

**MINUTES OF THE REGULAR MEETING  
OF THE  
BUFFALO SEWER AUTHORITY  
DECEMBER 16, 2020**

# BUFFALO SEWER AUTHORITY

December 16, 2020

**REGULAR MEETING**                      **9:00 A.M.**                      **VIA TELECONFERENCE**  
**+ 1 929-229-5044 United States, New York City (Toll)**  
**Phone Conference ID: 722 686 543#**

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## ITEM NO. 2

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

As of November 30, 2020

ISSUE DATE	MATURITY DATE	TOTAL DAYS	AMOUNT	BANK	RATE	INTEREST AMOUNT
<b>CONSTRUCTION/CAPITAL IMPROVEMENT FUND</b>						
31-Jul-12	Money Market		\$416,338.60	Key	0.01%	Public NOW
01-Nov-19	Money Market		\$10,645,120.19	Bank on Buffalo	0.20%	
03-Aug-20	01-Dec-20	120	\$2,222,993.82	Key Banc Capital	0.15%	\$1,111.50
28-Sept-20	29-Mar-21	183	\$8,003,175.61	Key Banc Capital	0.38%	\$15,386.18
30-Sep-20	30-Mar-21	182	\$5,833,718.76	Key Banc Capital	0.31%	\$9,099.17
03-Nov-20	03-May-21	181	\$10,109,610.10	Key Banc Capital	0.41%	\$20,861.26
09-Nov-20	13-Jan-21	65	\$4,599,044.21	Key Banc Capital	0.11%	\$913.61
20-Nov-20	20-May-21	181	\$6,392,704.00	Key Banc Capital	0.35%	\$11,262.22
			<u>\$48,222,705.29</u>			
<b>LIABILITY AND CASUALTY RESERVE FUND</b>						
31-Jul-12	Money Market		\$100,955.27	Key	0.01%	Public NOW
11-Dec-19	Money Market		\$916,143.78	Bank on Buffalo	0.20%	
			<u>\$1,017,099.05</u>			
<b>OPERATING FUND</b>						
31-Jul-12	Super NOW		\$3,606,630.30	Key	0.01%	Public NOW
<b>TRUST &amp; AGENCY FUND</b>						
31-Jul-12	Super NOW		\$7,082.22	Key	0.01%	Public NOW
<b>SURPLUS FUND</b>						
14-Sep-20	14-Dec-20	91	\$90,866.08	Wilmington US Treasury		
			\$9,913,734.66	Key Bank Capital	0.21%	\$5,265.34
			\$4,514.16	Accrued Income		
			<u>\$10,009,114.90</u>			
<b>NET REVENUE FUND</b>						
			\$601.95	Wilmington US Treasury		
28-Aug-20	30-Dec-20	124	\$5,371,963.85	Key Banc Capital	0.11%	\$2,036.15
22-Sep-20	08-Dec-20	77	\$3,498,652.50	Key Banc Capital	0.18%	\$1,347.50
30-Sep-20	30-Mar-21	182	\$5,999,634.31	Key Banc Capital	0.31%	\$9,365.69
22-Oct-20	20-Jan-21	90	\$1,099,697.50	Key Banc Capital	0.11%	\$302.50
09-Nov-20	27-Jan-21	79	\$2,629,192.01	Key Banc Capital	0.14%	\$807.99
03-Nov-20	03-May-21	181	\$4,996,678.63	Key Banc Capital	0.41%	\$10,321.37
30-Nov-20	26-Apr-21	147	\$2,798,285.00	Key Banc Capital	0.15%	\$1,715.00
			\$7,960.89	Accrued Income		
			<u>\$26,402,666.64</u>			

**DEBT RESERVE FUND**

				<b>Series J</b>	
02-Jul-14	15-Nov-33	7076	\$515,879.00	UST State/Local Govt	2.70%
			\$615.63	Accrued Income	
			<u>\$516,494.63</u>		
				<b>Series K</b>	
02-Jul-14	15-Feb-33	5803	\$361,415.00	UST State/Local Govt	2.70%
			\$2,863.82	Accrued Income	
			<u>\$364,278.82</u>		
				<b>Series L</b>	
12-Nov-15	01-Oct-35	7263	\$689,547.00	UST State/Local Govt	2.44%
			\$2,819.57	Accrued Income	
			<u>\$692,366.57</u>		
				<b>Series M</b>	
27-Jun-14	01-May-44	10901	\$595,613.00	UST State/Local Govt	2.70%
			\$1,332.73	Accrued Income	
			<u>\$596,945.73</u>		
				<b>Series N</b>	
15-Nov-12	15-Apr-32	7091	\$2,167,157.00	UST State/Local Govt	2.42%
			\$6,771.77	Accrued Income	
			<u>\$2,173,928.77</u>		
			\$0.01	<b>DSF PRIN &amp;INT</b>	
				Wilmington	
				Fund	

**RECEIVE & FILE**

Board Meeting of December 16, 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***

11/24/2020	00370106 Centrifuge Repairs to Equipment	\$800.00	00420106 Amherst Repairs to Equipment	-\$800.00
11/17/2020	00200105 PLAN MISC	\$1,408.00	00550105 IWS LAB Supplies	-\$1,408.00

**RECEIVE & FILE**

Board Meeting of December 16, 2020

## ITEM NO. 4

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

VENDOR	INVOICE	AMOUNT
Bison Laboratories	420012	\$2,877.71
Bison Laboratories	419915	\$2,788.32
Bison Laboratories	419640	\$2,801.94
Bison Laboratories	419571	\$2,671.70
Bison Laboratories	419205	\$2,770.56
Bison Laboratories	419152	\$2,823.84
Bison Laboratories	419139	\$2,957.63
Bison Laboratories	419138	\$2,814.96
Bison Laboratories	419103	\$2,959.41
Bison Laboratories	419101	\$2,961.18
Bison Laboratories	418767	\$2,961.18
Bison Laboratories	418496	\$2,724.98
Bison Laboratories	417751	\$1,480.00
Bison Laboratories	417607	\$1,302.40

; 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 MS. PETRUCCI  
2<sup>ND</sup> BY MR. ROOSEVELT  
AYES 3 NOES 0

Board Meeting of December 16, 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 services were received during a prior fiscal year and charged to the 2020-2021 budget account no. 00800108-480214:

VENDOR	INVOICE	AMOUNT
Trinity Consultants	1250774	\$3,460.50
Trinity Consultants	1254253	\$1,150.20
Trinity Consultants	1257441	\$936.00
Trinity Consultants	1260754	\$2,261.70

; 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 MS. PETRUCCI

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

AYES 3 NOES 0

Board Meeting of December 16, 2020

## ITEM NO. 6

**CHANGE ORDER NO. 1 – CONTRACT NO. 82000009 FISCAL YEAR 2020-2021**

CONTRACTOR:	ORIGINAL CONTRACT COST	\$204,999.00
Quackenbush Company, Inc.	PREVIOUS CHANGE ORDER	N/A
495 Kennedy Road	THIS CHANGE ORDER	<u>\$243,508.00</u>
Buffalo, New York 14227	ADJUSTED CONTRACT COST	\$448,507.00

PROJECT: In Plant High Pressure Steam System Maintenance Service

**DESCRIPTION OF CHANGE OR EXTRA WORK:**

Item #1 Additional planned mechanical work and repairs projected through balance of 2020-2021. Budget projection at \$37,375 per month for fiscal year 2020-2021.

**REASON FOR CHANGE OR EXTRA WORK:**

Item #1 Further plant repair work needed to satisfy Treatment Plant operability, availability and safety concerns for the remaining fiscal year 2020-2021 to include:

- Protected water pump 1 & 2 replacement
- Installation of exhaust fans 20-25 in Megastructure
- Installation of exhaust fans 30 in chemical handling
- Upgrade air handling unit at Hamburg Drain
- Upgrade glycol heating hot water system in Megastructure
- Installation of condensing and evaporating coils in air handling unit J-1 of Administration building
- Sound Digester building steam heating system and condensate system upgrade
- Primary heating hot water system installation of pumps CP 62, 63, 64
- Ash system corrective maintenance to clinker grinders
- Exhaust fan upgrades in Administration building
- Duct work fabrication in various plant locations
- Condensate and high pressure steam line piping and expansion joint replacement.

**COST OF CHANGE OR EXTRA WORK:**

Item #1 \$243,508.00

THE TOTAL COST OF THE CHANGE OR EXTRA WORK \$243,508.00

The total INCREASE to the contract as a result of this Change Order is \$243,508.00





## ITEM NO. 8

**AUTHORIZATION TO ENTER INTO PROFESSIONAL ENGINEERING SERVICES  
AGREEMENT WITH WENDEL COMPANIES FOR THE INTERIORS PROJECT**

- WHEREAS: There is a need to retain the services of an engineering firm to assist with the architectural design, bidding assistance and construction administration and observation for the upcoming interiors project at the Buffalo Sewer Authority that will remodel and rehabilitate the Central Control Room, Sewer Maintenance office and break area, as well as the City Hall entrance way; and
- WHEREAS: In 2020 the Board of the Buffalo Sewer Authority issued a Request for Proposal for Professional Engineering Services with a total of fourteen (14) firms responding; and
- WHEREAS: The Professional Engineering Services proposal submitted by Wendel Companies, Inc., presented unique skills and expertise for engineering and architectural building projects; and
- WHEREAS: A proposal review committee appointed by the General Manager received a proposal from Wendel Companies, Inc., on October 19, 2020, comprising expected delivery of professional engineering services; and
- WHEREAS: The proposal review committee recommends retaining Wendel Companies, Inc., to for architectural design, bidding assistance and construction administration and observation for the interiors project.
- NOW THEREFORE  
BE IT RESOLVED: That the Board of the Buffalo Sewer Authority hereby authorizes the General Manager to execute an agreement with Wendel Companies, Inc., for design, bidding assistance and construction administration and inspection services for the interiors project at a cost not to exceed \$220,000.00 as indicated in the proposal received on October 19, 2020. Account number 02000527-432004 will be utilized for these services.

MOTION TO APPROVE

MADE BY MR. ROOSEVELT

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

AYES 3 NOES 0

Board Meeting of December 16, 2020

## ITEM NO. 9

**AUTHORIZATION TO ENTER INTO AN AGREEMENT WITH AECOM USA, INC., FOR CONSTRUCTION ADMINISTRATION AND CONSTRUCTION INSPECTION SERVICES FOR SECONDARY SYSTEM REHABILITATION AND UPGRADES**

- WHEREAS: The Buffalo Sewer Authority (BSA) issued a request for proposals (RFP) on October 2, 2020, for construction administration and construction inspection services to develop plans and specifications to assist the Buffalo Sewer Authority with a Rehabilitation and Upgrade for the Secondary System Facility; and
- WHEREAS: The RFP was issued to multiple firms including AECOM USA, Inc., Arcadis, GHD, Ramboll, Stantec, and Wendel Companies; and
- WHEREAS: AECOM USA, Inc., Arcadis, Ramboll, and Wendel Companies, responded to the RFP by the specified deadline of 10:00 AM November 19, 2020; and
- WHEREAS: A consultant selection committee lead by the Treatment Plant Administrator reviewed and ranked the proposals received; and
- WHEREAS: Based upon the proposal review and interviews, the consultant selection committee recommends retaining AECOM USA, Inc., for the professional services outlined in the RFP at an agreed upon cost not to exceed \$1,941,874.00.
- NOW THEREFORE  
BE IT RESOLVED: That the Board of the Buffalo Sewer Authority hereby authorizes the General Manager to execute an agreement with AECOM USA, Inc., to complete the professional services defined in the proposal dated November 19, 2020, at a cost not to exceed \$1,941,874.00. The cost of this contract will be funded from account no. 02000528-432004.

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

Board Meeting of December 16, 2020

## ITEM NO. 10

**REPORT ON BIDS RECEIVED - BIRD ISLAND TREATMENT FACILITY SECONDARY SYSTEM REHABILITATION AND UPGRADE PROJECT**

WHEREAS: Formal bids were advertised and solicited for the Bird Island Treatment Facility Secondary System Rehabilitation and Upgrade Project. The following bid was received and publicly opened by the Buffalo Sewer Authority on Friday, November 20, 2020 at 11:00 AM:

<u>Contractor</u>	<u>Bid</u>
Blue Heron Construction, Co.	\$36,581,611.00

; and

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

WHEREAS: The Buffalo Sewer Authority's Engineering consultant, AECOM, reviewed the packages and recommends awarding this contract to the low bidder, Blue Heron Construction, Co.; and

WHEREAS: The Treatment Plant Administrator and staff have reviewed the consultant's recommendation and concur with the recommendation provided by AECOM to award the contract to the low bidder, Blue Heron Construction, Co.

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 Blue Heron Construction, Co., for the Bird Island Treatment Facility Secondary System Rehabilitation and Upgrade Project at a cost not to exceed \$36,581,611.00. Expenses for this contract will be charged to account no. 02000529-490740.

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

Board Meeting of December 16, 2020

## ITEM NO. 11

**REPORT ON BIDS RECEIVED - DIRECT ENERGY MANAGEMENT AND PNEUMATIC CONTROL SYSTEM REPAIRS 2020-2021**

WHEREAS: Formal bids were advertised and solicited for Direct Energy Management and Pneumatic Control System Repairs 2020-2021 at the Bird Island Treatment Facility. Results are as follows:

			<b>Mollenberg-Betz</b>	<b>Siemens</b>	<b>Johnson Controls</b>	<b>RITEC</b>
<b>A.</b>	(1) hourly rate for services		\$109.00	\$145.00	NO QUOTE	NO RESPONSE
	(2) estimated service hours:	900				
	Total labor charges (1 x 2)		\$98,100.00	\$130,500.00		
	Craft:		Temperature Control Technician	Systems Specialist		
<b>B.</b>	Misc. Charges		\$0.00	\$0.00		
<b>C.</b>	Mark-up					
	Percent Mark-up over costs:		20%	0.00%		
	OR					
	DISCOUNT					
	Percent discount for needed parts:		0%	67.33%		
<b>D.</b>	<b>GRAND TOTAL (A + B)</b>		<b>\$98,100.00</b>	<b>\$130,500.00</b>	<b>\$0.00</b>	<b>\$0.00</b>

; and

WHEREAS: The Siemens bid would require costly and time-consuming upgrades and modifications to our existing system that would be more expensive under a competitively bid capital project and it would take time to recoup the rebate program offerings.

WHEREAS: The Principal Chief Stationary Engineer and staff reviewed the quotes received and recommend the repair services be awarded to the low bidder, Mollenberg-Betz, at a total cost not to exceed \$98,100.00; 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 enter into and execute a contract for Direct Energy Management and Pneumatic Control System Repairs 2020-2021 with Mollenberg-Betz in an amount not to exceed \$98,100.00. These repair services will be charged to account no. 00380106-443301.

MOTION TO APPROVE

MADE BY MS. PETRUCCI

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

AYES 3 NOES 0

Board Meeting of December 16, 2020

## ITEM NO. 12

**CHANGE ORDER NO. 4 – CONTRACT NO. 81900004**

CONTRACTOR:	ORIGINAL CONTRACT COST	\$352,074.91
O'Connell Electric	PREVIOUS CHANGE ORDERS	\$1,447,925.09
830 Phillips Road	THIS CHANGE ORDER	<u>\$650,000.00</u>
Victor, New York 14564	ADJUSTED TOTAL CONTRACT COST	\$2,450,000.00

PROJECT: In-Plant Electrical Maintenance Services

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**DESCRIPTION OF CHANGE OR EXTRA WORK:**

Item #1 Extensive and unforeseen work including electrical distribution system repair work, large scale electrical system preventative maintenance planned shutdown work, main plant transformer upgrades, safety improvements (lighting and egress) and budgeted projections for remaining fiscal year 2020-2021 efforts.

**REASON FOR CHANGE OR EXTRA WORK:**

Item #1 Due to extensive treatment plant electrical work during the first half of fiscal year 2020-2021 change order is needed to complete remaining programmed and planned work estimated through the remainder of the 2020-2021 fiscal year.

**COST OF CHANGE OR EXTRA WORK:**

Item #1 \$650,000.00

THE TOTAL COST OF THE CHANGE OR EXTRA WORK \$650,000.00

The total INCREASE to the contract as a result of this Change Order is \$650,000.00

**CONTRACT SUPPLEMENT CONDITIONS:**

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

4. The 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. 4 to Contract No. 81900004 as written in the above Agenda Item, increasing the contract cost in the amount of \$650,000.00, making the adjusted contract cost \$2,450,000.00.

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

Board Meeting of December 16, 2020