

MINUTES OF THE REGULAR MEETING

OF THE

BUFFALO SEWER AUTHORITY

JULY 29, 2020

57236.....57268

BUFFALO SEWER AUTHORITY

July 29, 2020

REGULAR MEETING 9:00 A.M. VIA TELECONFERENCE
+ 1 929-229-5044 United States, New York City (Toll)
Conference ID: 290 565 810#

<u>ITEM NO.</u>	<u>CONTENTS</u>	<u>PAGE NO.</u>
	Roll Call	
1	Motion to Adopt the Minutes of July 1, 2020	57236
2	Informative: Temporary Investments	57237-38
3	Informative: Reallocation of Funds	57239
4	Payment of Grant Funds to Forest Lawn (The Buffalo City Cemetery, Inc.)	57240-41
5	Payment from Judgment and Claims	57242
6	Revision to Buffalo Sewer Authority Policy – Purchasing Guidelines	57243-44
7	Contract Approval – Legal Services	57245
8	Contract Approval – Audit and Accounting Services	57246
9	Authorization for Renewal of Annual Customer Support Plan	57247
10	Certificate of Acceptance and Occupancy – Contract No. 81800017	57248
11	Change Order No. 1 – Contract No. 81600008	57249-50
12	Certificate of Occupancy – Contract No. 81600008	57251
13	Change Order No. 2 – Contract No. 82000015	57252-53
14	Contract Approval – Professional Services	57254

15	Authorization for Purchase of V-Force Baffles and Grit Conveyor Assembly for the Pista Grit System	57255-56
16	Change Order to Purchase Order Number 22100095 – Volland Electric Equipment Corporation	57257
17	Report on Bids Received – Moyno Pump Parts for Thickeners	57258
18	Change Order No. 3 - Contact No. 81800018	57259-60
19	Change Order No. 1 – Contract No. 82000001	57261-62
20	Report on Bids Received – Miscellaneous System Wide Sewer Repairs	57263
21	Amendment to Schedule of Job Classification Plan	57264
22	Amendment to Schedule of Job Classification Plan	57265
23	Confirmation of Appointments	57266
24	Tuition Reimbursement	57267
25	Adjournment of Meeting	57268

ATTACHMENT A: Purchasing Guidelines

CALL OF THE ROLL

Present: Herbert L. Bellamy, Jr.
Christopher Roosevelt
Eleanor Petrucci
Oluwole A. McFoy, P.E.
Ronald Brown
Thomas Smith
Gelea James
Allison Lack, Esq.
LaToya Cunningham
David Rossney
Roberta Gaiek, P.E.
Paul Harris
Laura Surdej
Mark Turpin
Megan Fenstemaker

Absent: none

Chairman
Vice Chairman
Secretary
General Manager
Executive Secretary
Secretary to the General Manager
Director of Employee Relations
General Counsel (BSA)
Special Assistant
Treatment Plant Superintendent
Treatment Plant Administrator
Superintendent of Mechanical Maintenance
Erie County Department of Sewerage
Duperon Corporation
Duperon Corporation

The meeting was called to order at 9:16 A.M. A quorum was present.

ITEM NO. 1**Motion to Adopt the Minutes of the Meeting of July 1, 2020**

MOTION TO ADOPT
MADE BY MR. ROOSEVELT
2ND BY MS. PETRUCCI
AYES 3 NOES 0

Board Meeting of July 29, 2020

ITEM NO. 2

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

As of June 30, 2020

ISSUE DATE	MATURITY DATE	TOTAL DAYS	AMOUNT	BANK	RATE	INTEREST AMOUNT
CONSTRUCTION/CAPITAL IMPROVEMENT FUND						
31-Jul-12	Money Market		\$3,988,423.34	Key	0.01%	Public NOW
01-Nov-19	Money Market		\$17,480,189.77	Bank on Buffalo	0.60%	
02-Apr-20	02-Jul-20	91	\$4,078,965.98	Key Banc Capital	1.91%	\$19,693.64
27-Apr-20	27-Jul-20	91	\$1,987,776.35	Key Banc Capital	1.31%	\$6,583.04
30-Apr-20	03-Aug-20	95	\$2,229,684.08	Key Banc Capital	1.22%	\$7,179.36
29-May-20	28-Sep-20	122	\$7,991,202.38	Key Banc Capital	0.20%	\$5,418.83
29-Jun-20	30-Sep-20	93	\$5,826,573.24	Key Banc Capital	0.40%	\$6,024.33
			\$43,582,815.14			
LIABILITY AND CASUALTY RESERVE FUND						
31-Jul-12	Money Market		\$103,154.42	Key	0.01%	Public NOW
11-Dec-19	Money Market		\$916,245.06	Bank on Buffalo	0.60%	
			\$1,019,399.48			
OPERATING FUND						
31-Jul-12	Super NOW		\$2,483,163.22	Key	0.01%	Public NOW
TRUST & AGENCY FUND						
31-Jul-12	Super NOW		\$5,745.64	Key	0.01%	Public NOW
SURPLUS FUND						
			\$14,599.63	Wilmington US Treasury		
16-Jun-20	14-Sep-20	90	\$9,990,000.00	J.P. Morgan Securities	0.40%	\$10,000.00
			\$1,666.82	Accrued Income		
			\$10,006,266.45			
NET REVENUE FUND						
			\$302.50	Wilmington US Treasury		
28-Apr-20	30-Jul-20	93	\$6,899,571.41	Key Banc Capital	1.31%	\$23,428.59
05-May-20	10-Aug-20	97	\$2,901,845.53	Key Banc Capital	1.04%	\$8,154.47
06-May-20	10-Aug-20	96	\$2,389,355.09	Key Banc Capital	1.04%	\$6,644.91
29-May-20	28-Aug-20	91	\$5,372,826.11	J.P. Morgan Securities	0.16%	\$2,173.89
22-Jun-20	22-Sept-20	92	\$2,298,824.44	Key Banc Capital	0.20%	\$1,175.56
30-Jun-20	30-Sept-20	92	\$1,099,578.33	Key Banc Capital	0.15%	\$421.67
			\$25,698.81	Accrued Income		
			\$20,988,002.22			

DEBT RESERVE FUND

				SERIES J	
02-Jul-14	15-Nov-33	7076	\$515,879.00	UST State/Local Govt	2.70%
			\$1,778.94	Accrued Income	
			\$517,657.94		
				Series K	
02-Jul-14	15-Feb-33	5803	\$361,415.00	UST State/Local Govt	2.70%
			\$3,672.73	Accrued Income	
			\$365,087.73		
				Series L	
12-Nov-15	01-Oct-35	7263	\$689,547.00	UST State/Local Govt	2.44%
			\$4,183.25	Accrued Income	
			\$693,730.25		
				Series M	
27-Jun-14	01-May-44	10901	\$595,613.00	US State/Local Govt	2.70%
			\$2,665.69	Accrued Income	
			\$598,278.69		
				Series N	
15-Nov-12	15-Apr-32	7091	\$2,167,157.00	UST State/Local Govt	2.42%
			\$11,033.55	Accrued Income	
			\$2,178,190.55		
			\$0.01	DSF PRIN & INT	
				Wilmington Fund	

RECEIVE & FILE

Board Meeting of July 29, 2020

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

6/2/2020	00450106 KELF Building Repairs	\$4,600.00	00360105 DEWA Equipment Maintenance	-\$4,600.00
6/2/2020	00450105 KELF Building Repairs	\$500.00	00520105 MAIN Equipment Maintenance	-\$500.00
6/2/2020	00450105 KELF Equipment Maintenance	\$5,200.00	00520105 MAIN Equipment Maintenance	-\$5,200.00
6/4/2020	00350105 FILT Equipment Maintenance	\$18,100.00	00200105 PLAN Clothing Safety	-\$18,100.00
6/15/2020	00520105 MAIN Office Supplies	\$16,600.00	00220105 SCRE Equipment Maintenance	-\$16,600.00
6/15/2020	00650106 SWRM Ed Licenses & Training	\$20,000.00	00660105 SWRR Road and Highway	-\$20,000.00
6/16/2020	00520107 MAIN Cars and Other Vehicle	\$7,200.00	00700105 Centrifuge Equipment Maintenance	-\$7,200.00
6/25/2020	00520106 MAIN Auto Repairs	\$15,500.00	00200105 Main Supplies	-\$15,500.00
6/26/2020	00200106 PLAN ENG and TECH	\$16,025.60	00550105 PLAN Office Equipment	-\$16,025.60

Sewer Maintenance Division

6/17/2020	00690106 Auto Automotive Repair	\$2,500.00	00670105 SWRC Equipment Maintenance	-\$2,500.00
6/18/2020	00690106 Auto Automotive Repair	\$1,000.00	00650106 SWRM Laundry and Towel	-\$1,000.00

General Financial Charges

6/23/2020	00800183 FIN Contingency	\$1,500.00	00110105 Admin Office Supplies	-\$1,500.00
-----------	-----------------------------	------------	-----------------------------------	-------------

RECEIVE & FILE

Board Meeting of July 29, 2020

ITEM NO. 4

DISTRIBUTION OF GRANT FUNDS TO FOREST LAWN (THE BUFFALO CITY CEMETERY, INC.)

- WHEREAS: On July 27, 2016, the Board of the Buffalo Sewer Authority authorized the General Manager to enter into and execute a contract with Mark Cerrone, Inc. for Shoreline Buffer and Wetland Restoration in Scajaquada Creek and Forest Lawn; and
- WHEREAS: On December 16, 2016, the Board of the Buffalo Sewer Authority authorized the General Manager to enter into an agreement with Forest Lawn, to pay \$796,155.00 to the Buffalo Sewer Authority to support the execution of bid alternatives excluded from the original contract with Mark Cerrone, Inc.; and
- WHEREAS: On December 8, 2017, the agreement with Forest Lawn was amended to include additional wetland and green infrastructure improvements adjacent to Scajaquada Creek within Forest Lawn, and increasing Forest Lawn's betterment contribution to the Buffalo Sewer Authority to \$1,666,909.89; and
- WHEREAS: In partnership, the Buffalo Sewer Authority and Forest Lawn applied for two (2) \$300,000.00 grants from the Dormitory Authority of New York State (DASNY) that would be used to supplement resources on behalf of Forest Lawn to cover expenses for betterments outside of the Buffalo Sewer Authority water quality project; and
- WHEREAS: The Buffalo Sewer Authority has received reimbursement for the initial \$300,000.00 grant from DASNY; and
- WHEREAS: As part of the project betterment, Forest Lawn has funded \$1,566,909.89 for their betterment portion leaving a remaining balance of \$100,000.00.

NOW THEREFORE
BE IT RESOLVED:

That the Board of the Buffalo Sewer Authority hereby approves distribution of \$200,000.00 to Forest Lawn, which is the amount in exceedance of the remuneration due to the Buffalo Sewer Authority while the \$100,000.00 balance shall be utilized to satisfy the remaining betterment portion.

MOTION TO APPROVE

MADE BY MR. ROOSEVELT

2ND BY MS. PETRUCCI

AYES 3 NOES 0

Board Meeting of July 29, 2020

ITEM NO. 5

PAYMENT FROM JUDGMENT AND CLAIMS

WHEREAS: Board Approval is required for charges made against the Buffalo Sewer Authority's current budget for services and/or materials received during a prior fiscal year; and

WHEREAS: The following commodity was received during a prior fiscal year and charged to the 2020-2021 budget account no. 00800108-480214:

VENDOR	AMOUNT
Securitas Security Services	\$18,139.68

; and

WHEREAS: The Executive Secretary and staff recommend the above payment from the Judgment and Claims account.

NOW THEREFORE
BE IT RESOLVED: That the Board of the Buffalo Sewer Authority hereby approves the above payment from the Judgment and Claims account.

MOTION TO APPROVE

MADE BY MS. PETRUCCI

2ND BY MR. ROOSEVELT

AYES 3 NOES 0

Board Meeting of July 29, 2020

ITEM NO. 6

**REVISION TO BUFFALO SEWER AUTHORITY POLICY – PURCHASING GUIDELINES
(ATTACHMENT A)**

- WHEREAS: The Buffalo Sewer Authority purchases goods and services according to its enabling legislation granted by the State of New York; and
- WHEREAS: The Authority has developed Purchasing Guidelines for the procurement of goods and services that comply with State and Local Laws governing public bidding, including the New York State General Municipal Law; and
- WHEREAS: The Purchasing Guidelines shall be annually reviewed and approved by the Board of the Buffalo Sewer Authority; and
- WHEREAS: It is the Authority's intent to implement and strictly enforce purchasing guidelines to openly promote fair competition, to acquire goods and services that provide the best product from a responsible vendor at the most reasonable price, to provide greater opportunities for disadvantaged businesses to provide goods and services for the Authority, and to guard against favoritism, improvidence, extravagance, fraud and corruption; and
- WHEREAS: The New York State General Municipal Law provides that purchase and service contracts, other than purchase contracts necessary to complete construction contracts, may be awarded on the basis of best value; and
- WHEREAS: New York State Law defines "best value" as the basis for awarding contracts that optimizes quality, cost and efficiency, and provides that such basis may identify a quantitative factor for bidders that are small businesses, certified minority - or women-owned business enterprises (M/WBEs), or service-disabled veteran-owned business enterprises (SDVOBs); and
- WHEREAS: Buffalo Sewer Authority staff have revised the Purchasing Guidelines to allow for the use of a best value methodology in determining the award of purchase and service contracts, other than those purchase contracts necessary to complete construction contracts, and to make other minor updates; and

WHEREAS:

Under the revised Purchasing Guidelines, to determine best value, the Authority may consider factors including, but not limited to: reliability of products; responsibility of the supplier; efficiency and/or ease of use; useful lifespan; ability to meet the Authority's needs regarding timeliness of delivery or performance; durability; availability of replacement parts or maintenance contractors; quality of craftsmanship; warranty; and the vendor's status as a M/WBE, small business, or SDVOB, with such factors specified in the bidding documents; and

WHEREAS:

Under the revised Purchasing Guidelines, for all purchase and service contracts where a best value methodology could be utilized, bids from businesses that are certified as an M/WBE, as a Small Business, and/or an SDVOB will be evaluated as if their bid price were 10%-20% lower, with the specific percentage used specified in the bid announcement.

NOW THEREFORE
BE IT RESOLVED:

That the Board of the Buffalo Sewer Authority hereby approves the following "Purchasing Guidelines" (Attachment A), which establishes the basis for the procurement of goods and services by the Buffalo Sewer Authority.

MOTION TO	<u>TABLE</u>		
MADE BY	<u>MS. PETRUCCI</u>		
2 ND BY	<u>MR. ROOSEVELT</u>		
AYES	<u>3</u>	NOES	<u>0</u>

Board Meeting of July 29, 2020

ITEM NO. 7

CONTRACT APPROVAL - LEGAL SERVICES

WHEREAS: The Buffalo Sewer Authority has many complex regulatory, enforcement, and environmental matters that require the skills of a specialized attorney; and

WHEREAS: Charles C. Martorana, of Barclay Damon, LLP, has extensive expertise in these areas; and

WHEREAS: Barclay Damon, LLP, has historically represented the Buffalo Sewer Authority in these areas as well as litigation and arbitration matters as needed; and

WHEREAS: Upon request, Barclay Damon, LLP, has submitted a proposed retainer agreement to continue to provide legal services for the Buffalo Sewer Authority. The billing rates are as follows:

Partners & Counsel	\$295.00 per hour
Associates	\$265.00 per hour
Paralegal Services	\$190.00 per hour

; and

WHEREAS: The General Manager, General Counsel, Executive Secretary and staff recommend approval to retain Barclay Damon, LLP, for legal services on an as-needed basis for the 2020-2021 fiscal year.

NOW THEREFORE
BE IT RESOLVED:

That the Board of the Buffalo Sewer Authority hereby authorizes the General Manager to retain Barclay Damon, LLP, for legal services on an as-needed basis in an amount not to exceed \$95,000.00 for the period July 1, 2020 through June 30, 2021. Expenses for these services will be charged to account no. 00550106-432003.

MOTION TO APPROVE

MADE BY MS. PETRUCCI

2ND BY MR. ROOSEVELT

AYES 3 NOES 0

Board Meeting of July 29, 2019

ITEM NO. 8

CONTRACT APPROVAL - AUDIT AND ACCOUNTING SERVICES

WHEREAS: The use of independent Certified Public Accountants is necessary in order that the Buffalo Sewer Authority submits financial statements in accordance with generally accepted auditing standards, prepares a Comprehensive Annual Financial Report for submission to the New York State Comptroller and develops accurate cost allocation schedules of operation at the Bird Island Treatment Facility; and

WHEREAS: Drescher & Malecki LLP, Certified Public Accountants, has proposed to extend their service contract with the Buffalo Sewer Authority for accounting and auditing services for a one-year period, beginning July 1, 2020 for a fee not to exceed \$45,500.00, and to prepare a cost allocation schedule for a fee not to exceed \$5,000.00. The cost for these services remains the same as last fiscal year's contract; and

WHEREAS: The Audit Committee of the Board of Directors of the Buffalo Sewer Authority recommends renewing this contract for the fiscal year beginning July 1, 2020.

NOW THEREFORE
BE IT RESOLVED:

That the Board of the Buffalo Sewer Authority hereby authorizes the Chairman of the Audit Committee to enter into an agreement with Drescher & Malecki LLP, Certified Public Accountants, to perform the required auditing of the Buffalo Sewer Authority's affairs for a cost not to exceed \$45,500.00, and to develop the cost allocation schedule for a cost not to exceed \$5,000.00, for the period July 1, 2020 through June 30, 2021. Account no. 00110106-432001 will be charged for the financial audit. Account no. 00550106-432001 will be charged for the cost allocation schedule.

MOTION TO APPROVE

MADE BY MS. PETRUCCI

2ND BY MR. ROOSEVELT

AYES 3 NOES 0

Board Meeting of July 29, 2020

ITEM NO. 9

AUTHORIZATION FOR RENEWAL OF ANNUAL CUSTOMER SUPPORT PLAN

WHEREAS: The Buffalo Sewer Authority utilizes International Business Machines Maximo Maintenance System software for asset management, work order tracking, purchasing and inventory control program; and

WHEREAS: An annual customer support plan is beneficial in order to keep current, receive the latest releases of this program and receive unlimited off-site support; and

WHEREAS: The Treatment Plant Superintendent, Systems Administrator and staff recommend renewal of the annual customer support plan with International Business Machines Corporation for the period July 1, 2020 through June 30, 2021 for a cost of \$105,071.00; and

WHEREAS: Board approval is required on services over \$35,000.00.

NOW THEREFORE
BE IT RESOLVED: That the Board of the Buffalo Sewer Authority hereby authorizes the General Manager to renew the annual customer support plan with International Business Machines Corporation for a one-year period, July 1, 2020 through June 30, 2021, at a cost not to exceed \$105,071.00. Account no. 00200106-443420 will be charged for this service.

MOTION TO APPROVE

MADE BY MR. ROOSEVELT

2ND BY MS. PETRUCCI

AYES 3 NOES 0

Board Meeting of July 29, 2020

ITEM NO. 10

CONTRACT NO. 81800017

CERTIFICATE OF ACCEPTANCE AND OCCUPANCY

PROJECT: Low Pressure Air Blower System Improvements

BID: \$5,686,585.00

CONTRACTOR: STC Construction, Inc.
63 Zoar Valley Road
Springville, NY 14141

WHEREAS: The Treatment Plant Administrator of the Buffalo Sewer Authority and consulting engineer, Arcadis, has certified that the Contractor completed the work in accordance with the plans and specifications on July 29, 2020.

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 29, 2020;
- c. The maintenance period will commence on July 29, 2020;
- d. Final payment be made to the Contractor in the amount of \$295,200.82, making the final cost of the contract \$5,686,885.00.

MOTION TO APPROVEMADE BY MS. PETRUCCI2ND BY MR. ROOSEVELTAYES 3 NOES 0

Board Meeting of July 29, 2020

ITEM NO. 11

CHANGE ORDER NO. 1 – CONTRACT NO. 81600008

CONTRACTOR:	ORIGINAL CONTRACT COST	\$2,478,000.00
Hohl Industrial Services, Inc.	PREVIOUS CHANGE ORDER	N/A
770 Riverview Road	THIS CHANGE ORDER	<u>\$200,000.00</u>
Tonawanda, New York 14150	ADJUSTED CONTRACT COST	\$2,678,000.00

PROJECT: Influent Trash Rack and MLSS Screen Replacement

DESCRIPTION OF CHANGE OR EXTRA WORK:

Item #1 Additional engineering, design and installation costs associated with the Influent Trash Rack modifications and installation.

REASON FOR CHANGE OR EXTRA WORK:

Item #1 Additional costs were incurred by the manufacturer, contractor and BSA as a result of unforeseen design and installation issues. Over time significant design changes were necessary in order to conform to BSA plant conditions.

COST OF CHANGE OR EXTRA WORK:

Item #1 \$200,000.00

THE TOTAL COST OF THE CHANGE OR EXTRA WORK \$200,000.00

The total INCREASE to the contract as a result of this Change Order is \$200,000.00

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. 81600008 as written in the above Agenda Item, increasing the contract cost in the amount of \$200,000.00, making the adjusted contract cost \$2,678,000.00.

MOTION TO TABLE

MADE BY MS. PETRUCCI

2ND BY MR. ROOSEVELT

AYES 3 NOES 0

Board Meeting of July 29, 2020

ITEM NO. 12

CONTRACT NO. 81600008

CERTIFICATE OF ACCEPTANCE AND OCCUPANCY

PROJECT: Influent Trash Rack and MLSS Screen Replacement

CONTRACTOR: Hohl Industrial Services, Inc.
770 Riverview Parkway
Tonawanda, NY 14150

WHEREAS: The Buffalo Sewer Authority Treatment Plant Administrator and the Consulting Engineer, GHD, have certified that the Contractor completed the work in accordance with the plans and specifications on July 29, 2020.

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 29, 2020;
- c. A one-year maintenance period will commence on July 29, 2020;
- d. The Board approved Change Order No. 1 on July 29, 2020 resulting in a net increase of \$200,000.00, thereby making the adjusted contract cost \$2,678,000.00;
- e. Final payment be made to the Contractor in the amount of \$329,640.80, making the final cost of the contract \$2,678,000.00.

MOTION TO TABLEMADE BY MR. ROOSEVELT2ND BY MS. PETRUCCIAYES 3 NOES 0

Board Meeting of July 29, 2020

ITEM NO. 13

CHANGE ORDER NO. 2 – CONTRACT NO. 82000015

CONTRACTOR:	ORIGINAL CONTRACT COST	\$1,168,300.00
Hohl Industrial, Inc.	PREVIOUS CHANGE ORDER	\$584,637.00
770 Riverview Blvd.	THIS CHANGE ORDER	<u>\$340,900.00</u>
Tonawanda, New York 14150	ADJUSTED CONTRACT COST	\$2,093,837.00

PROJECT: Settled Wastewater Pump and Motor #2 Rehabilitation

DESCRIPTION OF CHANGE OR EXTRA WORK:

Item #1 Complete rewind of rotor and stator for Raw Wastewater (RWW) Motor #5.

REASON FOR CHANGE OR EXTRA WORK:

Item #1 On March 4, 2020, the Board of the Buffalo Sewer Authority approved the award and approval for the Settled Wastewater (SWW) Pump and Motor #2 Rehabilitation Contract to Hohl Industrial, Inc., in the amount of \$1,168,300.00. The original project included a requirement to rewind RWW Motor #5.

Subsequently, it was determined that SWW Motor #1 also needed a rewind. In an effort to keep costs to a minimum BSA removed the requirement to rewind RWW Motor #5. Therefore, Change Order No. 1 resulted in the additional work of rewinding SWW Motor #1 and the deletion of the requirement to rewind RWW Motor #5. On May 27, 2020 the Board of the Buffalo Sewer Authority approved Change Order No.1 in the amount of \$584,637.00 making the adjusted contract amount \$1,752,937.00

Unfortunately, it has subsequently been determined that RWW Motor #1 is also in need of a rewind, thereby reducing the pumping capacity of the RWW station even further. Therefore, it is necessary to restore the contract requirement to rewind RWW Motor #5 for the original bid amount of \$340,900.00.

COST OF CHANGE OR EXTRA WORK:

Item #1 \$340,900.00

THE TOTAL COST OF THE CHANGE OR EXTRA WORK \$340,900.00

The total INCREASE to the contract as a result of this Change Order is \$340,900.00

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 November 3, 2020.
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. 82000015 as written in the above Agenda Item, increasing the contract cost in the amount of \$340,900.00, making the adjusted contract cost \$2,093,837.00.

MOTION TO	<u>TABLE</u>
MADE BY	<u>MS. PETRUCCI</u>
2 ND BY	<u>MR. ROOSEVELT</u>
AYES	<u>3</u> NOES <u>0</u>

Board Meeting of July 29, 2020

ITEM NO. 14

CONTRACT APPROVAL - PROFESSIONAL SERVICES

WHEREAS: The Buffalo Sewer Authority's Distributed Control System (DCS) is an Ovation system provided by Emerson Process Control; and

WHEREAS: Emerson Process Control is on the Sole Source list for Ovation field service as well as Ovation parts and components; and

WHEREAS: It is necessary to have Emerson Process Control perform field engineering services in place to assist in system troubleshooting, cybersecurity and general system maintenance; and

WHEREAS: Upon request, Emerson Process Control has submitted a proposed retainer agreement for 20 days of field engineering services including travel and lodging for a cost not to exceed \$79,655.00; and

WHEREAS: The Treatment Plant Administrator, Treatment Plant Superintendent and staff recommend approval to retain Emerson Process Control, for field engineering services on an as-needed basis for the 2020-2021 fiscal year.

NOW THEREFORE
BE IT RESOLVED: That the Board of the Buffalo Sewer Authority hereby authorizes the General Manager to retain Emerson Process Control for field engineering services on an as-needed basis in an amount not to exceed \$79,655.00 for the period July 1, 2020 through June 30, 2021. Expenses for these services will be charged to account no. 00200106-432004.

MOTION TO _____ APPROVE _____

MADE BY _____ MS. PETRUCCI _____

2ND BY _____ MR. ROOSEVELT _____

AYES _____ 3 _____ NOES _____ 0 _____

Board Meeting of July 29, 2019

ITEM NO. 15

AUTHORIZATION FOR PURCHASE OF V-FORCE BAFFLES AND GRIT CONVEYOR ASSEMBLY FOR THE PISTA GRIT SYSTEM

- WHEREAS: On June 24, 2020, the Board of the Buffalo Sewer Authority designated Smith and Loveless, Inc., the original equipment manufacturer, and/or their authorized local service representative, Koester, as sole source for replacement parts, supplies and services for equipment installed at the Bird Island Treatment Facility; and
- WHEREAS: Smith & Loveless is the original equipment manufacturer for the Pista Grit System located at the Bird Island Treatment Facility; and
- WHEREAS: The Treatment Plant Administrator and consulting engineer, ARCADIS, have determined a need to purchase the V-FORCE Baffles and Dewatering Screw Grit Conveyor Assembly needed for the Grit Improvement Operation and Preventative Maintenance Project; and
- WHEREAS: Upon request, Smith & Loveless and Koester Associates, the authorized local representative, submitted a quote in the amount of \$1,059,000.00 for the needed Smith & Loveless equipment for the Pista Grit System; and
- WHEREAS: The Treatment Plant Administrator and consulting engineer, ARCADIS, have reviewed the quote and recommend this purchase; and
- WHEREAS: Monies designated for Smith & Loveless at the June 24, 2020 Board Meeting was \$150,000.00. This purchase will bring the total monies payable for purchases to \$1,209,000.00; 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 needed Smith & Loveless equipment at a cost of \$1,059,000.00 which increases monies payable to Smith & Loveless to an amount of \$1,209,000.00 for the current aggregate year. This purchase will be charged to account no. 02000515-490740.

MOTION TO APPROVE

MADE BY MR. ROOSEVELT

2ND BY MS. PETRUCCI

AYES 3 NOES 0

Board Meeting of July 29, 2020

ITEM NO. 16

CHANGE ORDER TO PURCHASE ORDER NUMBER 22100095 - VOLLAND ELECTRIC EQUIPMENT CORPORATION

- WHEREAS: On July 1, 2018, the Buffalo Sewer Authority entered into an Informal Price Agreement with Volland Electric Equipment Corporation for Preventative Maintenance and Repair Service for the cranes located at the Bird Island Treatment Plant Facility and outlying stations; and
- WHEREAS: The initial Informal Agreement was for the period July 1, 2018 through June 30, 2019 with the option to renew for four (4) one-year terms. This informal agreement has been renewed through June 30, 2021 at a cost of \$ 19,320.00; and
- WHEREAS: Purchase Order No. 22100095 was established for fiscal year 2020-2021; and
- WHEREAS: The Buffalo Sewer Authority's Shawbox 50-ton crane in the Settled Waste Water building started smoking during operation and had to be shut down. Volland Electric Equipment Corporation ("Volland") was called in to inspect the crane and visually confirmed indications of overheating and likely shorting of the motor or stator. Based upon the evaluation, Volland submitted a repair estimate in the amount of \$ 23,200.00; and
- WHEREAS: The Superintendent of Mechanical Maintenance and staff have reviewed the quote received and recommend that this service be completed by Volland at a cost not to exceed \$23,200.00. This will bring the total cost of the Purchase Order to \$42,520.00; and
- WHEREAS: Board Approval is required on services over \$35,000.00.
- NOW THEREFORE
BE IT RESOLVED: That the Board of the Buffalo Sewer Authority hereby authorizes a change order in the amount of \$23,200.00 to Purchase Order No. 22100095, increasing the total amount to \$42,520.00. Expenses for this change order shall be charged to account nos. 00520105-466107 & 00520106-443421.

MOTION TO	<u>APPROVE</u>		
MADE BY	<u>MS. PETRUCCI</u>		
2 ND BY	<u>MR. ROOSEVELT</u>		
AYES	<u>3</u>	NOES	<u>0</u>

Board Meeting of July 29, 2020

ITEM NO. 17

REPORT ON BIDS RECEIVED - MOYNO PUMP PARTS FOR THICKENERS

WHEREAS: Bids were solicited and received for various Moyno Pump parts needed for the repair and preventative maintenance of the thickeners. Bids are as follows:

VENDOR	BID
Corrosion Products & Equipment, Inc.	\$ 18,897.95
Nov Process	\$ 36,216.68
Midway	\$ 53,301.80
Shrier Martin Process	\$ 2,628.06 (Partial Bid)
Liberty	Disqualified – did not quote appropriate parts

; and

WHEREAS: The Superintendent of Mechanical Maintenance and staff have reviewed and recommend this purchase be awarded to Corrosion Products & Equipment, Inc., at a cost of \$18,897.95; and

WHEREAS: Monies payable to date for the purchase of Moyno pump parts in the (12) month aggregate period are \$ 91,815.23. This purchase will bring the total monies payable for Moyno pump parts for purchases to \$110,713.18; 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 Moyno pump parts for the thickeners from Corrosion Products & Equipment, Inc., at a total cost of \$18,897.95. This purchase will be charged to account no. 00340105-466107.

MOTION TO APPROVE

MADE BY MR. ROOSEVELT

2ND BY MS. PETRUCCI

AYES 3 NOES 0

Board Meeting of July 29, 2020

ITEM NO. 18

CHANGE ORDER NO. 3 – CONTRACT NO. 81800018

CONSULTANT:	ORIGINAL CONTRACT COST	\$160,000.00
On the Mark Utility Locating Services, LLC	PREVIOUS CHANGE ORDER	\$395,000.00
1280 Scottsville Rd, Suite 60	THIS CHANGE ORDER	<u>\$47,000.00</u>
Rochester, NY 14624	ADJUSTED CONTRACT COST	\$602,000.00

PROJECT: Utility Location Professional Services

DESCRIPTION OF CHANGE OR EXTRA WORK:

Item #1 Additional monies to fund the contract through the end of October 2020, in order to facilitate the purchasing process.

REASON FOR CHANGE OR EXTRA WORK:

Item #1 Sufficient time needed to allow for purchasing process for utility locating professional services.

COST OF CHANGE OR EXTRA WORK:

Item #1 \$47,000.00

THE TOTAL COST OF THE CHANGE OR EXTRA WORK \$47,000.00

The total INCREASE to the contract as a result of this Change Order is \$47,000.00

NOW THEREFORE
BE IT RESOLVED:

That the Board of the Buffalo Sewer Authority hereby approves Change Order No. 3 to Contract No. 81800018 as written in the above Agenda Item, increasing the contract cost in the amount of \$47,000.00, making the adjusted contract cost \$602,000.00.

MOTION TO APPROVE

MADE BY MR. ROOSEVELT

2ND BY MS. PETRUCCI

AYES 3 NOES 0

Board Meeting of July 29, 2020

ITEM NO. 19

CHANGE ORDER NO. 1 – CONTRACT NO. 82000001

CONSULTANT:	ORIGINAL CONTRACT COST	\$147,600.00
GHD	PREVIOUS CHANGE ORDER	N/A
285 Delaware Ave, Suite 500	THIS CHANGE ORDER	<u>\$188,700.00</u>
Buffalo, NY 14202	ADJUSTED CONTRACT COST	\$336,300.00

PROJECT: Babcock Pump Station Real Time Control Project

DESCRIPTION OF CHANGE OR EXTRA WORK:

Item #1 Construction Contract Administration

Item #2 Resident Inspection

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 full-time, qualified resident inspections during the periods of active construction.

COST OF CHANGE OR EXTRA WORK:

Item #1 \$68,500.00

Item #2 \$120,200.00

THE TOTAL COST OF THE CHANGE OR EXTRA WORK: \$188,700.00

The total INCREASE to the contract as a result of this Change Order is \$188,700.00

NOW THEREFORE
BE IT RESOLVED:

That the Board of the Buffalo Sewer Authority hereby approves Change Order No. 1 to Contract No. 82000001 as written in the above Agenda Item, increasing the contract cost in the amount of \$188,700.00, making the adjusted contract cost \$336,300.00.

MOTION TO APPROVE

MADE BY MS. PETRUCCI

2ND BY MR. ROOSEVELT

AYES 3 NOES 0

Board Meeting of July 29, 2020

ITEM NO. 20

REPORT ON BIDS RECEIVED - MISCELLANEOUS SYSTEM WIDE SEWER REPAIRS

WHEREAS: Formal bids were advertised and solicited for Miscellaneous System Wide Sewer Repairs. The following bids were received and opened by the Buffalo Sewer Authority on Friday, July 10, 2020 at 11:30 AM:

Contractor	Base Bid
Destro & Brothers Concrete Co., Inc.	\$2,997,886.00
Nova Site Company, LLC	\$3,760,350.00
Mark Cerrone, Inc.	\$4,147,836.00
Kandey Company, Inc.	\$6,451,550.00

; and

WHEREAS: The proposals were received and the contract will be awarded on the basis of unit bid and lump sum prices. The bids do not reflect the true amount of the contract; and

WHEREAS: The Junior Sanitary Engineer and staff reviewed the packages and recommend awarding this contract to the low bidder, Destro & Brothers Concrete Company, Inc.

NOW THEREFORE
BE IT RESOLVED:

That the Board of the Buffalo Sewer Authority hereby authorizes the General Manager to enter into and execute a contract with Destro & Brothers Concrete Company, Inc., for Miscellaneous System Wide Sewer Repairs at a cost not to exceed \$2,997,886.00. Expenses for this contract shall be charged to account no. 02000516-490740.

MOTION TO _____ APPROVE _____

MADE BY _____ MR. ROOSEVELT _____

2ND BY _____ MS. PETRUCCI _____

AYES _____ 3 _____ NOES _____ 0 _____

Board Meeting of July 29, 2020

ITEM NO. 21

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 approves the addition of the following positions to the Job Classification Plan:

Two (2) Clerks	00200121	411001
One (1) Wastewater Treatment Plant Operator I	00260161	411001
One (1) Wastewater Treatment Plant Operator I	00330161	411001
Two (2) Wastewater Treatment Plant Operator I	00360161	411001
Two (2) Millwrights	00520171	411001

MOTION TO APPROVE

MADE BY MS. PETRUCCI

2ND BY MR. ROOSEVELT

AYES 3 NOES 0

Board Meeting of July 29, 2020

ITEM NO. 22

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 approves the deletion
of the following positions to the Job Classification Plan:

One (1) Senior Clerk	00200121	411001
One (1) Machinist	00520171	411001
One (1) Electrician	00520171	411001

MOTION TO APPROVE

MADE BY MS. PETRUCCI

2ND BY MR. ROOSEVELT

AYES 3 NOES 0

Board Meeting of July 29, 2020

ITEM NO. 23

CONFIRMATION OF APPOINTMENTS

LABORER I (PERMANENT)
SEWAGE TREATMENT PLANT
\$19.21 PER HOUR
EFFECTIVE: JUNE 29, 2020

ANDEL ANDERSON
115 HUMBER AVE.
BUFFALO, NY

LABORER I (PERMANENT)
SEWAGE TREATMENT PLANT
\$19.59 PER HOUR
EFFECTIVE: JULY 13, 2020

NICHOLAS SHUBBUCK
620 FARGO AVE.
BUFFALO, NY

WHEREAS: The preceding appointments were made by the General Manager since the last Board Meeting; and

WHEREAS: The General Manager requests confirmation of each appointment.

NOW THEREFORE
BE IT RESOLVED: That the preceding appointments are hereby confirmed by the Board of the Buffalo Sewer Authority.

MOTION TO	APPROVE
MADE BY	MS. PETRUCCI
2 ND BY	MR. ROOSEVELT
AYES	3
NOES	0

Board Meeting of July 29, 2020

ITEM NO. 24

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 employee has applied for Tuition Reimbursement:

<u>EMPLOYEE</u>	<u>SCHOOL</u>	<u>COURSE</u>	<u>TUITION%</u>	<u>REIMBURSEMENT TOTAL</u>
Zachary Q. Isch	SUNY Buffalo State College	Business Law II	100%	\$615.00

NOW THEREFORE
BE IT RESOLVED:

That the Board of the Buffalo Sewer Authority hereby approves the above application for Tuition Reimbursement totaling \$615.00. This Reimbursement will be charged to account no. 00820102-421026.

MOTION TO	<u>APPROVE</u>		
MADE BY	<u>MS. PETRUCCI</u>		
2 ND BY	<u>MR. ROOSEVELT</u>		
AYES	<u>3</u>	NOES	<u>0</u>

Board Meeting of July 29, 2020

ITEM NO. 25

ADJOURNMENT OF MEETINGMOTION TO APPROVEMADE BY MS. PETRUCCI2ND BY MR. ROOSEVELTAYES 3 NOES 0

Board Meeting of July 29, 2020