

**MINUTES OF THE REGULAR MEETING  
OF THE  
BUFFALO SEWER AUTHORITY  
SEPTEMBER 26, 2018**



# **BUFFALO SEWER AUTHORITY**

**September 26, 2018**

**REGULAR MEETING**

**9:00 A.M.**

**1038 CITY HALL**

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Attachment A – Credit Card Policy





**CALL OF THE ROLL**

Present:	<u>Herbert L. Bellamy, Jr.</u>	<u>Chairman</u>
	<u>John D. Kennedy, Sr.</u>	<u>Vice Chairman</u>
	<u>Christopher Roosevelt</u>	<u>Assistant Vice Chairman</u>
	<u>Eleanor Petrucci</u>	<u>Secretary</u>
	<u>Oluwole McFoy, P.E.</u>	<u>General Manager</u>
	<u>Ronald Brown</u>	<u>Executive Secretary</u>
	<u>Thomas Smith</u>	<u>Secretary to the General Manager</u>
	<u>Gelea James</u>	<u>Director of Employee Relations</u>
	<u>Catherine Knab, P.E.</u>	<u>Principal Sanitary Engineer</u>
	<u>LaToya Cunningham</u>	<u>Special Assistant</u>
	<u>Frank Rafferty</u>	<u>Treatment Plant Superintendent</u>
	<u>Roberta Gaiek, P.E.</u>	<u>Treatment Plant Administrator</u>
	<u>Paul Harris</u>	<u>Superintendent of Mechanical Maintenance</u>
	<u>Laura Surdej</u>	<u>Erie County Dept. of Sewerage</u>
	_____	_____
	_____	_____
	_____	_____
	_____	_____
Absent:	<u>none</u>	_____
	_____	_____

The meeting was called to order at 9:08 A.M. A quorum was present.

**ITEM NO. 1**

Motion to Adopt the Minutes of the Meeting of July 18, 2018

MOTION TO	<u>ADOPT</u>		
MADE BY	<u>MS. PETRUCCI</u>		
2 <sup>ND</sup> BY	<u>MR. KENNEDY</u>		
AYES	<u>4</u>	NOES	<u>0</u>

## ITEM NO. 2

INFORMATIVE: TEMPORARY INVESTMENTS (CERTIFICATES OF DEPOSIT AND TREASURY BILLS)  
MARKET VALUE

As of July 31, 2018

ISSUE DATE	MATURITY DATE	TOTAL DAYS	AMOUNT	BANK	RATE	INTEREST AMOUNT
<b>CONSTRUCTION/CAPITAL IMPROVEMENT FUND</b>						
31-Jul-12	Money Market		\$3,458,008.39	Key	0.15%	Public NOW
08-Dec-17	08-Aug-18	243	\$8,496,277.00	JP Morgan Securities	1.82%	\$103,275.00
29-Jun-18	23-Aug-18	55	\$2,230,448.13	JP Morgan Securities	1.80%	\$6,140.75
04-May-18	06-Sep-18	125	\$1,995,780.00	JP Morgan Securities	2.35%	\$16,319.44
04-May-18	28-Sep-18	147	\$1,993,028.20	JP Morgan Securities	2.35%	\$19,191.67
17-Apr-18	15-Oct-18	181	\$6,001,635.03	Key Banc Capital	2.61%	\$79,115.55
15-May-18	16-Nov-18	185	\$1,489,605.00	Key Banc Capital	2.36%	\$18,191.67
15-May-18	12-Dec-18	211	\$1,486,767.50	Key Banc Capital	2.40%	\$21,100.00
04-May-18	22-Jan-19	263	\$7,903,944.40	Key Banc Capital	2.66%	\$155,462.22
04-May-18	28-Jan-19	269	\$5,925,488.40	Key Banc Capital	2.50%	\$112,083.33
15-May-18	26-Mar-19	315	\$6,911,628.85	Key Banc Capital	2.70%	\$137,025.00
09-Jul-18	31-Jan-19	206	\$5,899,246.68	Key Banc Capital	2.72%	\$117,866.67
			<b>\$53,791,857.58</b>			
<b>LIABILITY AND CASUALTY RESERVE FUND</b>						
			\$99,656.61	Key	0.15%	Public NOW
09-July-18	08-Aug-18	30	\$902,586.62	Key Banc Capital	1.96%	\$1,474.90
			<b>\$1,002,243.23</b>			
<b>OPERATING FUND</b>						
31-Jul-12	Super NOW		<b>\$2,624,348.25</b>	Key	0.15%	Public NOW
<b>TRUST &amp; AGENCY FUND</b>						
31-Jul-12	Money Market		<b>\$5,454.02</b>	Key	0.02%	Public Savings
<b>SURPLUS FUND</b>						
			\$194,885.91	Wilmington Fund	1.22%	
02-Jul-18	29-Mar-19	270	\$9,845,300.00	JP Morgan Securities	2.58%	\$193,500.00
			<b>\$10,040,185.91</b>			
<b>NET REVENUE FUND</b>						
			\$ 495.08	Wilmington Fund		
22-Jun-18	06-Aug-18	45	\$3,998,920.00	Key Banc Capital	2.03%	\$10,150.00
29-Jun-18	30-Aug-18	62	\$1,502,697.35	M&T Securities	1.80%	\$4,665.50
29-May-18	26-Nov-18	181	\$5,648,152.98	Key Banc Capital	2.47%	\$70,649.48
11-Jul-18	29-Mar-19	260	\$9,235,548.00	Key Banc Capital	2.72%	\$184,264.89
			<b>\$20,385,813.41</b>			

**DEBT RESERVE FUND**

				<b>SERIES J</b>	
02-Jul-14	15-Nov-33	7076	\$515,879.00	UST State/Local Govt	2.70%
				<b>Series K</b>	
02-Jul-14	15-Feb-33	6803	\$361,415.00	UST State/Local Govt	2.70%
				<b>Series L</b>	
12-Nov-15	01-Oct-35	7263	\$689,547.00	UST State/Local Govt	2.44%
				<b>Series M</b>	
27-Jun-14	01-May-44	10901	\$595,613.00	US State/Local Govt	2.70%
				<b>Series N</b>	
15-Nov-12	15-Apr-32	7091	\$2,167,157.00	UST State/Local Govt	2.42%

**RECEIVE & FILE**

Board Meeting of September 26, 2018

## ITEM NO. 3

## INFORMATIVE: REALLOCATION OF FUNDS

The following budgetary transfers have been made to cover unforeseen shortages. These transfers do not change the total amount of the Buffalo Sewer Authority's operating budget.

***Wastewater Treatment Plant***

06/30/2018	00230106 Refuse Disposal Services	-\$572.00	00380106 INCIN Refuse Disposal Services	\$572.00
08/13/2018	00210105 RWWP Equipment Maint.	-\$3,132.00	00410105 HAMB Equipment Maint.	\$3,132.00
08/27/2018	00210105 RWWP Equipment Maint.	-\$720.00	00520107 MAIN Office Equipment	\$720.00
08/29/2018	00380106 INCIN Refuse Disposal Service	-\$15,331.00	00230106 Refuse Disposal Services	\$15,331.00

**RECEIVE & FILE**

Board Meeting of September 26, 2018

## ITEM NO. 4

**INFORMATIVE: REPORT ON THE CONDITION OF THE LIABILITY AND CASUALTY RESERVE FUND**

The Resolution that created the Liability and Casualty Reserve Fund provides that:

“The General Manager shall regularly and not less than semi-annually render to the Board a detailed report of the operation and condition of the Liability and Casualty Reserve Fund.”

Fund Balance as of June 30, 2017	\$1,097,489.45
Interest Earnings	\$9,153.19
Claims Paid	\$115,000.00
Transfer from Operating Fund	\$12,000.00
Fund Balance as of June 30, 2018	\$ 1,003,642.64

The Resolution that created the Liability and Casualty Reserve Fund provides that:

“When the amount of the Liability and Casualty Reserve Fund reaches the sum of \$1,000,000.00, no further additions shall be made thereto until the Fund has been reduced below \$1,000,000.00”.

Because the balance of the Liability and Casualty Reserve Fund was below \$1,000,000.00, a transfer in the amount of \$12,000.00 was made from the Operating Fund on November 29, 2017.

During the period of July 1, 2017 – June 30, 2018 the B.S.A. settled twenty-three (23) claims. Twenty-one (21) claims were denied and two (2) claims were negotiated resulting in a cash payment from the BSA totaling \$115,000.00.

**Total Active Claims Pending**

Bodily Injury	1
Property Damage	2
Auto B.I. & P.D	2
Other Liability	<u>0</u>
Total	5

**RECEIVE & FILE**

Board Meeting of September 26, 2018

## ITEM NO. 5

**FUND BALANCE DESIGNATION**

WHEREAS: The Buffalo Sewer Authority has adopted a Fund Balance Policy in an effort to ensure financial security through the maintenance of a healthy reserve fund.

WHEREAS: In accordance with this policy, each year the Buffalo Sewer Authority must designate the purpose of fund balance.

WHEREAS: The General Manager recommends the following designation of fund balance for the fiscal year ending June 30, 2018.

NOW THEREFORE  
BE IT RESOLVED: That the Board of the Buffalo Sewer Authority hereby approves the following designation of fund balance for the fiscal year ending June 30, 2018.

Fund Balances:	
Non-Spendable	131,906
Committed:	
Encumbrances	4,357,678
Loss Contingencies	5,000,000
Capital Projects	16,025,685
Unassigned	<u>10,000,000</u>
Total Fund Balances	\$35,515,269

MOTION TO APPROVE

MADE BY MR. KENNEDY

2<sup>ND</sup> BY MS. PETRUCCI

AYES 4 NOES 0

Board Meeting of September 26, 2018

## ITEM NO. 6

**ADOPTION OF BUFFALO SEWER AUTHORITY POLICY – CREDIT CARD  
(ATTACHMENT A)**

WHEREAS: It is commonplace for organizations to use credit cards for the convenience of making purchases on behalf of the organization. The Buffalo Sewer Authority (BSA) has developed a Credit Card Policy to govern the issuance and use of BSA credit cards in an effort to ensure proper use and to simplify the process for purchasing certain items on behalf of the Buffalo Sewer Authority; and

WHEREAS: The use of BSA credit cards will be limited to the following purchases:

- Hotel reservations
- Rental car reservations
- Airline reservations
- Training, conference, and seminar registrations
- Membership fees
- Internet purchases where a vendor will not accept a check or purchase order ; and

WHEREAS: The policy shall be annually reviewed and approved by the Board of the Buffalo Sewer Authority.

NOW THEREFORE  
BE IT RESOLVED: That the Board of the Buffalo Sewer Authority hereby adopts the attached “Credit Card Policy” (Attachment A), which establishes the basis for the issuance and use of BSA credit cards.

MOTION TO APPROVE  
MADE BY MS. PETRUCCI  
2<sup>ND</sup> BY MR. ROOSEVELT  
AYES 4 NOES 0

Board Meeting of September 26, 2018

## ITEM NO. 7

**ADJUSTMENTS TO SEWER RENTS**

- WHEREAS: In accordance with the resolution adopted December 15, 1982, requests for sewer rent cancellations, adjustments or refunds in excess of \$400.00 must be submitted to the Buffalo Sewer Authority Board for its consideration and action; and
- WHEREAS: Buffalo Sewer Authority receives water consumption information either monthly or quarterly from the Town of Tonawanda for ten (10) properties and quarterly from Erie County for twenty four (24) properties that lie on the border, whereby their sewage flows to Buffalo for treatment; and
- WHEREAS: These properties are charged for utilization of Buffalo Sewer Authority's facilities based on local water consumption and meter size by outside townships and Erie County; and
- WHEREAS: The meter size information for the billing period 2005 – 2018 provided by the Town of Tonawanda and Erie County was not accurate for several properties; and
- WHEREAS: In light of this, Buffalo Sewer Authority consulted with the Town of Tonawanda and Erie County to verify that all other pertinent Buffalo Sewer Authority charged accounts were correct; and
- WHEREAS: Resulting from this extensive review of outlying accounts, adjustments were made to customer accounts to correct their account balances; and
- WHEREAS: Buffalo Water, as agent for Buffalo Sewer Authority, will apply the necessary adjustments/charges accordingly as summarized on the attached schedule; and
- WHEREAS: Buffalo Sewer Authority will issue a refund to 2101 Kenmore Ave. in the amount of \$8,573.26 and to 2071 Clinton St. in the amount of \$3,430.00.





**BUFFALO SEWER AUTHORITY  
SEWER ONLY BILLING ERRORS-TOWN OF TONAWANDA &  
ERIE COUNTY  
FOR BILLING PERIOD 2005-2018**

<b>Property Address</b>	<b>Billed</b>	<b>Actual</b>	<b>Difference</b>	<b>Total Unbilled</b>
<b>1060 MILITARY RD</b>	<b>729.85</b>	<b>1,513.85</b>	<b>784.00</b>	<b>784.00</b>
<b>1100 MILITARY RD</b>	<b>74,033.08</b>	<b>82,558.08</b>	<b>8,525.00</b>	<b>8,525.00</b>

<b>Property Address</b>	<b>Billed</b>	<b>Actual</b>	<b>Difference</b>	<b>Total to be Credited on Account</b>
<b>2296 KENMORE AVE</b>	<b>24,755.49</b>	<b>4,627.33</b>	<b>-20,128.16</b>	<b>-20,128.16</b>

<b>Property Address</b>	<b>Billed</b>	<b>Actual</b>	<b>Difference</b>	<b>Total to be Refunded</b>
<b>2101 KENMORE AVE</b>	<b>20,433.91</b>	<b>11,860.65</b>	<b>-8,573.26</b>	<b>-8,573.26</b>
<b>2071 CLINTON</b>	<b>5,119.20</b>	<b>1,689.20</b>	<b>-3,430.00</b>	<b>-3,430.00</b>

9/18/2018

ITEM NO. 8

CLAIM AGAINST LIABILITY AND CASUALTY RESERVE FUND

WHEREAS: The Buffalo Sewer Authority is in receipt of a claim from Joshua Bowen for property damage that resulted from a sewer backup on July 13, 2017, at 425 Richmond Avenue in Buffalo, New York; and

WHEREAS: On behalf of the Buffalo Sewer Authority, the City of Buffalo Department of Law negotiated a settlement in the amount of one thousand five hundred dollars (\$1,500.00); and

WHEREAS: This settlement includes a general release that settles all claims that were or have been asserted against the Buffalo Sewer Authority.

NOW THEREFORE  
BE IT RESOLVED: That the Board of the Buffalo Sewer Authority hereby authorizes the City of Buffalo’s Corporation Counsel to settle this claim filed against the Buffalo Sewer Authority for a total settlement sum of one thousand five hundred dollars (\$1,500.00) as full settlement of this matter. This claim will be paid out of the Liability and Casualty Reserve Fund.

MOTION TO APPROVE

MADE BY MS. PETRUCCI

2<sup>ND</sup> BY MR. ROOSEVELT

AYES 4 NOES 0

Board Meeting of September 26, 2018



ITEM NO. 10

TRAVEL AUTHORIZATION - MORRISVILLE, NY

WHEREAS: In order for the Buffalo Sewer Authority to maintain its State Pollutant Discharge Elimination Permit (SPDES), it is necessary for treatment facility operators to be properly trained and licensed; and

WHEREAS: The Authority has partnered with the State University of New York (SUNY) at Morrisville Environmental Training Center which offers training and certification for wastewater treatment plant operator licensure; and

WHEREAS: In order to meet the training needs of the Authority’s treatment facility operators will be enrolled in various courses offered at SUNY Morrisville Training Center; and

WHEREAS: The General Manager recommends attendance for the Authority’s wastewater operators to attend certification training.

NOW THEREFORE  
BE IT RESOLVED:

That the Board of the Buffalo Sewer Authority hereby authorizes Wastewater Treatment Plant Operators to travel to Morrisville, NY to attend applicable training classes at the Environmental Training Center at the State University of New York at Morrisville as needed for the period July 1, 2018 - June 30, 2019. Account nos. 00200104-458012 and 00200104-458010 will be utilized for this travel in an amount not to exceed \$32,000.00.

MOTION TO APPROVE

MADE BY MR. KENNEDY

2<sup>ND</sup> BY MS. PETRUCCI

AYES 4 NOES 0

Board Meeting of September 26, 2018

## ITEM NO. 11

**TRAVEL AUTHORIZATION - SYRACUSE, NEW YORK**

- WHEREAS: On May 24, 2018, The Buffalo Sewer Authority joined NYSERDA's Strategic Energy Management (SEM) Pilot Program. SEM is an active year-long program to help New York's wastewater industry reduce its energy consumption and associated cost through everyday operational changes; and
- WHEREAS: Participating in the SEM Pilot Program will enhance the Authority's ability to monitor, report and track performance of these no and low cost changes and generate an energy flow model for future use.
- WHEREAS: The SEM is hosting several workshops that allow for information sharing between all participating wastewater treatment plants; and: and
- WHEREAS: The Buffalo Sewer Authority hosted the first event on July 24, 2018, with 60 members in attendance; and
- WHEREAS: The Onondaga County Treatment Facility will be hosting the second event, a workshop titled "Saving Energy Without Spending Money" in Syracuse, New York, from August 22-23, 2018; and
- WHEREAS: Best practices for energy reduction and system efficiency are of special interest to the future goals of the Buffalo Sewer Authority; and
- WHEREAS: The General Manager recommends that the Treatment Plant Superintendent, Senior Instrument Technician and two (2) Shift Supervisors travel to Syracuse, New York, to attend this workshop; and
- WHEREAS: Due to time constraints, the Board was polled on August 17, 2018, and verbally authorized this travel; and
- WHEREAS: It is now necessary to formally ratify this authorization.

NOW THEREFORE  
BE IT RESOLVED:

That the Board of the Buffalo Sewer Authority authorizes the Plant Superintendent, Senior Instrument Technician, and two (2) Shift Supervisors to travel to Syracuse, New York, from August 21, 2018 – August 22, 2018, to attend the “Saving Energy Without Spending Money” workshop at the Onondaga County Treatment Facility. Costs associated with this will not exceed \$1,200.00 and will be charged to account number 00200104-458010.

MOTION TO APPROVE

MADE BY MS. PETRUCCI

2<sup>ND</sup> BY MR. ROOSEVELT

AYES 4 NOES 0

Board Meeting of September 26, 2018

ITEM NO. 12

**TRAVEL AUTHORIZATION - SALT LAKE CITY, UTAH**

WHEREAS: Neuros Corporation and SKM Corporation are the manufacturers of equipment to be installed at the Buffalo Sewer Authority Wastewater Treatment Plant as part of the Low Pressure Air Blower System Project; and

WHEREAS: SKM Corporation will be conducting a Factory Acceptance Test, (FAT), at their facility in Salt Lake City, Utah for BSA equipment to be installed during the Low Pressure Air Blower System project; and

WHEREAS: Best practices for BSA projects is to attend FAT testing to ensure that programming and installation of equipment will conform to specifications outlined in design specifications; and

WHEREAS: The Treatment Plant Administrator requests authorization for the Senior Instrument Technician to attend this testing from September 24, 2018 – September 26, 2018, to represent the Authority; and

WHEREAS: It is a contractor requirement of the Low Pressure Air Blower System project to reimburse the Buffalo Sewer Authority for all travel expenses incurred as a result of the Factory Acceptance Testing; and

NOW THEREFORE  
BE IT RESOLVED: That the Board of the Buffalo Sewer Authority hereby authorizes the Senior Instrument Technician (BSA) to travel to the SKM Corporation facility Salt Lake City, Utah from September 24 - September 26, 2018. Travel Expenses shall not exceed \$1,000.00 and are included as part Contract No. 81800017, Low Pressure Air Blower System Project.

MOTION TO	<u>APPROVE</u>
MADE BY	<u>MR. KENNEDY</u>
2 <sup>ND</sup> BY	<u>MR. ROOSEVELT</u>
AYES	<u>4</u> NOES <u>0</u>



## ITEM NO. 13

**TRAVEL AUTHORIZATION - CHICAGO, ILLINOIS**

WHEREAS: The Buffalo Sewer Authority serves as a member agency for the National Association of Clean Water Agencies (NACWA), a organization dedicated to engagement and advocacy in the water sector on behalf of municipal organizations; and

WHEREAS: The NACWA Fall Strategic Leadership and Board of Directors Meeting will be held in Chicago, Illinois from October 22, 2018 – October 23, 2018, covering national concerns relating to the water sector practices and issues; and

WHEREAS: In July 2018 the General Manager was elected to serve as a Board of Directors member representing Environmental Protection Agency Region 2; and

WHEREAS: The General Manager recommends attendance for the NACWA Fall Strategic Leadership and Board of Directors Meeting.

NOW THEREFORE  
BE IT RESOLVED:

That the Board of the Buffalo Sewer Authority hereby authorizes the General Manager to travel to Chicago, Illinois from October 22 - 24, 2018, to attend the NACWA Fall Strategic Leadership and Board of Directors Meeting at a total cost not to exceed \$1,200.00. Account no. 00110104-458010 will be utilized for this travel.

MOTION TO APPROVE

MADE BY MS. PETRUCCI

2<sup>ND</sup> BY MR. ROOSEVELT

AYES 4 NOES 0

Board Meeting of September 26, 2018

## ITEM NO. 14

**APPROVAL OF SUPPLEMENTAL AGREEMENT TO AUDIT AND ACCOUNTING SERVICES**

WHEREAS: On June 13, 2018, the Board of the Buffalo Sewer Authority approved a contract with Drescher & Malecki, LLP, Certified Public Accountants, to perform an audit of the Buffalo Sewer Authority's affairs and prepare a cost allocation schedule for the fiscal year ending June 30, 2018, for a total cost not to exceed \$50,500.00 and

WHEREAS: An audit is required of the Authority's compliance over major federal award programs for the fiscal year ended June 30, 2018; and

WHEREAS: Drescher & Malecki, LLP, has proposed to provide supplemental professional services to perform the required audit for a fee not to exceed \$3,750.00; and

WHEREAS: The Audit Committee of the Board of Directors of the Buffalo Sewer Authority recommends accepting the proposal to perform this audit.

NOW THEREFORE  
BE IT RESOLVED:

That the Board of the Buffalo Sewer Authority hereby approves and authorizes the Chairman of the Audit Committee to enter into a supplemental agreement with Drescher & Malecki, LLP, Certified Public Accountants, to perform a Federal Single Audit of the Buffalo Sewer Authority's compliance over major federal award programs for the fiscal year ended June 30, 2018. Expenses in an amount not to exceed \$3,750.00 will be charged to account no. 00110106-432001.

MOTION TO	<u>APPROVE</u>		
MADE BY	<u>MR. ROOSEVELT</u>		
2 <sup>ND</sup> BY	<u>MS. PETRUCCI</u>		
AYES	<u>4</u>	NOES	<u>0</u>

Board Meeting of September 26, 2018

ITEM NO. 15

**AUTHORIZATION FOR PURCHASE OF MICROSOFT OFFICE 365**

WHEREAS: The Buffalo Sewer Authority is upgrading Office Suite from 2007 to 2016 and installing Microsoft Outlook; and

WHEREAS: Upon request Dell submitted a quote utilizing NYS Contract PM20820, in the amount of \$32,115.60 for the necessary software; and

WHEREAS: Board approval is required on purchases made over \$20,000.00; and

WHEREAS: The Superintendent of Mechanical Maintenance, Systems Administrator and staff recommend this purchase.

NOW THEREFORE  
BE IT RESOLVED: That the Board of the Buffalo Sewer Authority hereby authorizes the General Manager to purchase the Microsoft Office 365 from Dell in the amount of \$32,115.60. This purchase will be charged to account no. 00200107-474300.

MOTION TO APPROVE

MADE BY MR. KENNEDY

2<sup>ND</sup> BY MR. ROOSEVELT

AYES 4 NOES 0

Board Meeting of September 26, 2018

## ITEM NO. 16

**REPORT ON BIDS RECEIVED - PURCHASE OF VARIOUS SERVERS, FLASH BUNDLES AND ASSOCIATED SOFTWARE**

WHEREAS: Bids were solicited and received for the various servers, flash bundles and associated software as follows:

WHEREAS:

<b>VENDOR</b>	<b>BID</b>
Lynx Technologies, Inc.	\$175,410.00
Comsorce, Inc.	\$229,190.59
ACP Technologies	\$999,020.58
JDL Group Inc.	Non-Responsive
Layer 7 Data Solutions	Non-Responsive

; and

WHEREAS: Submissions received from Layer 7 and JDL Group were deemed non-responsive as they failed to properly submit applicable items within their proposals; and

WHEREAS: The Superintendent of Mechanical Maintenance, Systems Administrator, and staff reviewed the quotes received and recommend this purchase be awarded to Lynx Technologies, Inc. at a total cost not to exceed \$175,410.00; and

WHEREAS: Board approval is required on purchases over \$20,000.00.

NOW THEREFORE  
BE IT RESOLVED:

That the Board of the Buffalo Sewer Authority hereby authorizes the General Manager to purchase the various servers, flash bundles and associated software from Lynx Technologies, Inc., at a total cost of \$175,410.00. This purchase will be charged to account no. 00200107-474300.

MOTION TO APPROVE

MADE BY MS. PETRUCCI

2<sup>ND</sup> BY MR. KENNEDY

AYES 4 NOES 0

Board Meeting of September 26, 2018

## ITEM NO. 17

**AUTHORIZATION FOR CHANGE ORDER TO BLANKET PURCHASE ORDER NO. 21900215 FOR SECURITY GUARD SERVICES**

WHEREAS: On March 7, 2018, the Board of the Buffalo Sewer Authority authorized the General Manager to renew the contract with Securitas Security Services USA, Inc., for security guard services at the Bird Island Treatment Facility for a total cost not to exceed \$307,442.40 for the period July 1, 2018 to June 30, 2019; and

WHEREAS: The NYS Department of Labor's prevailing wage rate increased on July 1, 2018, by \$0.75/hr and 25% for supplemental benefits, resulting in the billable rate increasing from \$17.50/hr. to \$18.50/hr. for this service; and

WHEREAS: The total amount of this contract for fiscal year 2018-2019 should be revised from \$307,442.40 to a total not to exceed \$324,962.40 for the period July 1, 2018 to June 30, 2019, necessitating a change order to Blanket Purchase Order No. 21900215; and

WHEREAS: The Treatment Plant Superintendent and staff recommend the above change order.

NOW THEREFORE  
BE IT RESOLVED:

That the Board of the Buffalo Sewer Authority hereby authorizes a change order in the amount of \$17,520.00 to Blanket Purchase Order No. 21900215 in order to increase the previously authorized amount from \$307,442.40 to a total not to exceed \$324,962.40 for fiscal year 2018-2019 for security guard services with Securitas Security Services. Expenses for this contract will be charged to account no. 00200106-434000.

MOTION TO	<u>APPROVE</u>
MADE BY	<u>MS. PETRUCCI</u>
2 <sup>ND</sup> BY	<u>MR. KENNEDY</u>
AYES	<u>4</u> NOES <u>0</u>

Board Meeting of September 26, 2018

## ITEM NO. 18

**CHANGE ORDER NO. 1 - CONTRACT NO. 81700013**

CONTRACTOR:	ORIGINAL CONTRACT COST	\$183,710.00
K&E Fabricating Company Inc.	PREVIOUS CHANGE ORDER	N/A
40 Stanley Street	THIS CHANGE ORDER	<u>\$43,839.81</u>
Buffalo, NY 14206	ADJUSTED CONTRACT COST	\$227,549.81

PROJECT: Sludge Incinerator Refractory Rehabilitation Services

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**DESCRIPTION OF CHANGE OR EXTRA WORK:**

Item #1 Extensive refractory repairs in #2 incinerator

**REASON FOR CHANGE OR EXTRA WORK:**

Item #1 Deterioration of #2 incinerator center shaft top bearing with shaft refractory repairs

**COST OF CHANGE OR EXTRA WORK:**

Item #1 \$43,839.81

THE TOTAL COST OF THE CHANGE OR EXTRA WORK \$43,839.81

The total INCREASE to the contract as a result of this Change Order is \$43,839.81

**CONTRACT SUPPLEMENT CONDITIONS:**

1. The contract completion date established in the original contract or as modified by previous contract supplements remains unchanged.
2. Any additional work to be performed under this contract supplement shall be carried out in compliance with the specifications included in the preceding description of changes involved with the supplemental contract drawings designated none and under the provisions of the original contract, including compliance with applicable equipment specifications, general specifications and project specifications for the same type of work.
3. This contract supplement unless otherwise provided herein does not relieve the Contractor from strict compliance with the guarantee provisions of the original contract, particularly those pertaining to performance and operation of equipment.

- 4. The Contactor expressly agrees that he will place under coverage of his performance and payment bonds and Contractor’s Insurance all work covered by this contract supplement. The Contractor will furnish to the Owner evidence of increased coverage of his performance and payment bonds for the accrued value of all contract supplements that exceeds the original contract price by twenty percent (20%).
  
- 5. The costs established under this contract supplement are acknowledged as including any and all costs associated with the work described herein and including any and all costs associated with any and all work performed or to be performed by the Contractor that may be affected in any manner by the work described herein.

NOW THEREFORE  
BE IT RESOLVED:

That the Board of the Buffalo Sewer Authority hereby approves Change Order No. 1 to Contract No. 81700013 as written in the above Agenda Item. Increasing the contract cost in the amount of \$43,839.81, making the adjusted contract cost \$227,549.81.

MOTION TO                     APPROVE                      
 MADE BY                     MR. KENNEDY                      
 2<sup>ND</sup> BY                     MR. ROOSEVELT                      
 AYES           4           NOES           0          

Board Meeting of September 26, 2018

## ITEM NO. 19

**EXTENSION OF THE CONTRACT FOR SLUDGE INCINERATOR REFRACTORY REHABILITATION SERVICES**

WHEREAS: On September 21, 2016, the Board of the Buffalo Sewer Authority awarded a contract to K&E Fabricating Company, Inc., for Sludge Incinerator Refractory Rehabilitation Services for the Bird Island Treatment Facility for a one year period, with an option to renew for three (3) one-year periods at an estimate annual cost not to exceed \$183,710.00; and

WHEREAS: On November 1, 2017, the Board authorized the extension of this contract for the period October 3, 2017 through October 2, 2018; and

WHEREAS: K&E Fabricating Company, Inc., has agreed to extend the contract for one (1) additional year under the same terms and conditions for the period October 3, 2018 through October 2, 2019; and

WHEREAS: The Treatment Plant Superintendent, Principal Chief Stationary Engineer and staff recommend this extension at a total cost not to exceed \$183,710.00.

NOW THEREFORE  
BE IT RESOLVED: That the Board of the Buffalo Sewer Authority hereby authorizes the General Manager to renew the contract with K&E Fabricating Company, Inc., for Sludge Incinerator Refractory Rehabilitation Services for the period October 3, 2018 to October 2, 2019 at a total cost not to exceed \$183,710.00. Expenses for this contract will be charged to account no. 00380106-443421.

MOTION TO APPROVE

MADE BY MR. ROOSEVELT

2<sup>ND</sup> BY MS. PETRUCCI

AYES 4 NOES 0

Board Meeting of September 26, 2018



## ITEM NO. 20

**AUTHORIZATION FOR PURCHASE OF FLOWMETER FOR AERATION**

WHEREAS: On July 29, 2015, the Board of the Buffalo Sewer Authority designated ABB Inc., the original equipment manufacturer, and/or their authorized local service representative, as a sole source for replacement parts, supplies and services for ABB, Inc., brand parts installed at the Bird Island Facility; and

WHEREAS: The Treatment Plant Administrator and Superintendent of Mechanical Maintenance have determined a need for the replacement ABB, Inc., flowmeter for Aeration; and

WHEREAS: Upon request, ABB, Inc., submitted a quote in the amount of \$10,707.49 for the needed flowmeter; and

WHEREAS: The Treatment Plant Superintendent, Treatment Plant Administrator, Superintendent of Mechanical Maintenance and staff reviewed the quote received and recommend this purchase; and

WHEREAS: The aggregate amount to date for ABB, Inc., for products and services are \$41,359.61. This will bring the total aggregate amount for purchase to \$52,067.10; and

WHEREAS: Board approval is required on purchases over \$20,000.00.

NOW THEREFORE  
BE IT RESOLVED: That the Board of the Buffalo Sewer Authority hereby authorizes the General Manager to purchase the needed replacement flowmeter for Aeration from ABB, Inc., in the amount of \$10,707.49. This purchase will be charged to account no. 02000433-48000.

MOTION TO APPROVE  
MADE BY MS. PETRUCCI  
2<sup>ND</sup> BY MR. KENNEDY  
AYES 4 NOES 0

Board Meeting of September 26, 2018

## ITEM NO. 21

**AUTHORIZATION FOR PURCHASE OF ACTUATORS FOR AERATION TANK NOS. 3 & 4**

WHEREAS: On July 29, 2015, the Board of the Buffalo Sewer Authority designated AUMA Actuators, the original equipment manufacturer, and/or their authorized local service representative, as a sole source for replacement parts, supplies and services for Auma control products (valve positioners) installed at the Bird Island Treatment Facility; and

WHEREAS: Upon request, RM Headlee Company Incorporated, the authorized local representative, submitted a quote in the amount of \$23,048.00 for the AUMA actuators for aeration tank nos. 3 and 4; and

WHEREAS: The Treatment Plant Superintendent, Treatment Plant Administrator, Superintendent of Mechanical Maintenance and staff reviewed the quote received and recommend this purchase; and

WHEREAS: Board approval is required on purchases over \$20,000.00.

NOW THEREFORE  
BE IT RESOLVED:

That the Board of the Buffalo Sewer Authority hereby authorizes the General Manager to purchase the AUMA actuators for aeration tank nos. 3 and 4 from RM Headlee Company Incorporated, at a total cost of \$23,048.00. This purchase will be charged to account no. 02000433-480000.

MOTION TO APPROVE  
MADE BY MR. KENNEDY  
2<sup>ND</sup> BY MR. ROOSEVELT  
AYES 4 NOES 0

Board Meeting of September 26, 2018

## ITEM NO. 22

**AUTHORIZATION FOR SOLE SOURCE PURCHASES OVER \$20,000.00 AND SERVICES OVER \$35,000.00 FOR FISCAL YEAR 2018-2019**

WHEREAS: The Buffalo Sewer Authority designated various original equipment manufacturers, and/or their local representatives, as sole sources for the purchase of various commodities, technology, and/or services for the fiscal year 2018-2019; and

WHEREAS: Based upon historical usage and the fiscal budget plan for this fiscal year, the Superintendent of Mechanical Maintenance has determined the following vendors to be the sole source vendors for the purchase of various commodities, technologies and/or services and those aggregated purchases shall not exceed costs listed below for the fiscal year 2018-2019:

<b>Original Equipment Manufacturer</b>	<b>Estimated Purchases/Services</b>
ABB Inc., Instrumentation Department	\$40,000.00
Auma Actuators	\$80,000.00
Blackmer, Division of Dover Energy Inc.	\$70,000.00
Comairco	\$80,000.00
Evoqua Water Technologies	\$60,000.00
GEA Mechanical Equipment US Inc. -GEA Westfalia Separator Division	\$120,000.00
Gorman-Rupp Company	\$ 40, 000.00
Ingersoll-Rand	\$40,000.00
JWC Environmental, LLC	\$70,000.00
Limitorque (Division of Flowserve)	\$80,000.00
Schwing Bioset	\$90,000.00
Smith & Loveless, Inc.	\$40,000.00
Val-Matic Valve	\$50,000.00
Vaughan Co., Inc.	\$35,000.00
W.S.G. & Solutions	\$40,000.00
Xylem Water Solutions (ITT Flygt Pumps)	\$100,000.00
Xylem Water Solutions (Allis Chalmers Pumps)	\$40,000.00
YSI Incorporated	\$30,000.00

; and

WHEREAS: The Treatment Plant Superintendent, Superintendent of Mechanical Maintenance and staff recommend approval for the estimated amounts listed for the various original equipment manufacturers for purchases/services anticipated for fiscal year 2018-2019; and





## ITEM NO. 24

**CHANGE ORDER NO. 2 – CONTRACT NO. 81600026**

CONTRACTOR:	ORIGINAL CONTRACT COST	\$1,350,500.00
J. A. Brundage /The Drain Doctor	PREVIOUS CHANGE ORDER	\$350,000.00
1400 College Ave.	THIS CHANGE ORDER	<u>\$30,334.00</u>
Niagara Falls, NY 14305	ADJUSTED CONTRACT COST	\$1,730,834.00

PROJECT: Sewer Cleaning And Internal Televising Inspection

**DESCRIPTION OF CHANGE OR EXTRA WORK:**

Item #1 Emergency sewer cleaning and repair work at South Park and Michigan

**REASON FOR CHANGE OR EXTRA WORK:**

Item #1 Sewer blocked by concrete causing flooding of major intersection

**COST OF CHANGE OR EXTRA WORK:**

Item #1 \$30,334.00

THE TOTAL COST OF THE CHANGE OR EXTRA WORK \$30,334.00

The total INCREASE to the contract as a result of this Change Order is \$30,334.00

**CONTRACT SUPPLEMENT CONDITIONS:**

1. The contract completion date established in the original contract or as modified by previous contract supplements is hereby changed by 0 calendar days, making the final completion date unchanged.
2. Any additional work to be performed under this contract supplement shall be carried out in compliance with the specifications included in the preceding description of changes involved with the supplemental contract drawings designated none and under the provisions of the original contract, including compliance with applicable equipment specifications, general specifications, and project specifications for the same type of work.
3. This contract supplement unless otherwise provided herein does not relieve the Contractor from strict compliance with the guarantee provisions of the original contract, particularly those pertaining to performance and operation of equipment.

- 4. The Contractor expressly agrees that he will place under coverage of his performance and payment bonds and Contractor’s Insurance all work covered by this contract supplement. The Contractor will furnish to the Owner evidence of increased coverage of his performance and payment bonds for the accrued value of all contract supplements that exceeds the original contract price by twenty percent (20%).
  
- 5. The costs established under this contract supplement are acknowledged as including any and all costs associated with the work described herein and including any and all costs associated with any and all work performed or to be performed by the Contractor that may be affected in any manner by the work described herein.

NOW THEREFORE  
BE IT RESOLVED:

That the Board of the Buffalo Sewer Authority hereby approves Change Order No. 2 to Contract No. 81600026 as written in the above Agenda Item, increasing the contract cost in the amount of \$30,334.00 making the adjusted contract cost \$1,730,834.00.

MOTION TO APPROVE  
 MADE BY MR. KENNEDY  
 2<sup>ND</sup> BY MS. PETRUCCI  
 AYES 4 NOES 0

Board Meeting of September 26, 2018

ITEM NO. 25

CONTRACT NO. 81600026

**CERTIFICATE OF ACCEPTANCE AND OCCUPANCY**

PROJECT: Sewer Cleaning and Internal Televising Inspection

BID: \$1,350,500.00

CONTRACTOR: J. A. Brundage/The Drain Doctor  
1400 College Ave.  
Niagara Falls, NY 14305

WHEREAS: The Principal Sanitary Engineer of the Buffalo Sewer Authority has certified that the Contractor completed the work in accordance with the plans and specifications on July 1, 2018; and

WHEREAS: In Item No. 23, on September 20, 2017 the contract value was increased by \$350,000.00; and

WHEREAS: In Item No. 24, on September 26, 2018 the contract value was increased by \$30,334.00.

NOW THEREFORE  
BE IT RESOLVED:

That the Board of the Buffalo Sewer Authority hereby finds and determines that:

- a. The work to be performed under the terms of the Contract has been complete and is accepted;
- b. The date of entrance and occupancy be fixed as of July 1, 2018;
- c. The maintenance period commence on July 1, 2018;
- d. Final payment be made to the Contractor in the amount of \$86,541.70, making the final cost of the contract \$1,730,834.00.

MOTION TO \_\_\_\_\_ APPROVE \_\_\_\_\_  
MADE BY \_\_\_\_\_ MS. PETRUCCI \_\_\_\_\_  
2<sup>ND</sup> BY \_\_\_\_\_ MR. KENNEDY \_\_\_\_\_  
AYES \_\_\_\_\_ 4 \_\_\_\_\_ NOES \_\_\_\_\_ 0 \_\_\_\_\_



## ITEM NO. 26

**CHANGE ORDER NO. 2 – CONTRACT NO. 81700002**

CONTRACTOR:	ORIGINAL CONTRACT COST	\$3,997,000.00
Mark Cerrone, Inc.	PREVIOUS CHANGE ORDER	\$0
2368 Maryland Ave.	THIS CHANGE ORDER (DEDUCT)	<u>(\$130,995.31)</u>
Niagara Falls, New York 14305	ADJUSTED CONTRACT COST	\$3,866,004.69

WORK: CSO No. 026 RTC Structure

---

**DESCRIPTION OF CHANGE OR EXTRA WORK:**

Item #1 Decrease in contract amount due to unused quantities

**REASON FOR CHANGE OR EXTRA WORK:**

Item #1 Final adjustment

**COST OF CHANGE OR EXTRA WORK:**

Item #1 (\$130,995.31)

THE TOTAL COST OF THE CHANGE OR EXTRA WORK: (\$130,995.31)

The Total DECREASE to the Contract as a result of this Change Order is \$130,995.31

**CONTRACT SUPPLEMENT CONDITIONS:**

1. The contract completion date established in the original contract or as modified by previous contract supplements is hereby changed by 0 calendar days, making the final completion date unchanged.
2. Any additional work to be performed under this contract supplement shall be carried out in compliance with the specifications included in the preceding description of changes involved with the supplemental contract drawings designated none and under the provisions of the original contract, including compliance with applicable equipment specifications, general specifications, and project specifications for the same type of work.
3. This contract supplement unless otherwise provided herein does not relieve the Contractor from strict compliance with the guarantee provisions of the original contract, particularly those pertaining to performance and operation of equipment.
4. The Contractor expressly agrees that he will place under coverage of his performance and payment bonds and Contractor's Insurance all work covered by this contract supplement. The Contractor will furnish to the Owner evidence of increased coverage of his performance and payment bonds for the accrued value of all contract supplements that exceeds the original contract price by twenty percent (20%).

5. The costs established under this contract supplement are acknowledged as including any and all costs associated with the work described herein and including any and all costs associated with any and all work performed or to be performed by the Contractor that may be affected in any manner by the work described herein.

NOW THEREFORE

BE IT RESOLVED:

That the Board of the Buffalo Sewer Authority hereby approves Change Order No. 2 to Contract No. 81700002 as written in the above Agenda Item, decreasing the contract cost in the amount of \$130,995.31 making the adjusted contract cost \$3,866,004.69.

MOTION TO                     APPROVE                      
 MADE BY                     MR. KENNEDY                      
 2<sup>ND</sup> BY                     MR. ROOSEVELT                      
 AYES           4           NOES           0          

Board Meeting of September 26, 2018

ITEM NO. 27

CONTRACT NO. 81700002

**CERTIFICATE OF ACCEPTANCE AND OCCUPANCY**

PROJECT: CSO No. 026 RTC Structure

BID: \$3,997,000.00

CONTRACTOR: Mark Cerrone, Inc.  
2368 Maryland Avenue  
Niagara Falls, NY 14305

WHEREAS: The Principal Sanitary Engineer and staff have certified that the Contractor completed the work in accordance with the plans and specification on May, 31, 2018; and

WHEREAS In Item No. 26, on September 26, 2018 the contract value was decreased by \$130,995.31.

NOW THEREFORE  
BE IT RESOLVED:

That the Board of the Buffalo Sewer Authority hereby finds and determines that:

- a. The work to be performed under the terms of the Contract has been complete and is accepted;
- b. The date of entrance and occupancy be fixed as of May, 31, 2018;
- c. The maintenance period commence on May, 31, 2018;
- d. Final payment be made to the Contractor in the amount of \$193,300.28, making the final cost of the Contract \$3,866,004.69.

MOTION TO APPROVEMADE BY MS. PETRUCCI2<sup>ND</sup> BY MR. ROOSEVELTAYES 4 NOES           

Board Meeting of September 26, 2018

## ITEM NO. 28

**CHANGE ORDER NO. 1 – CONTRACT NO. 81700021**

CONTRACTOR:	ORIGINAL CONTRACT COST	\$591,679.28
Nova Site Company, LLC	PREVIOUS CHANGE ORDER	N/A
6 Lena Court	THIS CHANGE ORDER (DEDUCT)	<u>(\$1,401.20)</u>
West Seneca, NY 14224	ADJUSTED CONTRACT COST	\$590,278.08

PROJECT: Betterment as Part of the Dana Road Water Distribution System Improvements and Sewer Improvements

---

**DESCRIPTION OF CHANGE OR EXTRA WORK:**

Item #1 Decrease in contract amount due to unused quantities

**REASON FOR CHANGE OR EXTRA WORK:**

Item #1 Final adjustment

**COST OF CHANGE OR EXTRA WORK:**

Item #1 (\$1,401.20)

THE TOTAL COST OF THE CHANGE OR EXTRA WORK: (\$1,401.20)

The Total DECREASE to the Contract as a result of this change order is \$1,401.20

**CONTRACT SUPPLEMENT CONDITIONS:**

The contract completion date established in the original contract or as modified by previous contract supplements is hereby changed by 0 calendar days, making the final completion date unchanged.

1. Any additional work to be performed under this contract supplement shall be carried out in compliance with the specifications included in the preceding description of changes involved with the supplemental contract drawings designated none and under the provisions of the original contract, including compliance with applicable equipment specifications, general specifications, and project specifications for the same type of work.
2. This contract supplement unless otherwise provided herein does not relieve the Contractor from strict compliance with the guarantee provisions of the original contract, particularly those pertaining to performance and operation of equipment.
3. The Contractor expressly agrees that he will place under coverage of his performance and payment bonds and Contractor's Insurance all work covered by this contract supplement. The Contractor will

furnish to the Owner evidence of increased coverage of his performance and payment bonds for the accrued value of all contract supplements that exceeds the original contract price by twenty percent (20%).

- 4. The costs established under this contract supplement are acknowledged as including any and all costs associated with the work described herein and including any and all costs associated with any and all work performed or to be performed by the Contractor that may be affected in any manner by the work described herein.

NOW THEREFORE  
BE IT RESOLVED:

That the Board of the Buffalo Sewer Authority hereby approves Change Order No. 1 to Contract No. 81700021 as written in the above Agenda Item, decreasing the contract cost in the amount of \$1,401.20 making the adjusted contract cost \$590,278.08.

MOTION TO APPROVE

MADE BY MR. KENNEDY

2<sup>ND</sup> BY MR. ROOSEVELT

AYES 4 NOES 0

Board Meeting of September 26, 2018

ITEM NO. 29

CONTRACT NO. 81700021

**CERTIFICATE OF ACCEPTANCE AND OCCUPANCY**

PROJECT: Betterment as Part of the Dana Road Water and Distribution System Improvements and Sewer Improvements

BID: \$591,679.28

CONTRACTOR: Nova Site Company, LLC  
6 Lena Court  
West Seneca, NY 14224

WHEREAS: The Principal Sanitary Engineer and staff have certified that the Contractor completed the work in accordance with the plans and specification on May, 31, 2018; and

WHEREAS: In Item No. 28, on September 26, 2018 the contract value was decreased by \$1,401.20.

NOW THEREFORE  
BE IT RESOLVED:

That the Board of the Buffalo Sewer Authority hereby finds and determines that:

- a. The work to be performed under the terms of the Contract has been complete and is accepted;
- b. The date of entrance and occupancy be fixed as of May 31, 2018;
- c. The maintenance period commence on May 31, 2018;
- d. The final cost of the Contract is \$590,278.08.

MOTION TO APPROVE

MADE BY MS. PETRUCCI

2<sup>ND</sup> BY MR. ROOSEVELT

AYES 4 NOES 0

Board Meeting of September 26, 2018

## ITEM NO. 30

**CHANGE ORDER NO. 2 – CONTRACT NO. 81800001**

CONTRACTOR:	ORIGINAL CONTRACT COST	\$559,560.00
Scott Lawn Yard, Inc.	PREVIOUS CHANGE ORDER	\$106,201.00
5552 Townline Road	THIS CHANGE ORDER	<u>\$107,500.00</u>
Sanborn, NY 14132	ADJUSTED CONTRACT COST	\$773,261.00

PROJECT: Northland Avenue Rehabilitation and Streetscape Project

---

**DESCRIPTION OF CHANGE OR EXTRA WORK:**

Item #1 Repair of sewer on Northland Ave. at Dutton Ave.

**REASON FOR CHANGE OR EXTRA WORK:**

Item #1 Internal inspection of the sewer lines along Northland Ave. in the vicinity of the project revealed that the lines are in need of replacement.

**COST OF CHANGE OR EXTRA WORK:**

Item #1 \$107,500.00

THE TOTAL COST OF THE CHANGE OR EXTRA WORK \$107,500.00

The total INCREASE to the contract as a result of this Change Order is \$107,500.00

**CONTRACT SUPPLEMENT CONDITIONS:**

1. The contract completion date established in the original contract or as modified by previous contract supplements is hereby changed by 0 calendar days, making the final completion date unchanged.
2. Any additional work to be performed under this contract supplement shall be carried out in compliance with the specifications included in the preceding description of changes involved with the supplemental contract drawings designated none and under the provisions of the original contract, including compliance with applicable equipment specifications, general specifications, and project specifications for the same type of work.
3. This contract supplement unless otherwise provided herein does not relieve the Contractor from strict compliance with the guarantee provisions of the original contract, particularly those pertaining to performance and operation of equipment.

4. The Contractor expressly agrees that he will place under coverage of his performance and payment bonds and Contractor's Insurance all work covered by this contract supplement. The Contractor will furnish to the Owner evidence of increased coverage of his performance and payment bonds for the accrued value of all contract supplements that exceeds the original contract price by twenty percent (20%).
5. The costs established under this contract supplement are acknowledged as including any and all costs associated with the work described herein and including any and all costs associated with any and all work performed or to be performed by the Contractor that may be affected in any manner by the work described herein.

WHEREAS: Due to the urgency of this matter, the Board was polled on August 17, 2018, and verbally authorized this change order; and

WHEREAS: It is now necessary to formally ratify this authorization.

NOW THEREFORE  
BE IT RESOLVED:

That the Board of the Buffalo Sewer Authority hereby approves Change Order No. 2 to Contract No. 81800001 as written in the above Agenda Item, increasing the contract cost in the amount of \$107,500.00, making the adjusted contract cost \$773,261.00.

MOTION TO	_____	APPROVE	_____
MADE BY	_____	MR. KENNEDY	_____
2 <sup>ND</sup> BY	_____	MS. PETRUCCI	_____
AYES	_____ 4 _____	NOES	_____ 0 _____

Board Meeting of September 26, 2018



## ITEM NO. 31

**CHANGE ORDER NO. 1 – CONTRACT NO. 81800006**

CONSULTANT:	ORIGINAL CONTRACT COST	\$187,420.00
AECOM	PREVIOUS CHANGE ORDER	N/A
257 West Genesee St., Suite 400	THIS CHANGE ORDER	<u>\$177,822.00</u>
Buffalo, NY 14202	ADJUSTED CONTRACT COST	<u>\$365,242.00</u>

PROJECT: North Bailey Real Time Control Inline Storage Project Construction Services

---

**DESCRIPTION OF CHANGE OR EXTRA WORK:**

- Item #1 Services During Construction
- Item #2 Start-Up Services
- Item #3 Post-Construction Monitoring

**REASON FOR CHANGE OR EXTRA WORK:**

- Item #1 The consultant will perform construction administration and engineering services during the course of the construction project.
- Item #2 The consultant will provide start-up services upon completion of construction.
- Item #3 The consultant will install and maintain flow meters through the two-year post construction monitoring period.

**COST OF CHANGE OR EXTRA WORK:**

- Item #1 \$99,888.00
- Item #2 \$ 3,720.00
- Item #3 \$74,214.00

THE TOTAL COST OF THE CHANGE OR EXTRA WORK: \$177,822.00

The total INCREASE to the contract as a result of this Change Order is \$177,822.00

NOW THEREFORE  
BE IT RESOLVED:

That the Board of the Buffalo Sewer Authority hereby approves Change Order No. 1 to Contract No. 81800006 as written in the above Agenda Item, increasing the contract cost in the amount of \$177,822.00, making the adjusted contract cost 365,242.00.

MOTION TO APPROVE

MADE BY MS. PETRUCCI

2<sup>ND</sup> BY MR. ROOSEVELT

AYES 4 NOES 0

Board Meeting of September 26, 2018

## ITEM NO. 32

**CHANGE ORDER NO. 2 – CONTRACT NO. 81800019**

CONTRACTOR:	ORIGINAL CONTRACT COST	\$1,729,120.00
Kandey Co., Inc.	PREVIOUS CHANGE ORDER	\$0.00
19 Ransier Drive	THIS CHANGE ORDER	<u>\$197,852.00</u>
West Seneca, NY 14224	ADJUSTED CONTRACT COST	\$1,926,972.00

PROJECT: Bird Avenue Underflow SPP 13 Modifications Project

---

**DESCRIPTION OF CHANGE OR EXTRA WORK:**

Item #1 Replacement of the 12-inch combined sewer along the east side of Niagara St. between Potomac Ave. and Bird Ave.

**REASON FOR CHANGE OR EXTRA WORK:**

Item #1 Internal inspection of the sewer lines along Niagara St. revealed that the sewer along the east side of Niagara St. between Potomac Ave. and Bird Ave. is in need of replacement. Kandey will replace the sewer as part of the Bird Underflow project.

**COST OF CHANGE OR EXTRA WORK:**

Item #1 \$197,852.00

THE TOTAL COST OF THE CHANGE OR EXTRA WORK \$197,852.00

The total INCREASE to the contract as a result of this Change Order is \$197,852.00

1. The contract completion date established in the original contract or as modified by previous contract supplements is hereby changed by 0 calendar days, making the final completion date unchanged.
2. Any additional work to be performed under this contract supplement shall be carried out in compliance with the specifications included in the preceding description of changes involved with the supplemental contract drawings designated none and under the provisions of the original contract, including compliance with applicable equipment specifications, general specifications, and project specifications for the same type of work.
3. This contract supplement unless otherwise provided herein does not relieve the Contractor from strict compliance with the guarantee provisions of the original contract, particularly those pertaining to performance and operation of equipment.

4. The Contractor expressly agrees that he will place under coverage of his performance and payment bonds and Contractor's Insurance all work covered by this contract supplement. The Contractor will furnish to the Owner evidence of increased coverage of his performance and payment bonds for the accrued value of all contract supplements that exceeds the original contract price by twenty percent (20%).
5. The costs established under this contract supplement are acknowledged as including any and all costs associated with the work described herein and including any and all costs associated with any and all work performed or to be performed by the Contractor that may be affected in any manner by the work described herein.

WHEREAS: Due to the urgency of this matter, the Board was polled on August 17, 2018, and verbally authorized this change order; and

WHEREAS: It is now necessary to formally ratify this authorization.

NOW THEREFORE  
BE IT RESOLVED:

That the Board of the Buffalo Sewer Authority hereby approves Change Order No. 2 to Contract No. 81800019 as written in the above Agenda Item, increasing the contract cost in the amount of \$197,852.00, making the adjusted contract cost \$1,926,972.00.

MOTION TO	APPROVE
MADE BY	MR. ROOSEVELT
2 <sup>ND</sup> BY	MR. KENNEDY
AYES	3      NOES      0

Board Meeting of September 26, 2018

## ITEM NO. 33

**CHANGE ORDER NO. 1 – CONTRACT NO. 81800004**

CONTRACTOR:	ORIGINAL CONTRACT COST	\$127,800.00
Destro & Brothers Concrete Co.	PREVIOUS CHANGE ORDER	N/A
4711 Ludington St.	THIS CHANGE ORDER (DEDUCT)	<u>(\$6,920.00)</u>
Buffalo, NY 14206	ADJUSTED CONTRACT COST	\$120,880.00

PROJECT: Colvin Estates Phase II Project

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**DESCRIPTION OF CHANGE OR EXTRA WORK:**

Item #1 Decrease in contract amount due to unused quantities

**REASON FOR CHANGE OR EXTRA WORK:**

Item #1 Final adjustment

**COST OF CHANGE OR EXTRA WORK:**

Item #1 (\$6,920.00)

THE TOTAL COST OF THE CHANGE OR EXTRA WORK: (\$6,920.00)

The Total DECREASE to the Contract as a result of this change order is \$6,920.00

**CONTRACT SUPPLEMENT CONDITIONS:**

1. The contract completion date established in the original contract or as modified by previous contract supplements is hereby changed by 0 calendar days, making the final completion date unchanged.
2. Any additional work to be performed under this contract supplement shall be carried out in compliance with the specifications included in the preceding description of changes involved with the supplemental contract drawings designated none and under the provisions of the original contract, including compliance with applicable equipment specifications, general specifications, and project specifications for the same type of work.
3. This contract supplement unless otherwise provided herein does not relieve the Contractor from strict compliance with the guarantee provisions of the original contract, particularly those pertaining to performance and operation of equipment.

- 4. The Contractor expressly agrees that he will place under coverage of his performance and payment bonds and Contractor's Insurance all work covered by this contract supplement. The Contractor will furnish to the Owner evidence of increased coverage of his performance and payment bonds for the accrued value of all contract supplements that exceeds the original contract price by twenty percent (20%).
- 5. The costs established under this contract supplement are acknowledged as including any and all costs associated with the work described herein and including any and all costs associated with any and all work performed or to be performed by the Contractor that may be affected in any manner by the work described herein.

NOW THEREFORE  
BE IT RESOLVED:

That the Board of the Buffalo Sewer Authority hereby approves Change Order No. 1 to Contract No. 81800004 as written in the above Agenda Item, decreasing the contract cost in the amount of \$6,920.00 making the adjusted contract cost \$120,880.00.

MOTION TO APPROVE  
MADE BY MR. KENNEDY  
2<sup>ND</sup> BY MS. PETRUCCI  
AYES 4 NOES 0

Board Meeting of September 26, 2018

ITEM NO. 34

CONTRACT NO. 81800004

**CERTIFICATE OF ACCEPTANCE AND OCCUPANCY**

PROJECT: Colvin Estates Phase II Project

BID: \$127,800.00

CONTRACTOR: Destro &amp; Brothers Concrete Co.

WHEREAS: The Principal Sanitary Engineer of the Buffalo Sewer Authority has certified that the Contractor completed the work in accordance with the plans and specifications on August 7, 2018.

NOW THEREFORE  
BE IT RESOLVED:

That the Board of the Buffalo Sewer Authority hereby finds and determines that:

- a. The work to be performed under the terms of the Contract has been complete and is accepted;
- b. The date of entrance and occupancy be fixed as of August 7, 2018;
- c. The maintenance period commence on August 7, 2018;
- d. Final payment be made to the Contractor in the amount of \$6,044.00, making the final cost of the contract \$120,880.00.

MOTION TO APPROVEMADE BY MS. PETRUCCI2<sup>ND</sup> BY MR. ROOSEVELTAYES 4 NOES 0

Board Meeting of September 26, 2018

ITEM NO. 35

CONTRACT NO. N/A

**CERTIFICATE OF ACCEPTANCE AND OCCUPANCY**

PROJECT: Privately Installed Sewer Extension Along Great Arrow

BID: N/A

CONTRACTOR: R&amp;P Oak Hill

WHEREAS: The Principal Sanitary Engineer has certified that the Contractor completed the sewer extension in accordance with the plans and Buffalo Sewer Authority specifications on July 12, 2018.

NOW THEREFORE  
BE IT RESOLVED:

That the Board of the Buffalo Sewer Authority hereby finds and determines that:

- a. The work to be performed has been complete and is accepted;
- b. The date of entrance and occupancy be fixed as of July 12, 2018;
- c. The maintenance period commence on July 12, 2018;
- d. No payment will be made from Authority funds as this is a privately installed sewer extension.

MOTION TO                     APPROVE                    MADE BY                     MS. PETRUCCI                    2<sup>ND</sup> BY                     MR. KENNEDY                    AYES           4           NOES           0          

Board Meeting of September 26, 2018



ITEM NO. 36

CONTRACT NO. N/A

**CERTIFICATE OF ACCEPTANCE AND OCCUPANCY**

PROJECT: Privately Installed Highland Park Sanitary Sewer Extension

BID: N/A

CONTRACTOR: LP Ciminelli

WHEREAS: The Principal Sanitary Engineer has certified that the Contractor completed the sewer extension in accordance with the plans and Buffalo Sewer Authority specifications on December 12, 2017.

NOW THEREFORE  
BE IT RESOLVED:

That the Board of the Buffalo Sewer Authority hereby finds and determines that:

- a. The work to be performed under the terms of the Contract has been complete and is accepted;
- b. The date of entrance and occupancy be fixed as of December 12, 2017;
- c. The maintenance period commence on December 12, 2017;
- d. No payment will be made from Authority funds as this is a privately installed sewer extension.

MOTION TO APPROVEMADE BY MR. KENNEDY2<sup>ND</sup> BY MR. ROOSEVELTAYES 4 NOES 0

Board Meeting of September 26, 2018

ITEM NO. 37

**AUTHORIZATION FOR BETTERMENT AS PART OF THE ALLEN STREET RECONSTRUCTION PROJECT**

WHEREAS: At the Common Council meeting on July 24, 2018, agenda item 18-1441, the City of Buffalo Department of Public Works, Parks, and Streets awarded a contract to Destro & Brothers Concrete Co., Inc., (Destro) as the responsible low bidder for infrastructure improvements as part of the Allen St. Reconstruction Project; and

WHEREAS: Destro submitted a base bid in the amount of \$5,089,828.00; and

WHEREAS: The portion of the base bid that is attributed to the Buffalo Sewer Authority for sewer betterment is in the amount of \$329,355.00; and

WHEREAS: The Buffalo Sewer Authority has allocated money in their construction fund for this betterment; and

WHEREAS: The Principal Sanitary Engineer and staff recommend awarding this contract to Destro at a cost not to exceed \$329,355.00.

NOW THEREFORE  
BE IT RESOLVED: That the Board of the Buffalo Sewer Authority hereby approves the awarding of the contract for the Allen St. Reconstruction Project to Destro for a not to exceed amount of \$329,355.00. The cost of this contract will be funded from account no. 02000485-490740.

MOTION TO	<u>                                </u>		APPROVE	<u>                                </u>
MADE BY	<u>                                </u>		MS. PETRUCCI	<u>                                </u>
2 <sup>ND</sup> BY	<u>                                </u>		MR. ROOSEVELT	<u>                                </u>
AYES	<u>          4          </u>	NOES	<u>          0          </u>	

Board Meeting of September 26, 2018

ITEM NO. 38

**REQUEST FOR LEAVE OF ABSENCE**

WHEREAS: The Buffalo Sewer Authority has received a request from Daniel Krug, a permanent Laborer II, for an unpaid leave of absence. Mr. Krug was appointed to the City of Buffalo Police Academy beginning August 6, 2018, and he has requested a six (6) month unpaid leave of absence to complete the City of Buffalo Police Academy; and

WHEREAS: The General Manager has reviewed this request and recommends approval of Mr. Daniel Krug’s request for a six (6) month leave of absence to complete the City of Buffalo Police Academy.

NOW THEREFORE  
BE IT RESOLVED: That the Board of the Buffalo Sewer Authority hereby grants Daniel Krug an unpaid leave of absence beginning August 6, 2018, and extending to February 6, 2019.

MOTION TO APPROVE

MADE BY MR. KENNEDY

2<sup>ND</sup> BY MR. ROOSEVELT

AYES 4 NOES 0

Board Meeting of September 26, 2018

## ITEM NO. 39

**AMENDMENT TO SCHEDULE OF JOB CLASSIFICATION PLAN**

WHEREAS: There is a need to modify the Job Classification Plan.

NOW THEREFORE  
BE IT RESOLVED:

That the Board of the Buffalo Sewer Authority hereby approves the addition of the following positions to the Job Classification Plan:

One (1) Junior Sanitary Engineer	00600161	411001
One (1) Landscape Architect	00600161	411001
One (1) Junior Accountant	00110121	411001
One (1) Clerk	00120111	411001
One (1) Account Clerk Typist	00200121	411001
Two (2) Instrument Technicians	00520161	411001

MOTION TO APPROVE

MADE BY MS. PETRUCCI

2<sup>ND</sup> BY MR. ROOSEVELT

AYES 4 NOES 0

Board Meeting of September 26, 2018

ITEM NO. 40

**AMENDMENT TO SCHEDULE OF JOB CLASSIFICATION PLAN**

WHEREAS:                     There is a need to modify the Job Classification Plan.

NOW THEREFORE  
BE IT RESOLVED:           That the Board of the Buffalo Sewer Authority hereby approves the deletion  
of the following position to the Job Classification Plan:

One (1) Typist                                     00120111     411001

MOTION TO                                        APPROVE                   

MADE BY                                        MR. KENNEDY                   

2<sup>ND</sup> BY                                        MS. PETRUCCI                   

AYES                               4           NOES                               0          

Board Meeting of September 26, 2018

## ITEM NO. 41

**CONFIRMATION OF APPOINTMENTS**

CLERK  
CITY HALL ADMINISTRATION  
\$39,016 PER ANNUM  
EFFECTIVE: JUNE 27, 2018

JOY HOUSTON  
1669 CLINTON STREET (LOWER)  
BUFFALO, NY

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LABORER I (SEASONAL)  
SEWAGE TREATMENT PLANT  
\$110.00 PER DAY  
EFFECTIVE: JULY 9, 2018

JOHN PAUL MARINACCIO  
550 NORTH LEGION DRIVE  
BUFFALO, NY

---

LABORER I (SEASONAL)  
SEWAGE TREATMENT PLANT  
\$110.00 PER DAY  
EFFECTIVE: JULY 9, 2018

JUSTIN HAMMER-O'BANION  
191 ONTARIO STREET  
BUFFALO, NY

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LABORER I (SEASONAL)  
SEWAGE TREATMENT PLANT  
\$110.00 PER DAY  
EFFECTIVE: JULY 9, 2018

BRANDON MAES  
11 TRAYMORE STREET  
BUFFALO, NY

---

LABORER I (SEASONAL)  
SEWAGE TREATMENT PLANT  
\$110.00 PER DAY  
EFFECTIVE: JULY 9, 2018

KEVIN WILLIAMS  
262 OAKMONT  
BUFFALO, NY

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SEWER MAINTENANCE SUPERVISOR I (PERMANENT)  
SEWAGE TREATMENT PLANT  
\$54,376 PER ANNUM  
EFFECTIVE: JULY 9, 2018

JOEL JAMES  
230 WEIMAR  
BUFFALO, NY

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SEWER CONSTRUCTION WORKER (PERMANENT)  
SEWAGE TREATMENT PLANT  
\$22.97 PER HOUR  
EFFECTIVE: JULY 9, 2018

PERRY POPE  
135 SHIRLEY AVENUE  
BUFFALO, NY

---

SEWER CONSTRUCTION WORKER (PERMANENT)  
SEWAGE TREATMENT PLANT  
\$22.29 PER HOUR  
EFFECTIVE: JULY 9, 2018

PATRICK O'CONNOR  
202 CULVER ROAD  
BUFFALO, NY

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INTERN (SEASONAL)  
SEWAGE TREATMENT PLANT  
\$13.75 PER HOUR  
EFFECTIVE: JULY 9, 2018

MARK SHEEHAN  
239 VOORHEES  
BUFFALO, NY

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INTERN (SEASONAL)  
SEWAGE TREATMENT PLANT  
\$13.75 PER HOUR  
EFFECTIVE: JULY 9, 2018

ROBERT NICHOLSON  
230 WEST DELAVAN  
BUFFALO, NY

---

INTERN (SEASONAL)  
SEWAGE TREATMENT PLANT  
\$13.75 PER HOUR  
EFFECTIVE: JULY 9, 2018

TREZZ BAILEY  
68 PEACH STREET  
BUFFALO, NY

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INTERN (SEASONAL)  
SEWAGE TREATMENT PLANT  
\$13.75 PER HOUR  
EFFECTIVE: JULY 9, 2018

HAYLEY HASTINGS  
35 GOLD  
BUFFALO, NY

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INTERN (SEASONAL)  
SEWAGE TREATMENT PLANT  
\$13.75 PER HOUR  
EFFECTIVE: JUNE 25, 2018

ABBY JORGENSEN  
76 REMINGTON PLACE  
BUFFALO, NY

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LABORER I (SEASONAL)  
SEWAGE TREATMENT PLANT  
\$110.00 PER DAY  
EFFECTIVE: JULY 16, 2018

CURTIS JOHNSON  
73 CAMP STREET  
BUFFALO, NY

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## ITEM NO. 42

**TUITION REIMBURSEMENT**

WHEREAS: In accordance with the Agreements between the Buffalo Sewer Authority and CSEA Local 815 and the Communications Workers of America, the following Buffalo Sewer Authority employees have applied for Tuition Reimbursement:

<b><u>EMPLOYEE</u></b>	<b><u>SCHOOL</u></b>	<b><u>COURSE</u></b>	<b><u>TUITION%</u></b>	<b><u>REIMBURSEMENT TOTAL</u></b>
Rosaleen B. Nogle	Indiana University	Law & Public Affairs	90%	\$3,271.45
Patrick Lauerman	SUNY Empire State	Microbiology	100%	\$2,149.65
Matthew Wiatrowski	Morrisville State College	Basic Laboratory Procedures	100%	\$575.00
Matthew Wiatrowski	Morrisville State College	Grade 4 Management	100%	\$450.00
Matthew Wiatrowski	Morrisville State College	Activated Sludge Wastewater Treatment Process	100%	\$525.00
Matthew Wiatrowski	Morrisville State College	Grade 3 Supervision & Technical Operations	100%	\$575.00
Matthew Wiatrowski	Morrisville State College	Basic Operations of Wastewater Treatment Plants	100%	\$1,106.00



ITEM NO. 43

**ADJOURNMENT OF MEETING**

MOTION TO                     APPROVE                    

MADE BY                     MR. KENNEDY                    

2<sup>ND</sup> BY                     MS. PETRUCCI                    

AYES           4           NOES           0          

Board Meeting of September 26, 2018