

# **BUFFALO SEWER AUTHORITY**

## **REGULAR MEETING**

**March 13, 2024**

**9:00 A.M.**

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**Bird Island Treatment Facility, 90 West Ferry St.  
Teleconference +1 917- 933-2166, ID #421 673 753**

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**CALL OF THE ROLL**

Present: \_\_\_\_\_

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Absent: \_\_\_\_\_

\_\_\_\_\_

The meeting was called to order at \_\_\_\_\_. A quorum was present.

**ITEM NO. 1**

Motion to Adopt the Minutes of the Meeting of February 21, 2024

MOTION TO \_\_\_\_\_

MADE BY \_\_\_\_\_

2<sup>ND</sup> BY \_\_\_\_\_

AYES \_\_\_\_\_ NOES \_\_\_\_\_

ITEM NO. 2

**APPROVAL OF CONSENT AGENDA**

**CONTENTS**

- A. Informative: Temporary Investments
- B. Informative: Reallocation of Funds
- C. Informative: Report On Fiscal Year 2023-24 Rates and Charges for Sewer Services
- D. Payment From Judgment and Claims
- E. Travel Authorization - Greenville, SC
- F. Travel Authorization - Greenville, SC
- G. Confirmation Of Appointments
- H. Amendment To Schedule Of Job Classification Plan

MOTION TO \_\_\_\_\_

MADE BY \_\_\_\_\_

2<sup>ND</sup> BY \_\_\_\_\_

AYES \_\_\_\_\_ NOES \_\_\_\_\_

Board Meeting of March 13, 2024

2-A

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

As of January 31<sup>st</sup>, 2024

ISSUE DATE	MATURITY DATE	TOTAL DAYS	AMOUNT	BANK	RATE	INTEREST AMOUNT
<b>CONSTRUCTION/CAPITAL IMPROVEMENT FUND</b>						
31-Jul-12	<b>MONEY MARKET</b>		\$2,388,585.89	Key	0.01%	Public NOW
21-Nov-23	1-Feb-24	72	\$1,434,862.00	M&T Securities	5.22%	\$15,138.00
7-Dec-23	13-Feb-24	68	\$6,375,572.27	M&T Securities	5.22%	\$63,427.73
19-Dec-23	29-Feb-24	72	\$5,557,762.08	Key Banc Capital	5.19%	\$58,237.92
5-Jan-24	14-Mar-24	69	\$2,199,892.40	Key Banc Capital	5.19%	\$22,107.60
18-Jan-24	28-Mar-24	70	\$4,251,656.29	Key Banc Capital	5.19%	\$43,343.71
			<b>\$22,208,330.93</b>			
<b>LIABILITY AND CASUALTY RESERVE FUND</b>						
31-Jul-12	<b>MONEY MARKET</b>		\$296,772.96	Key	0.01%	Public NOW
18-Jan-24	18-Apr-24	91	\$742,115.38	Key Banc Capital	5.20%	\$9,884.62
			<b>\$1,038,888.34</b>			
<b>OPERATING FUND</b>						
31-Jul-12	Super NOW		<b>\$3,221,704.10</b>	Key	0.01%	Public NOW
<b>TRUST &amp; AGENCY FUND</b>						
31-Jul-12	Super NOW		<b>\$13,323.40</b>	Key	0.01%	Public NOW
<b>SURPLUS FUND</b>						
30-Nov-23	30-May-24	182	\$560.65	Wilmington U.S. Treasury	4.79%	
			\$10,004,297.41	Key Banc Capital	5.15%	\$267,702.59
			<b>\$10,004,858.06</b>			
<b>NET REVENUE FUND</b>						
26-Oct-23	29-Feb-24	126	\$196,545.67	Wilmington U.S. Treasury		
			\$5,697,511.17	Key Banc Capital	5.58%	\$113,488.83
28-Nov-23	26-Mar-24	119	\$6,499,438.17	Key Banc Capital	5.24%	\$114,561.83
26-Dec-23	25-Apr-24	121	\$6,999,677.67	M&T Securities	5.26%	\$101,069.66
30-Jan-24	28-May-24	119	\$5,999,104.90	Key Banc Capital	5.15%	\$103,895.10
			<b>\$25,392,277.58</b>			

**BSA 2021 EIB FUND**

			\$319,329.19	Cash	0.00%	
24-Nov-23	23-May-24	181	\$32,617,080.26	Key Banc Capital	5.19%	\$873,919.74
21-Dec-23	20-Jun-24	182	\$9,985,782.90	Key Banc Capital	5.08%	\$263,217.10
31-Jan-24	5-Jul-24	156	\$10,102,633.92	M&T Securities	4.97%	\$222,366.08
			<b>\$53,024,826.27</b>			

**DEBT RESERVE FUND****Series J**

02-Jul-14	13-Nov-33	7076	<b>\$515,879.00</b>	UST State/Local Govt	2.70%	
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**Series K**

02-Jul-14	15-Feb-33	6803	<b>\$361,415.00</b>	UST State/Local Govt	2.70%	
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**Series L**

12-Nov-15	1-Oct-35	7263	<b>\$689,547.00</b>	UST State/Local Govt	2.44%	
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**Series M**

27-Jun-14	1-May-44	10901	<b>\$595,613.00</b>	UST State/Local Govt	2.70%	
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**Series N**

15-Nov-12	15-Apr-32	7091	<b>\$2,167,157.00</b>	UST State/Local Govt	2.42%	
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**EFC 2021**

			\$721.38	Wilmington U.S. Treasury	4.79%	
5-Sep-23	29-Feb-24	177	\$332,248.24	Key Banc Capital	5.22%	\$8,751.76
			<b>\$332,969.62</b>			

**\$0.01****DSF PRIN &INT**

Wilmington Fund

**DSF 2021 EIB**

			<b>\$886,991.97</b>	Wilmington Fund	4.79%	
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**RECEIVE & FILE**Board Meeting of March 13<sup>th</sup>, 2024

## 2-B

## 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***

02/06/2024	00380107 INCIN Machinery	-\$46,000.00	00380106 ICIN Repairs	\$46,000.00
02/23/2024	00380106 INCIN Engineering	-\$3,444.00	00380107 INCIN Machinery	\$3,444.00
02/27/2024	00300103 BLOW Electric	-\$144,299.67	00360103 DEWA WATER	\$144,299.67
02/27/2024	00380103 INCIN Gas	-\$32,500.00	00360103 DEWA WATER	\$32,500.00

***General Financial Charges***

02/08/2024	00800183 FIN Contingency	-\$75,000.00	00110106 Admin Legal Services	\$75,000.00
02/21/2024	00800183 FIN Contingency	-\$30,000.00	00800108 FIN Sewer Rent Adjustment	\$30,000.00

**RECEIVE & FILE**

Board Meeting of March 13, 2024



2-C

**INFORMATIVE: REPORT ON FISCAL YEAR 2023-24 RATES AND CHARGES FOR SEWER SERVICES**

Periodically a report on the rates and charges for sewer service is prepared for the Buffalo Sewer Authority. This report presents findings regarding the revenue requirements of the sewer system and the adequacy of the budgeted sewer rates and charges.

The Report on Fiscal Year 2023-24 Rates and Charges for Sewer Services (Attachment A) has been made available to your Honorable Body.

This report has been reviewed by the Audit Committee for the Buffalo Sewer Authority Board and is presented to the Board for their information to be acknowledged, received and filed.

**RECEIVE AND FILE**

Board Meeting of March 13, 2024

2-D

**PAYMENT FROM JUDGMENT AND CLAIMS**

WHEREAS: Board approval is required for charges made against the Buffalo Sewer Authority's current budget for services and/or materials received during prior fiscal year; and

WHEREAS: The following services were received during a prior fiscal year and charged to the 2023-2024 budget account no. 00800108-480214

<b>VENDOR</b>	<b>INVOICE</b>	<b>AMOUNT</b>
Pratt Security	5780	\$255.00
Pratt Security	5782	\$255.00
Pratt Security	5783	\$255.00
Pratt Security	5784	\$255.00

; and

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

NOW THEREFORE  
BE IT RESOLVED:

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

2-E

**TRAVEL AUTHORIZATION - GREENVILLE, SC**

- WHEREAS: The Buffalo Sewer Authority has several professional engineering titles that have gone unfilled for years due to the lack of qualified candidates; and
- WHEREAS: The National Council of Examiners for Engineering and Surveying (NCEES) develops and administers the professional engineering licensure and pre-licensing exams throughout the United States and Internationally; and
- WHEREAS: The Principal Sanitary Engineer has been selected by NCEES to serve on the Professional Engineering Environmental Exam (PE Environmental) Committee;
- WHEREAS: The PE Environmental Committee will hold an in-person meeting to discuss the future format and content of these exams and college educational programs on April 18-20, 2024, in Greenville, SC; and
- WHEREAS: The Principal Sanitary Engineer's participation in this process will ensure that the experience and knowledge that Buffalo Sewer Authority provides and requires of professional engineers are reflected in the licensing exam; and
- WHEREAS: NCEES will provide air travel, lodging, board, and a \$320.00 stipend to cover incidentals and ground transport for all participants; and
- WHEREAS: The General Manager recommends that the Principal Sanitary Engineer attend the PE Environmental Committee Meeting.
- NOW THEREFORE  
BE IT RESOLVED: That the Board of the Buffalo Sewer Authority hereby authorizes the Principal Sanitary Engineer to travel to Greenville, SC on April 18, -20, 2024, to participate in the PE Environmental Committee Meeting and to accept the \$320.00 stipend from NCEES for incidentals and ground transportation costs. No expenses will be charged to the Buffalo Sewer Authority for this travel.

2-F

**TRAVEL AUTHORIZATION - GREENVILLE, SC**

WHEREAS: The Buffalo Sewer Authority has several professional engineering titles that have gone unfilled for years due to the lack of qualified candidates; and

WHEREAS: The National Council of Examiners for Engineering and Surveying (NCEES) develops and administers the professional engineering licensure and pre-licensing exams throughout the United States and Internationally; and

WHEREAS: The Principal Sanitary Engineer has been selected by NCEES to serve as an observer to the Structural Engineering (SE) Exam cut score meeting.

WHEREAS: The SE Exam cut score meeting will be held an in-person on May 16-18, 2024, in Greenville, SC; and

WHEREAS: The Principal Sanitary Engineer's participation in this process will ensure that the experience and knowledge that Buffalo Sewer Authority provides and requires of professional engineers are reflected in this licensing exam; and

WHEREAS: NCEES will provide air travel, lodging, board, and a \$320.00 stipend to cover incidentals and ground transport for all participants; and

WHEREAS: The General Manager recommends that the Principal Sanitary Engineer attend the SE cut score meeting.

NOW THEREFORE  
BE IT RESOLVED:

That the Board of the Buffalo Sewer Authority hereby authorizes the Principal Sanitary Engineer to travel to Greenville, SC on May 16-19, 2024, to participate in the SE Exam cut score meeting and to accept the \$320.00 stipend from NCEES for incidentals and ground transportation costs. No expenses will be charged to the Buffalo Sewer Authority for this travel.

2-G

**CONFIRMATION OF APPOINTMENTS**

GIS SPECIALIST II (PROVISIONAL)  
CITY HALL ADMINISTRATION  
\$71,965 PER ANNUM  
EFFECTIVE: FEBRUARY 19, 2024

KAITLIN WALSH  
437 POTOMAC AVE LOWER  
BUFFALO, NY

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SEWER MAINTENANCE SUPERVISOR I (PROVISIONAL)  
SEWER MAINTENANCE DIVISION  
\$66,259 PER ANNUM  
EFFECTIVE: FEBRUARY 19, 2024

ANDRE BROWN SR.  
27 ROEBLING AVE.  
BUFFALO, NY

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LABORER I (PERMANENT)  
SEWAGE TREATMENT PLANT  
\$21.40 PER HOUR  
EFFECTIVE: MARCH 4, 2024

BRUCE FRYER JR.  
69 PROCTOR AVE  
BUFFALO, NY

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LABORER II (PERMANENT)  
SEWER MAINTENANCE DIVISION  
\$22.66 PER HOUR  
EFFECTIVE: MARCH 4, 2024

JEREMY WASIELEWSKI  
358 DOWNING ST.  
BUFFALO, NY

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INDUSTRIAL WASTE ADMINISTRATOR (PROVISIONAL)  
INDUSTRIAL WASTE DIVISION  
\$92,008 PER ANNUM  
EFFECTIVE: MARCH 18, 2024

ELIZABETH SCHEELER  
471 SOUTHSIDE PKWY  
BUFFALO, NY

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WHEREAS: The preceding appointments were made by the General Manger 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

2-H

**AMENDMENT TO SCHEDULE OF JOB CLASSIFICATION PLAN**

WHEREAS:                    There is a need to modify the Job Classification Plan

NOW THEREFORE

BE IT RESOLVED:        That the Board of the Buffalo Sewer Authority approves the deletion of the following position to Job Classification Plan:

One (1) Intern	00600161 411001
Five (5) Laborer I	00530161 411001
Five (5) Laborer I	00660171 411001

## ITEM NO. 3

**PRELIMINARY OUTLINE OF OPERATING BUDGET FOR THE FISCAL YEAR  
COMMENCING JULY 1, 2024**

A proposed Operating Budget, with full details, for the fiscal year beginning July 1, 2024, will be presented for formal consideration by your Honorable Body at the next scheduled meeting on April 3, 2024. This proposed budget will be in an amount not to exceed \$74,400,000 which is a \$4,650,000 increase from the current budget of \$69,750,000.

At this time, an outline of the proposed budget is submitted for your tentative approval. Once approved, we will proceed in the preparation of a formal budget document complete with comparison charts and exhibits. Attached to this outline are the following exhibits:

A Revenue Estimate and comparison for the years 2021-2022 to 2024-2025 Proposed;

A comparison of Appropriation by Division for the years 2021-2022 to 2024-2025 Proposed;

Capital Budget Projects for 2024-2025.

Sewer rents based on assessed valuation will be increased to fund this proposed budget. The final rate for sewer rent will be dependent upon the final City assessed valuation. Sewer rents based upon water usage will increase 3%. The estimate of sewer rents based on water use and the final budget appropriation estimates will be detailed at the scheduled meeting of April 3, 2024.

WHEREAS: The preliminary budget presented herein reflects a balanced plan to fund the necessary operations of the Buffalo Sewer Authority for the fiscal year beginning July 1, 2024.

NOW THEREFORE  
BE IT RESOLVED: That the Board of the Buffalo Sewer Authority hereby authorizes the General Manager to proceed in preparing a detailed budget not to exceed \$74,400,000 to be submitted to this Body at the meeting of April 3, 2024.

MOTION TO \_\_\_\_\_

MADE BY \_\_\_\_\_

2<sup>ND</sup> BY \_\_\_\_\_

AYES \_\_\_\_\_ NOES \_\_\_\_\_

Board Meeting of March 13, 2024



**BUFFALO SEWER AUTHORITY  
REVENUE ESTIMATE  
2024-2025 PRELIMINARY BUDGET**

<b>Revenue</b>	<b>2021-2022 Actual</b>	<b>2022-2023 Actual</b>	<b>2023-2024 Budget</b>	<b>2024-2025 Budget</b>
Assessment Sewer Rents	\$12,052,518	\$12,106,289	\$19,852,600	\$24,957,600
Water Use Sewer Rents	24,716,758	26,044,993	24,460,000	25,136,900
Outside City-Sewer Connection	14,874,382	12,665,958	13,750,000	15,000,000
Industrial Waste	4,505,575	5,133,775	3,525,000	3,875,000
Interest Income	746,737	4,954,854	3,471,000	4,125,000
Miscellaneous	1,689,443	1,283,502	4,691,400	1,305,500
<b>Total Revenues</b>	<b><u>\$58,585,413</u></b>	<b><u>\$62,189,371</u></b>	<b><u>\$69,750,000</u></b>	<b><u>\$74,400,000</u></b>

**BUFFALO SEWER AUTHORITY  
APPROPRIATIONS BY DIVISION  
2024-2025 PRELIMINARY BUDGET**

<b>Division</b>	<b>2021-2022 Actual</b>	<b>2022-2023 Actual</b>	<b>2023-2024 Budget</b>	<b>2024-2025 Budget</b>
General Offices	\$1,728,515	\$1,824,940	\$2,088,975	\$2,135,044
Wastewater Treatment Facility	23,179,049	27,151,593	31,367,579	34,235,402
Industrial Waste	774,338	713,800	855,023	1,250,243
Engineering	1,206,647	1,113,334	1,643,533	2,443,491
Sewer Maintenance	4,751,684	3,934,133	7,202,645	7,439,374
Miscellaneous Financial Chgs	4,102,332	5,197,275	5,919,690	5,989,690
Fringe Benefits	10,025,523	10,092,292	12,628,548	12,296,500
Debt Service & Reserve	6,264,949	6,246,309	8,044,007	8,610,256
<b>Total Appropriations</b>	<b><u>\$52,033,037</u></b>	<b><u>\$56,273,676</u></b>	<b><u>\$69,750,000</u></b>	<b><u>\$74,400,000</u></b>

**BUFFALO SEWER AUTHORITY  
CAPITAL PROJECTS  
2024 - 2025 PRELIMINARY BUDGET**

<b><u>PROJECT TITLE:</u></b>	<b>ESTIMATED COST</b>
<b><u>TREATMENT PLANT:</u></b>	
RWW/SWW Pump/Motor Rehab (Includes Discharge Valve/Controls)	\$ 20,000,000
Primary System Engineering CA/CI	5,500,000
Primary System Rehabilitation	80,000,000
Secondary Treatment Rehabilitation	60,000,000
Waste Heat Boilers	3,500,000
Ash Exhauster/Silo/Ancillary Ductwork	2,500,000
Replace Gas Compressors/Building & Piping	500,000
SWW Building Roof Replacement	1,250,000
Engineering Term Contracts	\$2,000,000
South Buffalo HVAC Exhaust Fans, Boilers and Controls	<u>750,000</u>
<b>TREATMENT PLANT TOTAL</b>	<b>\$176,000,000</b>
<b><u>COLLECTION SYSTEM:</u></b>	
CSO 053_11 Canisius/Jefferson Delavan OLS	45,000,000
Raincheck 2.0 GI Opportunity Projects	10,000,000
CSO 006_2 Scajaquada Creek and Black Rock Canal RTC	7,000,000
Program Management	6,000,000
Hertel & Smith Backwater Prevention	5,000,000
CSO 0010_1 Breckenridge	5,000,000
Fruit Belt Rehabilitation	4,500,000
CSO053_1.4 SPP336B OLS (Sidney OLS)	3,000,000
CSO053_5.2 Edison Martha OLS	3,000,000
Wet Weather Optimization	2,000,000
Permeable Pavement Restoration	575,000
Green Infrastructure Grant Program	500,000
Water Quality Monitoring	466,000
Syphon Resiliency Project	<u>250,000</u>
<b>COLLECTION SYSTEM TOTAL</b>	<b>\$92,291,000</b>
<b><u>GRAND TOTAL</u></b>	<b><u>\$268,291,000</u></b>

ITEM NO. 4

**CLAIM AGAINST LIABILITY AND CASUALTY RESERVE FUND**

WHEREAS: Utica National Insurance Company of Texas, as subrogee of Linda Kelley and Brian Kelley, filed a Notice of Claim for property damage arising out of an alleged motor vehicle accident occurring on or about December 7, 2023 at Michigan Avenue and Perry Street involving a Buffalo Sewer Authority vehicle operated by Ryan Sullivan and a 2009 Chevrolet Tahoe operated by Brian Kelley.

WHEREAS: The City of Buffalo Corporation Counsel’s Office has reviewed this matter with the General Counsel and agrees that the final settlement amount of \$2,599.38 is in the best interest of the Buffalo Sewer Authority.

NOW THEREFORE  
BE IT RESOLVED: That the Board of the Buffalo Sewer Authority hereby authorizes the General Manager to make payment to Utica National Insurance Company of Texas, as subrogee of Linda Kelley and Brian Kelley, in the final settlement amount of \$2,599.38 in full and complete settlement of this matter. This claim will be paid out of the Liability and Casualty Reserve Fund.

MOTION TO \_\_\_\_\_

MADE BY \_\_\_\_\_

2<sup>ND</sup> BY \_\_\_\_\_

AYES \_\_\_\_\_ NOES \_\_\_\_\_

Board Meeting of March 13, 2024

ITEM NO.5

**NATURAL GAS SUPPLY EXTENSION ITEM RATIFICATION**

WHEREAS: Bids were solicited by United Energy, the Buffalo Sewer Authority’s energy consultant, for natural gas supply to the Bird Island Treatment Plant facility and outlying stations for various terms beginning on March 1, 2023. The bids were received and opened via e-mail for the Bird Island Treatment Facility on Wednesday, January 25, 2023;

WHEREAS: Upon review of the bids received United Energy recommended the Buffalo Sewer Authority enter into an agreement with EnergyMark, LLC for the period March 1, 2023, through February 29, 2024; and

WHEREAS: Extension pricing was requested by United Energy and submitted by Energy Mark for the extension of the contract reflecting 4-month pricing beginning March 1, 2024 through June 30<sup>th</sup>, 2024 based on current market conditions;

	Bird Island Treatment Facility (Dth + NYMEX)	STBA Satellite Stations (Dth + NYMEX)
	4-month	4-month
Energy Mark, LLC	\$1.96	\$2.75

WHEREAS: The General Manager and Treatment Plant Superintendent concur with United Energy and recommend awarding a four (4) month contract to EnergyMark, LLC for natural gas supply for the Bird Island Treatment Facility and outlying stations. Because time was of the essence, the General Manager authorized entering into a four (4) month contract with EnergyMark, LLC.

NOW THEREFORE  
BE IT RESOLVED:

That the Board of the Buffalo Sewer Authority hereby ratifies the General Manager’s authorization to enter into a contract with EnergyMark, LLC for natural gas supply for the Bird Island Treatment Facility and outlying statins for a four (4) month period, March 1, 2024 through June 30, 2024, at a cost of \$1.96/Dth for the Bird Island Treatment Facility and a cost of \$2.75/Dth for the outlying stations, plus the monthly closing price on the New York Mercantile Exchange (NYMEX). The purchase of this commodity will be charged to various Treatment Plant accounts.

MOTION TO \_\_\_\_\_

MADE BY \_\_\_\_\_

2<sup>ND</sup> BY \_\_\_\_\_

AYES \_\_\_\_\_ NOES \_\_\_\_\_

## ITEM NO. 6

**CHANGE ORDER NO. 2 – CONTRACT NO 82000055**

CONTRACTOR:	ORIGINAL CONTRACT COST	\$2,669,500.00
Willett Builders, Inc	PREVIOUS CHANGE ORDER	\$82,500.00
180 Genesee Street	THIS CHANGE ORDER NO. 1	<u>\$155,550.15</u>
Corfu, New York 14227	ADJUSTED CONTRACT COST	\$2,907,550.15

WORK: Wastewater Treatment Plant Interiors Upgrade Project

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**DESCRIPTION OF CHANGE OR EXTRA WORK:**

Item #1 \$155,550.15 Additional funding to accommodate costs associated with the repair and replacement of the existing plumbing system in the Sewer Maintenance Building .

**REASON FOR CHANGE OR EXTRA WORK:**

Item#1 It was discovered during construction that an existing drain fitting was installed incorrectly in the Sewer Maintenance men’s locker room. This area of piping was not within the scope of the renovation project. Additional investigation determined revealed other areas of needed improvement and it complete drain system replacement was recommended by consulting engineer in concurrence with Treatment Plant Administrator.

**COST OF CHANGE OR EXTRA WORK:**

Item #1 \$155,550.15

THE TOTAL COST OF THE CHANGE OR EXTRA WORK \$155,550.15

The total INCREASE to the contract as a result of this Change Order is \$155,550.15

**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 June 28, 2022, the Board of the Buffalo Sewer Authority hereby approved Change Order #1 to contract 82000055 in the amount of \$82,500.00 making the adjusted contract amount \$2,752,000.00; and

WHEREAS: The consulting engineer, Wendel Companies, have reviewed the proposal for Change Order #2 from Willett Builders, Inc. in the amount of \$155,550.15 and recommend approval.

BSA Capital Improvements have reviewed the proposal an; and concur with Wendel companies.

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. 2 to Contract No. 82000055 as written in the above Agenda Item, increasing the contract cost in the amount of \$155,550.15 making the adjusted contract cost \$2,907,550.15.

MOTION TO \_\_\_\_\_

MADE BY \_\_\_\_\_

2<sup>ND</sup> BY \_\_\_\_\_

AYES \_\_\_\_\_ NOES \_\_\_\_\_

Board Meeting of March 13, 2024

## ITEM NO. 7

**REPORT ON BIDS RECEIVED – BIRD ISLAND WWTP SEEPAGE AND SUBSIDENCE REPAIRS AND KELLY ISLAND LIFT STATION IMPROVEMENTS**

WHEREAS: Formal bids were advertised and solicited for the Bird Island WWTP Seepage and Subsidence Repairs and Kelly Island Lift Station Improvements Project. The following bids were received and opened by the Buffalo Sewer Authority on February 26, 2024:

<b><u>Bidder</u></b>	<b><u>Total Bid</u></b>
Nichols, Long and Moore, Inc.	\$1,151,680.00
Mark Cerone, Inc	\$1,421,000.00

; and

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

WHEREAS: The Buffalo Sewer Authority's Consulting Engineer, Jacobs Engineering, has reviewed the bid packages and recommend awarding the contract to the lowest responsible bidder, Nichols, Long and Moore, Inc., at a cost not to exceed \$1,151,680.00; and

WHEREAS: The Treatment Plant Capital Improvements staff have reviewed the bids and concur with the recommendation provided by Jacobs Engineering to award the contract to Nichols, Long and Moore, Inc., at a cost not to exceed \$1,151,680.00;

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 Nichols, Long and Moore, Inc. for the Bird Island WWTP Seepage and Subsidence Repairs and Kelly Island Lift Station Improvements Project in an amount not to exceed \$1,151,680.00 Expenses for this contract will be charged to account no. 002000584-490740.

MOTION TO \_\_\_\_\_

MADE BY \_\_\_\_\_

2<sup>ND</sup> BY \_\_\_\_\_

AYES \_\_\_\_\_ NOES \_\_\_\_\_

Board Meeting of March 13, 2024

## ITEM NO. 8

**CHANGE ORDER NO. 2 – CONTRACT NO. 82000033 ENVIRONMENTAL IMPACT BOND PROGRAM MANAGEMENT**

CONSULTANT:	ORIGINAL CONTRACT COST	\$682,320.00
Stantec Consulting Services, Inc.	PREVIOUS CHANGE ORDERS	\$122,000.00
13980 Collections Center Drive	THIS CHANGE ORDER	<u>\$204,478.50</u>
Chicago, IL 60693-0139	ADJUSTED CONTRACT COST	\$1,008,798.50

VENDOR NO. 12770	ACCOUNT NO.	02000536-432004
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WORK:                      Engineering Services Green Infrastructure Projects

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**DESCRIPTION OF CHANGE OR EXTRA WORK:**

- Item #1    Program Management, Meetings, and Reporting
- Item #2    Project Planning
- Item #3    Project Standards
- Item #4    Ongoing Project Support
- Item # 5   Existing Budget Remaining

**REASON FOR CHANGE OR EXTRA WORK:**

- Item #1    Additional project management services are required through April 2024.
- Item #2    Additional planning for specific projects that will provide the greatest return on investment are required.
- Item #3    Development of specific replicable design standards are required.
- Item #4    Ongoing assistance with projects in various stages of design is required.
- Item #5    Already approved funding is being reallocated towards renewed efforts.

**COST OF CHANGE OR EXTRA WORK:**

Item #1	\$7,140.00	
Item #2	\$86,862.00	
Item #3	\$146,202.50	
Item #4	\$9,2540.00	
Item #5	(\$45,000.00)	
THE TOTAL COST OF THE CHANGE OR EXTRA WORK:		\$204,478.50



WHEREAS: The Buffalo Sewer Authority issued a request for qualifications (RFQ) for the purposes of prequalifying various firms for delivery of Green Infrastructure Capital Improvements and approved these entities on September 30, 2020; and

WHEREAS: In Item No. 27, on June 23, 2021, the Board of the Buffalo Sewer Authority authorized the General Manager to enter into an agreement with Stantec Consulting, Inc. in the amount of \$682,320.00 to perform programmatic Green Infrastructure engineering services with expenses to be charged to Account # 02000536-432004; and

WHEREAS: In Item No. 14 of the March 9, 2022, Board Meeting, the Board of the Buffalo Sewer Authority approved a change order to this contract in the amount of \$122,000.00 for contract specifications and detail revisions consistent with Environmental Impact and Federal Bond provisions; and

WHEREAS: The Principal Sanitary Engineer and staff have reviewed a request for a Change Order No. 3 to Contract No. 82000033 (Environmental Impact Bond Management) in the amount of \$204,478.50 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. 82000033 as written in the above Agenda Item, increasing the contract cost in the amount of \$204,478.50, making the adjusted contract cost \$1,008,798.50. Expenses from this contract will be funded from Account No. 02000536-432004.

MOTION TO \_\_\_\_\_

MADE BY \_\_\_\_\_

2<sup>ND</sup> BY \_\_\_\_\_

AYES \_\_\_\_\_ NOES \_\_\_\_\_

Board Meeting of March 13, 2024

ITEM NO. 9

**ADJOURNMENT OF MEETING**

MOTION TO \_\_\_\_\_

MADE BY \_\_\_\_\_

2<sup>ND</sup> BY \_\_\_\_\_

AYES \_\_\_\_\_ NOES \_\_\_\_\_

Board Meeting of March 13, 2024