

Suit stalls bid process for Monroe H.S. fixes

Schools

Judge delays city schools modernization program

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A day after a lawsuit was filed challenging an action of the board that oversees Rochester's \$1.3 billion schools modernization program, the suit's impact on the program's timeline is already being felt.

It appears the appointed board apparently won't be allowed to open the contractors' bids on a \$26 million project to finish an overhaul of aging Monroe High School.

Those bids are due Tuesday. But state Supreme Court Justice John Ark, to whom the case was assigned, signed an order late Tuesday afternoon that prohibits the board from "proceeding with any aspect of the Rochester School Modernization Program, including bidding" unless they reverse their decision. The order didn't come to light until Wednesday afternoon.

Other modernization work in this second phase of the program, including selection of construction managers for projects at East High and Schools 6 and 17 and design work on other schools, may also be impact-

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ed. Phase II is to include \$435 million worth of work at 13 schools.

The order extends at least through a Sept. 7 hearing Ark has set.

The suit was filed by Rochester buildingtrades unions and an allied nonprofit group. Their legal filing argues the decision by the Rochester Joint School Construction board to ditch the program's project labor agreement was illegal. They've argued the agreement helped keep work on schedule, held down costs and enabled contractors to meet ambitious minority-hiring goals.

The labor agreement was canceled for Phase II at an Aug. 4 board meeting on the strength of votes by four members seen as loyal to Mayor Lovely Warren. Three of them, including chairman Allen Williams, work for the city government over which Warren presides.

Warren and Williams have been critical of union-sponsored efforts to recruit and hire minority apprentices in Phase I of the program. Earlier this month, former Mayor Thomas Richards who had supported retaining the PLA, was ousted as chairman of the Joint Schools Construction Board and replaced by Williams. Williams said Wednesday that the legal action clearly will disrupt the program's carefully crafted schedule. "The unions talk about not delaying the project. It will delay it," he said.

He also said the board members who voted to cancel the labor agreement have no intention of changing their minds. "That's not going to happen," Williams said.

“If they think Lovely Warren is going to be intimidated by this, they’ve got another thing coming.”

A *Democrat and Chronicle* investigation into Phase I of the city’s largest public works program uncovered cost overruns, shifting priorities and politicized decision- making.

Phase II was already off to a rocky start, with state funding released by Gov. Cuomo in July after weeks of uncertainty over the bill.

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