

BOARD OF COOPERATIVE EDUCATIONAL SERVICES  
SECOND SUPERVISORY DISTRICT  
COUNTIES OF MONROE AND ORLEANS

There will be a Special Meeting of the Board of Cooperative Educational Services, Second Supervisory District of Monroe and Orleans Counties at 3:30 p.m. on Thursday, June 23, 2022, at the Richard E. Ten Haken Educational Services Center, 3599 Big Ridge Road, Spencerport, NY 14559

BOARD MEMBERS

Dennis Laba, President

R. Charles Phillips, Vice President

John Abbott

Cindy Dawson

Kathleen Dillon

Gerald Maar

Michael May

Mark Porter

Heather Pyke

AGENDA

1. Call the Meeting to Order
2. Pledge of Allegiance
3. Old Business
  1. Update on BOCES 4 Science Relocation
  2. Resolution to Approve Aramark Contract Extension
  3. Resolution to Approve the State Environmental Quality Review Act (SEQRA) for the 2022 Capital Project
  4. Resolution to Approve the 2022 Capital Project
4. Adjournment

1. Call the Meeting to Order

## 2. Pledge of Allegiance

### 3. Old Business

1. Update on BOCES 4 Science Relocation

3. Old Business

2. Resolution to Approve Aramark Contract Extension

**AMENDMENT NO. 3 TO  
MANAGEMENT SERVICES AGREEMENT**

This Amendment (the "Amendment") is entered as of the 1<sup>st</sup> day of July, 2022 (the "Effective Date"), between **MONROE 2-ORLEANS BOCES**, a New York municipal corporation (the "District") and **ARAMARK MANAGEMENT SERVICES LIMITED PARTNERSHIP**, a Delaware limited partnership ("Aramark"), amends the Agreement (as defined below) in accordance with the terms and conditions. In this Amendment, District and Aramark will be referred to jointly as the "Parties" and individually as a "Party".

**WHEREAS**, on August 1, 2017, the District and Aramark entered into a Management Services Agreement (the "Agreement");

**WHEREAS**, the Agreement, as amended, will remain in effect, except to the extent amended hereby; and

**WHEREAS**, pursuant to Paragraph 9(h) of the Agreement, effective July 1, 2022, District and Aramark desire to amend the Agreement, subject to the terms and conditions set forth herein.

**NOW THEREFORE**, intending to be legally bound the Parties agree as follows:

1. **Term**. The Parties agree that the Agreement will be extended for three (3) additional years from the Effective Date, through June 30, 2025. Accordingly, Section 2 of the Agreement is deleted in its entirety and is replaced with the following:

**"2. Term; Renewals**

The term of this Agreement will begin on July 1, 2017 (the 'Commencement Date') through June 30, 2022 (the "Initial Term"). Effective July 1, 2022, the term of this Agreement will be extended through June 30, 2025 (the "Renewal Term", and collectively with the Initial Term, the "Term")."

2. **Aramark Fee**. In accordance with paragraph 2 hereto:

a. Effective July 1, 2022, Section A of Exhibit A to the Agreement is deleted in its entirety and replaced with the following:

**"A. Aramark Fee:** All facilities, equipment, and services to be provided by District under this Agreement shall be provided at District's expense. During the term of this Agreement, District shall pay Aramark for Aramark's provision of the Management Services hereunder (the "Aramark Fee"), which Aramark Fee shall be determined using the chart below. The Parties agree that the District is entitled to have certain reductions to the base fee applied each year to compensate for prior equipment purchases, which reductions are quantified in the "Adjustment" column in the table below. The Aramark Fee will be invoiced monthly in twelve equal increments at the beginning of each month, unless the Client elects to prepay the Aramark Fee per the terms of Section B(iv) of Exhibit A.

**ARAMARK FEE**

<u>Year</u>	<u>Base Fee</u>	<u>Adjustment</u>	<u>Adjusted Fee</u>	<u>Fee if Prepaid</u>
1 (2022-2023)	\$317,645.54	(\$15,000)***	\$302,645.54	\$293,566.18
2 (2023-2024)	\$308,698.54	(\$5,000)***	\$303,698.54	\$294,587.59
3 (2024-2025)	\$309,772.51	(\$5,000)***	\$304,772.51	\$295,629.34

\*\*\*Adjustment to offset prior equipment purchases\*\*

3. **Definitions.** Unless otherwise specified, capitalized terms used here shall have the meanings set forth in the Agreement.

4. **Counterparts.** This Amendment may be executed in multiple counterparts, each of which will be deemed an original, but all of which together will constitute one and the same instrument. A facsimile or .pdf signature shall be considered valid as an original signature.

5. **Agreement to Remain in Effect.** Except as amended herein, the Agreement shall remain in full force and effect.

IN WITNESS WHEREOF, the Parties have entered this Amendment as of the date first set forth above.

**MONROE 2-ORLEANS BOCES**

**ARAMARK MANAGEMENT SERVICES  
LIMITED PARTNERSHIP**

By: Its General Partner, ARAMARK SMMS  
LLC

By: \_\_\_\_\_

Jo Anne Antonacci  
District Superintendent

By: \_\_\_\_\_

Katherine Tracy  
VP, Finance

3. Old Business

3. Resolution to Approve the State Environmental Quality Review Act (SEQRA) for the 2022 Capital Project

THE RESOLUTION OF THE BOARD OF THE MONROE 2-ORLEANS  
BOARD OF COOPERATIVE EDUCATIONAL SERVICES (“BOCES”)  
CONCERNING THE PROPOSED CAPITAL PROJECT PURSUANT TO THE  
NEWYORK STATE ENVIRONMENTAL QUALITY REVIEW ACT

WHEREAS, the Monroe 2-Orleans Board of Cooperative Educational Services (the “BOCES”) is proposing a capital project to include renovations, alterations, and improvements to the We-Mo-Co North Building located at the BOCES campus at 3589 Big Ridge Road, Spencerport, New York, including: (1) interior renovations to existing welding lab classrooms and mechanical and plumbing lab classrooms to include the addition of new welding booths and additions to electrical, lighting, and HVAC components; (2) installation of new roof top fan unit and associated structural steel reinforcement and roofing; and (3) reconfigurations of existing walls and doors for new rooms and the addition of a new office and associated architectural, MEP, and structural work, collectively referred to hereafter as the “Project”; and

WHEREAS, in accordance with applicable law and procedure, the BOCES has reviewed the Project in light of the requirements to do so under the New York State Environmental Quality Review Act, Article 8 of the New York Environmental Conservation Law and its applicable regulations, 6 NYCRR 617 et seq. (“SEQRA”); and

WHEREAS, the BOCES has considered the impact on the environment of the Project as set forth in more detail below by undertaking a thorough review of conditions and issues associated with construction and development of the Project,

NOW, THEREFORE, BE IT RESOLVED:

1. The BOCES has determined that the Project entails routine activities of an educational institution, and/or reconstruction of or expansion of a facility, and such work is otherwise encompassed by criteria set forth in 6 NYCRR Section 617.5 (c), and specifically, 6 NYCRR 617.5 (c) (2), and/or (10) and therefore the Project constitutes a Type II Action under SEQRA.
2. As a Type II Action, the Project is not subject to review under SEQRA as it is been deemed to not have a potentially significant adverse impact on the environment.
3. The statements in the whereas clauses in this resolution shall have the same force and effect as the statements set out in this now resolved portion of the resolution.
4. This Resolution has been prepared in accordance with Article 8 of the New York Environmental Conservation Law and associated regulations to be adopted by the Monroe 2-Orleans BOCES Board of Education, with offices located at 3599 Big Ridge Road, Spencerport, NY 14599.
5. This resolution shall take effect immediately and the requirements of SEQRA have been satisfied.

The following vote was taken and recorded in the public or open session of said meeting:

Moved by: \_\_\_\_\_

Seconded by: \_\_\_\_\_

Aye

Nay

Absent

_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____

Accepted \_\_\_\_\_

Denied \_\_\_\_\_

Dated: June 23, 2022  
Spencerport, New York

CERTIFICATION

STATE OF NEW YORK)  
COUNTY OF MONROE) ss.:

The undersigned, the District Clerk of the Board of Education of the Monroe 2-Orleans BOCES, DOES HEREBY CERTIFY as follows:

That I have compared the annexed extract of minutes of the meeting of the Board of Education of the Monroe 2-Orleans BOCES, including the resolution contained therein, held on June 23, 2022, with the original thereof on file in my office, and that the same is a true and correct copy of the proceedings of the Board and of such resolution set forth therein and of the whole of said original insofar as the same related to the subject matters therein referred to.

I FURTHER CERTIFY that all members of said Board of Education of the Monroe 2-Orleans BOCES had due notice of said meeting, that the meeting was in all respects duly held, said meeting was open to the general public, and that public notice of the time and place of said meeting was duly given.

I FURTHER CERTIFY that there was a quorum of the members of the Board of Education of the Monroe 2-Orleans BOCES present throughout said meeting.

I FURTHER CERTIFY that as of the date hereof, the attached resolution is in full force and effect and has not been amended, repealed or modified.

IN WITNESS WHEREOF I have hereunto set my hand and affixed the seal of said BOCES this \_\_\_ day of June 2022.

\_\_\_\_\_  
Clerk

[SEAL]

3. Old Business

4. Resolution to Approve the 2022 Capital Project

WHEREAS, the Board of the Monroe 2-Orleans Board of Cooperative Educational Services (“BOCES”), plans to undertake a capital improvement project (the “Project”) consisting of renovations, alterations, and improvements to the We-Mo-Co North Building located at the BOCES campus at 3589 Big Ridge Road, Spencerport, New York, including: (1) interior renovations to existing welding lab classrooms and mechanical and plumbing lab classrooms to include the addition of new welding booths and additions to electrical, lighting, and HVAC components; (2) installation of new roof top fan unit and associated structural steel reinforcement and roofing; and (3) reconfigurations of existing walls and doors for new rooms and the addition of a new office and associated architectural, MEP, and structural work, all at a total estimated cost not to exceed \$210,000 with such cost being raised by the expenditure of said amount from component district annual capital contributions; and

WHEREAS, by resolution adopted June 23, 2022, adopted immediately prior to consideration of this resolution, the BOCES Board determined that: (1) the Project constituted a Type II action within the meaning of the New York Environmental Quality Review Act and the regulations of the New York State Department of Environmental Conservation adopted thereunder (6 N.Y.C.R.R. Part 617) (collectively “SEQRA”); and (2) no further review is needed as the Project has been deemed to not have a potentially significant adverse impact on the environment.

NOW, BE IT RESOLVED, that the BOCES Board hereby authorizes the undertaking of the Project at cost not to exceed \$210,000 and the funding of such cost through the expenditure of component district annual capital contributions.

## 4. Adjournment