

MINUTES OF THE REGULAR MEETING

OF THE

BUFFALO SEWER AUTHORITY

SEPTEMBER 30, 2020

BUFFALO SEWER AUTHORITY

September 30, 2020

REGULAR MEETING 9:00 A.M. VIA TELECONFERENCE
+ 1 929-229-5044 United States, New York City (Toll)
Conference ID: 851 042 801#

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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
Tracy King
Kevin Meindl
David Rossney
Roberta Gaiek, P.E.
Paul Harris
Barbara Miller-Williams
Delano Dowell
Dana Harris
Laura Surdej
Josh Benson
Megan Fenstemaker

Absent: None

Chairman
Vice Chairman
Assistant Vice Chairman
General Manager
Executive Secretary
Secretary to the General Manager
Director of Employee Relations
Special Counsel (BSA)
Press Information Officer
Landscape Architect
Treatment Plant Superintendent
Treatment Plant Administrator
Supt. of Mechanical Maintenance
COB Comptroller
Special Assistant to the Comptroller
Comptroller's Office
Erie County Dept. of Sewerage
Trace Environmental
Duperon Corporation

The meeting was called to order at 9:30 AM. A quorum was present.

ITEM NO. 1

Motion to Adopt the Minutes of the Meeting of July 29, 2020

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

Board Meeting of September 30, 2020

ITEM NO. 2

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

As of August 31, 2020

ISSUE DATE	MATURITY DATE	TOTAL DAYS	AMOUNT	BANK	RATE	INTEREST AMOUNT
CONSTRUCTION/CAPITAL IMPROVEMENT FUND						
31-Jul-12	Money Market		\$553,639.97	Key	0.01%	Public NOW
01-Nov-19	Money Market		\$14,613,355.50	Bank on Buffalo	0.45%	
29-May-20	28-Sept-20	122	\$7,994,253.75	Key Banc Capital	0.20%	\$5,418.83
29-Jun-20	30-Sept-20	93	\$5,829,417.00	Key Banc Capital	0.40%	\$6,024.33
27-July-20	02-Nov-20	98	\$1,981,514.41	Key Banc Capital	0.15%	\$809.32
02-Jul-20	20-Nov-20	141	\$6,497,806.25	Key Banc Capital	0.25%	\$6,364.58
03-Aug-20	01-Dec-20	120	\$2,222,034.22	Key Banc Capital	0.15%	\$1,111.50
			\$39,692,021.10			
LIABILITY AND CASUALTY RESERVE FUND						
31-Jul-12	Money Market		\$104,062.68	Key	0.01%	Public NOW
11-Dec-19	Money Market		\$916,203.68	Bank on Buffalo	0.45%	
			\$1,020,266.36			
OPERATING FUND						
31-Jul-12	Super NOW		\$2,950,295.39	Key	0.01%	Public NOW
TRUST & AGENCY FUND						
31-Jul-12	Super NOW		\$5,745.65	Key	0.01%	Public NOW
SURPLUS FUND						
			\$14,599.78	Wilmington US Treasury		
16-Jun-20	14-Sep-20	90	\$9,990,000.00	J.P. Morgan Securities	0.40%	\$10,000.00
			\$8,555.56	Accrued Income		
			\$10,013,155.34			
NET REVENUE FUND						
			\$0.00	Wilmington US Treasury		
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
22-Jul-20	22-Oct-20	98	\$2,399,956.90	M&T Securities	0.17%	\$1,043.10
30-Jul-20	28-Oct-20	90	\$7,994,600.00	Key Banc Capital	0.27%	\$5,400.00
10-Aug-20	28-Oct-20	79	\$1,901,582.62	Key Banc Capital	0.10%	\$417.38
28-Aug-20	28-Oct-20	61	\$1,499,822.08	Key Banc Capital	0.07%	\$177.92
05-Aug-20	03-Nov-20	90	\$3,997,800.00	Key Banc Capital	0.22%	\$2,200.00
10-Aug-20	03-Nov-20	85	\$999,480.56	Key Banc Capital	0.22%	\$519.44
10-Aug-20	30-Nov-20	79	\$4,700,073.69	Key Banc Capital	0.20%	\$2,926.31
28-Aug-20	30-Dec-20	124	\$5,371,963.85	Key Banc Capital	0.11%	\$2,036.15
			\$5,203.67	Accrued Income		

\$32,268,886.14
DEBT RESERVE FUND**Series J**

02-Jul-14	15-Nov-33	7076	\$515,879.00	UST State/Local Govt	2.70%
			\$4,125.63	Accrued Income	

\$520,004.63
Series K

02-Jul-14	15-Feb-33	5803	\$361,415.00	UST State/Local Govt	2.70%
			\$450.79	Accrued Income	

\$361,865.79
Series L

12-Nov-15	01-Oct-35	7263	\$689,547.00	UST State/Local Govt	2.44%
			\$7,033.88	Accrued Income	

\$696,580.88
Series M

27-Jun-14	01-May-44	10901	\$595,613.00	UST State/Local Govt	2.70%
			\$5,375.08	Accrued Income	

\$600,988.08
Series N

15-Nov-12	15-Apr-32	7091	\$2,167,157.00	UST State/Local Govt	2.42%
			\$19,917.71	Accrued Income	

\$2,187,074.71

DSF PRIN & INT
Wilmington Fund

\$0.01
RECEIVE & FILE

Board Meeting of September 30, 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

07/17/2020	00300103 Blow Electric Light & Power	\$136,332.16	00380105 INCIN Equipment Maintenance	-\$136,332.16
07/31/2020	00370105 Centrifuge Equipment Maintenance	\$8,240.00	00520105 MAIN Equipment Maintenance	-\$8,240.00
07/31/2020	00370105 Centrifuge Equipment Maintenance	\$14,960.00	00520106 MAIN Equipment Contract	-\$14,960.00
08/10/2020	00290105 AER Equipment Maintenance	\$5,000.00	00200105 South Equipment Maintenance	-\$5,000.00
08/19/2020	00370105 Centrifuge Equipment Maintenance	\$15,000.00	00220105 Plan Repairs to Equipment	-\$15,000.00
09/03/2020	00370106 Centrifuge Repairs to Equipment	\$12,000.00	00430105 South Equipment Maintenance	-\$12,000.00
09/03/2020	00370106 Centrifuge Repairs to Equipment	\$4,000.00	00460105 KELX Equipment Maintenance	-\$4,000.00
09/09/2020	00200105 PLAN Equipment Maintenance	\$158.00	00550105 IWS Equipment Maintenance	-\$158.00

General Financial Charges

07/06/2020	00800183 FIN Contingency	\$11,417.32	00200108 Plan Insurance	-\$11,417.32
08/21/2020	00800183 FIN Contingency	\$738.36	00110105 Admin Service and Equipment	-\$738.36

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Board Meeting of September 30, 2020

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, 2019	\$1,008,152.99
Interest Earnings	\$18,188.14
Claims Paid	\$6,941.65
Transfer from Operating Fund	\$0.00
Fund Balance as of June 30, 2020	\$1,019,399.48

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”.

During the period of July 1, 2019 – June 30, 2020 the B.S.A. settled seven (7) claims, resulting in a cash payment from the Buffalo Sewer Authority for \$6,941.65. Seven (7) claims were denied in this time period.

Total Active Claims Pending as of June 30, 2020

Bodily Injury	13
Property Damage	21
Auto B.I. & P.D	0
Other Liability	<u>0</u>
Total	34

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Board Meeting of September 30, 2020

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; and

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

WHEREAS: The General Manager recommends the following designation of fund balance for the fiscal year ending June 30, 2020.

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, 2020.

Fund Balances:

Non-Spendable	\$ 179,925
Committed:	21,547,824
Encumbrances	10,227,970
Loss Contingencies	3,000,000
Capital Projects	8,319,854
Unassigned	<u>10,000,000</u>
Total Fund Balances	\$31,727,749

MOTION TO APPROVE

MADE BY MS. PETRUCCI

2ND BY MR. ROOSEVELT

AYES 3 NOES 0

Board Meeting of September 30, 2020

ITEM NO. 6

PAYMENTS 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 services were received during a prior fiscal year and charged to the 2020-2021 budget account no. 00800108-480214:

VENDOR	INVOICE	AMOUNT
Alps Elevator Inspection Services	39160	\$65.00
Corrosion Products & Equipment	14403	\$87.50
Corrosion Products & Equipment	14451	\$1,475.00
Corrosion Products & Equipment	15024	\$750.00
Dival Safety Equipment	2736143	\$2,048.65
FedEx	4592358201	\$901.07
KJ Electric	00076879	\$487.00
KJ Electric	00004076	\$52.59
Phillips Lytle LLP	1014204	\$130.50
Quermback Electric	088343	\$1,233.00
Strate Welding Supply Co., Inc.	326986	\$5.86
Waste Management	0014915-4834-1	\$7,558.56

; and

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

NOW THEREFORE
BE IT RESOLVED:

That the Board of the Buffalo Sewer Authority hereby approves the above payments from the Judgment and Claims account.

MOTION TO APPROVE

MADE BY MR. ROOSEVELT

2ND BY MS. PETRUCCI

AYES 3 NOES 0

Board Meeting of September 30, 2020

ITEM NO. 7

CLAIM AGAINST LIABILITY AND CASUALTY RESERVE FUND

WHEREAS: Carol Dozier of 360 Linwood Ave., Buffalo, N.Y. 14209 filed a Claim with the City of Buffalo for damage to her property in October 2017; and

WHEREAS: The General Counsel (BSA) and General Manager reviewed this Claim and have negotiated a final settlement in the amount of \$6,289.65 in full and complete settlement of this matter.

NOW THEREFORE
BE IT RESOLVED: That the Board of the Buffalo Sewer Authority hereby authorizes the General Manager to make payment to Carol Dozier, of 360 Linwood Ave., Buffalo, N.Y. 14209 in the final settlement amount of \$6,289.65 in full and complete settlement of this matter. This Claim will be paid out of the Liability and Casualty Reserve Fund.

MOTION TO APPROVE

MADE BY MS. PETRUCCI

2ND BY MR. ROOSEVELT

AYES 3 NOES 0

Board Meeting of September 30, 2020

ITEM NO. 8

CLAIM AGAINST LIABILITY AND CASUALTY RESERVE FUND

WHEREAS: Michael Robinson of 250 Hazelwood Avenue, Buffalo, N.Y. 14215 filed a Claim with the City of Buffalo for injuries and damages he sustained in an accident on June 27, 2019; and

WHEREAS: The City of Buffalo Law Department, General Counsel (BSA) and General Manager reviewed this Claim and have negotiated a final settlement in the amount of \$25,000.00 in full and complete settlement of this matter.

NOW THEREFORE
BE IT RESOLVED:

That the Board of the Buffalo Sewer Authority hereby authorizes the General Manager to make payment to The Dietrich Law Firm, as Attorneys for Michael Robinson, in the final settlement amount of \$25,000.00 in full and complete settlement of this matter. This Claim will be paid out of the Liability and Casualty Reserve Fund.

MOTION TO APPROVE

MADE BY MR. ROOSEVELT

2ND BY MS. PETRUCCI

AYES 3 NOES 0

Board Meeting of September 30, 2020

ITEM NO. 9

CLAIM AGAINST LIABILITY AND CASUALTY RESERVE FUND

WHEREAS: Terri Cummings of 84 Alsace Ave., Buffalo, N.Y. 14220 filed a Claim with the City of Buffalo for damage to her property on June 4, 2020; and

WHEREAS: The General Counsel (BSA) and General Manager reviewed this Claim and have negotiated a final settlement in the amount of \$726.40 in full and complete settlement of this matter.

NOW THEREFORE
BE IT RESOLVED: That the Board of the Buffalo Sewer Authority hereby authorizes the General Manager to make payment to Terri Cummings of 84 Alsace Ave., Buffalo, N.Y. 14220 in the final settlement amount of \$726.40 in full and complete settlement of this matter. This Claim will be paid out of the Liability and Casualty Reserve Fund.

MOTION TO APPROVE

MADE BY MS. PETRUCCI

2ND BY MR. ROOSEVELT

AYES 3 NOES 0

Board Meeting of September 30, 2020

ITEM NO. 10

CLAIM AGAINST LIABILITY AND CASUALTY RESERVE FUND

WHEREAS: Lee Cadney of 59 Lang Ave., Buffalo, N.Y. 14215 filed a Claim with the City of Buffalo for damage to his property on July 29, 2020; and

WHEREAS: The General Counsel (BSA) and General Manager reviewed this Claim and have negotiated a final settlement in the amount of \$1,593.11 in full and complete settlement of this matter.

NOW THEREFORE
BE IT RESOLVED:

That the Board of the Buffalo Sewer Authority hereby authorizes the General Manager to make payment to Lee Cadney, of 59 Lang Ave., Buffalo, N.Y. 14215 in the final settlement amount of \$1,593.11 in full and complete settlement of this matter. This Claim will be paid out of the Liability and Casualty Reserve Fund.

MOTION TO APPROVE

MADE BY MR. ROOSEVELT

2ND BY MS. PETRUCCI

AYES 3 NOES 0

Board Meeting of September 30, 2020

ITEM NO. 11

**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 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 an M/WBE 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 and/or 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 REMOVE FROM TABLE

MADE BY MS. PETRUCCI

2ND BY MR. ROOSEVELT

AYES 3 NOES 0

Board Meeting of September 30, 2020

MOTION TO APPROVE

MADE BY MR. ROOSEVELT

2ND BY MS. PETRUCCI

AYES 3 NOES 0

Board Meeting of September 30, 2020

ITEM NO. 12

CONTRACT APPROVAL - LEGAL SERVICES

WHEREAS: The Buffalo Sewer Authority has many complex general labor and employment matters as well as contract negotiations that require the skill of specialized labor relations attorneys; and

WHEREAS: The law firm Phillips Lytle LLP has extensive experience in these areas; and

WHEREAS: Phillips Lytle LLP has been satisfactorily representing the Authority with these matters; and

WHEREAS: Upon request, Phillips Lytle LLP has submitted a proposal to represent the Buffalo Sewer Authority for the period July 1, 2020 - June 30, 2021; and

WHEREAS: The Director of Employee Relations recommends approval to retain Phillips Lytle LLP for general labor and employment matters as well as contract negotiations in an amount not to exceed \$50,000.00 for the current fiscal year.

NOW THEREFORE
BE IT RESOLVED:

That the Board of the Buffalo Sewer Authority hereby authorizes the General Manager to retain Phillips Lytle LLP to provide legal services to the Buffalo Sewer Authority in connection with general labor and employment matters for the period July 1, 2020 – June 30, 2021 in an amount not to exceed \$50,000.00. Account no. 00110106-432003 shall be utilized for these services.

MOTION TO APPROVE

MADE BY MS. PETRUCCI

2ND BY MR. ROOSEVELT

AYES 3 NOES 0

Board Meeting of September 30, 2020

ITEM NO. 13

AUTHORIZATION FOR CHANGE ORDER TO BLANKET PURCHASE ORDER NO. 22100134 FOR SECURITY GUARD SERVICES

- WHEREAS: On May 27, 2020, the Board of the Buffalo Sewer Authority awarded a contract to Don's Security Services, for the security guard services at the Bird Island Treatment Plant Facility for a one-year period, July 1, 2020 to June 30, 2021, with an option to renew for four (4) one-year periods, at a total cost of \$21.85 per hour for a total amount not to exceed \$382,812.00; and
- WHEREAS: The NYS Department of Labor's prevailing wage rate increased on July 1, 2020, by \$1.73/hr. and .07% for supplemental benefits, resulting in the billable rate increasing from \$21.85/hr. to \$23.65/hr. for this service; and
- WHEREAS: The total amount of this contract for fiscal year 2020-2021 should be revised from \$382,812.00 to a total not to exceed \$414,348.00 for the period July 1, 2020 to June 30, 2021, necessitating a change order to Blanket Purchase Order No. 22100134; 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 \$31,536.00 to Blanket Purchase Order No. 22100134 in order to increase the previously authorized amount from \$382,812.00 to a total not to exceed \$414,348.00 for fiscal year 2020-2021 for security guard services provided by Dons Security Service. Expenses for this contract will be charged to account no. 00200106-434000.

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

Board Meeting of September 30, 2020

ITEM NO. 14

**AMENDMENT TO SOLE SOURCE LISTING FOR SELECTED INSTRUMENTATION
MAINTENANCE, LABORATORY AND OFFICE EQUIPMENT**

WHEREAS: A Sole Source procurement, in accordance with New York State Procurement Guidelines, is one in which an item is only available from one (1) source due to patents, exclusive franchises, etc. and there is no possibility of competition for the item; and

WHEREAS: The Board of the Buffalo Sewer Authority approves and designates a list of original equipment manufacturers as Sole Sources; and

WHEREAS: An amendment to the Sole Source Listing is requested to add the following manufacturer:

Envirolutions LLC	Sales of all products including, OEM parts, service, repairs, revamps and rebuilds for the Flowserve Pump Division line of broad products.
-------------------	--

; and

WHEREAS: Envirolutions LLC is the exclusive representative for the sales of all products for the Flowserve Pump Division New York State counties; and

WHEREAS: The Treatment Plant Superintendent, Superintendent of Mechanical Maintenance and Purchasing Department have reviewed all supporting documentation and recommend this amendment to the Sole Source Listing.

NOW THEREFORE
BE IT RESOLVED: That the Board of the Buffalo Sewer Authority hereby approves the above amendment to the Sole Source Listing.

MOTION TO APPROVE

MADE BY MR. ROOSEVELT

2ND BY MS. PETRUCCI

AYES 3 NOES 0

Board Meeting of September 30, 2020

ITEM NO. 15

**EXTENSION OF THE CONTRACT FOR THE IN-PLANT HIGH PRESSURE STEAM
SYSTEM MAINTENANCE SERVICES**

WHEREAS: On July 31, 2019, the Board of the Buffalo Sewer Authority awarded a contract to Quackenbush, Inc., for In-Plant High Pressure Steam System Maintenance Services at a total cost not to exceed \$204,999.00 for the fiscal year 2019-2020; and

WHEREAS: Quackenbush Company Inc., has agreed to extend this contract for one (1) additional year under the same terms and conditions for fiscal year 2020-2021; and

WHEREAS: The Principal Chief Stationary Engineer recommends this extension at a total cost not to exceed \$300,000.00.

NOW THEREFORE
BE IT RESOLVED:

That the Board of the Buffalo Sewer Authority hereby authorizes the General Manager to renew the contract with Quackenbush Company, Inc., for In-Plant High Pressure Steam System Maintenance Services for the period July 1, 2020 through June 30, 2021, at a total cost not to exceed \$300,000.00. Expenses for this contract will be charged to account no. 00380106-443421.

MOTION TO _____ APPROVE _____

MADE BY _____ MR. ROOSEVELT _____

2ND BY _____ MS. PETRUCCI _____

AYES _____ 3 _____ NOES _____ 0 _____

Board Meeting of September 30, 2020

ITEM NO. 16

AUTHORIZATION FOR CLEANING AND DISINFECTING SERVICES FOR BIRD ISLAND TREATMENT FACILITY

- WHEREAS: On March 11, 2020, the World Health Organization (WHO) declared COVID-19 (novel coronavirus) a pandemic; and
- WHEREAS: The Buffalo Sewer Authority has been monitoring and taking steps to ensure the health and safety of the staff and any third party on-sight support personnel at the Bird Island Treatment Facility; and
- WHEREAS: Routine cleaning and disinfection using EPA-approved disinfectants can reduce the exposure to COVID-19; and
- WHEREAS: Upon request, 1 Accord Services Inc., submitted a proposal to the Buffalo Sewer Authority for antimicrobial cleaning services at the Bird Island Treatment Facility (23,446 square feet) in an amount not to exceed \$66,821.10; and
- WHEREAS: The company's Rotating Antiviral Protection Program (R.A.P.P) covers all phases of COVID-19 remediation and is compliant with the Centers for Disease Control (CDC) and the Environmental Protection Agency's (EPA) recommendations; and
- WHEREAS: Services include disinfection of contact surfaces and air, application of an antimicrobial coating that will last for six (6) months, and quarterly testing of surfaces and air quality; and
- WHEREAS: The General Manager recommends acceptance of this proposal.

NOW THEREFORE
BE IT RESOLVED:

That the Board of the Buffalo Sewer Authority authorizes the General Manager to utilize 1 Accord Services, Inc., for their CDC, EPA compliant antimicrobial cleaning services at the Bird Island Treatment Facility in an amount not to exceed \$66,821.10. These services will be charged to account no. 00110106-434000.

MOTION TO APPROVE

MADE BY MS. PETRUCCI

2ND BY MR. ROOSEVELT

AYES 3 NOES 0

Board Meeting of September 30, 2020

ITEM NO. 17

AUTHORIZATION TO ENTER INTO AGREEMENT WITH KOESTER ASSOCIATES, INC.

- WHEREAS: The Board of the Buffalo Sewer Authority authorized the installation of a fine bubble diffusion system on 16 aeration tanks at the Bird Island Treatment Facility in 1995. Sanitaire, the original equipment manufacturer of the diffuser and the holder of the patent on the gas cleaning procedure, recommends annual gas cleaning of the diffuser elements; and
- WHEREAS: Performance reports have proven that the continued cleaning and maintenance of these diffusers lowers electrical usage and improves oxygen-transfer efficiency; and
- WHEREAS: The annual cleaning was last performed in spring 2019 and plant staff recommend that annual cleaning of the aeration tank diffusers be performed at this time; and
- WHEREAS: Koester Associates, Inc., a representative for Sanitaire has submitted a quote in the amount of \$95,399.76 for the cleaning of 12 aeration tanks. The quote includes labor and chemicals; and
- WHEREAS: The Treatment Plant Superintendent and staff recommend accepting the quote from Koester Associates, Inc., for the cleaning of 12 aeration tanks, including labor and chemicals, at a total cost not to exceed \$95,399.76.
- NOW THEREFORE
BE IT RESOLVED: That the Board of the Buffalo Sewer Authority hereby authorizes the General Manager to enter into and execute an agreement with Koester Associates, Inc., for the annual cleaning of 12 aeration tank diffusers at a total cost not to exceed \$95,399.76. Expenses for this agreement will be charged to account no. 00290106-443301.

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

Board Meeting of September 30, 2020

ITEM NO. 18

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 Blvd.	THIS CHANGE ORDER	\$200,000.00
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 REMOVE FROM TABLE

MADE BY MR. ROOSEVELT

2ND BY MS. PETRUCCI

AYES 3 NOES 0

Board Meeting of September 30, 2020

MOTION TO APPROVE

MADE BY MR. ROOSEVELT

2ND BY MS. PETRUCCI

AYES 3 NOES 0

Board Meeting of September 30, 2020

ITEM NO. 19
CONTRACT NO. 81600008

CERTIFICATE OF ACCEPTANCE AND OCCUPANCY

PROJECT: Influent Trash Rack and MLSS Screen Replacement

CONTRACTOR: Hohl Industrial Services, Inc.
770 Riverview Blvd.
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 September 30, 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 September 30, 2020;
- c. A one-year maintenance period will commence on September 30, 2020;
- d. The Board approved Change Order No. 1 on September 30, 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 REMOVE FROM TABLE

MADE BY MR. ROOSEVELT

2ND BY MS. PETRUCCI

AYES 3 NOES 0

Board Meeting of September 30, 2020

MOTION TO APPROVE

MADE BY MS. PETRUCCI

2ND BY MR. ROOSEVELT

AYES 3 NOES 0

Board Meeting of September 30, 2020

ITEM NO. 20

REPORT ON BIDS RECEIVED – CONTINUOUS EMISSIONS SYSTEM UPGRADE

WHEREAS: Formal bids were advertised and solicited for the Continuous Emissions System Purchase and Installation Project at the Bird Island Treatment Facility. The following bids were received and opened by the Buffalo Sewer Authority on September 3, 2020:

<u>Bidder</u>	<u>Total Bid</u>
Trace Environmental, Inc.	\$285,700.00
CEMTEK	\$298,178.00
SBS CISCO	\$321,300.00
Quackenbush Co., Inc.	\$349,000.00

; and

WHEREAS: The bids were received and the contract will be awarded on the basis of lump sum prices. The bids reflect the true amount of the contract; and

WHEREAS: The Buffalo Sewer Authority's Consulting Engineer, Trinity, has reviewed the bids and recommend awarding the contract to the lowest bidder, Trace Environmental, Inc., at a cost not to exceed \$285,700.00; and

WHEREAS: The Treatment Plant Administrator and Senior Instrument Technician concur with the recommendation of the Consulting Engineer.

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 Trace Environmental, Inc., for the Continuous Emissions System Purchase and Installation Project in an amount not to exceed \$285,700.00. Expenses for this contract will be charged to account no. 02000517-490740.

MOTION TO APPROVE

MADE BY MS. PETRUCCI

2ND BY MR. ROOSEVELT

AYES 3 NOES 0

Board Meeting of September 30, 2020

ITEM NO. 21

**SEQRA TYPE II DETERMINATION REGARDING BIRD ISLAND TREATMENT FACILITY
SECONDARY SYSTEM REHABILITATION AND UPGRADES**

- WHEREAS: On March 18, 2014, the United States Environmental Protection Agency, with concurrence by the New York State Department of Environmental Conservation, issued an Amended Administrative Order which approved the Buffalo Sewer Authority's Combined Sewer Overflow Long Term Control Plans (LTCP); and
- WHEREAS: As part of the Authority's LTCP efforts, rehabilitation of the existing aeration system, return activated sludge piping, valves, controls, and other related equipment as well as removal of grit deposits throughout the secondary systems is being pursued; and
- WHEREAS: The Buffalo Sewer Authority, as lead agency pursuant to the New York State Environmental Quality Review Act (SEQRA), undertook a coordinated review of the LTCP, and on July 18, 2012 issued a Negative Declaration with respect to the LTCP; and
- WHEREAS: SEQRA, with reference to 6 NYCRR §617.5, provides that certain actions noted as Type II, or classes of action, have been determined not to have a significant impact on the environment or are otherwise precluded from environmental review under New York Environmental Conservation Law. Specifically, 6 NYCRR 617.5 (c) (29) excludes "a course of action specifically required to be undertaken pursuant to a judgment or order".
- NOW THEREFORE
BE IT RESOLVED: That the Board of the Buffalo Sewer Authority hereby constitutes the Bird Island Treatment Facility Secondary System Rehabilitation and Upgrades project as a Type II Action in accordance with 6 NYCRR 617.5 (c) (29). Accordingly, no further review under SEQRA is required.

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

Board Meeting of September 30, 2020

CERTIFICATE

I, Oluwole A. McFoy, General Manager of the Buffalo Sewer Authority in the County of Erie, State of New York, HEREBY CERTIFY that the foregoing attached extract from the Minutes of a meeting of the Board of Directors of said Authority, duly called and held on September 30, 2020, and at which a quorum was present and acting throughout and the resolution contained therein is a true and complete copy of the resolution thereupon adopted on September 30, 2020, and recorded in the Minutes of said Authority and that the foregoing extract has been compared by me with the original minutes as officially recorded in my office in the Minute Book of said Authority and is a true, complete and correct copy thereof and of the whole of said original minutes so far as the same relate to the subject matters referred to in said extract, and that said resolution has not been amended or repealed but is in full force and effect.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the corporate seal of said Authority this 30th day of September, 2020.

(SEAL)

Oluwole A. McFoy, P.E.
General Manager, Buffalo Sewer Authority

ITEM NO. 22

**AUTHORIZATION TO PURCHASE A VEHICLE UNDER THE ONONDAGA COUNTY
CONTRACT #8996****WHEREAS:**

The Director of Sewer Maintenance and staff request approval to purchase the following vehicle, with additional options, available under Onondaga County to add to the existing fleet:

County Contract	Vendor	Vehicle	Cost
Award No. 8996	Tracey Road Equipment	One (1) 2021 Freightliner 114SD Tandem Axle Truck equipped with a Camel Maxxx 1200 Ejector/12yd Combination Sewer Cleaner	
		Chassis	\$94,865.00
		Cyncon Equipment	\$323,309.00
		Total Cost:	\$418,174.00

; and

WHEREAS:

The Director of Sewer Maintenance and staff recommend the purchase of the above vehicle at the total cost of \$418,174.00.

**NOW THEREFORE
BE IT RESOLVED:**

That the Board of the Buffalo Sewer Authority hereby authorizes the General Manager to purchase the above vehicle and additional options indicated from Tracey Road Equipment, at a total cost of \$418,174.00. This purchase will be charged to account no. 00690107-474200.

MOTION TO APPROVE

MADE BY MS. PETRUCCI

2ND BY MR. ROOSEVELT

AYES 3 NOES 0

Board Meeting of September 30, 2020

ITEM NO. 23

CHANGE ORDER NO. 3 – CONTRACT NO. 81800001

CONTRACTOR:	ORIGINAL CONTRACT COST	\$559,560.00
Scott Lawn Yard, Inc.	PREVIOUS CHANGE ORDER	\$213,701.00
5552 Townline Road	THIS CHANGE ORDER	<u>(\$247,119.84)</u>
Sanborn, NY 14132	ADJUSTED CONTRACT COST	\$526,141.16

PROJECT: Northland Avenue Rehabilitation and Streetscape Project

DESCRIPTION OF CHANGE OR EXTRA WORK:

Decrease in contract amount of unused funds from project efficiencies.

REASON FOR CHANGE OR EXTRA WORK:

Final adjustment.

COST OF CHANGE OR EXTRA WORK:

(\$247,119.84)

THE TOTAL COST OF THE CHANGE OR EXTRA WORK: (\$247,119.84)

The total DECREASE to the contract as a result of this Change Order is \$247,119.84

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. 3 to Contract No. 81800001 as written in the above Agenda Item, decreasing the contract cost in the amount of \$247,119.84, making the adjusted contract cost \$526,141.16.

MOTION TO APPROVE

MADE BY MS. PETRUCCI

2ND BY MR. ROOSEVELT

AYES 3 NOES 0

Board Meeting of September 30, 2020

ITEM NO. 24
CONTRACT NO. 81800001

CERTIFICATE OF ACCEPTANCE AND OCCUPANCY

PROJECT: Northland Avenue Rehabilitation and Streetscape Project

BID: \$559,560.00

CONTRACTOR: Scott Lawn Yard, Inc.
5552 Townline Road
Sanborn, NY 14132

WHEREAS: The Landscape Architect and Engineering staff have certified that the Contractor completed the work in accordance with the plans and specification on December 17, 2019; and

WHEREAS: In Item No. 13, on May 30, 2018 the contract value was increased by \$106,201.00; and

WHEREAS: In Item No. 30, on September 26, 2018 the contract value was increased by \$107,500.00; and

WHEREAS: In Item No. 23, on September 30, 2020 the contract value was decreased by \$247,119.84; and

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 17, 2019;
- c. The maintenance period commence on December 17, 2019;
- d. The final cost of the is Contract \$526,141.16.

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 September 30, 2020

ITEM NO. 25

CHANGE ORDER NO. 1 – CONTRACT NO. 82000006

CONTRACTOR:	ORIGINAL CONTRACT COST	\$974,003.00
J.A. Brundage	PREVIOUS CHANGE ORDER	\$0
The Drain Doctor, Inc.	THIS CHANGE ORDER	<u>(\$45,017.00)</u>
1400 College Avenue	ADJUSTED CONTRACT COST	\$928,986.00
Niagara Falls, NY 14305		

PROJECT: East Ferry Trunk Sewer & South Park Sedimentation Basin Grit Removal Project

DESCRIPTION OF CHANGE OR EXTRA WORK:

Item #1 Final adjustment to the contract amount.

REASON FOR CHANGE OR EXTRA WORK:

Item #1 Adjusting contract amount for actual quantities used.

COST OF CHANGE OR EXTRA WORK:

Item #1 (\$45,017.00)

THE TOTAL COST OF THE CHANGE OR EXTRA WORK: (\$45,017.00)

The Total DECREASE to the Contract as a result of this Change Order is \$45,017.00

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. 82000006 as written in the above Agenda Item, decreasing the contract cost in the amount of \$45,017.00 making the adjusted contract cost \$928,986.00.

MOTION TO APPROVE

MADE BY MS. PETRUCCI

2ND BY MR. ROOSEVELT

AYES 3 NOES 0

Board Meeting of September 30, 2020

ITEM NO. 26

CONTRACT NO. 82000006

CERTIFICATE OF ACCEPTANCE AND OCCUPANCY

PROJECT: East Ferry Trunk Sewer & South Park Sedimentation Basin Grit Removal Project

BID: \$974,003.00

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

WHEREAS: The Junior Sanitary Engineer and staff have certified that the Contractor completed the work in accordance with the plans and specification on February 14, 2020; and

WHEREAS In Item No. 25, on September 30, 2020 the contract value was decreased by \$45,017.00.

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 February 14, 2020;
- c. The maintenance period commence on February 14, 2020;
- d. The final cost of the Contract is \$928,986.00.

MOTION TO APPROVE

MADE BY MS. PETRUCCI

2ND BY MR. ROOSEVELT

AYES 3 NOES 0

Board Meeting of September 30, 2020

ITEM NO. 27

ACCEPTANCE OF GRANT FUNDS

WHEREAS: On April 1, 2020, the Board of the Buffalo Sewer Authority authorized the General Manager to enter into and execute a contract with Nova Site Company, LLC. for the Smith St. at Eagle St. Real Time Control Project; and

WHEREAS: The Buffalo Sewer Authority applied for a Water Quality Improvement Project grant through the New York State Department of Environmental Conservation (NYSDEC) to help fund this project; and

WHEREAS: The NYDEC has awarded the Buffalo Sewer Authority a grant in the amount of \$2,947,886.00 for this project.

NOW THEREFORE
BE IT RESOLVED:

That the Board of the Buffalo Sewer Authority hereby accepts the Water Quality Improvement Project Number 94113 grant in the amount of \$2,947,886.00, from the New York State Department of Environmental Conservation. These grant funds shall be allocated to the Smith St. at Eagle St. Real Time Control Project, contract number 82000017, from account no. 029000507-490740.

MOTION TO APPROVE

MADE BY MR. ROOSEVELT

2ND BY MS. PETRUCCI

AYES 3 NOES 0

Board Meeting of September 30, 2020

ITEM NO. 28

**AUTHORIZATION FOR GREEN INFRASTRUCTURE BETTERMENT AS PART OF
THE CITY OF BUFFALO JEFFERSON AVENUE STREETScape PROJECT**

WHEREAS: In compliance with the requirements of its Long Term Control Plan (LTCP), the Buffalo Sewer Authority will be developing green infrastructure stormwater retention systems throughout the City of Buffalo; and

WHEREAS: The City of Buffalo Department of Public Works, Parks and Streets has entered into an agreement with Clark Patterson Lee pursuant to Agenda Item 20-909 of the City of Buffalo Common Council Proceedings of July 21, 2020, to provide engineering services for design and inspection for the Jefferson Avenue Streetscape Project extending from East Utica Street to Main Street; and

WHEREAS: Upon request, Clark Patterson Lee has submitted a professional services proposal for the preliminary design of the Green Infrastructure Betterment as Part of the Jefferson Avenue Streetscape Project; and

WHEREAS: The Landscape Architect has reviewed this proposal and agree with the City of Buffalo retaining Clark Patterson Lee to perform the green infrastructure preliminary design services to investigate the potential feasibility of green infrastructure for this project as outlined in Clark Patterson Lee's proposal for an amount not to exceed \$120,790.00.

NOW THEREFORE
BE IT RESOLVED:

That the Board of the Buffalo Sewer Authority hereby approves the City of Buffalo's agreement with Clark Patterson Lee to perform design services for the Green Infrastructure Betterment Project as Part of the City's Jefferson Avenue Streetscape Project in an amount not to exceed \$120,790.00. Account no. 02000518-432004 will be utilized for these services.

MOTION TO APPROVE

MADE BY MR. ROOSEVELT

2ND BY MS. PETRUCCI

AYES 3 NOES 0

Board Meeting of September 30, 2020

ITEM NO. 29

REPORTS ON BIDS RECEIVED - POROUS ASPHALT MAINTENANCE

WHEREAS: Formal bids were advertised and solicited for maintenance of porous asphalt on William St.; and

WHEREAS: The following bids were received and opened by the Buffalo Sewer Authority Purchase Department on September 14, 2020:

Vendor	Total Cost:
Badger Daylighting Corp.	\$ 80,600.00
Pinto Construction	\$157,500.00

; and

WHEREAS: The Landscape Architect, Preventative Maintenance Coordinator and staff reviewed the quotes and recommend awarding the contract to the lowest eligible bidder, Badger Daylighting Corp., at a cost not to exceed \$80,600.00

NOW THEREFORE
BE IT RESOLVED: That the Board of the Buffalo Sewer Authority hereby authorizes the General Manager to enter into an agreement for porous asphalt maintenance with the lowest eligible bidder, Badger Daylighting Corp., at a total cost of \$80,600.00. This purchase will be charged to account no. 00700106-444255.

MOTION TO APPROVE

MADE BY MR. ROOSEVELT

2ND BY MS. PETRUCCI

AYES 3 NOES 0

Board Meeting of September 30, 2020

ITEM NO. 30

AUTHORIZATION TO ENTER INTO AN AGREEMENT FOR UTILITY LOCATION SERVICES

WHEREAS: The Buffalo Sewer Authority (BSA) issued a request for proposals (RFP) for utility location services on July 29, 2020 for the period November 1, 2020 through June 30, 2021 with up to four (4) one-year renewals beginning July 1, 2021; and

WHEREAS: On the Mark, LLC (OTM), PipeDream Service of WNY, USIC, LLC, Ground Penetrating Radar Services, Inc. (GPRS) requested and received copies of the RFPs; and

WHEREAS: The results of the proposals were as follows:

<u>Vendor</u>	<u>Total Cost</u> <u>(for a 12 month period)</u>
On the Mark, LLC	\$103,165.00
USIC	\$181,88.00
Pipe Dream Service	Declined to Submit Proposal
Ground Penetrating Radar Systems, LLC	No Response

; and

WHEREAS: Based upon the proposal review, the General Manager and Assistant Sanitary Engineer recommend retaining OTM, the apparent low bidder, to provide utility location services for the initial period of November 1, 2020 through June 30, 2021, with an option to renew for an additional four (4) one- year periods, July 1, 2021 – June 30, 2022, July 1, 2022 – June 30, 2023, July 1, 2023 – June 30, 2024 and July 1, 2024 - July 30, 2025; and

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

NOW THEREFORE
BE IT RESOLVED:

That the Board of the Buffalo Sewer Authority hereby authorizes the General Manager to execute an agreement with OTM for utility location services at a cost not-to-exceed \$68,776.72 for the period November 1, 2020 through June 30, 2021. Account no. 00600106-432004 will be utilized for these services

MOTION TO APPROVE

MADE BY MS. PETRUCCI

2ND BY MR. ROOSEVELT

AYES 3 NOES 0

Board Meeting of September 30, 2020

ITEM NO. 31

AUTHORIZATION TO PREQUALIFY FIRMS FOR THE PURPOSE OF ENTERING INTO PROFESSIONAL SERVICES AGREEMENTS FOR GREEN INFRASTRUCTURE PROJECTS

- WHEREAS: There is a need to retain the services of engineering, landscape architecture, urban design and planning firms on an as directed basis for green infrastructure capital improvement projects; and
- WHEREAS: A total of fifty (50) firms responded to a formal Request for Qualifications; and
- WHEREAS: A consultant selection committee appointed by the General Manager reviewed and ranked the qualification packages received; and
- WHEREAS: Based upon the review of the qualification packages, the consultant selection committee recommends prequalifying the following firms to allow for the submission of proposals for future green infrastructure projects as specific projects are identified:

Firm Name	WNY Local Office	WBE	MBE
AKRF			
Arcadis	Yes		
Arup			
Costich Engineering	Yes		
Environmental Consulting & Technology			
Environmental Design & Research	Yes	WBE	
Evolve EA		WBE	
Greenprint Partners		WBE	
Joy Kuebler	Yes	WBE	
Kheops	Yes		MBE
Molly Vendura	Yes	WBE	
MVVA			
Pentagram			
Prospect Hill	Yes	WBE	MBE
SITU			
SmithGroup			
Stantec	Yes		
Stoss			
Studio-MLA		WBE	MBE
Watts	Yes		MBE
Wendel Companies	Yes		
WRT			

; and

WHEREAS: In accordance with the Authority's Procurement Guidelines, Agreements between the Buffalo Sewer Authority and the firms listed will be submitted to the Board of the Buffalo Sewer Authority as specific projects are identified and scopes of work and associated fees are agreed upon; and

NOW THEREFORE

BE IT RESOLVED: That the Board of the Buffalo Sewer Authority hereby deems the above listed firms as prequalified for work on engineering, landscape architecture, urban design and planning green infrastructure projects.

MOTION TO APPROVE

MADE BY MS. PETRUCCI

2ND BY MR. ROOSEVELT

AYES 3 NOES 0

Board Meeting of September 30, 2020

ITEM NO. 32

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 position to the Job Classification Plan:

One (1) Millwright Helper

00520171 411001

MOTION TO APPROVE

MADE BY MS. PETRUCCI

2ND BY MR. ROOSEVELT

AYES 3 NOES 0

Board Meeting of September 30, 2020

ITEM NO. 33

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:

Two (2) Senior Clerks	00110121	411001
One (1) Clerk	00120111	411001
Two (2) Principal Clerks	00200121	411001

MOTION TO APPROVE

MADE BY MR. ROOSEVELT

2ND BY MS. PETRUCCI

AYES 3 NOES 0

Board Meeting of September 30, 2020

ITEM NO. 34

CONFIRMATION OF APPOINTMENTS

FIELD TECHNICIAN (PROVISIONAL)
SEWAGE TREATMENT PLANT
\$45,099 PER ANNUM
EFFECTIVE: SEPTEMBER 8, 2020

LAUREN CZARNIAK
18 GREELEY ST.
BUFFALO, NY

HR GENERALIST (PROVISIONAL)
CITY HALL ADMINISTRATION
\$56,074 PER ANNUM
EFFECTIVE: AUGUST 24, 2020

LOUIS FELICIANO
68 ASHLAND AVE.
BUFFALO, NY

JR. SANITARY ENGINEER (PROVISIONAL)
SEWAGE TREATMENT PLANT
\$53,492 PER ANNUM
EFFECTIVE: AUGUST 10, 2020

JOSHUA BONILLA-RIVAS
1365 BRECKENRIDGE ST.
BUFFALO, NY

JR. SANITARY ENGINEER (PROVISIONAL)
SEWAGE TREATMENT PLANT
\$53,492 PER ANNUM
EFFECTIVE: SEPTEMBER 8, 2020

SARAH RENNELLS
103 PROSPECT AVE.
BUFFALO, NY

LABORER I (PERMANENT)
SEWAGE TREATMENT PLANT
\$19.59 PER HOUR
EFFECTIVE: AUGUST 24, 2020

DAVID BATTEL
64 FULLER ST.
BUFFALO, NY

LABORER I (PERMANENT)
SEWAGE TREATMENT PLANT
\$19.59 PER HOUR
EFFECTIVE: AUGUST 10, 2020

APOLONIO CLAUSSELLS
327 NORTH HUMBURLAND AVE.
BUFFALO, NY

LABORER I (PERMANENT)
SEWAGE TREATMENT PLANT
\$19.59 PER HOUR
EFFECTIVE: SEPTEMBER 8, 2020

KIMBERLEE CZARNIAK
405 GOETHE ST.
BUFFALO, NY

LABORER I (PERMANENT)
SEWAGE TREATMENT PLANT
\$19.59 PER HOUR
EFFECTIVE: AUGUST 10, 2020

BRANDON DONOHUE
173 COLUMBUS AVE.
BUFFALO, NY

LABORER I (PERMANENT)
SEWAGE TREATMENT PLANT
\$19.59 PER HOUR
EFFECTIVE: AUGUST 31, 2020

ADRIAN LEWIS
361 EAST ST., REAR
BUFFALO, NY

LABORER I (PERMANENT)
SEWAGE TREATMENT PLANT
\$19.59 PER HOUR
EFFECTIVE: SEPTEMBER 8, 2020

ALEX ROSSI
660 CRESCENT AVE.
BUFFALO, NY

LABORER I (PERMANENT)
SEWAGE TREATMENT PLANT
\$19.59 PER HOUR
EFFECTIVE: SEPTEMBER 8, 2020

LAMONT WATKINS
53 WILBURY PL.
BUFFALO, NY

MILLWRIGHT HELPER (PERMANENT)
SEWAGE TREATMENT PLANT
\$23.65 PER HOUR
EFFECTIVE: AUGUST 10, 2020

JULIUS LEWIS
208 HASTINGS AVE.
BUFFALO, NY

PERSONNEL SPECIALIST I (PROVISIONAL)
CITY HALL ADMINISTRATION
\$53,492 PER ANNUM
EFFECTIVE: AUGUST 24, 2020

TERRANCE DUBOIS
2830 MAIN ST.
BUFFALO, NY

PREVENTATIVE MAINTENANCE COORDINATOR (PROVISIONAL)
SEWAGE TREATMENT PLANT
\$64,141 PER ANNUM
EFFECTIVE: AUGUST 10, 2020

PERRY POPE
135 SHIRLEY AVE.
BUFFALO, NY

SEWER CONSTRUCTION INSPECTOR (PROVISIONAL)
SEWAGE TREATMENT PLANT
\$65,931 PER ANNUM
EFFECTIVE: AUGUST 24, 2020

DESMOND LAWS
4 NOKOMIS PKWY.
BUFFALO, NY

SEWER MAINTENANCE SUPERVISOR I (PERMANENT)
SEWAGE TREATMENT PLANT
\$60,114 PER ANNUM
EFFECTIVE: AUGUST 10, 2020

WILLIAM CONROY
373 CUMBERLAND AVE.
BUFFALO, NY

MAINTENANCE ASSISTANT (PROVISIONAL)
SEWAGE TREATMENT PLANT
\$22.71 PER HOUR
EFFECTIVE: SEPTEMBER 21, 2020

STEPHEN BRUCATO
47 AVERY AVE.
BUFFALO, NY

MILLWRIGHT HELPER (PERMANENT)
SEWAGE TREATMENT PLANT
\$22.93 PER HOUR
EFFECTIVE: SEPTEMBER 21, 2020

JACK GERARD
298 WEIMAR ST.
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 MR. ROOSEVELT

2ND BY MS. PETRUCCI

AYES 3 NOES 0

Board Meeting of September 30, 2020

ITEM NO. 35

REQUEST FOR EXTENSION OF LEAVE OF ABSENCE

WHEREAS: The Buffalo Sewer Authority has received a request from Gregory Reusch, Millwright Helper (Permanent), to extend his unpaid personal leave of absence for the period August 11, 2020 through the duration of his probationary period with the City of Buffalo Fire Department; and

WHEREAS: The General Manager has reviewed this request and recommends approval of Gregory Reusch's request for an extension of his unpaid leave of absence to continue employment with the City of Buffalo Fire Department for the duration for his probationary period.

NOW THEREFORE
BE IT RESOLVED: That the Board of the Buffalo Sewer Authority hereby grants Gregory Reusch an extension of his unpaid leave of absence beginning August 11, 2020 and extending until the end of his probationary period with the City of Buffalo Fire Department.

MOTION TO APPROVE

MADE BY MS. PETRUCCI

2ND BY MR. ROOSEVELT

AYES 3 NOES 0

Board Meeting of September 30, 2020

ITEM NO. 36

TUITION ASSISTANCE

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 Assistance.

<u>EMPLOYEE</u>	<u>SCHOOL</u>	<u>COURSE</u>	<u>TUITION</u>
Zachary Q. Isch	Erie Community College	Business Administration	\$2,142.00

WHEREAS: No Funds will be expended at this time.

NOW THEREFORE
BE IT RESOLVED: That the Board of the Buffalo Sewer Authority hereby approves the above application for Tuition Assistance.

MOTION TO APPROVE

MADE BY MR. ROOSEVELT

2ND BY MS. PETRUCCI

AYES 3 NOES 0

Board Meeting of September 30, 2020

ITEM NO. 37

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</u> <u>TOTAL</u>
Daniel O'Sullivan	Erie Community College	Rhetorical Strategies	90%	\$553.50

NOW THEREFORE
BE IT RESOLVED:

That the Board of the Buffalo Sewer Authority hereby approves the above application for Tuition Reimbursement totaling \$553.50. This Reimbursement will be charged to account no. 00820102-421026.

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

Board Meeting of September 30, 2020

ITEM NO. 38

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	Erie Community College	Fees	100%	\$96.00

NOW THEREFORE
BE IT RESOLVED:

That the Board of the Buffalo Sewer Authority hereby approves the above application for Tuition Reimbursement totaling \$96.00. This Reimbursement will be charged to account no. 00820102-421026.

MOTION TO APPROVE

MADE BY MS. PETRUCCI

2ND BY MR. ROOSEVELT

AYES 3 NOES 0

Board Meeting of September 30, 2020

ITEM NO. 39

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

Board Meeting of September 30, 2020