

MINUTES OF THE REGULAR MEETING

OF THE

BUFFALO SEWER AUTHORITY

October 20, 2021

57891.....57921

BUFFALO SEWER AUTHORITY

October 20, 2021

REGULAR MEETING **9:00 A.M.** **VIA TELECONFERENCE**
+ 1 917-933-2166 United States, New York City
Phone Conference ID: 580 338 734#

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CALL OF THE ROLL

Present:	<u>Herbert L. Bellamy, Jr</u>	<u>Chairman</u>
	<u>Christopher Roosevelt</u>	<u>Vice Chairman</u>
	<u>Eleanor Petrucci</u>	<u>Secretary</u>
	<u>Oluwole A. McFoy, P.E.</u>	<u>General Manager</u>
	<u>Ronald Brown</u>	<u>Executive Secretary</u>
	<u>Lori Scaletta</u>	<u>Acting Director of Employee Relations</u>
	<u>LaToya Cunningham</u>	<u>Special Assistant</u>
	<u>Roberta Gaiek, P.E.</u>	<u>Treatment Plant Administrator</u>
	<u>Alexander Emmerson</u>	<u>Treatment Plant Superintendent</u>
	<u>Rosaleen Nogle, P.E.</u>	<u>Principal Sanitary Engineer</u>
	<u>Lauren Howard, Esq.</u>	<u>General Counsel</u>
	<u>Delano Dowell</u>	<u>Deputy Comptroller (COB)</u>
	<u> </u>	<u> </u>
	<u> </u>	<u> </u>
	<u> </u>	<u> </u>
	<u> </u>	<u> </u>
Absent:	<u> </u>	<u> </u>

The meeting was called to order at 9:00 A.M. A quorum was present.

ITEM NO. 1

Motion to Adopt the Minutes of the Meeting of September 29, 2021

MOTION TO APPROVE

MADE BY MRS. PETRUCCI

2ND BY MR. ROOSEVELT

AYES 3 NOES 0

ITEM NO. 2

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

As of September 30, 2021

ISSUE DATE	MATURITY DATE	TOTAL DAYS	AMOUNT	BANK	RATE	INTEREST AMOUNT
CONSTRUCTION/CAPITAL IMPROVEMENT FUND						
31-Jul-12	Money Market		\$797,505.11	Key	0.01%	Public NOW
1-Nov-19	Money Market		\$5,097,796.16	Bank on Buffalo	0.10%	
14-Apr-21	5-Oct-21	174	\$4,102,942.55	M&T Securities	0.12%	\$2,379.74
3-May-21	19-Nov-21	200	\$9,998,611.10	Key Bank Capital	0.16%	\$8,888.89
26-May-21	22-Nov-21	180	\$13,007,084.68	Key Bank Capital	0.15%	\$9,756.75
1-Jun-21	1-Nov-21	92	\$1,199,893.33	Key Bank Capital	0.07%	\$357.00
2-Aug-21	17-Dec-21	137	\$1,999,566.66	Key Bank Capital	0.07%	\$761.11
1-Sep-21	25-Feb-22	177	\$1,998,931.10	Key Bank Capital	0.10%	\$983.33
			\$38,202,330.69			
LIABILITY AND CASUALTY RESERVE FUND						
31-Jul-12	Money Market		\$100,337.25	Key	0.01%	Public NOW
11-Dec-19	Money Market		\$917,157.27	Bank on Buffalo	0.10%	
			\$1,017,494.52			
OPERATING FUND						
31-Jul-12	Super NOW		\$5,782,573.00	Key	0.01%	Public NOW
TRUST & AGENCY FUND						
31-Jul-12	Super NOW		\$305,108.54	Key	0.01%	Public NOW
SURPLUS FUND						
15-Jun-21	13-Dec-21	181	\$637.31	Wilmington US Treasury		
			\$10,003,967.70	Key Bank Capital	0.10%	\$5,032.30
			\$3,002.70	Accrued Income		
			\$10,007,607.71			
NET REVENUE FUND						
			\$0.00	Wilmington US Treasury		
25-Aug-21	29-Oct-21	98	\$6,999,368.06	Key Bank Capital	0.05%	\$631.94
26-May-21	2-Nov-21	183	\$4,996,441.67	Key Bank Capital	0.14%	\$3,558.33
22-Jul-21	3-Nov-21	104	\$4,998,844.44	Key Bank Capital	0.08%	\$1,155.56
2-Aug-21	3-Nov-21	93	\$3,499,547.92	Key Bank Capital	0.05%	\$452.08
28-Jun-21	22-Nov-21	180	\$6,197,348.50	Key Bank Capital	0.15%	\$4,651.50
28-Jun-21	28-Dec-21	180	\$3,997,763.33	Key Bank Capital	0.11%	\$2,236.67
2-Sep-21	28-Feb-22	179	\$1,499,254.17	Key Bank Capital	0.10%	\$745.83
			\$8,966.45	Accrued Income		
			\$32,197,534.54			

BSA 2021 EIB FUND

\$53,179,136.29	Wilmington U.S. Treasury
\$437.10	Accrued Income
\$53,179,573.39	

DEBT RESERVE FUND**Series J**

02-Jul-14	13-Nov-33	7076	\$515,879.00	UST State/Local Govt	2.70%
			\$5,261.12	Accrued Income	
			\$521,140.12		

Series K

02-Jul-14	15-Feb-33	5803	\$361,415.00	UST State/Local Govt	2.70%
			\$1,246.29	Accrued Income	
			\$362,661.29		

Series L

12-Nov-15	01-Oct-35	7263	\$689,547.00	UST State/Local Govt	2.44%
			\$8,412.47	Accrued Income	
			\$697,959.47		

Series M

27-Jun-14	01-May-44	10901	\$595,613.00	UST State/Local Govt	2.70%
			\$6,686.08	Accrued Income	
			\$602,299.08		

Series N

15-Nov-12	15-Apr-32	7091	\$2,167,157.00	UST State/Local Govt	2.42%
			\$24,216.50	Accrued Income	
			\$2,191,373.50		

EFC 2021

22-Jul-21	3-Nov-22	104	\$639.72	Wilmington U.S. Treasury		
			\$316,926.74	Key Bank Capital	0.08%	\$73.26
			\$50.01	Accrued Income		
			\$317,616.47			

DSF PRIN &INT

\$0.01	Wilmington Fund
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DSF 2021 EIB

\$665,684.13	Wilmington Fund	0.01%
\$4.74	Accrued Income	
\$665,688.87		

RECEIVE & FILE

Board Meeting of October 20, 2021

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

9/30/2021	00290105 AER Equipment Maintenance	\$50,000.00	03090105 HAMBURG DR FLT EQP	-\$50,000.00
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RECEIVE & FILE

Board Meeting of October 20, 2021

ITEM NO. 4

COMPREHENSIVE COST OF SERVICES STUDY AND REPORT

- WHEREAS: The Buffalo Sewer Authority desires to have an independent comprehensive cost of services study review of its financial plan designated to protect the public health, environmental safety and meet regulatory requirements; and
- WHEREAS: A Request for Proposals (RFP) was publicly issued on September 22, 2021 by the Authority with three (3) companies, Raftelis Financial Consultants, FG Solutions, and NewGen Strategies and directly requesting copies of the RFP; and
- WHEREAS: Raftelis Financial Consultants, a nationally recognized firm in the utility and government sector providing management and consulting expertise particularly for water and wastewater sector, submitted a proposal by the specified deadline of 11:00 a.m. October 6, 2021; and,
- WHEREAS: The Executive Secretary, General Manager, and Supervisor of Fixed Assets Inventory reviewed and evaluated the proposal; received; and
- WHEREAS: Based upon the proposal review, the Executive Secretary recommends retaining Raftelis Financial Consultants to conduct a comprehensive cost of services study as outlined in the RFP, at an agreed upon cost not to exceed \$85,000.00.
- NOW THEREFORE
BE IT RESOLVED: That the Board of the Buffalo Sewer Authority hereby authorizes the General Manager to execute an agreement with Raftelis Financial Consultants, at a total cost not to exceed \$85,000.00, to conduct a comprehensive cost of services study as defined in the proposal dated October 6, 2021. Funds are available in account no. 00110106-432004 for these services.

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

Board Meeting of October 20, 2021

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 charged to the 2021-2022 budget account no. 00800108-480214

VENDOR	INVOICE	AMOUNT
Fisher Scientific	6672020	\$457.40
Fisher Scientific	8330873	\$1,519.68
Fisher Scientific	0770024	\$285.90
Fisher Scientific	1576876	\$350.12
Fisher Scientific	1576886	\$815.86
Fisher Scientific	8851561	\$586.98
Fisher Scientific	1830833	\$132.64
Fisher Scientific	6218634	\$3,005.81
Fisher Scientific	8292422	\$153.00
Fisher Scientific	1083569	\$224.77
Fisher Scientific	3151822	\$628.32
Fisher Scientific	2825874	\$758.48
Fisher Scientific	2825876	\$612.80
Fisher Scientific	3151821	\$823.32
Enterprise Fund-Water	05334044	\$42.72
Enterprise Fund-Water	05334044	\$66.92
National Grid	7757533108	\$300.57
National Grid	7757533108	\$248.04
National Grid	17512-93107	\$858.95
Polydyne Inc.	1535639	\$4,598.00
Verizon	212X009596975	\$540.04
Verizon	212X009596975	\$540.01
Verizon	716N732253	\$813.39
Verizon	716N732253	\$777.50
Verizon	716N732253	\$801.19
Verizon	716N732253	\$801.55
SUBTOTAL		\$20,743.96

; 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 MRS.PETRUCCI

AYES 3 NOES 0

Board Meeting of October 20, 2021

ITEM NO. 6

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, 2021 - June 30, 2022; 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, 2021 – June 30, 2022 in an amount not to exceed \$50,000.00. Account no. 00110106-432003 shall be utilized for these services.

MOTION TO APPROVE

MADE BY MRS.PETRUCCI

2ND BY MR. ROOSEVELT

AYES 3 NOES 0

Board Meeting of October 20, 2021

ITEM NO. 7

TRAVEL AUTHORIZATION - MIAMI, FLORIDA

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

WHEREAS: The NACWA Water Utility Resilience Forum will be held in Miami, Florida from December 13 – December 15, 2021, covering dialogue on what utilities are doing today to remain resilient; and

WHEREAS: As the country moves toward a post global pandemic, the subject of resilience is extremely relevant as the full scope of the impact and loss is revealed; and

WHEREAS: The General Manager recommends attendance for the Chairman of the Board and the General Manager to attend the NACWA Water Utility Resilience Forum.

NOW THEREFORE
BE IT RESOLVED: That the Board of the Buffalo Sewer Authority hereby authorizes the Chairman of the Board and General Manager to travel to Miami, FL from December 12 - 16, 2021, to attend the NACWA Water Utility Resilience Forum at a total cost not to exceed \$4,000.00. Account no. 00100104-458010, 00100104-458012, 00110104-458010 and 00110104-458012, will be utilized for this travel.

MOTION TO APPROVE

MADE BY MRS. PETRUCCI

2ND BY MR. ROOSEVELT

AYES 3 NOES 0

Board Meeting of October 20, 2021

ITEM NO. 8

TRAVEL AUTHORIZATION - DALLAS TEXAS

WHEREAS: The Buffalo Sewer Authority utilizes an Emerson Ovation Distributed Control System, for its primary means of operating, monitoring and controlling treatment plant instrumentation remotely.; and

WHEREAS: The Buffalo Sewer Authority Senior Instrument Technician serves as an Auxiliary Board member for the Emerson Ovation Distributed Control System, User Group; and

WHEREAS: The SCADA Technology Summit, will be held in Dallas Texas – November 3-4, 2021, covering such technical topics as “Enhancing Water Treatment Through SCADA Integration” and Smart Water/City development; and

WHEREAS: The Treatment Plant Administrator and the General Manager recommend attendance for the Senior Instrument Technician at the 2021 SCADA Technology Summit.

NOW THEREFORE
BE IT RESOLVED: That the Board of the Buffalo Sewer Authority hereby authorizes the Senior Instrument Technician to travel to Dallas Texas from November 3 - 4, 2021, to attend the annual SCADA Technology Summit at a total cost not to exceed \$1,500.00. Account no. 00200104-458012 will be utilized for this travel.

MOTION TO APPROVE

MADE BY MR. ROOSEVELT

2ND BY MRS. PETRUCCI

AYES 3 NOES 0

Board Meeting of October 20, 2021

ITEM NO. 9

TRAVEL AUTHORIZATION - PHILADELPHIA, PA

WHEREAS: The Buffalo Sewer Authority has partnered with PowerCorpsPHL and Heart of the City Neighborhoods to develop an integrated green infrastructure stewardship service program in order to foster workforce development and meet the growing needs of climate resilience and stormwater management; and

WHEREAS: On November 8, 2021, PowerCorpsPHL seeks to host the partners, including Authority personnel in Philadelphia, Pennsylvania to provide immersive analysis of the established program design to develop local talent from low-income and undeserved communities by providing training and wrap around services, which is the goal of the Authority's workforce development program; and

WHEREAS: The General Manager recommends that the Superintendent of Mechanical Maintenance participate in a series of coordination meetings, including a tour of the PowerCorpsPHL overall program operations along with local municipal partners including the City of Philadelphia personnel.

NOW THEREFORE
BE IT RESOLVED:

That the Board of the Buffalo Sewer Authority hereby authorizes the Superintendent of Mechanical Maintenance to travel to Philadelphia, PA from November 7-9, 2021 to attend the PowerCorpsPHL coordination meetings and tours, at a total cost not to exceed \$1,200.00 and will be charged to account no. 00200104-458010.

MOTION TO APPROVE

MADE BY MRS. PETRUCCI

2ND BY MR. ROOSEVELT

AYES 3 NOES 0

Board Meeting of October 20, 2021

ITEM NO.10

CHANGE ORDER NO. 1 – CONTRACT NO. 82000030

CONSULTANT:	ORIGINAL CONTRACT COST	\$1700,000.00
Greeley and Hansen LLC	PREVIOUS CHANGE ORDER	N/A
100 South Wacker Dr.	THIS CHANGE ORDER	<u>\$698,600.00</u>
Chicago, IL 60606-4004	ADJUSTED CONTRACT COST	\$2,398,600.00

PROJECT: Primary Treatment Rehabilitation

DESCRIPTION OF CHANGE OR EXTRA WORK:

Item #1 Additional Engineering and design for the Primary Treatment Rehabilitation Project

REASON FOR CHANGE OR EXTRA WORK:

Item #1 Additional engineering services are necessary to accommodate a Wet Weather Flow Capacity Study, Additional Primary Treatment System Upgrades, Design of a new High Rate Disinfection Pumping Station, Organization of contract documents into multiple bid packages, and additional project management and control.

COST OF CHANGE OR EXTRA WORK:

Item #1 \$698,600.00

THE TOTAL COST OF THE CHANGE OR EXTRA WORK: \$698,600.00

The total INCREASE to the contract as a result of this Change Order is \$698,600.00

NOW THEREFORE
BE IT RESOLVED:

That the Board of the Buffalo Sewer Authority hereby approves Change Order No. 1 to Contract No. 82000030 as written in the above Agenda Item, increasing the contract cost in the amount of \$698,600.00, making the adjusted contract cost \$2,398,600.00.

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

Board Meeting of October 20, 2021

ITEM NO. 11

AMENDMENT TO BOARD RESOLUTION NO. 4 OF THE FEBRUARY 18, 2021, BOARD MEETING - AUTHORIZATION FOR A CHANGE ORDER TO AGREEMENT WITH AECOM USA, INC., FOR ENGINEERING DESIGN AND BID SERVICES FOR SECONDARY SYSTEM REHABILITATION AND UPGRADES.

WHEREAS: On February 18, 2021, the Board of the Buffalo Sewer Authority authorized a change order to an agreement with AECOM USA Inc. for engineering design and bid services for Secondary System Rehabilitation and Upgrades in the amount of \$115,000.00 for a final Contract cost of \$785,137.00; and

WHEREAS: The original board item referenced using account number 02000528-432004; and

WHEREAS: The account number to be used should have been 02000433-432004; and

NOW THEREFORE
BE IT RESOLVED: That Resolution No. 4 of the Board Meeting of February 18, 2021, hereby be amended to read as follows:

“That the Board of the Buffalo Sewer Authority hereby authorizes the General Manager to execute a Change Order for a not-to-exceed cost of \$115,000.00 for a final Contract cost of \$785,137.00. The cost of this contract will be funded from account no. 02000433-432004.”

MOTION TO APPROVE

MADE BY MRS. PETRUCCI

2ND BY MR. ROOSEVELT

AYES 3 NOES 0

Board Meeting of October 20, 2021

ITEM NO. 13

AUTHORIZATION TO PURCHASE ELEVATOR AND REPAIRS FOR THE ENVIROSIGHT CAMERA SYSTEM

- WHEREAS: On February 11, 2015, the Board of the Buffalo Sewer Authority designated Envirosight Rovver, the original equipment manufacturer, and/or their local representative as a sole source for equipment repairs and supplies for the Envirosight Rovver televising equipment needed for sewer televising and maintenance; and
- WHEREAS: The Buffalo Sewer Authority Purchasing Department verified and updated the Sole Source information on January 2, 2021; and
- WHEREAS: The Director of Sewer Maintenance and the Assistant Superintendent of Sewer Maintenance have determined there is a need for a new Lift Elevator a for the Envirosight Rovver Televising system. There is also a need for repairs of various parts of the Televising system. Joe Johnson Equipment LLC has evaluated and prepared an estimate for needed repairs totaling \$6,622.29. The quotes have been reviewed and the repairs have been determined to be necessary; and
- WHEREAS: A quote was requested and received from Joe Johnson Equipment LLC, the authorized local representative, in the amount of \$20,832.29 for the equipment, inclusive of \$14,210.00 to replace the lift elevator and \$6,622.29 for additional requested repairs; and
- WHEREAS: Monies payable to date to Joe Johnson Equipment LLC, in the aggregate year are \$32,605.41. This purchase and service will bring the total monies payable for purchases to \$53,437.70; and
- WHEREAS: The Director of Sewer Maintenance, Assistant Superintendent of Sewer Maintenance and staff reviewed the quotes received and recommend the purchase of these parts and repair of the equipment and further recommend authorization for total monies payable to Joe Johnson Equipment, LLC for the aggregate year not to exceed \$53,437.70; 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 Lift Elevator and repairs of the from Joe Johnson Equipment, LLC, at a total cost of \$20,832.29. Account nos. 00670105-466107 and 00670106-443301 will be charged for this purchase and services. The Board further authorizes total monies payable to Joe Johnson LLC, for aggregate year not to exceed \$53,437.70.

MOTION TO APPROVE

MADE BY MR. ROOSEVELT

2ND BY MRS. PETRUCCI

AYES 3 NOES 0

Board Meeting of October 20, 2021

ITEM NO. 14

AUTHORIZATION FOR COMBINATION SEWER CLEANING MACHINE RENTAL

WHEREAS: The Buffalo Sewer Authority’s Plant Maintenance Division utilizes a rental Combination Sewer Cleaning Machine for performing maintenance cleaning at various locations throughout the Treatment Facility and Outlying Stations; and

WHEREAS: A two-month rental agreement for a Combination Sewer Cleaning Machine began on July 1, 2021 with Joe Johnson Equipment, LLC, the listed vendor under New York State Contract with a monthly rental charge for of \$9,490.00 under which is in accordance with the New York State Contract PS69111, with a total cost for the two-month agreement is \$18,980.00; and

WHEREAS: The Superintendent of Mechanical Maintenance seeks an additional two months of rental through October 31, 2021 for an additional rental cost of \$18,980.00, for a total rental cost of \$ 37,960.00; and

WHEREAS: Service orders that exceed \$35,000.00 require Board approval.

NOW THEREFORE
BE IT RESOLVED: That the Board of the Buffalo Sewer Authority hereby authorizes two (2) additional months of rental charges for a Combination Sewer Cleaning Machine at a cost not to exceed \$37,960.00. Expenses for these charges will be charged to account no. 00520106-444255.

MOTION TO _____ ADOPT _____

MADE BY _____ MRS. PETRUCCI _____

2ND BY _____ MR. ROOSEVELT _____

AYES _____ 3 _____ NOES _____ 0 _____

Board Meeting of October 20, 2021

ITEM NO.15

REPORTS ON BIDS RECEIVED-PURCHASE OF VARIOUS NEW AND UNUSED STEEL PRODUCTS

WHEREAS: Formal bids were advertised and solicited for the purchase of the following various new and unused steel products:

- 1.) (20) Receiver Bottom Section w/slide
 - 2.) (20) Receiver Top Section 12"
 - 3.) (15) Receiver Top Section 20"
 - 4.) (15) Receiver Top Section 18"
 - 5.) (50) 2' x 2' Steel Frame
 - 6.) (20) Dark Curb Box – 4"
 - 7.) (15) Dark Curb Box – 7"
 - 8.) (15) Dark Curb Box – 8"
- ; and

WHEREAS: The following bids were received and opened by the Buffalo Sewer Authority Purchase Department on October 5, 2021:

Vendor	Total Cost:
Melius Welding	\$65,590.00
EJ USA	\$45,793.10 * Did not bid item #: 1
Neenah Foundry	NO BID

; and

WHEREAS: The Director of Sewer Maintenance and staff reviewed the quotes received for each item needed and recommend the following awards, to the low bidder for each item:

Vendor	Items to award:	Cost:
Melius Welding	#'s: 1,2,5,6,7 & 8	\$54,700.00
EJ USA	#'s: 3 & 4	\$ 9,875.40

; and

NOW THEREFORE
BE IT RESOLVED:

That the Board of the Buffalo Sewer Authority hereby authorizes the General Manager to purchase the above listed various new and unused steel products from the low bidders for the items listed: Melius Welding for item nos. 1,2,5,6,7, and EJ USA for item nos. 3 and 4 at a total cost of \$64,575.40. This purchase will be charged to account no. 00660105-466269.

MOTION TO _____ APPROVE _____

MADE BY _____ MR. ROOSEVELT _____

2ND BY _____ MRS. PETRUCCI _____

AYES _____ 3 _____ NOES _____ 0 _____

Board Meeting of October 20, 2021

ITEM NO. 18

CHANGE ORDER NO. 2 – CONTRACT NO. 81900014

CONSULTANT:	ORIGINAL CONTRACT COST	\$188,527.00
Arcadis	PREVIOUS CHANGE ORDER	\$82,710.00
50 Fountain Plaza, Suite 600	THIS CHANGE ORDER	<u>\$15,510.00</u>
Buffalo, NY 14202	ADJUSTED CONTRACT COST	\$286,747.00

WORK: Smith at Eagle Inline Storage Real Time Control Project

DESCRIPTION OF CHANGE OR EXTRA WORK:

- Item #1 Investigation for the E. Eagle manhole replacement
- Item #2 Investigation/ design for Alley sewer connection
- Item #3 Downstream Level Sensor
- Item #4 Investigation/ design for additional water main replacement work
- Item #5 Additional Construction administration due to contract schedule change

REASON FOR CHANGE OR EXTRA WORK:

- Item #1 The consultant provided investigation for the need to replace a storm manhole and sewer receivers within the right of way of E. Eagle that were in poor/ failing condition as a result of a water main leak.
- Item #2 The consultant provided investigation/ design for the reattachment of the alley storm sewer main to the Smith Street storm drain.
- Item #3 The consultant performed additional design work to accommodate changes to the downstream level sensor.
- Item #4 The consultant provided additional design related to the water main replacement.
- Item #5 The consultant will perform construction administration and engineering services during the course of the construction project.

COST OF CHANGE OR EXTRA WORK:

Item #1	\$1,380.00
Item #2	\$1,950.00
Item #3	\$ 910.00
Item #4	\$1,790.00
Item #5	\$9,480.00

THE TOTAL COST OF THE CHANGE OR EXTRA WORK: \$15,510.00

The total INCREASE to the contract as a result of this Change Order is \$15,510.00

WHEREAS: In Item No. 21, on July 26, 2017, the Board of the Buffalo Sewer Authority prequalified five (5) engineering firms for submission of proposals for the engineering services for future real time control projects; and

WHEREAS: In Item No. 30, on March 6, 2019 the Board of the Buffalo Sewer Authority authorized the General Manager to enter into an agreement with Arcadis; one of those five engineering firms which were pre-qualified on July 26, 2017, in the amount of \$188,527.00 to perform design and bid services for the Smith at Eagle Real Time Control Project; and

WHEREAS: In Item No. 17, on October 28, 2020, the Board of the Buffalo Sewer Authority authorized a change order in the amount of \$82,710.00 to perform construction administration services and complete funding applications for the Smith at Eagle Real Time Control Project; and

WHEREAS: The Principal Sanitary Engineer and staff have reviewed a request for a Change Order No. 2 to Contract No. 81900014 (Proposal for Additional Engineering Services Smith- Eagle RTC Construction Administration) in the amount of \$15,510.00 as detailed above and recommend its approval.

NOW THEREFORE
BE IT RESOLVED: That the Board of the Buffalo Sewer Authority hereby approves Change Order No. 2 to Contract No. 81900014 as written in the above Agenda Item, increasing the contract cost in the amount of \$15,510.00, making the adjusted contract cost \$286,747.00.

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

Board Meeting of October 20, 2021

ITEM NO. 19

CHANGE ORDER NO. 1 – CONTRACT NO. 81900016

CONSULTANT:	ORIGINAL CONTRACT COST	\$154,400.00
CHA	PREVIOUS CHANGE ORDER	N/A
2200 Main Place Tower	THIS CHANGE ORDER	<u>\$203,454.00</u>
Buffalo, NY 14202	ADJUSTED CONTRACT COST	<u>\$357,584.00</u>

WORK: Broadway at Oak Inline Storage Real Time Control Project

DESCRIPTION OF CHANGE OR EXTRA WORK:

- Item #1 Additional Design Services
- Item #2 Construction Administration Services
- Item #3 Construction Observation Services
- Item #4 Post Construction Monitoring Services

REASON FOR CHANGE OR EXTRA WORK:

- Item #1 The consultant was required to perform additional geotechnical investigations in order to satisfy NYSDOT permit requirements and poor soil conditions at the proposed structure depth.
- Item #2 The consultant will perform construction administration and engineering services during the course of the construction project including but not limited to meeting management, shop drawing review, construction stakeout, field orders, work change directives, payment review, operations and maintenance manual preparation, final certification of completion, and record drawings.
- Item #3 The consultant will provide construction observation oversight, weekly update reports, and construction inspection of the street reconstruction in accordance with NYSDOT requirements.
- Item #4 The consultant will install and maintain flow meters for up to two-years for post construction monitoring.

COST OF CHANGE OR EXTRA WORK:

Item #1 \$18,795.00

Item #2 \$116,417.00

Item #3 \$44,459.00

Item #4 \$23,783.00

THE TOTAL COST OF THE CHANGE OR EXTRA WORK: \$203,454.00

The total INCREASE to the contract as a result of this Change Order is \$203,454.00

WHEREAS: In Item No. 21, on July 26, 2017, the Board of the Buffalo Sewer Authority prequalified five (5) engineering firms for submission of proposals for the engineering services for future real time control projects; and

WHEREAS: In Item No. 31, on March 6, 2019, the Board of the Buffalo Sewer Authority authorized the General Manager to enter into an agreement with CHA; one of those five engineering firms which were pre-qualified on July 26, 2017, in the amount of \$154,400.00 to perform design and bid services for the Broadway at Oak Real Time Control Project; and

WHEREAS: The Principal Sanitary Engineer and staff have reviewed a request for a Change Order No. 1 to Contract No. 81900016 in the amount of \$203,454.00 as detailed above and recommend its approval.

NOW THEREFORE
BE IT RESOLVED: That the Board of the Buffalo Sewer Authority hereby approves Change Order No. 1 to Contract No. 81900016 as written in the above Agenda Item, increasing the contract cost in the amount of \$203,454.00 making the adjusted contract cost \$357,584.00.

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

ITEM NO. 20

CHANGE ORDER NO. 1 – CONTRACT NO. 82000017

CONSULTANT:	ORIGINAL CONTRACT COST	\$2,262,000.00
NOVA Site Company, LLC	PREVIOUS CHANGE ORDER	\$0.00
6 Lena Court	THIS CHANGE ORDER	<u>\$0.00</u>
West Seneca, NY 14224	ADJUSTED CONTRACT COST	\$2,262,000.00

WORK: Smith at Eagle Inline Storage Real Time Control Project

DESCRIPTION OF CHANGE OR EXTRA WORK:

Item #1 Extra Time - Original Final Completion: 5/9/2021 – New Final Completion: 12/28/2021
(233 days)

REASON FOR CHANGE OR EXTRA WORK:

Item #1 The contractor requires additional time to complete the project due to winter shutdown and materials delivery delays due to COVID-19.

COST OF CHANGE OR EXTRA WORK:

Item #1 \$0.00

THE TOTAL COST OF THE CHANGE OR EXTRA WORK: \$0.00

The total INCREASE to the contract as a result of this Change Order is \$0.00

WHEREAS: In Item No. 20, 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 at a cost not to exceed \$2,262,000.00; and

WHEREAS: The Principal Sanitary Engineer and staff have reviewed a request for a Change Order No. 1 to Contract No. 82000017 as detailed above and recommend its approval.

NOW THEREFORE
BE IT RESOLVED:

That the Board of the Buffalo Sewer Authority hereby approves Change Order No. 1 to Contract No. 82000017 as written in the above Agenda Item, with a time extension of 233 days, providing a final completion date of December 28, 2021; there is no increase in the contract cost. The contract cost shall remain \$2,262,000.00.

MOTION TO APPROVE

MADE BY MR. ROOSEVELT

2ND BY MRS. PETRUCCI

AYES 3 NOES 0

Board Meeting of October 20, 2021

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 position to Job Classification Plan:

One (1) Senior Engineer 00600161 411001

MOTION TO APPROVE

MADE BY MRS. PETRUCCI

2ND BY MR. ROOSEVELT

AYES 3 NOES 0

Board Meeting of October 20, 2021

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 position in the Job Classification Plan:

One (1) Associate Engineer 00600161 411001

MOTION TO APPROVE
MADE BY MRS. PETRUUCI
2ND BY MR. ROOSEVELT
AYES 3 NOES 0

Board Meeting of October 20, 2021

ITEM NO. 23

REQUEST FOR LEAVE OF ABSENCE

WHEREAS: Ricky Virgil, a permanent Maintenance Assistant, has requested an unpaid personal leave of absence beginning October 8, 2021, for a period of six (6) months for personal reasons;

WHEREAS: The General Manager has reviewed this request and recommends approving this leave of absence request for a period of six (6) months.

NOW THEREFORE
BE IT RESOLVED: That the Board of the Buffalo Sewer Authority hereby grants Ricky Virgil a six (6) month unpaid personal leave of absence without pay beginning October 8,2021 and extending until April 8, 2022.

MOTION TO APPROVE

MADE BY MR. ROOSEVELT

2ND BY MRS. PETRUCCI

AYES 3 NOES 0

Board Meeting of October 20, 2021

ITEM NO. 24

CONFIRMATION OF APPOINTMENTS

GIS SPECIALIST II (PROVISIONAL)
ENGINEERING DIVISION
\$63,632 PER ANNUM
EFFECTIVE: OCTOBER 18, 2021

COLLEEN MAKAR
132 STRATFORD RD.
BUFFALO, NY

LABORER I (PERMANENT)
SEWAGE TREATMENT PLANT
\$19.98 PER HOUR
EFFECTIVE: OCTOBER 4, 2021

ADRIANNA GAYMON
243 HAGEN 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 MRS. PETRUCCI
2ND BY MR. ROOSEVELT
AYES 3 NOES 0

Board Meeting of October 20, 2021

ITEM NO. 25

ADJOURNMENT OF MEETING

MOTION TO APPROVE

MADE BY MRS. PETRUCCI

2ND BY MR. ROOSEVELT

AYES 3 NOES 0

Board Meeting of October 20, 2021