,717,433

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	\$ 475,598,261
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1. Includes grants that have been offered to District's but have not yet been executed.

Monthly Activity ROD Grant Summary		
	Executed	Closed-Out
Districts Impacted	-	2
Number of Grant Projects	-	5
Total Project Cost Estimate	\$ -	\$ 603,900
Grant Amount	\$ -	\$ 266,431
Amount Disbursed	NA	\$ 266,431

* 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: Edye Maier, Director of Communications
DATE: August 2, 2023
RE: Monthly Communications Report

SDA Hosts “Inside Scoop” With New Jersey Alliance for Action



On July 13, SDA CEO Manuel Da Silva and SDA Design Studio Program Director David Magyar presented at New Jersey Alliance for Action’s “Inside Scoop” event.

They discussed current and upcoming capital projects with construction industry professionals, plans for funding, and bidding opportunities that are anticipated to be announced in the upcoming years.

SDA Joined by Plainfield Students, Charles and Anna Booker for Ribbon Cutting Ceremony



On July 19, SDA CEO Manuel Da Silva joined Plainfield School District students and officials, State and local officials, the Booker family, and SDA Board Members Robert Nixon and Mario Vargas at a ribbon cutting ceremony for the new Charles and Anna Booker School. The event celebrated the completion of the new school, which will open to students this September.

Mr. and Mrs. Booker, the namesakes of the new school, were on hand to cut the ribbon. The school was named by the Plainfield Board of Education in honor of longtime civil rights activists Charles and Anna Booker. In 1965, the Bookers won a legal case, *Booker v. Board of Education of City of Plainfield*, to end segregation in Plainfield schools.

/s/ Edye Maier
Edye Maier, Director of Communications

Prepared by: Kaitlyn Rothenberger

MONTHLY FINANCIAL REPORT



MEMORANDUM

TO: Members of the Authority

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

DATE: August 2, 2023

RE: Monthly Financial Report – June 2023

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

For June 2023 year to date, Authority operating expenses, **\$7.3M**, are **\$1.7M** lower than budget for the corresponding period. This variance is attributable to lower spending activity for personnel costs, **\$1.2M**, professional and other contracted services, **\$392K**, and information systems, **\$295K**. A lower payroll and benefits expense allocation to project costs, **\$498K**, partially offsets the overall lower spending.

The full time employee (FTE) headcount is 128 as of June 30, 2023. This total represents a 12 FTE decrease in comparison to the year to date budgeted headcount.

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

For June 2023 year to date, Authority operating expenses, **\$7.3M**, are **\$560K** lower when compared to the corresponding prior year. This variance is attributable to year-over-year decreases in personnel costs, **\$247K**, professional and other contracted services, **\$145K**, and a higher payroll and benefits expense allocation to project costs, **\$246K**.

The current number of FTEs, 128, is down 6 FTEs as compared to the corresponding prior year headcount.

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

For June 2023 year to date, project costs **\$153.2M**, are **\$15.5M**, lower than the capital spending forecast for the corresponding period. This variance is attributable to decreased spending for construction work, **\$15.3M**, grant agreements **\$11.8M**, project insurance, **\$1.3M**, design services, **\$1.1M**, CM services, **\$832K**, and a lower payroll and benefits expense allocation to project costs, **\$498K**. Partially offsetting this variance is the increase in school furniture and equipment purchases, **\$1.1M**, and the increase in acquisition costs associated with the purchase of a school facility in 2023, **\$15.5M**.

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

For June 2023 year to date, project expenditures **\$153.2M**, are lower by **\$19.7M**, when compared to the corresponding prior year. This variance is attributable to decreases in spending for grant agreements **\$16.7M**, construction work, **\$12.4M**, and school furniture and equipment, **\$6.6M**, partially offset by an increase in acquisition costs associated with the aforementioned purchase of a school facility, **\$15.5M**.

Other

Since program inception, 80.1% 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 \$1.2B.

Attachment

New Jersey Schools Development Authority
Monthly Financial Report
June 2023
(Unaudited)

New Jersey Schools Development Authority

Overview of Financial Position

June 30, 2023

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, June 30, 2023.

► Overall **Cash and Cash Equivalents** have decreased by \$153.7 million to \$249.1 million, as follows:

■ Receipt of bond and note proceeds (Issued by EDA)	\$ -
■ Appropriation from State	-
■ Investment earnings	6,862,363
■ Miscellaneous revenue	16,639
■ Project costs	(153,150,028)
■ SDA operating expenses	(7,821,148)
■ SDA capital expenditures	-
■ Deposits (primarily district local shares)	382,435
Net Change in Cash	\$ (153,709,739)

► **Prepaid Expenses** total \$394,356 as follows:

- Prepaid insurance of \$301,509.
- Prepaid security deposit of \$55,798 for the Authority's flexible spending accounts.
- Prepaid MIS maintenance service contracts of \$34,973.
- Other prepaids of \$2,076.

► **Capital Assets** total \$2,121,989 (net of accumulated depreciation of \$8,191,629), 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 \$267,712.

► **Accrued Liabilities** total \$78.0 million, as follows:

- Accrued project costs of \$15.1 million consisting of unpaid invoices (\$1.5 million) and retainage (\$13.6 million). Project-related lease liabilities are \$0.8 million.
- Net pension liability of \$29.4 million.
- Other post-employment benefits obligation of \$24.5 million.
- Pollution remediation obligations (PRO) under GASB 49 net to \$2.4 million (PRO liability \$2.4 million, offset by expected cost recoveries of \$0.0 million).
- Estimated liability for loss contingencies totaling \$3.6 million.
- Payroll related liabilities of \$1.4 million.
- Other accrued liabilities of \$ 0.2 million, including non-project lease liabilities of \$0.6 million.

► **Deposits** total \$8.4 million, as follows:

- \$8.4 million is held for local share agreements (pass-through item).

► The Authority's **Net Position** at month end is \$147.5 million.

New Jersey Schools Development Authority

School Facilities Project Expenditures & Funding Allocation

June 30, 2023

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

- During the current year to date, the SDA has received \$0.0 million in bond/note proceeds & \$0.0 million in appropriations. The total amount received since program inception is \$12.2 billion.
- Project expenditures for the month and year-to-date periods total \$20.1 million and \$153.2 million, respectively, as follows:

<u>Category</u>	<u>Current Month</u>	<u>Year-To-Date</u>	<u>Since Inception</u>
Construction	\$ 16,776,934	\$ 69,670,682	\$ 5,733,517,794
Design Services	14,079	723,979	413,679,473
PMF/CM Services	263,507	1,703,453	481,195,408
SDA Project Management	1,031,180	5,065,330	136,149,126
Property Acquisition, Relocation & Enviro	263,622	15,943,528	602,261,921
School Furniture, Fixtures & Equipment	649,744	3,330,111	239,558,105
Project Insurance	-	79,744	114,679,712
NJ State Inter-Agency Transfers	-	429,477	53,505,876
SDA District Grant & Funding Agreements	189,913	39,525,134	977,244,200
Regular Operating District Grant Agreements	795,130	16,183,574	3,002,476,210
Real-Time Project Audits	21,284	108,093	1,172,770
Property Management, Maintenance & Utils	12,338	166,851	19,299,878
Outside Legal & Claims Resolution Services	10,897	73,396	12,317,676
Temporary Staffing	1,615	25,033	10,751,472
Other Project Costs	24,322	121,643	62,562,170
Project Credits	-	-	(54,902,944)
Total Project Expenditures	20,054,565	153,150,028	11,805,468,847
Less: Local Share Contributions	-	-	(185,112,439)
Project Expenditures (State Share)	\$ 20,054,565	\$ 153,150,028	\$ 11,620,356,408
2023 Capital Spending Forecast	\$ 22,425,799	\$ 168,616,344	

Allocations Since Program Inception

► **All Funding Sources & Expenditures**

- SDA Districts
- RODs Incl Vo-Tech Schools
- Total - State Share

	<u>All Sources</u> ¹	<u>Total Funding</u> ²	<u>Paid to Date</u> ³
SDA Districts	\$ 10,750,000,000	\$ 10,886,999,452	\$ 8,722,072,686
RODs Incl Vo-Tech Schools	4,000,000,000	4,055,626,459	3,427,503,069
Total - State Share	\$ 14,750,000,000	\$ 14,942,625,911	\$ 12,149,575,755

► **Percentage of Total Funding Paid to Date**

- SDA Districts 80.1%
- RODs Incl Vo-Tech Schools 84.5%
- Total - State Share 81.3%

1 Of the \$14.8 billion authorized for the school construction program (including bond funds & appropriations), \$12,197,702,648 has been received to date.

2 Includes bonding cap amounts, appropriations 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 \$529,219,347.

New Jersey Schools Development Authority
Fund Reporting Operating Expenses vs Budget
June 30, 2023

<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	\$ 6,209,462	\$ 7,068,429	\$ (858,967)
Employee Benefits	4,104,019	4,437,703	(333,684)
Direct Hire Temporary Employee Costs	5,288	24,222	(18,934)
Total Employee Salaries & Benefits Costs	10,318,769	11,530,354	(1,211,585)
Less: Employee Salaries & Benefits Costs			
Charged to Projects	5,065,330	5,563,774	(498,444)
Salaries & Benefits Charged to Operating Expense	5,253,439	5,966,580	(713,141)
Temporary Staffing Services	-	75,000	(75,000)
Travel & Expense Reimbursements	6,586	15,450	(8,864)
Training & Professional Development	12,536	47,400	(34,864)
Total Personnel Expenses	5,272,561	6,104,430	(831,869)
Non-Personnel Operating Expenses:			
Facilities & General Office Expenses	1,118,953	1,171,248	(52,295)
Information Systems	574,673	869,594	(294,921)
Professional & Other Contracted Services	82,345	474,300	(391,955)
Property & Casualty Insurance	256,179	276,690	(20,511)
SDA-Owned Automobiles	41,186	105,002	(63,816)
Communications & Outreach	-	1,998	(1,998)
Reserve for Unforeseen Events & New Initiatives	-	25,002	(25,002)
Total Authority Operating Expenses	\$ 7,345,897	\$ 9,028,264	\$ (1,682,367)

2023 Annual Operating Budget

\$ 15,910,844

New Jersey Schools Development Authority

Fund Reporting Operating Expenses vs Prior Year

June 30, 2023

<u>Category</u>	<u>Actual</u> <u>Year-To-Date</u>	<u>2022</u> <u>Year-To-Date</u>	<u>Over/</u> <u>(Under)</u>
Personnel Expenses:			
Employee Salaries	\$ 6,209,462	\$ 6,410,757	\$ (201,295)
Employee Benefits	4,104,019	4,145,498	(41,479)
Direct Hire Temporary Employee Costs	5,288	9,597	(4,309)
Total Employee Salaries & Benefits Costs	10,318,769	10,565,852	(247,083)
Less: Employee Salaries & Benefits Costs			
Charged to Projects	5,065,330	4,819,509	245,821
Salaries & Benefits Charged to Operating Expense	5,253,439	5,746,343	(492,904)
Temporary Staffing Services	-	-	-
Travel & Expense Reimbursements	6,586	8,597	(2,011)
Training & Professional Development	12,536	15,051	(2,515)
Total Personnel Expenses	5,272,561	5,769,991	(497,430)
Non-Personnel Operating Expenses:			
Facilities & General Office Expenses	1,118,953	1,028,077	90,876
Information Systems	574,673	559,611	15,062
Professional & Other Contracted Services	82,345	228,139	(145,794)
Property & Casualty Insurance	256,179	232,537	23,642
SDA-Owned Automobiles	41,186	87,213	(46,027)
Communications & Outreach	-	-	-
Reserve for Unforeseen Events & New Initiatives	-	-	-
Total Authority Operating Expenses	\$ 7,345,897	\$ 7,905,568	\$ (559,671)

New Jersey Schools Development Authority

Employee Headcount

June 30, 2023

	<u>Current Month End</u>	<u>Budget</u>	<u>Over/ (Under)</u>
Office of Chief Executive Officer	2	2	-
Human Resources	4	4	-
Vacant Positions	0	2	(2)
Communications	3	3	-
Legislative Affairs	1	1	-
EEO/AA & Vendor Services	4	4	-
Office of Program Operations & Strategic Planning	0	1	(1)
Capital Planning & Program Operations	10	10	-
Design Studio	10	12	(2)
Grants Administration	6	7	(1)
Real Estate Services & Predevelopment	2	2	-
Office of Construction Operations	0	0	-
Project Teams	19	22	(3)
Office of Corporate Governance & Legal Affairs	4	4	-
Chief Counsel	7	7	-
Information Systems	11	12	(1)
Central Records Management	3	3	-
Safety	4	5	(1)
Internal Audit	2	2	-
Office of Chief Financial Officer	1	1	-
Financial Operations	7	7	-
Financial Accounting & Disbursements	11	11	-
Procurement	10	10	-
Risk Management	2	3	(1)
Facilities	5	5	-
Total Full-Time Employees at Month End	<u>128</u>	<u>140</u>	<u>(12)</u>
Total Full-Time Employees at Year End		<u>150</u>	

New Jersey Schools Development Authority

Statement of Net Position

June 30, 2023

	<u>Current</u> <u>Month End</u>	<u>2022</u> <u>Year End</u>	<u>Over/</u> <u>(Under)</u>
ASSETS			
Cash and Cash Equivalents	\$ 249,121,650	\$ 402,831,389	\$ (153,709,739)
Receivables	724	739	(15)
Prepaid Expenses	394,356	127,272	267,084
Capital Assets, net of accumulated depreciation	2,121,989	3,280,015	(1,158,026)
Total Assets	251,638,719	406,239,415	(154,600,696)
DEFERRED OUTFLOWS OF RESOURCES			
Deferred Amount for Pensions & OPEB	7,491,381	9,950,484	(2,459,103)
TOTAL ASSETS & DEFERRED OUTFLOWS OF RESOURCES			
	\$ 259,130,100	\$ 416,189,899	\$ (157,059,799)
LIABILITIES			
Accrued Project Costs	\$ 21,889,795	\$ 48,687,889	\$ (26,798,094)
Net Pension Liability	29,428,895	29,428,895	-
Accrued Other Post-Employment Benefits	24,494,279	24,317,811	176,468
Other Accrued Liabilities	2,208,363	5,409,755	(3,201,392)
Deposits	8,368,847	7,986,412	382,435
Total Liabilities	86,390,179	115,830,762	(29,440,583)
DEFERRED INFLOWS OF RESOURCES			
Deferred Amount for Pensions & OPEB	25,264,768	25,264,768	-
NET POSITION			
Net Investment in Capital Assets	2,121,989	3,280,015	(1,158,026)
Restricted for Schools Construction:			
Special Revenue Fund	145,353,164	271,814,354	(126,461,190)
Net Position	147,475,153	275,094,369	(127,619,216)
TOTAL LIABILITIES, DEFERRED INFLOWS OF RESOURCES & NET POSITION			
	\$ 259,130,100	\$ 416,189,899	\$ (157,059,799)

New Jersey Schools Development Authority
Statement of Activities
June 30, 2023

	<u>Current Year-To Date</u>	<u>2022 Year-To Date</u>	<u>Over/ (Under)</u>
REVENUES			
Program Revenues:			
Bond and Note Proceeds (Issued by EDA)	\$ -	\$ -	-
Appropriation from State	-	-	-
Bidding Fees-Plans & Specs	-	-	-
General Revenues:			
Investment Earnings	6,862,363	877,428	5,984,935
Rental Income	4,800	6,720	(1,920)
Other Revenue-OPRA	11,839	10,984	855
Total Revenues	6,879,002	895,132	5,983,870
EXPENSES			
Administrative & General Expenses	7,784,109	8,633,718	(849,609)
Capital Depreciation	-	-	-
School Facilities Project Costs	126,714,109	144,394,436	(17,680,327)
Total Expenses	134,498,218	153,028,154	(18,529,936)
CHANGE IN NET POSITION	(127,619,216)	(152,133,022)	24,513,806
Beginning of Period Net Position	275,094,369	483,103,647	(208,009,278)
NET POSITION END OF PERIOD	\$ 147,475,153	\$ 330,970,625	\$ (183,495,472)

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

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 Authority have before them on this three matters that, pursuant to N.J.S.A. 10:4-12, are appropriate for consideration in Executive Session consistent with the provisions of the OPMA; and

WHEREAS, the Board will consider in Executive Session a proposed amendment to Memorandum of Agreement between the SDA and the New Jersey State Police for the provision of investigative services; and

WHEREAS, the Board will consider in Executive Session a proposed request for real property acquisition in New Brunswick, New Jersey; and

WHEREAS, the Board will consider in Executive Session a proposed review of the Chief Executive Officer responsibilities and compensation; and

WHEREAS, the minutes of the Board’s August 2, 2023 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 with the matters to be discussed therein.

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 matters described herein and, thereafter, to vote on the associated Resolution Nos. 5c., 5d. and 7a. upon the Board’s return to Open Session.

BE IT FURTHER RESOLVED, that the minutes of the Board’s August 2, 2023 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 with the matters to be discussed therein.

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 August 2, 2023

Dated: August 2, 2023