

# *the* **Buffalo** **Public Schools** *program*

## **Annual Progress and Status Report**

**Submitted by the**

**Joint Schools Construction Board**

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## SECTION I

### REVIEW OF OVERALL PROGRAM

Children. Schools. Neighborhoods. City. The initial intent of the Buffalo Public Schools program was to begin a transformation that would positively impact each of these. As LPCiminelli submits this *Third Annual Progress and Status Report on the Buffalo Public Schools Program*, we can report that this transformation is well underway.

It must be restated that this program is the most comprehensive, district-wide school reconstruction project effort in the history of Buffalo and probably most of New York State. The charge has been to take school buildings that on average are 70 years old and turn them into 21<sup>st</sup> Century learning centers of excellence.

To accomplish this monumental task, the Joint Schools Construction Board (JSCB), comprised of representatives from the City of Buffalo and the Buffalo Board of Education, contracted with LPCiminelli and its team of nationally recognized firms to fulfill this mission. LPCiminelli has employed a unique design-finance-build delivery approach to meet program goals. The financial model, in particular, is something very unique to this program.

As explained in greater detail in our previous reports, this program features an entirely new method of financing school construction projects in New York State. First, the program benefits from tax-exempt financing, thanks to special state legislation, for the full ten years of the program. Bonds sold in 2003 and 2004 financed Phase I and Phase II of the program. The credit structure for these bonds is based on the state's annual appropriation of education aid to Buffalo, which provides a secure flow of funds that will not be impacted by the city's fiscal challenges.

Under this model, all Buffalo's state education aid first flows directly into a trust account to pay debt service on the bonds. Any remaining funds then flow to the city's General Fund. In the event that the withheld funds are insufficient to pay debt service, a statutory intercept is in place whereby all state aid to education is withheld to meet upcoming debt service payments. This intercept is unique because it kicks in before the bonds go into default, which led Moody's and Standard and Poor's to rate the bonds significantly higher than Buffalo's own credit rating.

While state aid accounts for the vast majority of program funding – approximately 94 percent – that still leaves six percent that would typically be borne by city taxpayers. This is called local share. However, as part of its proposal to manage the school's program, LPCiminelli developed several financing innovations to cover the local share. The end result is that this mammoth reconstruction program is not costing City of Buffalo property taxpayers a dime.

With that as our foundation, we can say that 2005 was a year of transition. Phase I was successfully completed and closed out while Phase II was launched. In addition, the earliest stages of planning began on Phase III.

Phase I was the renovation of nine schools, all of which were open to students for the beginning of the 2005-2006 school year. In addition, the first phase of the two district-wide programs were also completed – the E-Rate program to upgrade technology infrastructure in all of the schools and an Energy Services program to increase energy efficiency in the schools, producing significant savings for the district.

The completion of Phase I also allowed for review of other program goals, most notably the ambitious business development diversity requirements. One of the major goals of this program from the outset was to ensure that certified minority and women-owned businesses received a fair share of contracts for work on the school's project, namely 25 and five percent respectively. The school program's independent compliance monitor conducted a comprehensive audit and determined that those goals were not only met, but actually exceeded. Clearly, the whole community should take pride in this accomplishment.

While Phase I was finishing up on schedule, Phase II started off a little slower than planned. The initial packaging of bids produced responses from contractors that far exceeded budget levels. Therefore, we had to return to the drawing board and rework our contracting plan. Thankfully, we were able to cross that hurdle and work is now progressing at or about our planned schedule.

Phase II will include work at 13 schools totaling approximately \$307 million. By the close of 2005, work was underway at nine of those schools. An explanation of each project is included within this report.

To further other community goals for the program, contracts with both Career Path and the Buffalo Niagara Jobs Initiative (BNJI) have also been signed for Phase II. Career Path is a program of the Buffalo Urban League that help promote the opportunities the schools program provides for minorities. BNJI is a program affiliated with Buffalo's Building Trades Unions that is aimed toward creating opportunities for minorities and women for careers in the building trades, using the school projects as a launching pad. BNJI's training programs will involve renovating homes in neighborhoods around reconstructed schools. This is how the school program can help impact neighborhood revitalization.

Considering the magnitude of the Buffalo Public Schools Program, there is no doubt we will continually be faced with new challenges. But the public/private partnership that has been formed between the City of Buffalo, the Buffalo Board of Education and LPCiminelli has thus far met every challenge and produced results that are improving Buffalo's public schools. We expect this success to continue in 2006.

## **SECTION II**

### **PHASE I COMPLETION**

On September 7, 2005 over 2,000 students in grades pre-kindergarten through high school began learning in 9 newly renovated buildings in the Buffalo Schools District. The students, along with Superintendent Dr. James Williams, District Administration, community leaders, and stakeholders entered the newly refurbished facilities and witnessed the beginning of the reformation of our City's educational infrastructure.

Highlights of the Phase I schools included classrooms and media centers that feature new computer stations, science labs, libraries, home and career classrooms, as well as restored existing auditoriums and rows of new locker lined hallways. In addition, new energy efficient heating systems replaced outdated boilers, and new electrical and mechanical systems were installed. Further, all schools received new fire, security, and temperature control systems to improve their operations and economics. The completed schools included:

PS #19 – Native American Magnet  
PS #31 – Stanton Academy  
PS #38 – Frank Sedita Academy  
PS #66 – North Park Academy  
PS #67 – The Discovery School

PS #74 – Hamlin Park Elementary School  
PS #80 – Highgate Heights  
PS #97 – Emerson Middle School  
PS #307 – East High School

### **MINORITY AND WOMEN WORKFORCE AND CONTRACTOR DIVERSITY**

Bevlar & Associates, Inc. (Bevlar) was selected by the Joint Schools Construction Board (JSCB) to consult with and provide assistance in the development, implementation and monitoring of the JSCB's Workforce and Business Diversification Plan with respect to contractors, consultants, suppliers and others performing services for the Addendum #1 Project Reconstruction Program and the E-Rate District Wide Technology Telephone/Cabling Project, Phase V. In the report Bevlar verifies, where possible, the amounts paid to M/WBEs that worked on the project in order to determine if the diversity goals the JSCB established were achieved. The MBE goal is 25% and the WBE goal is 5%. The report also includes the final minority and women workforce participation percentages based on Bevlar's monthly audit of certified payrolls. The JSCB established a 23% minority workforce participation goal and a 7% women workforce participation goal.

The audited MBE participation is 26.79% and the audited WBE participation is 7.33%. Both exceed the established goals. The minority workforce participation is 22.19%, which is slightly below the goal and the women workforce participation is 7.25%, which is slightly above the goal.

The Executive Summary from Bevlar's report is included at the end of this section.

## ***Creating Business and Economic Opportunities***

Clearly, the ambitious diversity goals that are a part of the Buffalo Schools Program are producing the desired results. Minority and women-owned businesses such as, ARC & Comm (American Rated Cable & Communications), Shades of Color, Robert Traynham Coles Architects, Watts Engineering & Architects, Conway Porter, C.P.A., P.C., L&P Interiors, L&D Plumbing & Construction and WC Roberson Plumbing are making the most of this opportunity to grow their businesses.

To continue to ensure and increase minority and women-owned business participation on this Project the JSCB and LPCiminelli launched the creation of a Construction Business Training Program for start-up and small construction businesses this past July. Approximately 30 existing business owners or individuals desiring to start their own construction company attended a 5-month biweekly training program lead by an area construction industry veteran and a host of business professionals.

The Construction Business Training Program offered sessions on:

- Construction Contracts and Basic Construction Law
- Establishing a New Construction Business
- Developing a Business Plan
- Business Ethics
- Insurance and Bonding
- Understanding Project Labor Agreements
- Blueprint for Financial Record Keeping in a Construction Business
- Financial Planning
- Financial Statements
- Safety and Risk Management
- Being an Employer in the Construction Industry
- Marketing and Business Development
- Top Ten Reasons Why Contractors Fail

This program offered local minority and women owned businesses quick access to professional services and resources to assist them in their business development planning as well as expertise information to increase their knowledge base and profitability margins for their businesses.

Session two is slated to begin in February 2006 and will continue to accommodate and meet the needs of an eager business community seeking opportunities on this project.

## ***Creating opportunities for our Children***

The Buffalo Public Schools Program has created new opportunities for our children through an extensive set of Curriculum Enrichment Initiatives. The JSCB, LPCiminelli and its partners continue to create numerous opportunities for students to experience the construction industry first hand. The associated programs are designed to capture the interest of students in the construction trades as early as the elementary grades. It

is the vision of the JSCB, through these hands-on efforts, that students will be able to pursue education in the areas of architecture, construction, engineering, accounting, sales, program management, and other related fields.

There are eight programs that encompass this undertaking which include: a Job Shadowing Program; Intern Program; ACE Mentoring Program; BEAM; Upward Bound; SUNY at Buffalo Partnership; On-site Enrichment; and Build Up for students to begin their exploration into the world of construction. It should be noted that these programs are made available largely through the support of mentors that are provided by LPCiminelli and the many design firms and contractors who are currently working on the Program.



## ADDENDUM 1 PROJECT Final Report

December 2005

### EXECUTIVE SUMMARY

Bevlar & Associates, Inc. (Bevlar) was selected by the Joint Schools Construction Board (JSCB) to consult with and provide assistance in the development, implementation and monitoring the JSCB's Workforce and Business Diversification Plan with respect to contractors, consultants, suppliers and others performing services on the Addendum #1 Project Reconstruction Program and the E Rate District Wide Telephone/Cabling Project, Phase V. In addition, the Performance and Building Systems contracts were added to Bevlar's contract.

The Addendum #1 Project consists of renovations at PS # 19 Native American Magnet, PS # 31 Stanton Academy/PS # 38 Frank A. Sedita Academy, PS # 66 North Park Academy, PS # 67 Discovery School, PS # 74 Hamlin Park Early Childhood Center and Academy, PS # 80 Highgate Heights Elementary/PS # 307 East High, PS # 302 Emerson Middle School and the Johnson Controls Building Systems and Performance contracts. The E-Rate District Wide Technology Telephone/Cabling Project, Phase V consists of technological renovations to various Buffalo Public Schools.

This is the Final Report on the Addendum # 1 Project Reconstruction Program and the E-Rate District Wide Technology Telephone/Cabling Project, Phase V. This report verifies, where possible, the amounts paid to M/WBEs that worked on the project in order to determine if the diversity goals the JSCB established were achieved. The MBE goal is 25% and the WBE goal is 5%. This report also includes the final minority and women workforce participation percentages based on Bevlar's monthly audit of certified payrolls. The JSCB established a 23% minority workforce participation goal and a 7% women workforce participation goal.

The audited MBE participation is 26.79% and the audited WBE participation is 7.33%. Both exceed the established goals. The minority workforce participation is 22.19%, which is slightly below the goal and the women workforce participation is 7.25% which is slightly above the goal.

During the course of the audit, two significant issues arose relative to crediting payments that had been made to 1st tier MBE firms. In one case, a portion of the payments were allowed and in the other, none of the payments were allowed.

Bevlar made two recommendations to address issues that arose during the audit and during the course of the compliance monitoring. The recommendations are:

1. Bevlar recommends that the *Development and Diversification Plan for Workforce and Businesses* be amended to state: *that the designated project compliance monitor be provided with, on a monthly basis, all canceled checks, invoices and purchase orders necessary to support information submitted on the MBE/WBE Monthly Utilization Report (Form DDP3.4).*
2. Bevlar recommends the JSCB engage the services of a project compliance monitor at the inception of each phase of the project to ensure that all firms subject to the diversity goals are aware of the requirements and monitored throughout the time that they are working on the project to ensure that they comply.

Verified M/WBE Level 1 Summary					
Project Participants	Total Contracts	Verified Payments to MBEs	MBE Percentage	Verified Payments to WBEs	MBE Percentage
Architect Totals	\$10,449,575.00	\$3,363,421.33	32.19%	\$41,235.00	0.39%
Construction Totals	\$116,962,607.42	\$36,592,649.00	31.29%	\$11,144,982.33	9.53%
Professional Services Provider Totals	\$10,455,600.00	\$1,724,172.10	16.49%	\$210,405.00	2.01%
Total Phase I Program Expenditures	\$172,352,119.00				
Incidental Costs Not Subject To Diversity Goals	\$16,788,822.00				
Overall Phase I Totals Subject To Diversity Goals	\$156,583,297.00	\$41,680,242.43	28.79%	\$11,388,823.33	7.33%

Final Minority and Women Workforce Utilization Chart					
Overall Project Totals/Percentages	Man Hours To Date	Minority Hours To Date	Minority %	Women Hours To Date	Women %
	\$1,186,843.21	\$268,684.60	22.18%	\$84,516.26	7.26%

## **SECTION III**

### **PHASE II STATUS REPORT**

#### ***Continuing to build upon a Firm Foundation***

We continue to be proud that through the Program Team's diligent effort over much of 2005, Phase II of the Program is currently under construction and work is progressing at or about our planned schedule. This phase of the Program encompasses the reconstruction of 13 schools, All-High Stadium, and two District-wide projects.

Work at the schools includes reconstruction and additions to existing buildings in order to update/replace building systems and finishes, as well as provide a building plan that fully accommodates the use of the facilities consistent with the Strategic Plan. The reconfiguration of classrooms, large instructional spaces, administrative spaces, new finishes to floors, walls and ceilings, existing window refurbishment or replacement, elevators, building entries, and new and refurbished mechanical, electrical and plumbing systems all have an important role in the reformation of the facilities included in this phase of the project.

The two District-wide projects included in this phase of the project address the areas of technology and energy that will improve the operations and fiscal stability of each school.

Following is an individual project status update of the Phase II schools.

#### **District-wide Technology Project**

The scope of this project includes a Visual Display System that will be provided in the Buffalo Public Schools, which will bring a technology-centric, multimedia-based, instructional environment to each classroom. The system consists of an Interactive Whiteboard and a Mobile Presentation System. Updated electrical power will run through classrooms to support the new Interactive Whiteboard.

#### **District-wide Energy Performance Project**

The scope of work for this project includes numerous energy conservation improvements, such as lighting retrofits, boiler burner replacements, automatic pool covers, facility management systems, and steam trap replacements. Additionally, the Building Systems Project will provide temperature control upgrades, a new fire protection system and security system that are maintained through a master monitoring system.

## SECTION III - PHASE II STATUS REPORT

### ***PROJECT UPDATES***

#### **P.S. #6 – BEST SCHOOL**

Square feet: 135,000  
Structure Date: Original 1927 structure with addition built in 1961  
Detail: Demolition of the temporary classroom structure  
Complete renovation  
Grades: Pre-kindergarten to 8th

#### ***BPS #6 Status Update:***

- Demolition & Abatement work is 95% complete;
- Mechanical & Plumbing work is approximately 75% complete;
- Interim wall reconstruction & systems installation is progressing from top floors down;
- Completion date is scheduled for 12/06.

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#### **P.S. #33 – BILINGUAL CENTER**

Square feet: 67,000  
Structure Date: Original 1929 structure with additions built in 1964 and 1994  
Detail: Renovation of existing building  
2-story, 29,000 sq. ft. addition  
Includes new classrooms, gym and administrative space  
Grades: Pre-kindergarten to 8<sup>th</sup>

#### ***BPS #33 Status Update:***

- Bids are due February 2006.

## SECTION III - PHASE II STATUS REPORT

### *PROJECT UPDATES*

#### P.S. #37 – FUTURES ACADEMY

Square feet: 137,400  
Structure Date: Original 1935 structure  
Detail: Complete renovation  
Children's courtyard  
Historic window restoration  
Exterior masonry work  
Grades: Pre-kindergarten to 8<sup>th</sup>

#### *BPS #37 Status Update:*

- Demolition & Abatement work is 95% complete;
  - Mechanical & Plumbing work is approximately 75% complete;
  - Interim wall reconstruction & systems installation is progressing from top floors down;
  - Completion date is scheduled for 12/06.
- 

#### P.S. #39 – MLK MULTICULTURAL INSTITUTE

Square feet: 136,500  
Structure date: Original 1926 structure with addition built in 1968  
Detail: Complete renovation  
2-story, 27,376 sq. ft. Addition  
New Cafeteria, and Library  
New classrooms, and toilet rooms  
Administrative space  
Outdoor courtyard  
Grades: Pre-kindergarten to 8th

#### *BPS #39 Status Update:*

- Bids are due April 2006.

## SECTION III - PHASE II STATUS REPORT

### ***PROJECT UPDATES***

#### **P.S. #69 – HOUGHTON ACADEMY**

Square feet: 100,000  
Structure Date: Original 1922 structure  
Detail: Renovation of existing building  
Demolition work  
3-story 22,500 sq. ft. addition  
New classrooms  
New instructional spaces  
Grades: Pre-kindergarten to 8<sup>th</sup>

#### ***BPS #69 Status Update:***

- Work is progressing according to schedule;
  - Structural steel framework for additions is complete;
  - Asbestos & Demolition work is complete;
  - Completion due date is 08/06.
- 

#### **P.S. #82 – EARLY CHILDHOOD CENTER**

Square feet: 81,750  
Structure Date: Original 1930 3-story structure  
Detail: Renovation of existing building  
1-story, storage garage addition  
Grades: Pre-kindergarten to 4<sup>th</sup>

#### ***BPS #82 Status Update:***

- Asbestos Abatement & selective interior demolition work is complete;
- Underground utilities are being installed in the new kitchen;
- New interior wall work is progressing from the top floors down;
- Completion date is 08/06.

## SECTION III - PHASE II STATUS REPORT

### **PROJECT UPDATES**

#### **P.S. #90 – EARLY CHILDHOOD CENTER – DREW SCIENCE MAGNET**

Square feet: 50,500  
Structure Date: Original 1960 structure  
Detail: Renovation of existing building  
1-story addition  
New enclosed main entrance  
New media center and community clinic  
New classrooms and administrative spaces  
Grades: Pre-kindergarten to 2<sup>nd</sup>

#### ***BPS #90 Status Update:***

- Bids are due 01/24/06.

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#### **P.S. #91 – BUILD ACADEMY**

Square feet: 115,000  
Structure Date: Original 1960 structure  
Detail: Renovation of existing building  
Three additions totaling 5,480 sq. ft.  
New classrooms, and storage rooms  
New auditorium lobby, and elevator  
New health suite  
Grades: Pre-kindergarten to 8<sup>th</sup>

#### ***BPS #91 Status Update:***

- Asbestos Abatement & demolition is 95% complete;
- Foundation work for new addition is complete;
- Masonry wall construction is scheduled to start mid-January 2006;
- Completion date is 08/06.

## SECTION III - PHASE II STATUS REPORT

### ***PROJECT UPDATES***

#### **P.S. #94 – WEST HERTEL ACADEMY**

Square feet: 188,700  
Structure Date: Original 1968 structure  
Detail: Renovation of existing building  
Relocation of main office  
New windows  
Exterior improvements  
Grades: Pre-kindergarten to 8<sup>th</sup>

#### ***BPS #94 Status Update:***

- Work is progressing as scheduled;
  - New interior finish work is underway on the second & first floors;
  - Abatement work complete;
  - Exterior masonry & roofing work & new building work is near completion;
  - Completion date is 08/06.
- 

#### **P.S. #95 – WATERFRONT ELEMENTARY SCHOOL**

Square feet: 180,000  
Structure Date: Original 1974 structure  
Detail: Renovation of existing building  
Demolition work  
2-story 21,000 sq. ft. addition for classrooms  
New 1,500 sq. ft. entry  
Grades: Pre-kindergarten to 8<sup>th</sup>

#### ***BPS #95 Status Update:***

- Work is approximately 55% complete;
- Interior finish work is progressing throughout the building;
- Foundation work for new addition will be complete mid-February 2006;
- Structural steel will be erected mid February;
- Completion date is 08/06.

## SECTION III - PHASE II STATUS REPORT

### *PROJECT UPDATES*

#### P.S. #192 – BUFFALO TRADITIONAL SCHOOL

Square feet: 178,500  
Structure Date: Original 1960 structure  
Detail: Renovation of existing building  
Renovation of existing bridge connector  
Two 2-story classroom additions  
New performing arts center including hall and music room  
New science labs, and art studios  
Grades: 5<sup>th</sup> to 12<sup>th</sup>

#### *BPS #192 Status Update:*

- Bids are due March 2006.

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#### P.S. #200 – BENNET HIGH SCHOOL

Square feet: 270,000  
Structure Date: Original 1920 structure  
Detail: Renovation of existing building  
Two 3-story additions, and one 1-story addition will increase space by 30,000 sq. ft.  
New classrooms  
Grades: 9<sup>th</sup> to 12<sup>th</sup>

#### *BPS #200 Status Update:*

- Demolition & asbestos abatement work in Phase 1 of this project is 70% complete;
- Mechanical, electrical & plumbing work has begun;
- Completion date is 07/07.

## **SECTION III - PHASE II STATUS REPORT**

### ***PROJECT UPDATES***

#### **BENNET HIGH SCHOOL - ALL HIGH STADIUM**

Detail: Renovation of existing building to historical preservation codes  
Demolition of north and east bleacher sections  
New track surface, landscaping and fencing

Grades: 9<sup>th</sup> to 12<sup>th</sup>

#### ***All High Stadium Status Update:***

- Demolition work on the North & East bleachers is 95% complete;
- Completion date is 08/07.

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#### **HUTCHINSON CENTRAL TECHNICAL HIGH SCHOOL**

Square feet: 183,500  
Structure Date: Original 1900's structure

Detail: Renovation of existing building to historical preservation codes  
8,000 sq. ft. addition  
New classrooms  
New Section IV Gymnasium

Grades: 9<sup>th</sup> to 12<sup>th</sup>

#### ***Hutchinson Central Technical HS Status Update:***

- Bids received January 5, 2006 and currently under review.
- Appear to be favorable.

## SECTION IV

### SUMMARY

LPCiminelli is proud of what has been accomplished thus far with the completion of Phase I. The initial nine schools that comprised Phase I were completed on time and fully occupied for the start of the 2005-2006 school year. The diversity goals for the construction of the schools, which are considered such a key component to building and sustaining minority and women-owned businesses, were not only met, but also were exceeded. And perhaps above all else, the excitement from students, parents and teachers as they walked into their new buildings for the first time reminded the whole community what this program is ultimately about – creating learning centers of excellence for our children.

As Phase I closed in 2005, construction on Phase II kicked off. It was a little later than originally anticipated, but by the end of the year, nine of the 13 school projects were well underway. Significant progress on all 13 projects will be realized in the coming year.

In addition, progress continues to be made on updating of the Strategic Plan. The plans for reconstructed schools that are resulting from applying the planning standards to enrollment projections will identify the makeup of school facilities throughout the district. We anticipate issuing a final draft of findings to District representatives by the end of January 2006.

This will lead to discussions with SED relative to the establishment of Building aid to support the desired reconstruction and building additions. We expect to make a final submission of the updated Strategic plan to the District, JSCB and Control Boards by the end of March.

Clearly, this unique public/private partnership is working. The local team of the City of Buffalo, the Buffalo Board of Education and LPCiminelli, working with the continued support of the State Education Department, the State Legislature and the Governor's Office, is delivering on its promise to fundamentally transform the Buffalo Public Schools. As we stated on day one of the project: ***Children. Schools. Neighborhood. City. This is what the Buffalo Schools Program is all about.***