

**NEW JERSEY SCHOOLS DEVELOPMENT AUTHORITY  
BOARD OF DIRECTORS MEETING  
WEDNESDAY, APRIL 12, 2023**

A teleconference meeting of the Board of Directors of the New Jersey Schools Development Authority (SDA or the Authority) was held on Wednesday, April 12, 2023 at 12:30 P.M. in the Joseph A. McNamara Board Room at the offices of the Authority at 32 East Front Street, Trenton, New Jersey.

Participating were:

Robert Nixon, Public Member, Chairman  
Juan Burgos (EDA)  
Kevin Luckie (DCA)  
David Moore (Treasury)  
Bernard Piaia (DOE)  
John Capo, Public Member  
Daniel Gumble, Public Member  
Lester Lewis-Powder, Public Member  
Michael Maloney, Public Member  
Mario Vargas, Public Member

being all the Members of the Board. Mr. Luckie participated in the meeting in person.

At the Chairman's request, Manuel Da Silva, chief executive officer; Donald Guarriello, vice president and chief financial officer; Jane F. Kelly, vice president and assistant secretary; Albert Barnes, chief counsel; and Joseph Lucarelli, Director, of the SDA (teleconference), participated in the meeting. Janice Venables of the Governor's Authorities Unit (GAU) also participated in the meeting by teleconference.

The meeting was called to order by Mr. Nixon, who requested that Ms. Kelly read the requisite notice of the meeting. Ms. Kelly announced that the meeting notice had been sent to the

*Trenton Times* and *Star-Ledger* at least 48 hours prior to the meeting, and been duly posted on the Secretary of State's bulletin board at 20 West State Street in Trenton, New Jersey and on the SDA Website. Ms. Kelly then conducted a roll call and indicated that all the Members of the Board were present.

### ***Authority Matters***

#### ***Chairman's Report***

Mr. Nixon formally welcomed John Capo to the Authority's Board of Directors. He expressed confidence that Mr. Capo's expertise will greatly benefit the Board. He said that he looks forward to working with him going forward.

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

The Chairman asked Mr. Luckie to provide the report of the School Review Committee. Mr. Luckie advised the Board that the School Review Committee met on March 20, 2023. He said that management discussed one item with the Committee that is being presented for Board consideration today. He advised the Board that management is requesting Board approval of a construction services contract award and Final Project Charter for the Cleveland Street Elementary School (School) project (Project) in the Orange School District.

Mr. Luckie advised the Board that the School is a 38,775 square foot facility educating 306 students in grades Kindergarten through 7. He said that the ongoing Project at the School includes an approximately 11,550 square foot addition and renovations to the existing facility to address overcrowding. He explained that the Project will also increase the School's capacity to 316 students and allow a change in grade alignment to Pre-K through Grade 6 consistent with the District's Long Range Facilities Plan. He reported that on March 6, 2019, the Board approved a contract award to Brockwell & Carrington Contractors, Inc. (B&C) for construction services,

along with a Final Charter for the Project. He noted that the notice-to-proceed was issued to B&C on January 13, 2020. He advised the Board that on January 20, 2022, approximately two years after issuance of the NTP, a notice of termination for convenience was issued to B&C directing them to complete portions of the work and demobilize from the Project site by March 1, 2022.

In continuing, Mr. Luckie said that all Project documents were then reviewed by staff and revised to correct all found conditions and make the design changes necessary for procurement of a new construction services contract in order to complete the Project. He noted that the new package was advertised as a low bid solicitation beginning on January 30, 2023. He advised that, following the procurement process, management recommends that the Board authorize a contract award in the amount of \$19,434,958, inclusive of SDA-established allowances totaling \$1,060,000, to Terminal Construction Corporation (Terminal), the responsive low bidder. He said that on April 10, 2023, SDA staff and Terminal met to review the bid to ensure that all Project scope work was included. He advised the Board that Terminal has confirmed that its price proposal is inclusive of all scope elements contained in the contract documents. He added that management also recommends that the Board approve the revised Final Charter for the Project which the Members received in advance of the meeting. Mr. Lucarelli then provided the Board with additional detail regarding Terminal's price proposal. He said that management is confident that Terminal's price for the work required is on a sound basis.

A resolution pertaining to this matter had been provided to the Board in advance of the meeting. Upon motion duly made by Mr. Burgos and seconded by Mr. Vargas, the construction services contract award and Final Project Charter for the Orange Cleveland Street Elementary School project were approved with the Board's unanimous vote in favor of ***Resolution 3a***.

## *Adjournment*

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

**Certification:** The foregoing represents a true and complete summary of the actions taken by the Board of the New Jersey Schools Development Authority at its April 12, 2023 meeting.

/s/ Jane F. Kelly  
Assistant Secretary