

YJSCB 03/02/21 Mtg Minutes

1 STATE OF NEW YORK CITY OF YONKERS

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3 Minutes of The Yonkers Joint Schools Construction Board

4 Meeting held Remotely

5 March 2, 2022 - 4:00 p.m.

6 -----x

7 BOARD MEMBERS PRESENT:

8 MIKE SPANO, Mayor

9 DR. EDWIN QUEZADA, Superintendent

10 ROBERT RIJOS, Member

11 RONALD MATTEN, Member

12 PASTOR JAMES HASSELL, Member

13 JOSEPH APICELLA, Member

14 DR. STEPHAN GIUFRIDA, Member

15 MARLYN ANDERSON, Secretary

16

17 Other Attendees

18 ANTHONY LANDI, Deputy Mayor

19 SAVIN ENGINEERS (Shay Gavin, Kevin Austin)

20 LANDON & RIAN (Paula Wilkerson, Lloyd Dickerson, Stacey Beaumont)

21 VINCENT VOLINO, Special Counsel

22 KG&D Architects (Russell Davidson)

23 JIM CAVANAUGH, YIDA President

24 ELIZABETH JANOSKA, Deputy Commissioner of Finance

25 MATTHEW GALLAGHER, Corporation Counsel

26



YJSCB 03/02/21 Mtg Minutes

1 00:01:11 MARLYN ANDERSON
2 How you doing everyone, good day. Welcome to
3 the Yonkers Joint School Construction Board
4 meeting for March. Today is March 2nd 2022.
5 Today it's now it's 4:00 PM, well 4:04, so we're
6 going to get started with a roll call. Dr. Giufrida?
7 00:01:27 DR. STEPHAN GIUFRIDA
8 Here.
9 00:01:29 MARLYN ANDERSON
10 Doctor Edwin Quezada?
11 00:01:31 DR. EDWIN QUEZADA
12 Present.
13 00:01:33 MARLYN ANDERSON
14 Mayor Mike Spano?
15 00:01:34 MAYOR MIKE SPANO
16 Here.
17 00:01:35 MARLYN ANDERSON
18 Pastor Hassell?
19 00:01:37 PASTOR JAMES HASSELL
20 Here.
21 00:01:39 MARLYN ANDERSON
22 Robert Rijos?
23 00:01:41 ROBERT RIJOS
24 Here.
25 00:01:42 MARLYN ANDERSON
26 Ronald Matten?
27 00:01:45 RONALD MATTEN
28 Here.
29 00:01:46 MARLYN ANDERSON
30 Joe Apicella?
31 00:01:48 JOSEPH APICELLA
32 Here.
33 00:01:50 MARLYN ANDERSON
34 Reverend Lopez... He's out of town, so he won't be
35 attending the meeting today. So I believe we have
36 a quorum and we can get started. The 1st Order of
37 business is approval of the Minutes for the January
38 20... 28th, for the January 28th meeting. Did
39 everyone have an opportunity to review the
40 minutes? Would anyone like to make a motion to
41 approve the minutes?
42 00:02:14 ROBERT RIJOS
43 So moved.
44 00:02:15 JOSEPH APICELLA
45 Motion.
46 00:02:16 MARLYN ANDERSON
47 Seconded by?
48 00:02:19 ROBERT RIJOS
49 Rob.
50 00:02:20 MARLYN ANDERSON
51 Robert Rios... Any opposed? All in favor?
52 00:02:27 MULTIPLE
53 Aye, aye.
54 00:02:28 MARLYN ANDERSON
55 Thank you. The minutes have been passed. The
56 2nd order of business is a report, some updates, so
57 we're going to start with the project update with
58 Kevin Austin from Savin Engineers. Kevin?
59 00:02:43 KEVIN AUSTIN
60 I'd like to provide an update pertaining to the
61 demo specifically. We are happy to report that all
62 of the buildings on the three sites are down. The
63 rectory is completely gone. The convent and the
64 school building, as of last week, the grade and
65 above level of the buildings are completely gone.
66 So as of today they are working on basically below
67 grade, all the foundation coming out of the school

1 building. Specifically the 1957, the addition portion
2 of it, and that work is progressing well. Current
3 work on the north side was halted though, due to
4 an incident. Now while we were for a while, the
5 contractor was putting in a support or shoring for
6 117, it was observed that there was a crack in the
7 adjacent building. So we were not touching the
8 building, but a crack did occur, and some settling
9 on the south side of the building. So that was last
10 Wednesday. On Thursday morning, we met with
11 the building commissioner. Commissioner Borelli
12 was on site to do an inspection and provided
13 direction as to what was needed to move forward,
14 pertaining to ensuring there's no issue with the
15 safety of the tenants in the building. At that point
16 in time, we were able to have a third party
17 structural engineer just to review the building.
18 They came on site that Thursday evening, in
19 accordance with the direction from the
20 Commissioner. And then on Friday we were able to
21 meet again with the Commissioner, just to confirm
22 kind of where we were, that everything was
23 sufficient to what was needed. The three things
24 that were addressed at that point in time were
25 based on the structural engineer's report, that we
26 provide shoring in the basement just to make sure
27 that there's no further movement. And also to do
28 some additional monitoring of the building with
29 crack monitors, vibration monitors, vibration
30 monitors were actually already there, but they
31 didn't go off. Just so that again, knowing that there
32 was no issue with regard to the integrity of the
33 building. And then on Saturday, A mapping of the
34 entire South wall just to ensure that, from an
35 exterior standpoint, there was no issue with that 4-
36 story wall. So once that was all completed, as of
37 Saturday evening, we reported everything back to
38 the Commissioner without any additional direction
39 at this point pertaining to any issues. Currently
40 where it stands, of course, once everything is
41 stabilized- No work, of course, was proceeding in
42 that area, all work was more than 100 feet, 50-100
43 feet away from the building, that continued on
44 without issue. Right now, evaluation is being done
45 to determine kind of what the current situation is.
46 We do not have any information as to specifically

47 what caused it, again, it was an observation, work
48 being done on our property that then we observed
49 on the other building. The structural, the project
50 team engineer, architect as well as a third party,
51 the structural engineer as well as Geotech, is
52 engaged to kind of evaluate impact on our
53 building, but also in evaluating next steps on that
54 portion, as well on the 117 building. So from the
55 demo we are a little behind the current schedule
56 based on the additional abatement work that was
57 necessary. That added several weeks to the
58 project. That was the change order number three, I
59 think, that was approved. So that work basically
60 put us right where we currently are with regard to
61 the schedule itself. And on new construction status
62 we've had two meetings with the CS-35 board on
63 the architectural drawing CS-35. Two meetings
64 with all the contractors, they are submitting their
65 shops submittals. They are moving toward, looking
66 forward to mobilizing to be able to begin
67 construction. We've not given them a firm date
68 because we need to address, again, the demo
69 wrapping up and moving from there. And Russ can
70 provide further updates.

71 00:07:53 RUSSELL DAVIDSON

72 So, the soil conditions that existed adjacent to 117
73 are exactly as anticipated, and as Kevin said, we're
74 not exactly sure what happened. That investigation
75 is ongoing. But it was not something completely-
76 The soil at least was what we expected. It could
77 impact how the foundation of that side of the
78 building is designed. So we're working with our
79 structural engineer and a geotechnical engineer to
80 look at some options so that we can make sure
81 that no additional damage to adjacent buildings
82 will take place. Just for everybody's information,
83 the new building is exactly the same level as the
84 old building, so we didn't go any deeper or any
85 closer. The design was always to mimic the
86 foundation profile of the building that exists to
87 avoid any damage to adjacent buildings. But we do
88 need to get rid of the old foundation, which is still
89 below grade there. And the new building is at
90 approximately, the basement is at approximately

1 the same elevation as the building next door. So,
2 it's an ongoing situation. It was a little bit
3 disruptive. But the building is stable, and as soon
4 as we know more, we'll share it.

5 00:09:19 MAYOR MIKE SPANO

6 Russ, are the families living in the building? Are
7 they not living in the building? Have they been
8 displaced even slightly? And what are we doing for
9 that?

10 00:09:27 RUSSELL DAVIDSON

11 Yeah, the owners of the building have been very
12 cooperative. They've been involved at every step.
13 They did sign an access agreement. They've
14 attended meetings with the building inspector. I
15 think they're very satisfied with the reaction to the
16 team. There was a time when there was thoughts
17 that maybe some portion of the building needed to
18 be emptied, but that has passed and the building
19 has been stabilized. So the building owner is very
20 cooperative and appreciates everyone's efforts.

21 00:09:58 MAYOR MIKE SPANO

22 Residents? Actually building owner, but I was... The
23 people that live there.

24 00:10:03 RUSSELL DAVIDSON

25 We haven't had any -We haven't had any contact
26 directly, I don't think, with the residents. We've
27 been dealing with the building owner.

28 00:10:10 MAYOR MIKE SPANO

29 Generally residents reach out to us when they're
30 unhappy pretty quickly so.

31 00:10:14 RUSSELL DAVIDSON

32 Yeah, the building inspector has been involved,
33 and you know everybody's been on the same page.
34 It was safety first, stabilize it. And everyone was...
35 Safety first for the residents, absolutely.

36 00:10:31 JOSEPH APICELLA

37 But just to be clear, Russell, none of the residents
38 have been displaced, right?

39 00:10:38 RUSSELL DAVIDSON

40 Not to my knowledge, no.

41 00:10:40 KEVIN AUSTIN

42 That is, that is correct. So initially based on the
43 verbal from the structural engineer when he
44 arrived on site, he had mentioned the potential of
45 that. That was on Thursday. He arrived around
46 5:30. And in his report we stated, of course, you
47 know, we need something in writing in order to be
48 able to initiate what course of action needs to be
49 taken. At 11:00 o'clock he submitted his report
50 that evacuation was not necessary, and it would be
51 based on additional movement of the building, of
52 which that morning, actually, by that afternoon of
53 Wednesday, crack monitors went in to gauge
54 whether or not there was any additional
55 movement. So his report that Thursday night then
56 basically put in writing that he did not deem the
57 building to be unsafe. However, he gave
58 immediate direction of steps that needed to be
59 taken, with the Commissioner agreeing. And that
60 was to put in shoring in the lower level to make
61 sure that they can check the joists that there was
62 no issue there. As well as to validate that there
63 was no cavity, or sinkhole basically, immediately
64 underneath the building that was made, you know,
65 like a surprise condition. So they did a test they
66 actually took out a-

67 00:12:10 MAYOR MIKE SPANO

68 Kevin? Kevin I'm sorry, but there-

69 00:12:14 KEVIN AUSTIN

70 Go ahead.

71 00:12:14 MAYOR MIKE SPANO

72 There was, yes we had understood that there were
73 some initial reports, right? That some windows
74 were blown out, and that maybe even a resident
75 hurt. Have we heard anything...? Even that they
76 were taken hospital and brought home. I-I've
77 heard nothing since, but in driving by, I did notice
78 that the 2nd floor windows were boarded up. So,
79 so just tell me, I guess, what was the interaction

1 with the residents and how did it all work itself
2 out?

3 00:12:53 KEVIN AUSTIN

4 So based on- that incident took place, I think, on
5 the 7th? So, this was not related to our current
6 situation, so the scaffolding that was adjacent,
7 basically blocking the building from getting debris,
8 that some fell. Of course because you can't have-
9 as the excavator is pulling the upper levels into our
10 site, you can't control everything that takes place
11 with regard to the debris falling, so it seems as
12 though some debris may have, or did, actually hit
13 the building, and several of the windows were
14 knocked out. And there was one incident with one
15 of the neighbors where she had literally a cut on
16 her hand or a scratch, basically, literally that same
17 day. Uh, the construction manager was in the
18 building, was in the apartment. They allowed them
19 to see, kind of what took place, that they were not
20 hit by the debris coming into the building. It was,
21 you know, basically from that. So the reports were,
22 you know, the contractor, a, notice, you know,
23 incident report, insurance, related to the
24 contractor for that, and that was all reported. But
25 beyond that, there was no further incident related
26 to the ... February 23rd, last Wednesday, with the
27 building settling, et cetera. So all of that was,
28 again, corrected or addressed from a safety
29 standpoint, the same, basically the next morning.

30 00:14:42 DR. EDWIN QUEZADA

31 So the windows are boarded up to prevent further
32 damage, correct?

33 00:14:47 KEVIN AUSTIN

34 That was correct, so it was directed that... Literally,
35 it was only like a 2-foot distance between the
36 buildings, right, at that point in time with the
37 scaffolding and those windows. So therefore, they
38 were directed to provide some extra means- and
39 that apartment that's actually boarded up, I think,
40 is not occupied at present. So when you drive by,
41 when you see that one, that is not an occupied
42 building. There's several in that area that are not

43 occupied, and that's one of them, where the
44 windows are boarded up. So therefore, the
45 corrective action by the contractor related to those
46 early incidents for, you know, whether it's the
47 windows or, you know, an air conditioner that was
48 hit or dented that was extending outside of the
49 building. Any of those things, the contractor is-
50 with the owner present of the building, the
51 building commissioner, that you know they're
52 saying yes, we're responsible we're sorry it
53 happened. And here's, you know, how we can
54 address it.

55 00:15:57 ROBERT RIJOS

56 Kevin, I have two questions.

57 00:15:58 KEVIN AUSTIN

58 Yes.

59 00:15:59 ROBERT RIJOS

60 You said it was an observation. So was the
61 observation that it was cracked after, or, did the
62 engineer determine that it was cracked before or
63 that it cracked afterwards?

64 00:16:09 KEVIN AUSTIN

65 The crack clearly came up during the work. So
66 there's work on our site, so that morning we have
67 pictures of the side of the building, and there's no
68 crack.

69 00:16:23 ROBERT RIJOS

70 Yeah OK.

71 00:16:24 KEVIN AUSTIN

72 1 O'clock in the afternoon, "oh, there's a crack".
73 So, hence the immediate action to ensure-

74 00:16:31 RUSSELL DAVIDSON

75 It was- it was during the-

76 00:16:31 KEVIN AUSTIN

77 -we know what needs to be done.

78 00:16:33 RUSSELL DAVIDSON

1 It was during the installation of a screw pile to
2 retain the excavation.

3 00:16:40 ROBERT RIJOS

4 Okay. And Russell, you said it was at the same
5 height. So how much deeper do they have to go on
6 the excavation to get rid of the old footings or the
7 old foundation?

8 00:16:50 RUSSELL DAVIDSON

9 They're about five or six feet below the surface of
10 the ground that you see now. Which is about the
11 same elevation as the footings on the building next
12 door. But part of what we're doing starting
13 tomorrow is to get a detailed survey of exactly
14 where those footings are for that entire length, so
15 that we can remove them with as little disruption
16 and vibration as possible.

17 00:17:22 MARLYN ANDERSON

18 Any other questions for Russ or Kevin? About the
19 demo, the work.

20 00:17:31 RUSSELL DAVIDSON

21 And the new work, as Kevin mentioned, we're
22 starting to see shop drawings. We've already...
23 We've already seen a number of good submittals.
24 One is that the waterproofing, which is critical, is
25 exactly the system that was specified, and the
26 windows have been submitted that are exactly the
27 system that has been specified, so we're anxiously
28 awaiting concrete and steel, which obviously we
29 need right away. But contractors are gearing up.

30 00:18:01 MARLYN ANDERSON

31 Alright, thank you Russ. Anything else for Russ or
32 Kevin? OK, I'm going to move on to the next
33 agenda item, which is new business. So we have 4
34 resolutions representing in front of you guys today.
35 The first is a resolution approving and authorizing
36 an amendment to an agreement with Russell's
37 company, which is KG&D architects. Russ, can you
38 just give a little brief detail about the amendment.

39 00:18:30 RUSSELL DAVIDSON

40 Yeah, there's several additional services that you
41 need to complete your building that are... we have
42 agreed to run through our contract as
43 reimbursable expenses. This is not an increase to
44 our fee. This is- we did this for the convenience of
45 procurement and payment, and it includes special
46 inspections, vibration monitoring and the
47 inspections for adjacent buildings. So, that's what
48 this is, this is about. Special inspections are a code
49 requirement, and we're just working off some
50 existing contracts, and they're being assigned to us
51 so that the procurement and payment can be done
52 smoothly.

53 00:19:15 RONALD MATTEN

54 Russell, did you add any administrative fees onto
55 onto the pass through?

56 00:19:21 RUSSELL DAVIDSON

57 Absolutely not.

58 00:19:22 RONALD MATTEN

59 OK, thank you.

60 00:19:25 MARLYN ANDERSON

61 Any other questions?

62 00:19:29 DR. EDWIN QUEZADA

63 Russell, are any of these companies working with
64 The Yonkers Public Schools right now?

65 00:19:33 RUSSELL DAVIDSON

66 Yes, actually Tectonic, which is the special
67 inspector, was procured through an RFP at Yonkers
68 Public Schools. And that's just sort of. That's how
69 the procurement was done, and they're just being
70 run through our contract.

71 00:19:45 DR. EDWIN QUEZADA

72 Thank you.

73 00:19:49 MARLYN ANDERSON

74 Any other questions? OK, if there aren't any more
75 questions, would anyone like to make a motion to

1 approve the resolution authorizing amendment to
2 KG&D contract?

3 00:20:04 RONALD MATTEN

4 I'll authorize, I'll make a motion to authorize an
5 approval.

6 00:20:09 DR. EDWIN QUEZADA

7 Second.

8 00:20:09 MARLYN ANDERSON

9 Ronald made a motion, seconded by Doctor
10 Quezada. Any opposed? All in favor?

11 00:20:17 MULTIPLE

12 Aye, aye.

13 00:20:19 MARLYN ANDERSON

14 Thank you, this resolution has been approved. The
15 second resolution is a resolution approving and
16 authorizing an amendment to the [inaudible]
17 contract with Savin Engineers. Kevin, can you give
18 us a little overview of this amendment to the
19 contract that you're requesting?

20 00:20:38 KEVIN AUSTIN

21 Sure. Originally our goal was to award the contract
22 in January 5th, or the week of January 5th. Again,
23 based on the tight schedule, that would give the
24 contractors some time to be able to begin utilizing
25 our CMS system. However, with the timing of the
26 award letters going out in February, and us
27 needing to immediately get them on board with
28 communicating with us, submitting all their shop
29 drawings, to implement a new system that neither
30 the architect nor the contractors were familiar
31 with. In order to keep basically the project on
32 schedule and to ensure that there was no mistakes
33 as well in their being able to provide the data that
34 we needed and communication to the architect,
35 the engineer and the other contractors, and on the
36 same form, is to use the same system that they
37 already had. So submittal exchange is basically the
38 legacy system that everyone is accustomed to
39 using, specifically the contractors. In consulting

40 with John Carr, again, as well as KG&D, that this
41 would be prudent given the quick turn around that
42 we need on the contractors we could not
43 potentially risk a delay. So therefore, while utilizing
44 project site, the CMS system that we have in
45 House which has some of the same features as
46 submittal exchange, but also has other
47 mechanisms or use. Similar to using an Apple
48 phone versus Android, while basically
49 accomplishing the same thing, there is a learning
50 curve, and that time luxury we did not have
51 necessarily. So therefore it was recommended to
52 utilize submittal exchange after consulting with
53 John Carr and Russ Davidson.

54 00:22:45 MARLYN ANDERSON

55 Does anyone have any questions for Kevin? About
56 the system. OK, so we don't have any questions.
57 Would anyone like to make a motion to approve
58 the resolution?

59 00:23:03 RONALD MATTEN

60 Guess I'll make a motion to approve the resolution.

61 00:23:05 MARLYN ANDERSON

62 Thank you, Ron. Ron made a motion to approve,
63 seconded by.

64 00:23:11 MAYOR MIKE SPANO

65 Second.

66 00:23:11 MARLYN ANDERSON

67 Seconded by the mayor, any opposed? All those in
68 favor? The resolution has passed.

69 00:23:24 RUSSELL DAVIDSON

70 I would just add that our experience with submittal
71 exchange, because it gets rid of a lot of express
72 mail services, that it actually is usually a net
73 savings to the project over a lot of FedEx and UPS
74 bills.

75 00:23:42 MARLYN ANDERSON

76 Okay. So the next resolution up is authorize and
77 approve an agreement for special testing and

1 inspection services. So this is an agreement with
2 Tectonic Engineering consultants. Russ, you want
3 to just talk about that briefly?

4 00:23:55 RUSSELL DAVIDSON

5 Yeah, this is similar to the reimbursement for some
6 of the monitoring work Tectonic is doing, this is
7 specific for special inspections. So special
8 inspections are a code requirement, and very
9 common for a long time on public buildings, and
10 this- So they'll be observing compacted fill, testing
11 concrete as it's delivered to the job site, testing
12 steel bolts. There's a whole schedule of special
13 inspections that we generate that was approved
14 when you got your building permit. And this allows
15 the tectonic inspections group to work directly for
16 you. Tectonic is also working through us on the
17 other reimbursables on the vibration monitoring,
18 and some of the other tasks.

19 00:24:47 DR. EDWIN QUEZEDA

20 Russell, I don't see a cost associated with this
21 resolution, am I missing something here?

22 00:24:51 RUSSELL DAVIDSON

23 Yeah, it's a per test expense. And the unit prices
24 were, uh. Were bid and that's when the YPS
25 accepted them as the most cost effective. So, it's a
26 unit price schedule and it's based on per test.

27 00:25:11 RONALD MATTEN

28 Russel you know [inaudible]-

29 00:25:13 DR. EDWIN QUEZEDA

30 Is there a number of required tests? Or is there?
31 Do we know what the cost for a test is?

32 00:25:16 RUSSELL DAVIDSON

33 It's a little bit open ended because it depends on
34 the number of concrete pours and how fill is
35 compacted. I believe there's been an estimate put
36 in the project costs by Savin for this. I would guess
37 it's somewhere south of 100,000, but more than
38 50, for a project of this scale. But it really depends

39 on the progress of the work and, you know, how
40 many times they have to come out.

41 00:25:51 KEVIN AUSTIN

42 And I might add that this was evaluated based on
43 the bid that went out December 2020 by the City
44 of Yonkers, and YPS that was awarded July 21st,
45 2021. So basically what that did was since this was
46 based on the entire district and their rates, then by
47 locking in the rates instead of doing a separate
48 RFP, likely we're also getting a better price than if
49 you just went out into an RFP for a single project.
50 So basically benefiting from the work that was
51 done on the bid and awarded in July of last year by
52 the city and by YPS that now, this is just an
53 extension of that. So those same rates are being
54 utilized.

55 00:26:41 MARLYN ANDERSON

56 Anybody has any-?

57 00:26:42 ROBERT RIJOS

58 Russell, is that the-? Is that the allowance testing
59 or is that a separate fee? On your schedule A, for
60 the [inaudible].

61 00:26:52 RUSSELL DAVIDSON

62 That was for additional testing. That's not this
63 special testing. And again, what you approved for
64 us was an ability to submit reimbursables, it
65 doesn't mean that those amounts will be spent.

66 00:27:10 JOSEPH APICELLA

67 Right, and to be clear on- Kevin, you have an
68 estimate of what you think, but we don't know
69 how many inspections required. Whatever is
70 required is required for health and safety and
71 other reasons.

72 00:27:23 RUSSELL DAVIDSON

73 Exactly.

74 00:27:23 JOSEPH APICELLA

75 But do we have a-? Do we have a not to exceed or
76 is it just open ended here?

1 00:27:32 KEVIN AUSTIN
2 I don't think I've- I didn't, I've not seen the contract
3 in which, uh, Vincent reviewed. However, the
4 drawings that were bid and awarded specifically
5 state, X number of areas must be tested. Concrete,
6 rebar, steel, et cetera. So therefore what went into
7 the bid documents did not specify the total
8 quantity of those, but it specified, as Russ basically
9 mentioned, what overall it takes for the project to
10 get done. So, Russ, originally, when this project
11 was approved I think carried maybe \$100,000. I
12 increased that to \$250,000 from the budget to
13 ensure that we had a range that it was accounted
14 for, that it wouldn't be a surprise should
15 something happen. We, you know, don't expect to
16 use that. But based on the estimate that was
17 submitted to SED and approved for the project
18 October of last year, it included again the 100,000,
19 but for the purposes of ensuring that we had
20 sufficient contingency, should other tests be
21 necessary, I increased it.

22 00:28:48 RUSSELL DAVIDSON
23 And the contractor, you know, we'll work with the
24 contractor, make sure he's not wasting the testing
25 agency's time. So, you know, he's got to, he's got
26 to do things efficiently, and if he does things
27 inefficiently or tests fail because he didn't perform
28 correctly, the retest expenses are charged to the
29 contractor.

30 00:29:07 KEVIN AUSTIN
31 And in the minutes to the meeting with the
32 contractors, each time it is specifically related: this
33 is who we're using. If you do not give us 24 hour
34 notice and we schedule it, you're paying for it, if
35 you do not follow through accordingly, you're
36 paying for it, expressly stated in the meeting
37 minutes with the contractors. And you know, rush
38 test and anything else, it's related to the schedule,
39 and if you do not follow it according to what KG&D
40 has laid out and the engineers according to the
41 drawings you're paying for it.

42 00:29:44 DR. EDWIN QUEZADA

43 So Russ and Kevin. You know for the- for those of
44 us who do not have all the knowledge, what
45 happens if the testing required now exceeds
46 \$250,000, now you need to come back to the JSCB
47 to get approval, or no?

48 00:29:59 KEVIN AUSTIN
49 No. So based on the overall- the overall number
50 that we have for the project is, one, for
51 construction, which we added a 5% contingency
52 for. Two, we have X amount set aside for all the
53 incidentals specifically related to the incidentals
54 for testing. You know, we still need to address
55 other items, all of that is within the budget. So
56 basically you have a balancing effect that you-
57 there's no way for us to know what, you know, a
58 year from now, exactly additional tests that are
59 going to be necessary. So therefore, while one may
60 be lower, as long as you don't exceed what the
61 overall budget is, then we will have sufficient
62 enough. And of course, if there was a major
63 problem in a particular area that must be reported,
64 because when we do the final cost report, they will
65 line up and say, well just like on the GC, we said
66 this is what the building was going to cost, that's
67 what Russ submitted to the project. Now when we
68 submit the SA139, they're not going to age you if
69 it's twice the amount, right? They're going to hold
70 you until you prove why you spent what you did,
71 right? So in a similar way, the incidentals will
72 follow the same course of balancing. The
73 contingency is not specific to a contractor, it's for
74 the project. So therefore we're hoping that we
75 should not have an issue in that regard.

76 00:31:38 MARLYN ANDERSON
77 Any more questions? OK, so if there aren't any
78 more questions, would anyone like to make a
79 motion to approve the resolution authorizing for
80 special testing and inspection?

81 00:31:53 DR. EDWIN QUEZADA
82 So moved.

83 00:31:54 MARLYN ANDERSON

1 Doctor Quezada, seconded by?
2 00:31:58 PASTOR JAMES HASSELL
3 [inaudible]
4 00:32:00 MARLYN ANDERSON
5 Pastor Hassell. Any opposed? That's a no. All those
6 in favor? Say aye. Thank you.
7 00:32:11 DR. STEPHAN GIUFRIDA
8 Aye.
9 00:32:11 MARLYN ANDERSON
10 Yeah, and that resolution has been passed. The last
11 resolution for your review is a resolution
12 authorizing and approving agreement for legal
13 services. I'm going to turn it over to Matt
14 Gallagher, our Commissioner Corporation
15 counselor.
16 00:32:25 MATT GALLAGHER
17 Good afternoon, you're all familiar with Vinny
18 Volino. I'll turn it over to him for discussion of this
19 resolution. If you have any questions. I'm certainly
20 here to answer them. But I will say that while you
21 know my office was involved in the creation of
22 board, it was always contemplated that as a
23 separate entity that the board would have to
24 retain its own counsel. I'm statutory counsel to the
25 city, and boards and commissions. But in this case
26 again, we believe it would be better suited,
27 particularly given his expertise in the area and his
28 involvement to date, particularly when he was an
29 associate corporation counsel in my office, that he
30 would be best suited to take over all the legal work
31 for the board. And hence this resolution.
32 00:33:15 VINCENT VOLINO
33 Thank you everyone. I'm available to answer any
34 questions that you might have. It's been a pleasure
35 to be involved with the board since 2019, assisting
36 it with various legal matters and I look forward to
37 hopefully continuing to work with the board.
38 00:33:32 MARLYN ANDERSON

39 Does anyone have any questions for Vincent? OK,
40 great. Alright, so would anybody like to make a
41 motion approving legal services-
42 00:33:44 MAYOR MIKE SPANO
43 Make a motion.
44 00:33:45 MARLYN ANDERSON
45 The mayor. Seconded by?
46 00:33:47 JOSEPH APICELLA
47 I'll second.
48 00:33:48 MARLYN ANDERSON
49 Seconded by Joseph Apicella. Any opposed? All
50 those in favor?
51 00:33:57 MULTIPLE
52 Aye, aye.
53 00:33:58 MARLYN ANDERSON
54 Thank you, that resolution has been passed.
55 There's one other item that wasn't on the agenda,
56 just an update from the ICO. So Lloyd, if you have
57 any updates for the board you want to present,
58 you can go right ahead.
59 00:34:11 LLOYD DICKERSON
60 Alright, yeah, I just wanted to update the board
61 that we are continuing to work with all of the
62 contractors. We did receive the preliminary
63 utilization plan so we're assisting them with trying
64 to find additional participation. Some of the firms
65 were not reachable, so we're going through the
66 New York State site, providing them with
67 alternatives, and hopefully we should have
68 something by the end of March. We've sent all of
69 our compliance forms to them, all of our scope
70 verification forms, utilization plans, and all of the
71 forms that we require, so back and forth with
72 everyone. Still looks like we have a cushion of
73 about four million on the project, but you know,
74 it's construction so that can change at any time, so
75 we're monitoring that as the plans come through.

YJSCB 03/02/21 Mtg Minutes

1 00:35:02 MARLYN ANDERSON
2 Great, anybody have any questions for the
3 independent clients officer? For Lloyd, anyone?
4 OK, so if there's not any questions, just a reminder,
5 the next meeting is Wednesday, April the 6th, at
6 4:00 PM, same time. Uh, so if there's not any more
7 questions, would anyone like to make a motion to
8 join the meeting?
9 00:35:26 DR. EDWIN QUEZADA
10 Marlyn, any? Can you provide an update on the
11 ground breaking ceremony? That's I mean-
12 00:35:30 MARLYN ANDERSON
13 Oh yes, I can give you updates.
14 00:35:33 DR. EDWIN QUEZADA
15 That's, I mean- we are- we should be really excited
16 about that.
17 00:35:34 MARLYN ANDERSON
18 Yes, so Christina Gilmartin, who's director of
19 communications, and I, went out to the site, was it
20 yesterday, Kevin? Yes, yeah, yesterday, so we just
21 started running this site, just to see the areas in
22 which we're going to have the groundbreaking. We
23 decided the tentative date is March the 25th, was
24 it- Which is a Friday. Invites are probably gonna go
25 out between today and tomorrow, should be
26 getting a save the date for everyone. And if there's
27 a rain date, it'll probably be for the following week,
28 but we had tentatively, we had the 22nd to the
29 23rd, but it looks like the 25th is going to be the
30 date. I haven't decided, Christina hasn't given me a
31 rain date yet, so the 25th. And you should be
32 getting a save the date. So, add that to your
33 calendar as well. Yay, right? I know. So, we'll get
34 there. Any other questions for anybody? No? OK.
35 OK, so anyone like to make a motion to join the
36 meeting? Pastor Hassell. Seconded by? Robert
37 Rijos. All in favor?
38 00:36:47 JOSEPH APICELLA
39 Aye.

40 00:36:48 MARLYN ANDERSON
41 I'm assuming no one is opposed to this.
42 00:36:52 JOSEPH APICELLA
43 Have a good night everyone.
44 00:36:53 LLOYD DICKERSON
45 Have a good night.
46 00:36:53 MULTIPLE
47 Good night.
48 00:36:54 MARLYN ANDERSON
49 Alright guys, bye.
50 00:36:58 KEVIN AUSTIN
51 Thanks everyone.
52 00:36:59 DR. STEPHAN GIUFRIDA
53 Bye bye now.

54
55