

**MINUTES OF THE ANNUAL MEETING
OF THE
BUFFALO SEWER AUTHORITY
June 28, 2023**

58598.....58633

BUFFALO SEWER AUTHORITY

ANNUAL MEETING

June 28, 2023

9:00 A.M.

**Bird Island Treatment Facility, 90 West Ferry St.
Teleconference +1 917- 933-2166, ID #995 340 034**

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ATTACHMENTS

- Attachment A: Capital Investment Guide
- Attachment B: Purchasing Guidelines
- Attachment C: Fund Balance Policy
- Attachment D: Investment Guidelines
- Attachment E: Credit Card Policy

CALL OF THE ROLL

Present:	Herbert Bellamy, Jr.	Chairman of the Board
	Christopher Roosevelt	Vice Chairman of the Board
	Eleanor Petrucci	Secretary of the Board
	Oluwole McFoy, P.E.	General Manager
	Lori Scaletta	Acting Director of Employee Relations
	Adam Sassone	Secretary to General Manger
	LaToya Cunningham	Special Assistant
	Charles Riley	Executive Secretary
	Alexander Emmerson	Treatment Plant Superintendent
	Joel Renzoni	Director of Sewer Maintenance
	Roberta Gaiek, P.E.	Treatment Plant Administration
	Paul Harris	Superintendent of Mechanical Maintenance
	Rosaleen Nogle, P.E.	Principal Sanitary Engineer
	Rebecca Brooks	Executive Secretary to Comptroller
	Barbara Miller-Williams	Comptroller
	Delano Dowell, Sr.	Deputy Comptroller

The meeting was called to order at 9:18 AM. A quorum was present.

ITEM NO. 1

Motion to Adopt the Minutes of the Meeting of May 24, 2023

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

Board Meeting of June 28, 2023

ITEM NO. 3

ELECTION OF MEMBERS TO AUDIT COMMITTEE

	MOTION TO	<u>APPROVE</u>
CHAIRPERSON	MADE BY	<u>MR. ROOSEVELT</u>
ELEANOR PETRUCCI	2 ND BY	<u>MR. BELLAMY</u>
	AYES <u>3</u>	NOES <u>0</u>
	MOTION TO	<u>APPROVE</u>
MEMBER	MADE BY	<u>MRS. PETRUCCI</u>
CHRISTOPHER ROOSEVELT	2 ND BY	<u>MR. BELLAMY</u>
	AYES <u>3</u>	NOES <u>0</u>
	MOTION TO	<u>APPROVE</u>
MEMBER	MADE BY	<u>MRS. PETRUCCI</u>
HERBERT J. BELLAMY, JR.	2 ND BY	<u>MR. ROOSEVELT</u>
	AYES <u>3</u>	NOES <u>0</u>

Board Meeting of June 28, 2023

ITEM NO. 4

ELECTION OF MEMBERS TO GOVERNANCE COMMITTEE

	MOTION TO	<u>APPROVE</u>
CHAIRPERSON	MADE BY	<u>MRS. PETRUCCI</u>
CHRISTOPHER ROOSEVELT	2 ND BY	<u>MR. BELLAMY</u>
	AYES <u>3</u>	NOES <u>0</u>
	MOTION TO	<u>APPROVE</u>
MEMBER	MADE BY	<u>MR. ROOSEVELT</u>
ELEANOR PETRUCCI	2 ND BY	<u>MR. BELLAMY</u>
	AYES <u>3</u>	NOES <u>0</u>
	MOTION TO	<u>APPROVE</u>
MEMBER	MADE BY	<u>MRS. PETRUCCI</u>
HERBERT J. BELLAMY, JR.	2 ND BY	<u>MR. ROOSEVELT</u>
	AYES <u>3</u>	NOES <u>0</u>

Board Meeting of June 28,2023

ITEM NO. 5

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

As of May 31st, 2023

ISSUE DATE	MATURITY DATE	TOTAL DAYS	AMOUNT	BANK	RATE	INTEREST AMOUNT
CONSTRUCTION/CAPITAL IMPROVEMENT FUND						
31-Jul-12	MONEY MARKET		\$3,717,667.52	Key	0.01%	Public NOW
6-Mar-23	1-Jun-23	87	\$3,935,974.89	M&T Securities	4.68%	\$45,025.11
16-Mar-23	13-Jun-23	89	\$1,898,484.33	Bank on Buffalo	4.95%	\$23,515.67
23-Mar-23	28-Jun-23	97	\$6,877,037.63	Key Banc Capital	4.95%	\$92,962.37
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
			\$33,328,802.50			
LIABILITY AND CASUALTY RESERVE FUND						
31-Jul-12	MONEY MARKET		\$77,673.79	Key	0.01%	Public NOW
20-Apr-23	20-Jul-23	91	\$931,129.20	Key Banc Capital	4.98%	\$11,870.80
			\$1,008,802.99			
OPERATING FUND						
31-Jul-12	Super NOW		\$3,216,359.91	Key	0.01%	Public NOW
TRUST & AGENCY FUND						
31-Jul-12	Super NOW		\$4,042.21	Key	0.01%	Public NOW
SURPLUS FUND						
30-Nov-22	1-Jun-23	183	\$1,531.05	Wilmington U.S. Treasury	4.26%	
			\$10,003,260.81	M&T Securities	4.96%	\$258,739.19
			\$10,004,791.86			
NET REVENUE FUND						
29-Mar-23	29-Jun-23	92	\$187,873.92	Wilmington U.S. Treasury		
			\$6,927,408.00	M&T Securities	4.50%	\$80,592.00
27-Apr-23	27-Jul-23	91	\$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
			\$13,874,903.56			

BSA 2021 EIB FUND

			\$315,295.33	Cash	0.00%	
28-Feb-23	27-Jun-23	119	\$9,987,969.20	M&T Securities	4.80%	\$161,030.80
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
			\$53,024,826.30			

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		
			\$5,866.93	Wilmington U.S. Treasury	4.32%	
11-May-23	5-Sep-23	117	\$321,754.27	Key Banc Capital	5.10%	\$5,245.73
			\$327,621.20			
			\$0.01	DSF PRIN &INT		
				Wilmington Fund		
				DSF 2021 EIB		
			\$1,724,818.90	Wilmington Fund	4.57%	

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ITEM NO. 6

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

5/17/2023	00320105 CHEM Equipment Maint	-\$1,470.00	00210105 RWWP Equipment Maint	\$1,470.00
5/17/2023	00320105 CHEM Equipment Maint	-\$1,500.00	00530105 YARD Janitorial & Operating	\$1,500.00
5/25/2023	00330105 FINA Equipment Maint	-\$7,470.00	00290105 AER Equipment Maint	\$7,470.00
5/26/2023	00520106 MAIN Building Repairs	-\$43,000.00	00210106 RWWP Repairs to Equipment	\$43,000.00

Sewer Maintenance Division

5/19/2023	00650103 SWRM Electric Light & Power	-\$1,500.00	00690105 AUTO Gas & Lub	\$1,500.00
5/19/2023	0680103 Electricity	-\$3,500.00	00430103 BAB Electric & Power	\$3,500.00

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Board Meeting of June 28, 2023

ITEM NO. 7

REVISION TO BUFFALO SEWER AUTHORITY POLICIES AND GUIDELINES

WHEREAS: The Buffalo Sewer Authority has developed the following policies and guidelines:
Capital Asset Guide (Attachment A)
Purchasing Guidelines (Attachment B)
Fund Balance Policy (Attachment C)
Investment Guidelines (Attachment D)
Credit Card Policy (Attachment E); and

WHEREAS: These policies and guidelines shall be annually reviewed and approved by the Board.

NOW THEREFORE
BE IT RESOLVED: That the Board of the Buffalo Sewer Authority hereby adopts the policies and guidelines listed above.

MOTION TO APPROVE

MADE BY MRS. PETRUCCI

2ND BY MR. ROOSEVELT

AYES 3 NOES 0

Board Meeting of June 28, 2023

ITEM NO. 8

CONTRACT APPROVAL - SELF-INSURED WORKERS' COMPENSATION PROGRAM

WHEREAS: The use of a professional claims management company is necessary for the successful continuation of the Buffalo Sewer Authority’s self-insured Workers’ Compensation Program; and

WHEREAS: The Buffalo Sewer Authority has received a proposal from OMNI Underwriting Managers LLC, d/b/a FutureComp, for a Workers’ Compensation Administrative Agreement for a three-year period beginning July 1, 2023, and ending June 30, 2026, and

WHEREAS: The fees for these services are as follows:

7/1/2023 – 6/30/2024	\$33,500.00 Annually
7/1/2024 – 6/30/2025	\$34,500.00 Annually
7/1/2025 – 6/30/2026	\$35,500.00 Annually

; and

WHEREAS: The Executive Secretary recommends accepting this proposal from July 1, 2023 through June 30, 2026.

NOW THEREFORE
BE IT RESOLVED: That the Board of the Buffalo Sewer Authority hereby authorizes the General Manager to enter into an agreement with OMNI Underwriting Managers LLC, d/b/a FutureComp to administer the self-insured Workers’ Compensation Program for the period July 1, 2023 through June 30, 2024 in an amount not to exceed \$33,500.00; July 1, 2024 through June 30, 2025 in an amount not to exceed \$34,500.00; July 1, 2025 through June 30, 2026 in an amount of \$35,500.00. Expenses for this agreement will be charged to account nos. 00110108-452000, 00200108-452000, and 00650108-452000 on a pro-rata basis.

MOTION TO APPROVE

MADE BY MRS. PETRUCCI

2ND BY MR. ROOSEVELT

AYES 3 NOES 0

Board Meeting of June 28, 2023

ITEM NO. 9

AUTHORIZATION TO PURCHASE CYBER INSURANCE

WHEREAS: The Buffalo Sewer Authority currently receives cyber insurance coverage through Lloyd’s of London/CFC Underwriting; and

WHEREAS: Lloyd’s of London/CFC has proposed a renewal extension to the Authority’s cyber insurance coverage for the period July 1, 2023 through June 30, 2024, with a 10% increase at a cost not to exceed \$38,906.25; and

WHEREAS: The Authority’s insurance broker, Lawley Insurance, received proposals from Lloyd’s of London/CFC and Travelers Insurance. It was determined that Lloyd’s of London/CFC’s comparative pricing, terms, and conditions provide stronger coverage than the proposal from Travelers Insurance; and

WHEREAS: The Executive Secretary and the Systems Administrator have carefully reviewed the policies and recommend accepting the proposal from Lloyd’s of London/CFC; and

NOW THEREFORE
BE IT RESOLVED: That the Board of the Buffalo Sewer Authority hereby approves the purchase of a Cyber Insurance Policy from Lloyd’s of London/CFC for a cost not to exceed \$38,906.25 for the period July 1, 2023 – June 30, 2024. These costs shall be charged to account nos. 00200108-452000 and 00650108-452000 on a pro-rata-basis.

MOTION TO APPROVE

MADE BY MRS. PETRUCCI

2ND BY MR. ROOSEVELT

AYES 3 NOES 0

Board Meeting of June 28, 2023

ITEM NO. 10

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, 2023 - June 30, 2024; and

WHEREAS: The General Manager recommends approval to retain Phillips Lytle LLP for general labor and employment matters as well as contract negotiations in an amount not to exceed \$125,00000 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, 2023 – June 30, 2024 in an amount not to exceed \$125,000.00. 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 June 28, 2023

ITEM NO. 11

TRAVEL AUTHORIZATION - PITTSBURGH, PA

WHEREAS: Emerson's Annual User Group Conference 2023 will be held July 23-27, 2023 in Pittsburgh, PA, where users attend breakout sessions on Ovation best practices, cybersecurity, new technologies, technical enhancements and troubleshooting, etc.; and

WHEREAS: The Buffalo Sewer Authority utilizes Emerson Ovation Distributed Control System for operations and control of the treatment plant process; and

WHEREAS: The Buffalo Sewer Authority Senior Instrument Technician serves on the Ovation Users Group Board of Directors and holds a seat on its Wastewater Committee and Communications Committee; and

WHEREAS: The General Manager, the Treatment Plant Administrator and Treatment Plant Superintendent recommend that the Senior Instrument Technician and Shift Superintendent attend the Ovation User Group 2023 Annual Conference.

NOW THEREFORE
BE IT RESOLVED:

That the Board of the Buffalo Sewer Authority hereby authorizes the Buffalo Sewer Authority Senior Instrument Technician and Shift Superintendent to travel to Pittsburgh, PA from July 22-27, 2023 to attend the Emerson Ovation Users Group 2023 annual conference at a cost not to exceed \$4,000.00. Expenses for this travel shall be charged to account no. 00200104-458010.

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 June 28, 2023

ITEM NO. 12

AUTHORIZATION FOR RENEWAL OF ANNUAL CUSTOMER SUPPORT PLAN

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

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

WHEREAS: The Executive Secretary, Systems Administrator and staff recommend renewal of the annual customer support plan with International Business Machines Corporation for the period July 1, 2023, through June 30, 2024 for a cost of \$109,154.60; and

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

NOW THEREFORE
BE IT RESOLVED: That the Board of the Buffalo Sewer Authority hereby authorizes the General Manager to renew the annual customer support plan with International Business Machines Corporation for a one-year period, July 1, 2023 through June 30, 2024, at a cost not to exceed \$109,154.60. Account no. 00200106-443420 will be charged for this service.

MOTION TO APPROVE

MADE BY MRS. PETRUCCI

2ND BY MR. ROOSEVELT

AYES 3 NOES 0

Board Meeting of June 28, 2023

ITEM NO. 13

EXTENSION OF THE CONTRACT FOR JCI JONES CHEMICALS, INC.

WHEREAS: On December 14, 2022, the Board of the Buffalo Sewer Authority awarded a contract to JCI Jones Chemicals, Inc., for the purchase of Sodium Hypochlorite for the period beginning January 1, 2023 to June 30, 2023, with an option to renew for four (4) one-year periods, at an annual cost not to exceed \$2,620,090.00; and

WHEREAS: JCI Jones Chemicals, Inc., has agreed to renewal the 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 \$2,620,090.00.

NOW THEREFORE
BE IT RESOLVED: That the Board of the Buffalo Sewer Authority hereby authorizes the General Manager to renew the contract with JCI Jones Chemicals, Inc., for the purchase of Sodium Hypochlorite for the period July 1, 2023 to June 30, 2024, at a total cost not to exceed \$2,620,090.00. Expenses for this contract will be charged to account no. 00330105-467044.

MOTION TO APPROVE

MADE BY MR. ROOSEVELT

2ND BY MRS. PETRUCCI

AYES 3 NOES 0

Board Meeting of June 28, 2023

ITEM NO. 15

EXTENSION OF THE CONTRACT FOR REMOVAL & DISPOSAL OF SEWAGE SCREENINGS

WHEREAS: On May 8, 2019, the Board of the Buffalo Sewer Authority awarded a contract to Geiter Done of WNY, Inc., to provide the removal and disposal of sewage screenings for the period beginning July 1, 2019 to June 30, 2020, with an option to renew for four (4) one-year periods, at an annual cost not to exceed \$47,800.00; and

WHEREAS: On March 4, 2020, the Board authorized the extension of this contract for the period July 1, 2020, to June 30, 2021; and

WHEREAS: On March 10, 2021, the Board authorized the extension of this contract for the period July 1, 2021 to June 30, 2022; and

WHEREAS: On April 6, 2022, the Board authorized the extension of this contract for the period July 1, 2022 to June 30, 2023; and

WHEREAS: Geiter Done of WNY, Inc., 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 \$47,800.00.

NOW THEREFORE
BE IT RESOLVED: That the Board of the Buffalo Sewer Authority hereby authorizes the General Manager to renew the contract with Geiter Done of WNY, Inc., for removal and disposal of sewage screenings for the period July 1, 2023 to June 30, 2024, at a total cost not to exceed \$47,800.00. Expenses for this contract will be charged to accounts nos. 00230106-442100 and 00660106-442100.

MOTION TO APPROVE

MADE BY MRS. PETRUCCI

2ND BY MR. ROOSEVELT

AYES 3 NOES 0

Board Meeting of June 28, 2023

ITEM NO. 16

CHANGE ORDER NO. 1 – BROAD BASED A/E SRVCS INTERIORS PROJECT
CONTRACT NO. 82000035

CONSULTANT:	ORIGINAL CONTRACT COST	\$220,000.00
Wendel Companies	PREVIOUS CHANGE ORDERS	\$0.00
375 Essjay Road Suite 200	THIS CHANGE ORDER	<u>\$6,800.00</u>
Williamsville, New York 14221	ADJUSTED CONTRACT COST	\$226,800.00

VENDOR NO. 10683	ACCOUNT NO.	02000527-432004
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WORK: Interiors project additional design and scope

DESCRIPTION OF CHANGE OR EXTRA WORK:

Item #1 Additional Design and Construction Administration/Inspection to accommodate the addition of the remodeling of the City Hall breakroom.

REASON FOR CHANGE OR EXTRA WORK:

Item #1 During the current project at City Hall the project team determined the need to update and rehabilitate the breakroom at City Hall.

COST OF CHANGE OR EXTRA WORK:

Item #1 \$6,800.00

THE TOTAL COST OF THE CHANGE OR EXTRA WORK: \$6,800.00

WHEREAS: In Item No. 8, on December 16, 2020, the Board of the Buffalo Sewer Authority authorized the General Manager to Enter into a professional engineering agreement with Wendel Companies for the design and construction administration/inspection services for the interiors project; and

WHEREAS: On July 8, 2021 Contract No. 82000035 was executed between the Buffalo Sewer Authority and Wendel Companies pursuant to the aforementioned Item No. 8 of the December 16, 2020 Board Meeting; and

WHEREAS: The Treatment Plant Administrator and staff have determined that the proposal from Wendel Companies for \$6,800.00 best meets the needs of the Authority in this matter, but, together with the above stated allocations would exceed the currently approved contract amount by \$6,800.00; and

WHEREAS:

The Treatment Plant Administrator and staff subsequently solicited, and reviewed a request for a Change Order No. 1 to Contract No. 82000035 (BROAD BASED A/E SRVCS INTERIORS PROJECT Project) in the amount of \$6,800.00 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. 82000035 as written in the above Agenda Item, increasing the contract cost in the amount of \$6,800.00, making the adjusted contract cost \$226,800.00. Expenses from this contract will be funded from Account No. 02000527-432004.

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

Board Meeting of June 28, 2023

ITEM NO. 17

**CHANGE ORDER NO. 1 – MEGASTRUCTURE STAIR TOWER AND MAINTENANCE
FLOOR REHABILITATION CONTRACT NO. 82000046**

CONSULTANT:	ORIGINAL CONTRACT COST	\$1,211,000.00
American Contracting & Env. Services	PREVIOUS CHANGE ORDERS	\$0.00
10330 Columbia Road #102	THIS CHANGE ORDER	<u>(\$32,096.45)</u>
Columbia, MD 21046	ADJUSTED CONTRACT COST	\$1,178,903.55
VENDOR NO. 17697	ACCOUNT NO.	02000548-490740

WORK: Unused Contingency Allowance

DESCRIPTION OF CHANGE OR EXTRA WORK:

Item #1 Unused contingency allowance.

REASON FOR CHANGE OR EXTRA WORK:

Item #1 Per contract, the initial contingency value of \$120,000.00, of which \$32,096.45 remained unused.

COST OF CHANGE OR EXTRA WORK:

Item #1 (\$32,096.45)

THE TOTAL COST OF THE CHANGE OR EXTRA WORK: (\$32,096.45)

WHEREAS: In Item 21 of the May 25, 2022 Board meeting, the Board of the Buffalo Sewer Authority authorized the General Manager to execute a contract with American Construction & Environmental Services, Inc. for the Megastructure Stair Tower and Maintenance Floor Rehabilitation Project at a cost not to exceed; \$1,211,000.00; and

WHEREAS: The Treatment Plant Administrator and staff have approved a deduct change order for the unused contingency allowance in the amount of \$32,096.45. Therefore, the final adjusted cost of the contract is \$1,178,903.55; and

NOW THEREFORE
BE IT RESOLVED:

That the Board of the Buffalo Sewer Authority hereby approves Change Order No. 1 to Contract No. 82000046 as written in the above Agenda Item, decreasing the contract cost in the amount of (\$32,096.45), making the adjusted contract cost \$1,178,903.55. Expenses from this contract will be funded from Account No. 02000548-490740.

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 June 28, 2023

ITEM NO. 18

CERTIFICATE OF ACCEPTANCE AND OCCUPANCY CONTRACT 82000046

PROJECT: Megastructure Stair Tower and Maintenance Floor Rehabilitation

BID: \$1,211,000.00

CONTRACTOR: American Contracting & Environmental Service, Inc.
10330 Old Columbia Road #102
Columbia, MD 21046

WHEREAS: In Item 21 of the May 25, 2022 Board meeting, the Board of the Buffalo Sewer Authority authorized the General Manager to execute a contract with American Construction & Environmental Services, Inc. for the Megastructure Stair Tower and Maintenance Building Rehabilitation Project at a cost not to exceed; \$1,211,000.00; and

WHEREAS The Treatment Plant Administrator and staff have certified that the Contractor completed the work in accordance with the plans and specifications on June 28, 2023; and

WHEREAS In Item No. 17, at the June 28th, 2023, Board Meeting the Board of the Buffalo Sewer Authority approved a deduct change order for unused contingency allowance in the amount of \$32,096.45. Therefore, the adjusted contract cost was \$1,178,903.55; and

NOW THEREFORE
BE IT RESOLVED:

That the Board of the Buffalo Sewer Authority hereby finds and determines that:

- a. The work to be performed under the terms of the Contract has been complete and is accepted;
- b. The date of entrance and occupancy be fixed as of June 28, 2023;
- c. The maintenance period commences on June 28, 2023;
- d. The final cost of the Contract is \$1,178,903.55.

MOTION TO APPROVE

MADE BY MRS. PETRUCCI

2ND BY MR. ROOSEVELT

AYES 3 NOES 0

ITEM NO. 19

CHANGE ORDER NO. 1 – CONTRACT NO 82000055

CONTRACTOR:	ORIGINAL CONTRACT COST	\$2,669,500.00
Willett Builders, Inc	THIS CHANGE ORDER NO. 1	<u>\$82,500.00</u>
180 Genesee Street	ADJUSTED CONTRACT COST	\$2,752,000.00
Corfu, New York 14227		

WORK: Wastewater Treatment Plant Interiors Upgrade Project

DESCRIPTION OF CHANGE OR EXTRA WORK:

Item #1 \$82,500.00 Additional funding to accommodate costs associated with the moving water display at City Hall.

REASON FOR CHANGE OR EXTRA WORK:

Item#1 The initial bid package did not include the display unit. Therefore, the contractor did not include the cost of the item in their initial bid package.

COST OF CHANGE OR EXTRA WORK:

Item #1 \$82,500.00

THE TOTAL COST OF THE CHANGE OR EXTRA WORK \$82,500.00

The total INCREASE to the contract as a result of this Change Order is \$82,500.00

CHANGE ORDERS

WHEREAS: On September 28, 2022, the Board of the Buffalo Sewer Authority hereby approved the General Manager to enter into and execute a contract with Willett Builders, Inc. for the Wastewater Treatment Plant Interiors Upgrade Project at a cost not to exceed \$2,669,500.00; and

WHEREAS: On November 28, 2022, the Treatment Plant Administrator issued the Notice to Proceed to Willett Builders.

CONTRACT SUPPLEMENT CONDITIONS:

1. The contract completion date established in the original contract or as modified by previous contract 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. 1 to Contract No. 82000055 as written in the above Agenda Item, increasing the contract cost in the amount of \$82,500.00, making the adjusted contract cost \$2,752,000.00.

MOTION TO APPROVE

MADE BY MRS. PETRUCCI

2ND BY MR. ROOSEVELT

AYES 3 NOES 0

Board Meeting of June 28, 2023

ITEM NO. 20

EXTENSION OF THE CONTRACT FOR DOOR INSPECTION AND PREVENTIVE MAINTENANCE REPAIR SERVICES FOR EXTERIOR AND INTERIOR DOORS

WHEREAS: On February 12, 2020, the Board of the Buffalo Sewer Authority awarded a contract with Sicoli Construction to provide the inspection and preventative maintenance and repair services to approximately 560 passage doors at the Bird Island Treatment Facility and Outlying Stations for the period beginning March 1, 2020 to June 30, 2021 with an option to renew for three (3) one-year periods, at an annual cost not to exceed \$102,000.00; and

WHEREAS: Sicoli Construction 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 Superintendent of Mechanical Maintenance and staff recommend this extension at a total cost not to exceed \$102,000.00.

NOW THEREFORE
BE IT RESOLVED: That the Board of the Buffalo Sewer Authority authorizes the General Manager to renew the contract with Sicoli Construction to provide the inspection and preventative maintenance and repair services to approximately 560 passageway doors for the period July 1, 2023 to June 30, 2024, at a total cost not to exceed \$102,000.00. Expenses for this contract will be charged to account nos. 00520106-443421 and 00520105-466107.

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

Board Meeting of June 28, 2023

ITEM NO. 21

EXTENSION OF THE CONTRACT FOR THE IN-PLANT MECHANICAL MAINTENANCE SERVICES

WHEREAS: On May 25, 2022, the Board of the Buffalo Sewer Authority awarded a contract to Quackenbush, Inc., for In-Plant Mechanical Maintenance Services at a total cost not to exceed \$1,629,647.00 for the fiscal year 2022-2023 with an option to renew for four (4) one year periods; and

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

WHEREAS: The Superintendent of Mechanical Maintenance and staff recommend this extension at a total cost not to exceed \$1,629,647.00.

NOW THEREFORE
BE IT RESOLVED: That the Board of the Buffalo Sewer Authority hereby authorizes the General Manager to renew the contract with Quackenbush Company, Inc., for In-Plant Mechanical Maintenance Services for the period July 1, 2023 through June 30, 2024, at a total cost not to exceed \$1,629,647.00. Expenses for this contract will be charged to account no. 00520106-443421.

MOTION TO APPROVE

MADE BY MRS. PETRUCCI

2ND BY MR. ROOSEVELT

AYES 3 NOES 0

Board Meeting of June 28, 2023

ITEM NO.22

AUTHORIZATION TO PURCHASE VARIOUS OVATION SYSTEM CARDS

WHEREAS: On December 6, 2017, the Board of the Buffalo Sewer Authority designated Emerson Process Management Power and Water Solutions Inc., the original equipment manufacturer, and/or their local representative as a sole source for equipment repairs and supplies for the Ovation Distributed Control System Services and Goods; and

WHEREAS: The Superintendent of Mechanical Maintenance and staff have determined that Various Ovation Cards are needed for replacement and/or repairs. A quote was requested and received from Emerson Process Management Power and Water Solutions Inc., the authorized representative, in the amount of \$43,768.00 for the necessary parts; and

WHEREAS: Monies payable to date to Emmerson Process Management Power and Water Solutions Inc., in the current aggregate year are \$19,068.00. This purchase will bring the total monies payable for purchases to \$62,836.00; and

WHEREAS: The Superintendent of Mechanical Maintenance and staff reviewed the quote received and recommend the purchase of these cards from Emerson Process Management Power and Water Solutions Inc., at a cost not to exceed \$43,768.00; and

WHEREAS: Board approval is required on purchases over \$20,000.00.

NOW THEREFORE
BE IT RESOLVED: That the Board of the Buffalo Sewer Authority hereby authorizes the General Manager to purchase the needed Ovation cards from Emerson Process Management Power and Solutions Inc. at a total cost of \$43,768.00. Account no. 00520105-466107 will be charged for this purchase.

MOTION TO APPROVE

MADE BY MRS. PETRUCCI

2ND BY MR. ROOSEVELT

AYES 3 NOES 0

Board Meeting of June 28, 2023

ITEM NO. 23

AUTHORIZATION FOR CHANGE ORDER TO BLANKET ORDER NO. 22300065 FOR PURCHASE OF SAFETY GLOVES

WHEREAS: The Buffalo Sewer Authority has utilized the Omnia National Contract for the purchase of safety gloves servicing of the vending machines. The designated vendor for this service and purchase is Fastenal Company. The existing Blanket Purchase Order No. 22300065 has an encumbered amount of \$19,000.00 for the period July 1, 2022 through June 30, 2023;

WHEREAS: It is now necessary to encumber an additional \$6,000.00 into the Blanket Purchase Order No. 22300065 bringing the total encumbered to \$25,000.00; and

WHEREAS: Board approval is required for purchase of commodities over \$20,000.00; and

WHEREAS: The Superintendent of Mechanical Maintenance and staff recommend this increase at a total cost not to exceed \$25,000.00.

NOW THEREFORE
BE IT RESOLVED: That the Board of the Buffalo Sewer Authority hereby authorizes the General manager to approve a change order in the amount of \$6,000.00, increasing Blanket Purchase Order No. 22300065 with Fastenal Company for safety gloves from \$19,000.00 to \$25,000.00 through June 30, 2023. Funds for this change order will be charged to account no. 00200105-461145.

MOTION TO APPROVE

MADE BY MRS. PETRUCCI

2ND BY MR. ROOSEVELT

AYES 3 NOES 0

Board Meeting of June 28, 2023

ITEM NO. 25

AUTHORIZATION FOR ORIGINAL EQUIPMENT MANUFACTURER PURCHASES OVER \$20,000.00 AND SERVICES OVER \$35,000.00 FOR FISCAL YEAR 2023-2024

WHEREAS: The Buffalo Sewer Authority designated various original equipment manufacturers, and/or their local representatives, as sole sources for the purchase of various commodities, technology, and/or services for the fiscal year 2023-2024; and

WHEREAS: Based upon historical usage and the fiscal budget plan for this fiscal year of 2023-2024, the Superintendent of Mechanical Maintenance has determined that purchases for the following sole source designated vendors for various commodities, technologies and/or services shall not exceed those listed below for the fiscal year 2023-2024:

Original Equipment Manufacturer	Estimated Purchases/Services
AAF McQuay	\$30,000.00
ABB Inc., Instrumentation Department	\$50,000.00
Allen Sherman Hoff	\$60,000.00
Auma Actuators	\$150,000.00
Blackmer, Division of Dover Energy Inc.	\$110,000.00
Comairco	\$40,000.00
Duperon	\$40,000.00
EIM Controls	\$100,000.00
Emerson Process Management	\$50,000.00
Envirocare	\$80,000.00
Evoqua Water Technologies	\$90,000.00
Fairbanks Morse	\$40,000.00
GEA Mechanical Equipment US Inc. -GEA Westfalia Separator Division	\$225,000.00
Gorman-Rupp Company	\$60,000.00
Goulds/ITT IP Division	\$30,000.00
Henry Pratt	\$50,000.00
Infilco	\$100,000.00
Ingersoll-Rand	\$130,000.00
JDV	\$70,000.00
JWC Environmental, LLC	\$120,000.00
Limitorque (Division of Flowserve)	\$60,000.00
Schwing Bioset	\$80,000.00
Serpentix	\$60,000.00
Smith & Loveless, Inc.	\$60,000.00
Val-Matic Valve	\$30,000.00
Val-Matic Valve (Scum Ejector Parts)	\$ 70,000.00
Vaughan Co., Inc.	\$120,000.00

ITEM NO. 26

REPORT ON BIDS RECEIVED – IN-PLANT EQUIPMENT MAINTENANCE SERVICES

WHEREAS: Formal bids were solicited and received for In-Plant Equipment Services for a one-year period, July 1, 2023 to June 30, 2023, with an option to renew for four (4) one-year periods; and

WHEREAS: The Treatment Plant includes a diverse type of complex mechanical and rotating equipment systems including positive displacement and continuous flow compressors and pumps up to 5,000 hp. Equipment systems also include static & dynamic equipment, conveying systems, filtering systems, equipment skids, large drive systems, pneumatic and hydraulic systems that require specialty trained and certified personnel to properly install, commission, service, repair, and troubleshoot these equipment systems in a timely manner in order to ensure adequate reliability and availability of Treatment Plant Operations; and

WHEREAS: The following bids were received and opened by the Purchase Department on June 7, 2023:

	Hohl Industrial Services	Niagara Industrial	State Group	Nowak Industrial
Labor Costs	\$2,141,310.00	No Bid	Late Bid	No Response
Equip. Rental Costs	\$6,557.00			
Parts/Materials	\$168,000.00			
Sub-Contractor Mark Up	5%			
Grand Total	\$2,315,867.00			

WHEREAS: The Superintendent of Mechanical Maintenance and staff have reviewed the bids received and recommend this service be awarded to the lowest bidder, Hohl Industrial Services, based on their total quote of \$2,315,867.00.

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 with Hohl Industrial Services, to provide In-Plant Maintenance Services for the period July 1, 2023 to June 30, 2024, with an option to renew for four (4) one-year periods, at an annual cost not to exceed \$2,315,867.00. Expenses for this contract will be charged to account no. 00520106-443421.

MOTION TO APPROVE

MADE BY MRS. PETRUCCI

2ND BY MR. ROOSEVELT

AYES 3 NOES 0

Board Meeting of June 28, 2023

ITEM NO. 27

CONFIRMATION OF APPOINTMENTS

LABORER I (PERMANENT)
SEWER MAINTENANCE DIVISION
\$19.98 HOURLY
EFFECTIVE: JUNE 5, 2023

MYRON WALKER JR
14 BYRD WAY
BUFFALO, NY 14204

INTERN (SEASONAL)
SEWER MAINTENANCE DIVISION
\$23.33 HOURLY
EFFECTIVE: JUNE 5, 2023

ALEXANDER RAAB
33 DENSMORE
BUFFALO, NY 14220

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 June 28, 2023

ITEM NO. 28

TUITION REIMBURSEMENT

WHEREAS: In accordance with the Agreements between the Buffalo Sewer Authority and CSEA Local 815 and the Communications Workers of America, the following Buffalo Sewer Authority employees have applied for Tuition Reimbursement:

<u>EMPLOYEE</u>	<u>SCHOOL</u>	<u>COURSE</u>	<u>TUITION%</u>	<u>REIMBURSEMENT TOTAL</u>
Daniel O’Sullivan	University of Buffalo	General Physics	75%	\$1,106.50
Daniel O’Sullivan	University of Buffalo	World Regions and Issues	90%	\$796.50
Edwin Geter	Buffalo State	Understanding Culture	90%	\$955.26
Casey Wiles	Medaille College	Business Strategy Capstone	100%	\$3,163.99
Casey Wiles	Medaille College	Comptem, Mgmt & Leadership	100%	\$3,190.97

NOW THEREFORE BE IT RESOLVED: That the Board of the Buffalo Sewer Authority hereby approves the above applications for Tuition Reimbursement totaling \$9,213.48. These Reimbursements will be charged to account no. 00200106-421026.

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

Board Meeting of June 28, 2023

ITEM NO. 29

TUITION ASSISTANCE

WHEREAS: In accordance with the Agreements between the Buffalo Sewer Authority and CSEA Local 815 and the Communications Workers of America, the following Buffalo Sewer Authority employees have applied for Tuition Assistance:

<u>EMPLOYEE</u>	<u>SCHOOL</u>	<u>COURSE</u>	<u>TUITION</u>
Daniel O’Sullivan	Monroe Community College	Civil Service Engineering	\$2,000.00

WHEREAS: No Funds will be expended at this time.

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

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

Board Meeting of June 28, 2023

ITEM NO.30

ADJOURNMENT OF MEETING

MOTION TO APPROVE

MADE BY MRS. PETRUCCI

2ND BY MR. ROOSEVELT

AYES 3 NOES 0

Board Meeting of June 28, 2023