

BUFFALO SEWER AUTHORITY

REGULAR MEETING

July 26, 2023

9:00 A.M.

**Bird Island Treatment Facility, 90 West Ferry St.
Teleconference +1 917- 933-2166, ID #410 579 571**

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CALL OF THE ROLL

Present:

Absent:

The meeting was called to order at _____. A quorum was present.

ITEM NO. 1

Motion to Adopt the Minutes of the Meeting of June 28, 2023

MOTION TO _____

MADE BY _____

2ND BY _____

AYES _____ NOES _____

Board Meeting of July 26, 2023

ITEM NO. 2

INFORMATIVE: TEMPORARY INVESTMENTS

As of June 30th, 2023

ISSUE DATE	MATURITY DATE	TOTAL DAYS	AMOUNT	BANK	RATE	INTEREST AMOUNT
CONSTRUCTION/CAPITAL IMPROVEMENT FUND						
31-Jul-12	MONEY MARKET		\$7,030,291.35	Key	0.01%	Public NOW
31-Mar-23	11-Jul-23	102	\$2,559,351.50	Key Banc Capital	4.58%	\$33,648.50
18-Apr-23	26-Jul-23	99	\$990,327.53	Bank on Buffalo	4.95%	\$13,672.47
4-Apr-23	1-Aug-23	119	\$6,096,745.60	M&T Securities	4.75%	\$63,063.00
18-May-23	17-Aug-23	91	\$7,253,213.50	M&T Securities	5.05%	\$93,786.50
1-Jun-23	31-Aug-23	91	\$3,935,277.53	M&T Securities	5.23%	\$52,722.47
13-Jun-23	14-Sep-23	93	\$1,898,046.79	Key Banc Capital	5.42%	\$26,953.21
28-Jun-23	28-Sep-23	92	\$6,876,772.60	Key Banc Capital	5.40%	\$96,227.40
			\$36,640,026.40			
LIABILITY AND CASUALTY RESERVE FUND						
31-Jul-12	MONEY MARKET		\$77,724.88	Key	0.01%	Public NOW
20-Apr-23	20-Jul-23	91	\$931,129.20	Key Banc Capital	4.98%	\$11,870.80
			\$1,008,854.08			
OPERATING FUND						
31-Jul-12	Super NOW		\$6,367,087.92	Key	0.01%	Public NOW
TRUST & AGENCY FUND						
31-Jul-12	Super NOW		\$4,148.60	Key	0.01%	Public NOW
SURPLUS FUND						
1-Jun-23	30-Nov-23	182	\$2,447.99	Wilmington U.S. Treasury	4.26%	
			\$10,002,349.73	Key Banc Capital	5.23%	\$271,650.27
			\$10,004,797.72			
NET REVENUE FUND						
27-Apr-23	27-Jul-23	91	\$188,562.73	Wilmington U.S. Treasury		
			\$3,198,717.64	Key Banc Capital	4.92%	\$40,282.36
25-May-23	29-Aug-23	96	\$3,560,904.00	M&T Securities	5.10%	\$49,096.00
			\$6,948,184.37			

BSA 2021 EIB FUND

			\$316,218.13	Cash	0.00%	
23-Mar-23	27-Jul-23	126	\$10,103,934.10	Key Banc Capital	4.62%	\$166,065.90
25-May-23	24-Aug-23	91	\$32,617,627.67	M&T Securities	5.14%	\$429,372.33
27-Jun-23	29-Sep-23	94	\$9,987,046.37	Key Banc Capital	5.33%	\$140,953.63
			\$53,024,826.27			

DEBT RESERVE FUND

				Series J		
02-Jul-14	13-Nov-33	7076	\$515,879.00	UST State/Local Govt	2.70%	
				Series K		
02-Jul-14	15-Feb-33	6803	\$361,415.00	UST State/Local Govt	2.70%	
				Series L		
12-Nov-15	1-Oct-35	7263	\$689,547.00	UST State/Local Govt	2.44%	
				Series M		
27-Jun-14	1-May-44	10901	\$595,613.00	UST State/Local Govt	2.70%	
				Series N		
15-Nov-12	15-Apr-32	7091	\$2,167,157.00	UST State/Local Govt	2.42%	
				EFC 2021		
			\$5,886.77	Wilmington U.S. Treasury	4.32%	
11-May-23	5-Sep-23	117	\$321,754.27	Key Banc Capital	5.10%	\$5,245.73
			\$327,641.04			
			\$0.01	DSF PRIN &INT		
				Wilmington Fund		
				DSF 2021 EIB		
			\$30,089.48	Wilmington Fund	4.55%	

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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.

Administration Division

6/6/2023	00110106 ADMIN Non Professional	\$1,600.00	00100104 BOARD Registration and Dues	-\$1,600.00
6/6/2023	00110106 ADMIN Non Professional	\$800.00	00100104 ADMIN Registration Fees & Dues	-\$800.00
7/7/2023	00110106 ADMIN Legal Services	\$25,000.00	00550106 IWS Legal Services	-\$25,000.00
7/11/2023	00110106 ADMIN Legal Services	\$5,200.00	00550106 IWS Legal Services	-\$5,200.00

Wastewater Treatment Plant

6/6/2023	00530106 YARDS Repairs to Equipment	\$1,000.00	00530105 Equipment	-\$1,000.00
6/8/2023	00380106 INCIN Refuse Disposal Services	\$10,000.00	00230106 REFUSE Disposal Services	-\$10,000.00
6/9/2023	00110103 ADMIN Telephone	\$500.00	00200103 PLAN Telephone	-\$500.00
6/15/2023	00520105 MAIN Equipment Maintenance	\$500.00	00290105 AER Equipment Maintenance	-\$500.00
6/15/2023	00420103 AMHE Electric Light & Power	\$165.00	00500103 WALD Electric Light & Power	-\$165.00
6/15/2023	00420103 AMHE Electric Light & Power	\$950.00	00500103 YARD Electric Light & Power	-\$950.00
6/15/2023	00420103 AMHE Electric Light & Power	\$400.00	00410103 HAMB Operating Equipment	-\$400.00
6/15/2023	00420103 AMHE Electric Light & Power	\$100.00	00650103 SWRM Operating Equipment	-\$100.00
6/15/2023	00340105 THIC Chemicals & Gases	\$404.00	00380105 INCIN Chemicals & Gases	-\$404.00
6/20/2023	00520105 Main Equipment Maintenance	\$600.00	00530105 YARD Equipment Maintenance	-\$600.00
6/21/2023	00360103 DEWA	\$6,000.00	00400103 SOUTH Water	-\$6,000.00
6/21/2023	00400105 SOUTH Equipment Maintenance	\$19,000.00	00520105 Main Equipment Maintenance	-\$19,000.00

6/21/2023	00250105 SECO Equipment Maintenance	\$4,000.00	00520105 Main Equipment Maintenance	-\$4,000.00
6/30/2023	00550106 IWS Eng & Tech	\$33,888.00	00330105 FINA Chemicals & Gases	-\$33,888.00
6/30/2023	00270106 GAS Repairs to Equipment	\$31,327.00	00330105 FINA Chemicals & Gases	-\$31,327.00
6/30/2023	00200106 PLAN Eng & Tech	\$22,218.75	00330105 FINA Chemicals & Gases	-\$22,218.75
6/30/2023	00200106 PLAN Building & Repairs	\$20,718.00	00330105 FINA Chemicals & Gases	-\$20,718.00
6/30/2023	00200106 Education, Licences & Training	\$11,083.00	00330105 FINA Chemicals & Gases	-\$11,083.00
6/30/2023	00550106 IWS Legal Services	\$11,124.00	00330105 FINA Chemicals & Gases	-\$11,124.00
6/30/2023	00200106 PLAN Repairs to Equipment	\$10,960.00	00330105 FINA Chemicals & Gases	-\$10,960.00
6/30/2023	00360103 DEWA Water	\$4,228.52	00330105 FINA Chemicals & Gases	-\$4,228.52
6/30/2023	00360105 DEWA Chemicals & Gases	\$9,585.20	00330105 FINA Chemicals & Gases	-\$9,585.20
6/30/2023	00340105 THIC Chemicals & Gases	\$20,889.00	00330105 FINA Chemicals & Gases	-\$20,889.00
6/30/2023	00380106 INCIN Refuse Disposal Services	\$3,600.00	00290106 AERATION Refuse Disposal	-\$3,600.00
6/30/2023	00380106 INCIN Refuse Disposal Services	\$1,600.00	00400103 SOUTH Water	-\$1,600.00
6/30/2023	00420103 AMHE Electric Light & Power	\$775.38	00290106 AERATION Refuse Disposal	-\$775.38
6/30/2023	00460103 KELX Electric Light & Power	\$1,071.83	00290106 AERATION Refuse Disposal	-\$1,071.83

Sewer Maintenance

6/15/2023	00700107 Vehicles	\$4,000.00	00700105 Tools	-\$4,000.00
6/21/2023	00660105 SWRR Road & Highway	\$4,000.00	00670105 SWRC Equipment Maintenance	-\$4,000.00

General Financial Charges

6/14/2023	00800183 FIN Contingency	\$7,000.00	00200106 PLAN Medical Services	-\$7,000.00
6/14/2023	00800183 FIN Contingency	\$20,000.00	00380103 INCIN Gas	-\$20,000.00
6/29/2023	00800183 FIN Contingency	\$400,000.00	00360103 DEWA Water	-\$400,000.00
6/29/2023	00800183 FIN Contingency	\$200,000.00	00300103 BLOW Electric & Power	-\$200,000.00

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Board Meeting of July 26, 2023

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, 2022	\$1,002,192.41
Interest Earnings	\$25,836.98
Claims Paid	\$34,054.47
Transfer from Operating Fund	<u>\$15,000.00</u>
Fund Balance as of June 30, 2023	\$1,008,974.92

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, 2022 – June 30, 2023 the Authority settled nine claims, resulting in cash payments from the Buffalo Sewer Authority for \$34,054.47. No claims were denied in this time period.

Total Active Claims Pending as of June 30th, 2023

Bodily Injury	9
Property Damage	10
Motor Vehicle	0
Auto B.I. & P.D	5
Other Liability	2
Total	<u>26</u>

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Board Meeting of July 26, 2023

ITEM NO. 5

TRAVEL AUTHORIZATION - ASPEN, COLORADO.

WHEREAS: The Aspen-Nicholas Water Forum is a partnership with The Aspen Institute Energy and Environment Program, and Nicholas Institute at Duke University; and

WHEREAS: The 2023 Aspen-Nicholas Water Forum, will be held September 10 – September 13, 2023 in Aspen, Colorado; and

WHEREAS: The Aspen-Nicholas Water Forum serves as a platform for identifying domestic water challenges in the 21st century through collaborative convening to develop forward-thinking pathways to address the state of the US water system; and

WHEREAS: The General Manager has been invited to participate and bring expertise in the areas of building resilient water systems, from green infrastructure to alternative financing, and enabling trust in communities; and

WHEREAS: The Chairman of the board recommends attendance to the Aspen-Nicholas Water Forum.

NOW THEREFORE
BE IT RESOLVED: That the Board of the Buffalo Sewer Authority hereby authorizes the General Manager to travel to Aspen, Colorado from September 9 – September 14, 2023, to attend the Aspen-Nicholas Water Forum Meeting at a total cost not to exceed \$3000.00. Account nos. 00110104-458010 and 00110104-458012 will be utilized for this travel.

MOTION TO _____

MADE BY _____

2ND BY _____

AYES _____ NOES _____

Board Meeting of July 26, 2023

ITEM NO. 6

TRAVEL AUTHORIZATION - WASHINGTON, D.C.

WHEREAS: The Water and Wastewater Forum is an invite-only gathering of high-caliber Chief Executive Officers in the water and wastewater industry; and

WHEREAS: The Water and Wastewater CEO Forum will be held September 18 – September 20, 2023 in Washington, D.C.; and

WHEREAS: The Water and Wastewater CEO Forum serves as a platform for CEO’s in the water and wastewater industry where they can leverage their peer network to process key challenges in a closed session within a trusted network. The roundtable discussion will focus on important issues impacting utilities, presentations from utility and industry leaders, group panel discussions, and case study analysis from utility members; and

WHEREAS: The General Manager has been invited to participate and connect with other industry leaders to further enhance their leadership journey with other executives in the water utility industry; and

WHEREAS: The Chairman of the board recommends attendance to the Water and Wastewater CEO Forum

NOW THEREFORE
BE IT RESOLVED: That the Board of the Buffalo Sewer Authority hereby authorizes the General Manager to travel to Washington, D.C. from September 17 – September 21, 2023, to attend the Water and Wastewater CEO Forum at a total cost not to exceed \$3000.00. Account nos. 00110104-458010 and 00110104-458012 will be utilized for this travel.

MOTION TO _____

MADE BY _____

2ND BY _____

AYES _____ NOES _____

Board Meeting of July 26, 2023

ITEM NO. 7

TRAVEL AUTHORIZATION - WASHINGTON, D.C.

WHEREAS: The Internet of Water (IoW) Coalition is an inclusive multi-sector collaboration dedicated to advancing the principles and programmatic development of an Internet of Water (IoW); and

WHEREAS: The IoW Coalition meeting will be held September 26 – September 27, 2023 in Washington, D.C.; and

WHEREAS: The IoW Coalition is comprised of organizations to include representatives from federal, state and local government partners working collaboratively to build water data infrastructure throughout the United States using water data to make better decisions; and

WHEREAS: The General Manager has been invited to participate and serve as a liaison to communicate about water data modernization and encourage organizations and individuals to participate in IoW programs; and

WHEREAS: The Chairman of the board recommends attendance to the Water and Wastewater CEO Forum.

NOW THEREFORE
BE IT RESOLVED:

That the Board of the Buffalo Sewer Authority hereby authorizes the General Manager to travel to Washington, D.C. from September 25 – September 27, 2023, to attend the Water and Wastewater CEO Forum at a total cost not to exceed \$2500.00. Account nos. 00110104-458010 and 00110104-458012 will be utilized for this travel.

MOTION TO _____

MADE BY _____

2ND BY _____

AYES _____ NOES _____

Board Meeting of July 26, 2023

ITEM NO. 8

TRAVEL AUTHORIZATION - STAMFORD, CT

WHEREAS: The New York Water Environment Association (NYWEA) and the New England Water Environment Association (NEWEA) are cosponsoring a Risk & Resiliency Specialty Conference at the Stamford Hotel in Stamford, Connecticut October 24-25, 2023; and

WHEREAS: The Principal Sanitary Engineer has been overseeing climate change vulnerability analyses, stormwater and combined sewer regulation compliance, and mitigation projects on behalf of Buffalo Sewer; and

WHEREAS: The Principal Sanitary Engineer is the former Chair of the NYWEA Collection System Committee, helped with the planning and organization of this meeting, and has been asked to serve as a moderator at it; and

WHEREAS: The Principal Sanitary Engineer currently serves as NYWEA’s WEF Delegate and member of NYWEA’s Board; and

WHEREAS: The Principal Sanitary Engineer wishes to remain current with the latest climate change research, mitigation strategies, funding mechanisms, and resiliency issues; and

WHEREAS: The General Manager recommends the Principal Sanitary Engineer attend the NYWEA-NEWEA Joint Risk & Resiliency Specialty Conference in Stamford, CT.

NOW THEREFORE
BE IT RESOLVED: That the Board of the Buffalo Sewer Authority hereby authorizes the Principal Sanitary Engineer to travel to Stamford, CT to attend the NYWEA-NEWEA Joint Risk & Resiliency Specialty Conference in Stamford, CT from October 23- 26 at a total cost not to exceed \$900.00. Account nos. 00600104-458010 and 00600104-458012 will be utilized for this travel.

MOTION TO _____

MADE BY _____

2ND BY _____

AYES _____ NOES _____

ITEM NO. 9

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

WHEREAS: On May 25, 2022, the Board of the Buffalo Sewer Authority awarded a contract to Quackenbush, for In-Plant High Pressure Steam System Maintenance Services for the period July 1, 2022 to June 30, 2023, with an option to renew for four (4) one-year periods, at an annual cost not to exceed \$576,700.00; and

WHEREAS: Quackenbush, has agreed to extend this contract for one (1) additional year under the same terms and conditions for fiscal year 2023-2024; and

WHEREAS: The Treatment Plant Superintendent and staff recommend this extension at a total cost not to exceed \$576,700.00.

NOW THEREFORE
BE IT RESOLVED: That the Board of the Buffalo Sewer Authority hereby authorizes the General Manager to renew the contract with Quackenbush, for In-Plant High Pressure Steam System Maintenance Services for the period July 1, 2023 to June 30, 2024, at a total cost not to exceed \$576,700.00. Expenses for this contract will be charged to account no. 00380106-443421.

MOTION TO _____

MADE BY _____

2ND BY _____

AYES _____ NOES _____

Board Meeting of July 26, 2023

ITEM NO. 10

EXTENSION OF THE CONTRACT FOR EMISSIONS TESTING

WHEREAS: On May 5, 2021, the Board of the Buffalo Sewer Authority awarded a contract to Gammie Air Monitoring, LLC, for professional services as outlined for the emissions testing of multi-hearth incinerators and auxiliary boilers for the period beginning July 1, 2021 to June 30, 2022, with an option to renew for four (4) one-year periods, at an annual cost not to exceed \$95,765.00; and

WHEREAS: On May 4, 2022, the Board authorized the extension of this contract for the period July 1, 2022 to June 30, 2023; and

WHEREAS: Gammie Air Monitoring, LLC, has agreed to extend this contract for one (1) additional year under the same terms and conditions for fiscal year 2023-2024; and

WHEREAS: The Treatment Plant Administrator and staff recommend this extension at a total cost not to exceed \$95,765.00.

NOW THEREFORE
BE IT RESOLVED: That the Board of the Buffalo Sewer Authority hereby authorizes the General Manager to renew the contract with Gammie Air Monitoring, LLC for professional services for the emissions testing of multi-hearth incinerators and auxiliary boilers for the period July 1, 2023 to June 30, 2024, at a total cost not to exceed \$95,765.00. Expenses for this contract will be charged to account no. 00380106-432004.

MOTION TO _____

MADE BY _____

2ND BY _____

AYES _____ NOES _____

Board Meeting of July 26, 2023

ITEM NO. 11

AUTHORIZATION TO PURCHASE A VEHICLE UNDER THE HORNELLSVILLE AWARD RESOLUTION

WHEREAS: The Director of Sewer Maintenance and Head Motor Equipment Mechanic request approval to purchase the following vehicle, with additional options, available under Hornellsville Award Resolution dated 12/10/2018. The Buffalo Sewer Authority is qualified to utilize the award resolution; as the resolution is approved for qualifying agencies or political subdivisions as set forth under New York State Municipal law section (103) “piggybacking”;

Award Resolution	Vendor	Vehicle	Cost
Award Resolution dated 12/10/18 – Agreement for Purchase of Truck Chassis	Fleet Maintenance	One (1) 2024 Freightliner 114SD Plus Truck Cab & Chassis and dump body with various options as specified and dated 5/12/23:	\$228,421.00

WHEREAS: The Director of Sewer Maintenance and Head Motor Equipment Mechanic recommend the purchase of the above vehicle at the total cost of \$228,421.00.

NOW THEREFORE
BE IT RESOLVED: That the Board of the Buffalo Sewer Authority authorizes the General Manager to purchase the above vehicle and additional options indicated from Fleet Maintenance, Inc. at a total cost of \$228,421.00. This purchase will be charged to account no. 00690107-474200.

MOTION TO _____

MADE BY _____

2ND BY _____

AYES _____ NOES _____

Board Meeting of July 26, 2023

ITEM NO. 12

**CHANGE ORDER NO. 1, BIRD ISLAND WASTEWATER TREATMENT FACILITY
SECONDARY SYSTEM REHABILITATION AND UPGRADES, CONTRACT A – PIPING,
CONTRACT NO. 82000052**

CONTRACTOR:	ORIGINAL CONTRACT COST	\$16,430,069.00
John W. Danforth Company	PREVIOUS CHANGE ORDERS	N/A
300 Colvin Woods Parkway	THIS CHANGE ORDER	<u>\$5,448,027.95</u>
Tonawanda, New York 14150		

VENDOR NO. 2645	ACCOUNT NO.	02000531-490740
-----------------	-------------	-----------------

WORK: Contract A – Piping: This contract consists of the replacement of large diameter (24” – 48”) ductile iron pipe, fittings, valves, and actuators on the settled wastewater influent, aeration tank effluent, and return activated sludge (RAS) systems in the aeration tank pipe galleries.

DESCRIPTION OF CHANGE OR EXTRA WORK:

Item #1 Escalated bid pricing in response to the extraordinary inflationary pressures across all raw materials, as well as escalations in the transportation market due to vast staffing shortages and rising crude oil prices (See Appendix A).

REASON FOR CHANGE OR EXTRA WORK:

Item #1 Due to extenuating circumstances, the execution of the Construction Contracts experienced significant delays; from an anticipated Notice to Proceed (NTP) date of October 2021 to a NTP date of September 27, 2022. During that time, the domestic construction industry experienced extraordinary inflationary pressures across all raw materials, as well as escalations in the transportation market due to vast staffing shortages and rising crude oil prices. These pressures are in part due to the lingering impacts of a global pandemic and the ongoing supply chain variability. As such, the cost and lead time to provide the materials required for implementation of the Project have increased significantly.

COST OF CHANGE OR EXTRA WORK:

Item #1 \$5,448,027.95

THE TOTAL COST OF THE CHANGE OR EXTRA WORK: \$5,448,027.95

WHEREAS: On June 23, 2021, the Board of the Buffalo Sewer Authority authorized the General Manager to enter into and execute a contract with John W. Danforth Company (Danforth) for Bird Island Treatment Facility Secondary System Rehabilitation and System Upgrades project as the responsible low bidder at a cost not to exceed \$16,430,069.00; and

WHEREAS: On September 27, 2022, Notice to Proceed was issued for Contract No. 82000052 in accordance with the above Board approval; and

WHEREAS: The Treatment Plant Administrator, Senior Instrumentation Technician and AECOM reviewed Change Order No. CR-A-01 to Contract No. 82000052 in the amount of \$5,448,027.95 as detailed above and recommend approval.

CONTRACT SUPPLEMENT CONDITIONS:

1. The contract completion date established in the original contract or as modified by previous contract supplements is hereby changed by 247 calendar days, resulting in a final completion date of March 31, 2027.
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. CR-A-01 to Contract No. 82000052 as written in the above Agenda Item, increasing the contract cost in the amount of \$5,448,027.95 making the adjusted contract cost \$21,878,096.95. Expenses from this contract will be paid from Account no. 02000531-490740.

MOTION TO _____

MADE BY _____

2ND BY _____

AYES _____ NOES _____

Board Meeting of July 26th, 2023

ITEM NO. 13

**CHANGE ORDER NO. 1 BIRD ISLAND WASTEWATER TREATMENT FACILITY
SECONDARY SYSTEM REHABILITATION AND UPGRADES, CONTRACT C – GATES
CONTRACT NO. 82000048**

CONTRACTOR:	ORIGINAL CONTRACT COST	\$6,744,000.00
American Contracting & Environmental Services, Inc. 10330 Old Columbia Road Columbia, MD 21046	PREVIOUS CHANGE ORDERS	N/A
	THIS CHANGE ORDER	<u>\$2,853,798.00</u>

VENDOR NO. 17697 ACCOUNT NO. 02000533-490740

WORK: Contract C – Sluice Gates: This contract includes the installation of ninety (90) 54” stainless steel sluice gates, three (3) 120” cast iron Ni-Resist sluice gates, and eight (8) cast iron 72” sluice gates.

DESCRIPTION OF CHANGE OR EXTRA WORK:

- Item #1 Escalated bid pricing in response to the extraordinary inflationary pressures across all raw materials, as well as escalations in the transportation market due to vast staffing shortages and rising crude oil prices (See Appendix A).
- Item #2 Installation and maintenance of temporary stormwater underdrainage systems in the east and west side staging areas and the temporary parking area north of aeration until Substantial Completion of the project has been achieved.

REASON FOR CHANGE OR EXTRA WORK:

- Item #1 Due to extenuating circumstances, the execution of the Construction Contracts experienced significant delays; from an anticipated Notice to Proceed (NTP) date of October 2021 to a NTP date of September 27, 2022. During that time, the domestic construction industry experienced extraordinary inflationary pressures across all raw materials, as well as escalations in the transportation market due to vast staffing shortages and rising crude oil prices. These pressures are in part due to the lingering impacts of a global pandemic and the ongoing supply chain variability. As such, the cost and lead time to provide the materials required for implementation of the Project have increased significantly.
- Item #2 An increase in groundwater accumulation and stormwater runoff has been observed since the installation of the temporary stone lots at the north end of aeration, west side staging area, and east side staging area. The implementation of a temporary stormwater management system will mitigate hazards stemming from this issue including freezing/thawing, wet work sites, and water damage to equipment and facilities.

COST OF CHANGE OR EXTRA WORK:

Item #1 \$2,454,798.00

Item #2 \$399,000.00

THE TOTAL COST OF THE CHANGE OR EXTRA WORK: \$2,853,798.00

WHEREAS On June 23, 2021, the Board of the Buffalo Sewer Authority authorized the General Manager to enter into and execute a contract with American Contracting & Environmental Services, Inc. (ACE), for Bird Island Treatment Facility Secondary System Rehabilitation and System Upgrades project as the responsible low bidder at a cost not to exceed \$6,744,000.00; and

WHEREAS On September 27, 2022, Notice to Proceed was issued for Contract No. 82000048 in accordance with the above Board approval; and

WHEREAS: The Treatment Plant Administrator, Senior Instrumentation Technician and AECOM reviewed Change Order No. CR-C-01 to Contract No. 82000048 in the amount of \$2,853,798.00 as detailed above and recommend approval.

CONTRACT SUPPLEMENT CONDITIONS:

6. The contract completion date established in the original contract or as modified by previous contract supplements is hereby changed by 247 calendar days, resulting in a final completion date of **March 31, 2027**.
7. 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.
8. 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.
9. 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%).
10. 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. CR-C-01 to Contract No. 82000048 as written in the above Agenda Item, increasing the contract cost in the amount of \$2,853,798.00 making the adjusted contract cost \$9,597,798.00. Expenses from this contract will be paid from Account no. 02000533-490740.

MOTION TO _____

MADE BY _____

2ND BY _____

AYES _____ NOES _____

Board Meeting of July 26, 2023

ITEM NO. 14

**CHANGE ORDER NO. 1 BIRD ISLAND WASTEWATER TREATMENT FACILITY
SECONDARY SYSTEM REHABILITATION AND UPGRADES, CONTRACT D – DIFFUSED
AERATION SYSTEM, CONTRACT NO. 82000049**

CONTRACTOR:	ORIGINAL CONTRACT COST	\$7,300,500.00
STC Construction, Inc.	PREVIOUS CHANGE ORDERS	N/A
63 Zoar Valley Road	THIS CHANGE ORDER	<u>\$1,415,956.00</u>
Springville, New York 14141		

VENDOR NO.	6041	ACCOUNT NO.	02000534-490740
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WORK: Contract D – Diffused Aeration System: This contract includes the installation of new fine bubble and coarse bubble diffused aeration systems and associated stainless steel piping and valves.

DESCRIPTION OF CHANGE OR EXTRA WORK:

Item #1 Escalated bid pricing in response to the extraordinary inflationary pressures across all raw materials, as well as escalations in the transportation market due to vast staffing shortages and rising crude oil prices (See Appendix A).

REASON FOR CHANGE OR EXTRA WORK:

Item #1 Due to extenuating circumstances, the execution of the Construction Contracts experienced significant delays; from an anticipated Notice to Proceed (NTP) date of October 2021 to a NTP date of September 27, 2022. During that time, the domestic construction industry experienced extraordinary inflationary pressures across all raw materials, as well as escalations in the transportation market due to vast staffing shortages and rising crude oil prices. These pressures are in part due to the lingering impacts of a global pandemic and the ongoing supply chain variability. As such, the cost and lead time to provide the materials required for implementation of the Project have increased significantly.

COST OF CHANGE OR EXTRA WORK:

Item #1 \$1,415,956.00

THE TOTAL COST OF THE CHANGE OR EXTRA WORK:	\$1,415,956.00
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WHEREAS: On June 23, 2021, the Board of the Buffalo Sewer Authority authorized the General Manager to enter into and execute a contract with STC Construction, Inc. (STC) for Bird Island Treatment Facility Secondary System Rehabilitation and System Upgrades project as the responsible low bidder at a cost not to exceed \$7,300,500.00; and

WHEREAS: On September 27, 2022, Notice to Proceed was issued for Contract No. 82000049 in accordance with the above Board approval; and

WHEREAS: The Treatment Plant Administrator, Senior Instrumentation Technician and AECOM reviewed Change Order No. CR-D-01 to Contract No. 82000049 in the amount of \$1,415,956.00 as detailed above and recommend approval.

CONTRACT SUPPLEMENT CONDITIONS:

11. The contract completion date established in the original contract or as modified by previous contract supplements is hereby changed by 247 calendar days, resulting in a final completion date of **March 31, 2027**.
12. 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.
13. 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.
14. 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%).
15. 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. CR-D-01 to Contract No. 82000049 as written in the above Agenda Item, increasing the contract cost in the amount of \$1,415,956.00 making the adjusted contract cost \$8,716,456.00. Expenses from this contract will be paid from Account no. 02000534-490740.

MOTION TO _____

MADE BY _____

2ND BY _____

AYES _____ NOES _____

Board Meeting of July 26, 2023

ITEM NO. 15

**CHANGE ORDER NO. 1 BIRD ISLAND WASTEWATER TREATMENT FACILITY
SECONDARY SYSTEM REHABILITATION AND UPGRADES, CONTRACT E –
ELECTRICAL, CONTRACT NO. 8200053**

CONTRACTOR:	ORIGINAL CONTRACT COST	\$1,230,000.00
Frey Electric Construction, Inc.	PREVIOUS CHANGE ORDERS	N/A
100 Pearce Avenue	THIS CHANGE ORDER	<u>\$90,000.00</u>
Tonawanda, New York 14150		

VENDOR NO.	1889	ACCOUNT NO.	02000535-490740
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WORK: Contract E – Electrical: This contract consists of electrical upgrades and modifications to accommodate the work associated with Contract Nos. A – D.

DESCRIPTION OF CHANGE OR EXTRA WORK:

Item #1 Escalated bid pricing in response to the extraordinary inflationary pressures across all raw materials, as well as escalations in the transportation market due to vast staffing shortages and rising crude oil prices (See Appendix A).

REASON FOR CHANGE OR EXTRA WORK:

Item #1 Due to extenuating circumstances, the execution of the Construction Contracts experienced significant delays; from an anticipated Notice to Proceed (NTP) date of October 2021 to a NTP date of September 27, 2022. During that time, the domestic construction industry experienced extraordinary inflationary pressures across all raw materials, as well as escalations in the transportation market due to vast staffing shortages and rising crude oil prices. These pressures are in part due to the lingering impacts of a global pandemic and the ongoing supply chain variability. As such, the cost and lead time to provide the materials required for implementation of the Project have increased significantly.

COST OF CHANGE OR EXTRA WORK:

Item #1 \$90,000.00

THE TOTAL COST OF THE CHANGE OR EXTRA WORK: \$90,000.00

WHEREAS: On June 23, 2021, the Board of the Buffalo Sewer Authority authorized the General Manager to enter into and execute a contract with Frey Electrical Construction, Inc. (Frey) for Bird Island Treatment Facility Secondary System Rehabilitation and System Upgrades project as the responsible low bidder at a cost not to exceed \$1,230,000.00; and

WHEREAS: On September 27, 2022, Notice to Proceed was issued for Contract No. 82000053 in accordance with the above Board approval; and

WHEREAS: The Treatment Plant Administrator, Senior Instrumentation Technician and AECOM reviewed Change Order No. CR-E-01 to Contract No. 82000053 in the amount of \$90,000.00 as detailed above and recommend approval.

CONTRACT SUPPLEMENT CONDITIONS:

16. The contract completion date established in the original contract or as modified by previous contract supplements is hereby changed by 247 calendar days, resulting in a final completion date of March 31, 2027.
17. 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.
18. 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.
19. 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%).
20. 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. CR-E-01 to Contract No. 82000053 as written in the above Agenda Item, increasing the contract cost in the amount of \$90,000.00 making the adjusted contract cost \$1,320,000.00. Expenses from this contract will be paid from Account no. 02000535-490740.

MOTION TO _____

MADE BY _____

2ND BY _____

AYES _____ NOES _____

Board Meeting of July 26, 2023

ITEM NO. 16

CHANGE ORDER NO. 3- CONTRACT NO. 820000041 SCAJAQUADA CREEK & BLACK ROCK SMART SEWER PROJECT

CONTRACTOR:	ORIGINAL CONTRACT COST	\$824,600.00
Greeley and Hansen	PREVIOUS CHANGE ORDER	\$407,900.00
111 Broadway Suite 2101	THIS CHANGE ORDER (INCREASE)	<u>\$1,096,300.00</u>
New York, New York 10006	ADJUSTED CONTRACT COST	\$2,328,800.00

VENDOR NO. 16154	ACCOUNT NO.	02000546-432004
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PROJECT: Scajaquada Creek & Black Rock Canal Smart Sewer Project

DESCRIPTION OF CHANGE OR EXTRA WORK:

Item #1 Construction Administration and Construction Inspection Services

REASON FOR CHANGE OR EXTRA WORK:

Item #1 Bidding of this project has been completed and at this time administration and inspection of the construction contract is required. Work to date by Greeley and Hansen on this contract has been satisfactory and it has been determined that they are best qualified to continue to provide engineering services through this construction phase.

COST OF CHANGE OR EXTRA WORK:

Item #1 \$1,096,300.00

THE TOTAL COST OF THE CHANGE OR EXTRA WORK	\$1,096,300.00
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The total INCREASE to the contract as a result of this Change Order is	\$1,096,300.00
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WHEREAS: In Item No. 13, on November 22, 2021, 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. 15, on March 9, 2022, the Board of the Buffalo Sewer Authority authorized the General Manager to enter into an agreement with Greeley and Hansen; one of those five engineering firms which were pre-qualified on November 22, 2021, in the amount of \$824,600.00 to perform design and bid services for the Scajaquada Creek & Black Rock Canal Smart Sewer Project; and

WHEREAS: In Item No. 18, on October 19, 2022, the Board of the Buffalo Sewer Authority authorized a change order in the amount of \$228,800.00 for additional survey, inclusion of several additional monitoring sites, and utility coordination; and

WHEREAS: In Item No. 17, on December 14, 2022, the Board of the Buffalo Sewer Authority authorized a change order in the amount of \$179,1800.00 for redesign of the Gates Circle site and additional subsurface investigation; and

WHEREAS: The Principal Sanitary Engineer has reviewed a request for a Change Order No. 3 to Contract No. 82000041 in the amount of \$1,096,300.00 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. 3 to Contract No. 82000041 as written in the above Agenda Item, increasing the contract cost in the amount of \$1,096,300.00, making the adjusted contract cost \$2,328,800.00. Expenses from this contract will be funded from account no. 02000546-432004.

MOTION TO _____

MADE BY _____

2ND BY _____

AYES _____ NOES _____

Board Meeting of July 26, 2023

WHEREAS: In Item No. 13, on November 22, 2021, 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. 18, on May 4, 2022, the Board of the Buffalo Sewer Authority authorized the General Manager to enter into an agreement with Greeley and Hansen; one of those five engineering firms which were pre-qualified on November 22, 2021, in the amount of \$277,425.00 to perform preliminary design services for the Jefferson Avenue Real Time Control (RTC) Smart Sewer Project; and

WHEREAS: The Principal Sanitary Engineer and staff have reviewed a request for a Change Order No. 1 to Contract No. 82000043 in the amount of \$3,259,080.00 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. 82000043 as written in the above Agenda Item, increasing the contract cost in the amount of \$3,259,080.00, making the adjusted contract cost \$3,536,505.00. The cost of this contract will be funded from Account no. 02000542-432004.

MOTION TO _____

MADE BY _____

2ND BY _____

AYES _____ NOES _____

Board Meeting of July 26, 2023

ITEM NO. 18

CHANGE ORDER NO. 2 FIELD SEASON WORK THRU NOVEMBER 2023 CONTRACT NO. 82000028 SEWER CLEANING AND INSPECTION OF VARIOUS STREETS

CONTRACTOR:	ORIGINAL CONTRACT COST	\$743,500.00
National Water Main Cleaning Co.	PREVIOUS CHANGE ORDER	\$281,500.00
1806 Newark Turnpike	THIS CHANGE ORDER	<u>\$100,000.00</u>
Kearny, NJ 07032	ADJUSTED CONTRACT COST	\$1,125,000.00
VENDOR NO. 16172	ACCOUNT NO.	02000520-490740

WORK: Cleaning and Inspection of Sewers in Coordination with
The City of Buffalo's Capital Program

DESCRIPTION OF CHANGE OR EXTRA WORK:

Item #1 Increase in Contract Amount

REASON FOR CHANGE OR EXTRA WORK:

Item #1 Contract is being extended through November 30, 2023, to allow ongoing field season work to be completed and bidding to be performed for new contract.

COST OF CHANGE OR EXTRA WORK:

Item #1 \$100,000.00

THE TOTAL COST OF THE CHANGE OR EXTRA WORK: \$100,000.00

The Total INCREASE to the Contract as a result of this Change Order is \$100,000.00

WHEREAS: On October 14, 2020, the Board of the Buffalo Sewer Authority authorized the General Manager to enter into and execute a contract with National Water Main Cleaning Co., for Sewer Cleaning and Internal Television Inspection in Conjunction with City's Street Resurfacing Program project at a cost not to exceed \$743,500.00; and

WHEREAS: On June 22, 2022, the Board of the Buffalo Sewer Authority authorized a Change Order in the amount of \$281,500.00 under Board Item No. 31 for additional work through the original contract completion date of July 1, 2023.

WHEREAS: The Principal Sanitary Engineer and staff have reviewed a request for a Change Order No. 2 to Contract No. 82000028 in the amount of \$100,000.00 as detailed above and recommend its approval.

CONTRACT SUPPLEMENT CONDITIONS:

1. The contract completion date established in the original contract or as modified by previous contract supplements is hereby changed by 152 calendar days, making the final completion date November 30,2023.
2. Any additional work to be performed under this contract supplement shall be carried out in compliance with the specifications included in the preceding description of changes involved with the supplemental contract drawings designated none and under the provisions of the original contract, including compliance with applicable equipment specifications, general specifications, and project specifications for the same type of work.
3. This contract supplement unless otherwise provided herein does not relieve the Contractor from strict compliance with the guarantee provisions of the original contract, particularly those pertaining to performance and operation of equipment.
4. The Contractor expressly agrees that he will place under coverage of his performance and payment bonds and Contractor's Insurance all work covered by this contract supplement. The Contractor will furnish to the Owner evidence of increased coverage of his performance and payment bonds for the accrued value of all contract supplements that exceeds the original contract price by twenty percent (20%).
5. The costs established under this contract supplement are acknowledged as including any and all costs associated with the work described herein and including any and all costs associated with any and all work performed or to be performed by the Contractor that may be affected in any manner by the work described herein.

NOW THEREFORE
BE IT RESOLVED:

That the Board of the Buffalo Sewer Authority hereby approves Change Order No. 2 to Contract No. 82000028 as written in the above Agenda Item, increasing the contract cost in the amount of \$100,000.00 making the adjusted contract cost \$1,125,000.00. Expenses from this contract will be paid from Account no. 02000520-490740.

MOTION TO _____

MADE BY _____

2ND BY _____

AYES _____ NOES _____

Board Meeting of July 26, 2023

ITEM NO. 19

**REPORT ON BIDS RECEIVED - SCAJAQUADA CREEK AND BLACK ROCK CANAL
SMART SEWER PROJECT**

- WHEREAS: Formal bids were advertised and solicited for the Scajaquada Creek and Black Rock Canal Smart Sewer Project. Bids were received and opened by the Buffalo Sewer Authority on Thursday, July 6, 2023, at 10:00 AM; and
- WHEREAS: Mark Cerrone, Inc. submitted the sole bid in the amount of \$5,987,000.00; and
- WHEREAS: This bid was within the \$3,500,000.00-\$6,500,000.00 Engineer's Estimate range; and
- WHEREAS: The proposals were 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: This project is subject to time sensitive deadlines under the United States Environmental Protection Agency's Amended Administrative Order CWA-02-2014-3033; and
- WHEREAS: The New York State Environmental Facilities Corporation (EFC) has awarded this project \$3,333,000.00 in Bipartisan Infrastructure Law grant funding and \$3,333,000.00 in Bipartisan Infrastructure Law subsidized financing; and
- WHEREAS: The Buffalo Sewer Authority's Consulting Engineer, Greeley and Hansen has reviewed the bid and accompanying grant and financing compliance documentation and recommends awarding of the contract to Mark Cerrone, Inc. at a cost not to exceed \$5,987,000.00; and
- WHEREAS: The Principal Sanitary Engineer and staff have reviewed the bid and compliance documentation and the Consulting Engineer's recommendation and and concur with award of a contract at a cost not to exceed \$5,987,000.00 to Mark Cerrone, Inc. by the Board of the Buffalo Sewer Authority.

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 Mark Cerrone, Inc. at a cost not to exceed \$5,987,000.00 for the Scajaquada Creek and Black Rock Canal Smart Sewer Project. Expenses for this contract shall be charged to Account no. 02000550-490740.

MOTION TO _____

MADE BY _____

2ND BY _____

AYES _____ NOES _____

Board Meeting of July 26, 2023

ITEM NO.20

REPORT ON BIDS RECEIVED - UNSCHEDULED SEWER CLEANING AND TELEVISIONING

WHEREAS: Formal bids were advertised and solicited for Unscheduled Sewer Cleaning and Televising. The following bids were received and opened by the Buffalo Sewer Authority on Thursday, July 13, 2023, at 1:00 PM:

Contractor	Base Bid
National Water Main Cleaning Co.	\$688,000.00
Kandy Company, Inc.	\$1,089,900.00
J.A. Brundage the Drain Doctor, Inc.	\$2,320,000.00

; and

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

WHEREAS: The Principal Sanitary Engineer and staff reviewed the packages and recommend awarding this contract to the low bidder, National Water Main Cleaning 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 National Water Main Cleaning Co. for Unscheduled Sewer Cleaning and Internal Television Inspection at a cost not to exceed \$688,000.00. Expenses for this contract shall be charged to Account no. 02000575-490740.

MOTION TO _____

MADE BY _____

2ND BY _____

AYES _____ NOES _____

Board Meeting of July 26, 2023

ITEM NO. 21

AUTHORIZATION FOR BETTERMENT AS PART OF THE NIAGARA STREET RECONSTRUCTION PHASE 4B PIN 5762.90

WHEREAS: Formal bids were advertised and solicited by the City of Buffalo Department of Public Works, Parks, and Streets (DPW) for Niagara Street Reconstruction Phase 4B PIN 5762.90. The following bids were received and opened by DPW on March 31, 2023, at 11:00 AM:

Contractor	Base Bid	Alternate 1	Base Bid + Alternate 1
EdBauer Construction	\$4,533,024.70	\$98,690.00	\$4,631,714.70
Mark Cerrone, Inc.	\$4,991,043.50	\$89,436.00	\$5,080,479.50

; and

WHEREAS: At their May 2, 2023, Regular Meeting under Agenda Item 23-655, the Common Council of the City of Buffalo at the recommendation of DPW awarded a contract to EdBauer Construction for Niagara Street Reconstruction Phase 4B PIN 5762.90 in the amount of \$4,631,714.70 for Base Bid + Alternate 1; and

WHEREAS: The portion of the Base Bid + Alternate 1 that is attributed to the rehabilitation and enhancement of Buffalo Sewer Authority's infrastructure are as follows:

	Base Bid	Alternate 1	Base Bid + Alternate 1
Green Infrastructure	\$898,045.50	\$108,536.00	\$1,006,581.50
Gray Infrastructure	\$326,982.78	N/A	\$326,982.78
Total	\$1,225,028.28	\$108,536.00	\$1,333,564.28

WHEREAS: The New York State Environmental Facilities Corporation (EFC) provides funding through the Green Innovation Grant Program (GIGP) for projects that demonstrate direct environmental benefits and improve water quality in New York State; and

WHEREAS: The Board of the Buffalo Sewer Authority authorized a 10% match for a \$1,100,000.00 GIGP grant for the Niagara Phase 4B Project under Item #14 of the September 29, 2021, Board Meeting; and

WHEREAS: The Principal Sanitary Engineer and staff recommend awarding a Betterment Contract to EdBauer Construction at a total cost not to exceed \$1,333,564.28; and

NOW THEREFORE
BE IT RESOLVED:

That the Board of the Buffalo Sewer Authority hereby approves the awarding of the Betterment Contract for the Niagara Street Reconstruction Phase 4B PIN 5762.90 to EdBauer for a not to exceed amount of \$1,333,564.28. The cost of this contract will be funded from Account no. 02000540-490740 and utilize GIGP grant funding.

MOTION TO _____

MADE BY _____

2ND BY _____

AYES _____ NOES _____

Board Meeting of July 26, 2023

ITEM NO. 22

AUTHORIZATION TO ENTER INTO AN AGREEMENT WITH WATTS ARCHITECTURE AND ENGINEERING, FOR GREEN INFRASTRUCTURE PROFESSIONAL ENGINEERING SERVICES

WHEREAS: The Buffalo Sewer Authority issued a request for qualifications (RFQ) for the purposes of prequalifying various firms for delivery of green infrastructure capital improvement projects and approved these entities as Board Item #31 on September 30, 2020; and

WHEREAS: There is a need to secure the services of an engineering firm to design and manage the replacement of sewer and watermain and the installation of porous pavement for two (2) sites in the Fillmore District; and

WHEREAS: Six (6) firms that were pre-qualified under Board Item #31 of the September 30, 2020, Board Meeting were solicited for proposals for the design and management of this project; and

WHEREAS: A total of three (3) firms responded to a request for proposals; and

WHEREAS: A consultant selection committee appointed by the Principal Sanitary Engineer reviewed and ranked the proposals received; and

WHEREAS: The Principal Sanitary Engineer and staff recommend contracting with Watts Architecture and Engineering (Watts) for these services as detailed in their proposal of June 23, 2023, at a cost not to exceed \$635,379.00.

NOW THEREFORE
BE IT RESOLVED: That the Board of the Buffalo Sewer Authority hereby authorizes the General Manager to execute agreements with Watts to complete the project located in the Fillmore District. The cost of this contract will be funded at not to exceed amount of \$635,379.00 from Account no. 02000572-432004.

MOTION TO _____

MADE BY _____

2ND BY _____

AYES _____ NOES _____

Board Meeting of July 26, 2023

ITEM NO.23

AUTHORIZATION TO ENTER INTO AN AGREEMENT WITH AKRF, INC., FOR GREEN INFRASTRUCTURE PROFESSIONAL ENGINEERING SERVICES

WHEREAS: The Buffalo Sewer Authority issued a request for qualifications (RFQ) for the purposes of prequalifying various firms for delivery of green infrastructure capital improvement projects and approved these entities as Board Item #31 on September 30, 2020; and

WHEREAS: There is a need to secure the services of an engineering firm to design and manage the replacement of sewer and watermain and the installation of porous pavement for two (2) sites in the Lovejoy District; and

WHEREAS: Six (6) firms that were pre-qualified under Board Item #31 of the September 30, 2020, Board Meeting were solicited for proposals for the design and management of this project; and

WHEREAS: A total of three (3) firms responded to a request for proposals; and

WHEREAS: A consultant selection committee appointed by the Principal Sanitary Engineer reviewed and ranked the proposals received; and

WHEREAS: The Principal Sanitary Engineer and staff recommend contracting with AKRF, Inc. (AKRF) for these services as detailed in their proposal of June 23, 2023, at a cost not to exceed \$635,894.00.

NOW THEREFORE
BE IT RESOLVED: That the Board of the Buffalo Sewer Authority hereby authorizes the General Manager to execute agreements with AKRF to complete the project located in the Lovejoy District. The cost of this contract will be funded at not to exceed amount of \$635,894.00 from Account no. 02000573-432004.

MOTION TO _____

MADE BY _____

2ND BY _____

AYES _____ NOES _____

Board Meeting of July 26, 2023

ITEM NO.24

REPORT ON BIDS RECEIVED - MISCELLANEOUS SYSTEM WIDE SEWER REPAIRS

WHEREAS: Formal bids were advertised and solicited for Miscellaneous System Wide Sewer Repairs. The following bids were received and opened by the Buffalo Sewer Authority on Thursday, July 13, 2023, at 11:00 AM:

Contractor	Base Bid
Destro & Brothers Concrete Co., Inc.	\$4,850,600.00
Nova Site Company, LLC	\$5,150,000.00

; and

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

WHEREAS: The Principal Sanitary Engineer and staff reviewed the packages and recommend awarding this contract to the low bidder, Destro & Brothers Concrete Co., Incorporated.

NOW THEREFORE
BE IT RESOLVED: That the Board of the Buffalo Sewer Authority hereby authorizes the General Manager to enter into and execute a contract with Destro & Brothers Concrete Co., Inc. for Miscellaneous System Wide Sewer Repairs at a cost not to exceed \$4,850,600.00. Expenses for this contract shall be charged to Account no. 02000574-490740.

MOTION TO _____

MADE BY _____

2ND BY _____

AYES _____ NOES _____

Board Meeting of July 26, 2023

ITEM NO. 25

REQUEST FOR LEAVE OF ABSENCE

WHEREAS: Jamel Hardin, a permanent Millwright Helper has requested an unpaid personal leave of absence beginning July 17, 2023, for a period of six (6) months to pursue an employment opportunity; and

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 Jamel Hardin a six (6) month unpaid personal leave of absence without pay beginning July 17, 2023 and extending until January 24, 2024.

MOTION TO _____

MADE BY _____

2ND BY _____

AYES _____ NOES _____

Board Meeting of July 26, 2023

ITEM NO. 26

CONFIRMATION OF APPOINTMENTS

SENIOR ACCOUNTANT (PERMANENT)
CITY HALL ADMINISTRATION
\$58,645 PER ANNUM
EFFECTIVE: JULY 3, 2023

PETER GRUNZWEIG JR.
102 NEWFIELD
BUFFALO, NY 14207

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 _____

MADE BY _____

2ND BY _____

AYES _____ NOES _____

Board Meeting of July 26, 2023

ITEM NO. 27

ADJOURNMENT OF MEETING

MOTION TO _____

MADE BY _____

2ND BY _____

AYES _____ NOES _____

Board Meeting of July 26, 2023