

**MINUTES OF THE REGULAR MEETING
OF THE
BUFFALO SEWER AUTHORITY
June 13, 2012**

5394753978

BUFFALO SEWER AUTHORITY

June 13, 2012

REGULAR MEETING

9:00 A.M.

1038 CITY HALL

<u>ITEM NO.</u>	<u>CONTENTS</u>	<u>PAGE NO.</u>
	Roll Call	
1	Motion to Adopt the Minutes of May 30, 2012	53947
2	Temporary Investments (Certificates of Deposit and Treasury Bills)	53948-49
3	Reallocation of Funds	53950
4	Fund Balance Policy of the Buffalo Sewer Authority	53951-53
5	Investment Guidelines of the Buffalo Sewer Authority	53954-59
6	Revision to Buffalo Sewer Authority Policy – Capital Assets (Attachment A)	53960
7	Revision to Buffalo Sewer Authority Policy – Purchasing Guidelines (Attachment B)	53961
8	Contract Approval – Legal Services	53962
9	NYS Preferred Source – Janitorial Services Contract Renewal	53963
10	Authorization to Purchase Various Laboratory Supplies and Equipment under New York State Contract	53964
11	Extension of Contract for In-Plant Electrical Maintenance Services	53965
12	Extension of Contract for In-Plant Mechanical Maintenance Services	53966
13	Extension of Contract for In-Plant Steam System Repair Services	53967
14	Report on Bids Received – Air Handling Unit Replacement - #1D, #2D, #3D, #4D, and #SF-1	53968
15	Amendment No. 1 to Agreement with Ferguson Electric Construction Co., for the South Buffalo Pump Station – VFD Upgrades	53969

16	Authorization for Change Order to Purchase Order No. 21200117 Contract for Crane Inspection, Preventive Maintenance, and Corrective Repair Services for Fiscal Year 2011-2012	53970
17	Certificate of Acceptance and Occupancy	53971
18	Authorization to Enter into a Professional Services Agreement with GHD, Inc.	53972-73
19	Authorization to Purchase Commodities Utilizing City of Buffalo Contract Pricing for Fiscal Year 2012-2013	53974
20	Authorization to Purchase Various Commodities Utilizing New York State Contract Pricing for Fiscal Year 2012-2013	53975
21	Amendment to Schedule of Job Classification Plan	53976
22	Tuition Reimbursement	53977
23	Adjournment of Meeting	53978
	Attachment A – Capital Asset Guide	
	Attachment B – Purchasing Guidelines	

CALL OF THE ROLL

Present:	<u>Herbert Bellamy, Jr.</u>	<u>Chairman</u>
	<u>John D. Kennedy, Sr.</u>	<u>Vice Chairman</u>
	<u>Christopher Roosevelt</u>	<u>Assistant Vice Chairman</u>
	<u>Eleanor Wilson-DiVincenzo</u>	<u>Secretary</u>
	<u>John E. Kennedy, Jr.</u>	<u>Assistant Secretary</u>
	<u>David Comerford</u>	<u>General Manager</u>
	<u>Oluwole A. McFoy, P.E.</u>	<u>Secretary to the General Manager</u>
	<u>Ronald Brown</u>	<u>Executive Secretary</u>
	<u>Scott Steinwald</u>	<u>Intergovernmental Coordinator</u>
	<u>James Keller</u>	<u>Treatment Plant Superintendent</u>
	<u>Roberta Gaiek, P.E.</u>	<u>Treatment Plant Administrator</u>
	<u>Thomas Caulfield</u>	<u>Administrator of Capital</u>
	<u>Yusef Myrick</u>	<u>Improvements & Development</u>
	<u>Laura Surdej</u>	<u>Superintendent of Mechanical</u>
	<u>Jill Terreri</u>	<u>Maintenance</u>
		<u>Erie County Dept. of Sewerage</u>
		<u>Buffalo News</u>
Absent:	<u>none</u>	

The meeting was called to order at 9:02 AM. A quorum was present.

ITEM NO. 1

Motion to Adopt the Minutes of the Meeting of May 30, 2012

MOTION TO	<u>ADOPT</u>
MADE BY	<u>MS. WILSON-DIVINCENZO</u>
2 ND BY	<u>MR. KENNEDY, JR.</u>
AYES	<u>5</u> NOES <u>0</u>

Board Meeting of June 13, 2012

ITEM NO. 2

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

June 1, 2012

ISSUE DATE	MATURITY DATE	TOTAL DAYS	AMOUNT	BANK	RATE	INTEREST AMOUNT
CAPITAL IMPROVEMENT FUND						
15-Apr-02	Money Market		\$500,106.02	Chase	0.25%	High Yield
CONSTRUCTION FUND						
08-Apr-02	Money Market		\$35,517,839.67	Chase	0.25%	High Yield
LIABILITY AND CASUALTY RESERVE FUND						
22-Apr-02	Money Market		\$1,001,176.15	Chase	0.25%	High Yield
OPERATING FUND						
08-Apr-02	Money Market		\$3,222,383.81	Chase	0.25%	High Yield
TRUST & AGENCY FUND						
06-May-02	Money Market		\$33,392.01	Chase	0.25%	High Yield
SURPLUS FUND						
			\$310.82	MTB Funds		
29-Mar-12	29-Jun-12	92	\$6,143,915.00	M&T Securities	0.31%	\$4,085.00
			<u>\$6,144,225.82</u>			
NET REVENUE FUND						
			\$797.50	MTB Funds		
29-Mar-12	29-Jun-12	92	\$1,599,936.23	M&T Securities	0.26%	\$1,063.77
26-Apr-12	29-Jun-12	64	\$3,799,986.40	M&T Securities	0.15%	\$1,013.60
31-May-12	29-Jun-12	29	\$8,999,202.50	M&T Securities	0.11%	\$797.50
			<u>\$14,399,922.63</u>			

ISSUE DATE	MATURITY DATE	TOTAL DAYS	AMOUNT	BANK	RATE	INTEREST AMOUNT
DEBT RESERVE FUND						
Series F						
13-Jun-11	13-Jun-12	366	\$245,000.00	FDIC Brokered CD	0.35%	
15-Jun-11	13-Jun-12	364	\$245,000.00	FDIC Brokered CD	0.30%	
15-Jun-11	15-Jun-12	366	\$132,000.00	FDIC Brokered CD	0.30%	
09-May-12	09-May-13	365	\$245,000.00	FDIC Brokered CD	0.35%	
01-Jun-12	31-May-13	364	\$245,000.00	FDIC Brokered CD	0.45%	
01-Jun-12	05-Jun-13	369	\$245,000.00	FDIC Brokered CD	0.30%	
			\$1,357,000.00			
Series I						
01-Aug-08	06-Sep-13	1862	\$8,240,877.50	FHLB	4.00%	
Series H						
13-Mar-03	15-Apr-32	10,626	\$2,825,593.00	SLG	4.35%	
Series J						
04-Mar-04	15-Nov-33	10,848	\$774,061.00	SLG	3.82%	
Series K						
22-Jul-04	15-Feb-33	10,435	\$498,654.00	SLG	4.63%	
Series L						
27-Jul-06	01-Oct-35	10,658	\$952,666.00	SLG	4.52%	

RECEIVE & FILE

Board Meeting of June 13, 2012

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 Buffalo Sewer Authority's operating budget.

Administrative Division

5/31/2012	00110106 Administrative Services	-\$21,000.00	00550106 IWS Services	\$21,000.00
-----------	-------------------------------------	--------------	--------------------------	-------------

Wastewater Treatment Plant

5/25/2012	00280105 SWWP Supplies	-\$3,506.94	00520105 Maintenance Supplies	\$3,506.94
5/25/2012	00280105 SWWP Supplies	-\$2,364.00	00290105 Aeration Supplies	\$2,364.00
5/25/2012	00330105 Final Supplies	-\$937.50	00520105 Maintenance Supplies	\$937.50
5/29/2012	00220105 Screen Supplies	-\$905.00	00520105 Maintenance Supplies	\$905.00
5/29/2012	00220105 Screen Supplies	-\$62.78	00200105 Plant Supplies	\$62.78
5/29/2012	00320105 Chemical Supplies	-\$278.00	00490105 Niagara Supplies	\$278.00
5/29/2012	00300105 Blower Supplies	-\$713.00	00520105 Maintenance Supplies	\$713.00
5/29/2012	00230105 Grit Supplies	-\$171.75	00520105 Maintenance Supplies	\$171.75
5/29/2012	00220105 Screen Supplies	-\$128.25	00520105 Maintenance Supplies	\$128.25
5/29/2012	00330105 Final Supplies	-\$1,790.00	00520105 Maintenance Supplies	\$1,790.00
5/30/2012	00280105 SWWP Supplies	-\$403.00	00520105 Maintenance Supplies	\$403.00
5/31/2012	00330105 Final Supplies	-\$4,889.00	00290105 Aeration Supplies	\$4,889.00

Engineering Division

5/24/2012	00600104 Engineering Travel	-\$738.72	00600105 Engineering Supplies	\$738.72
-----------	--------------------------------	-----------	----------------------------------	----------

General Financial Charges

5/31/2012	00800183 Financial Contingency	-\$29,000.00	00550106 IWS Services	\$29,000.00
-----------	-----------------------------------	--------------	--------------------------	-------------

RECEIVE & FILE

Board Meeting of June 13, 2012

ITEM NO. 4

FUND BALANCE POLICY OF THE BUFFALO SEWER AUTHORITY

WHEREAS: The Buffalo Sewer Authority has developed a Fund Balance Policy in an effort to ensure financial security through the maintenance of a healthy reserve fund that guides the creation, maintenance, and use of resources for financial stabilization purposes. The Authority's primary objective is to maintain a prudent level of financial resources to protect against reducing service levels or raising sewer rents and fees due to temporary revenue shortfalls or unpredicted one-time expenditures. The Authority also seeks to maintain the highest possible credit ratings which are dependent, in part, on the Authority's maintenance of a healthy fund balance; and

WHEREAS: The guidelines shall be annually reviewed and approved by the Board of the Buffalo Sewer Authority.

NOW THEREFORE
BE IT RESOLVED: That the Buffalo Sewer Authority does adopt the following Fund Balance Policy:

Fund Balance Policy**Definitions.**

Fund balance - The excess of assets over liabilities in a governmental fund.

Nonspendable fund balance - Amounts that are not in a spendable form (such as inventory) or are required to be maintained intact (such as the corpus of an endowment fund).

Restricted fund balance - Amounts constrained to specific purposes by their providers (such as grantors, bondholders, and higher levels of government) through constitutional provisions or by enabling legislation.

Committed fund balance - Amounts constrained to specific purposes by the Authority itself using its highest level of decision-making authority; to be reported as committed, amounts cannot be used for any other purpose unless the Authority takes the same highest-level action to remove or change the constraint.

Assigned fund balance - Amounts the Authority intends to use for a specific purpose; intent can be expressed by the Board or by an official or body to which the Board delegates the authority.

Unassigned fund balance - Amounts that are available for any purpose; these amounts are reported only in the General Fund.

Policy Statement

The fund balance of the Authority's General Fund has been accumulated to meet this purpose, to provide stability and flexibility to respond to unexpected adversity and/or opportunities.

The target is to maintain an unrestricted fund balance of not less than 15% of annual operating expenditures for the fiscal year.

The Authority's basic goal is to maintain annual expenditure increases at a growth rate, and to limit expenditures to anticipated revenue in order to maintain a balanced budget. The decision to retain an unrestricted fund balance of not less than 15% of operating expenditures stems from the following:

- This amount provides adequate funding to cover approximately two (2) months of operating expenses.
- This amount provides the liquidity necessary to accommodate the Authority's uneven cash flow, which is inherent in its periodic sewer rent collection schedule.
- This amount provides the liquidity to respond to contingent liabilities.
- The Government Finance Officers Association recommends the minimum General Fund unrestricted fund balance to be maintained should be no less than either two (2) months of regular operating revenues or expenditures.

The Board will set aside certain amounts for capital projects as committed fund balance. Amounts to be determined by the General Manager based on the amounts available, the planned projects and other financing sources.

The Board will set aside committed fund balances to cover the amount of outstanding purchase orders or encumbrances that have been approved by the Board.

The Board will set aside certain amounts for future insurance claims. Amounts to be determined by the General Manager based on availability of fund balance, claim trends and potential for future claims.

The Board will allow the General Manager to determine the proper amounts to be assigned for purposes as they determine necessary.

The Board will allow the General Manager to determine the amount to be assigned for capital asset replacements (or other issue).

ITEM NO. 5

INVESTMENT GUIDELINES OF THE BUFFALO SEWER AUTHORITY

WHEREAS: In Accordance with Title 7, Section 2925 of the Public Authorities Law, every public authority and every public benefit corporation, whether or not such corporation is otherwise governed by this chapter, shall by resolution adopt comprehensive investment guidelines which detail the corporation's operative policy and instructions to officers and staff regarding the investing, monitoring, and reporting of funds of the corporation; and

WHEREAS: The guidelines so approved shall be annually reviewed and approved by the corporation.

NOW THEREFORE
BE IT RESOLVED: That the Buffalo Sewer Authority does adopt the following investment guidelines that reflect the updated Bond Resolution adopted May 3, 1993:

Investment Guidelines**Section 1. Definitions.**

In this Resolution the following terms shall have the following meanings unless the context otherwise requires:

"Authority" shall mean the Buffalo Sewer Authority, a body corporate and politic constituting a public benefit corporation of the State of New York and any body, board, authority, agency, or political subdivision or instrumentality of the State which shall hereafter succeed to the powers, duties, and functions thereof.

"Investment Securities" shall mean and include any of the following securities, if and to the extent the same are at the time legal investments by the Authority of the funds to be invested therein:

(1) Direct obligations of the United States of America and securities fully and unconditionally guaranteed as to the timely payment of principal and interest by the United States of America, provided, that the full faith and credit of the United States of America must be pledged to any such direct obligation or guarantee ("Direct Obligations");

(2) Direct obligations and fully guaranteed certificates of beneficial interest of the Export-Import Bank of the United States; consolidated debt obligations and letter of credit-backed issues of the Federal Home Loan Banks; participation certificates and senior debt obligations of the Federal Home Loan Mortgage Corporation (“FHLMCS”); debentures of the Federal Housing Administration; mortgage-backed securities (except stripped mortgage securities which are valued greater than par on the portion of unpaid principal) and senior debt obligations of the Federal National Mortgage Association (“FNMA”); participation certificates of the General Services Administration; guaranteed mortgage-backed securities and guaranteed participation certificates of the Government National Mortgage Association (“GNMA”); guaranteed participation certificates and guaranteed pool certificates of the Small Business Administration; debt obligations and letter of credit-backed issues of the Student Loan Marketing Association; local authority bonds of the U.S. Department of Housing & Urban Development; guaranteed Title XI financings of the U.S. Maritime Administration; guaranteed transit bonds of the Washington Metropolitan Area Transit Authority; Resolution Funding Corporation securities;

(3) Direct obligations of any state of the United States of America or any subdivision or agency thereof whose unsecured, uninsured, and unguaranteed general obligation debt is rated, at the time of purchase, "A" or better by Moody's Investors Services and "A" or better by Standard & Poor's Corporation, or any obligation fully and unconditionally guaranteed by any state, subdivision, or agency whose unsecured, uninsured, and unguaranteed general obligation debt is rated, at the time of purchase "A" or better by Moody's Investors Service and "A" or better by Standard & Poor's Corporation;

(4) Federal funds, unsecured certificates of deposit, time deposits, or bankers acceptances (in each case having maturities of not more than 365 days) of any domestic bank including a branch office of a foreign bank which branch office is located in the United States, provided legal opinions are received to the effect that fully and timely payment of such deposit or similar obligation is enforceable against the principal office or any branch of such bank, which, at the time of purchase, has a short-term "Bank Deposit" rating of "P-1" by Moody's and a "Short-Term CD" rating of "A-1" or better by S&P;

(5) Deposits of any bank or savings and loan association which has combined capital, surplus, and undivided profits of not less than \$3 million, provided such deposits are continuously and fully insured by the Bank Insurance Fund or the Savings Association Insurance Fund of the Federal Deposit Insurance Corporation;

(6) Investments in money-market funds rated "AAAm" or "AAAm-G" by Standard & Poor's Corporation;

(7) Repurchase agreements collateralized by Direct Obligations, GNMMAs, FNMAs, or FHLMCs with any registered broker/dealer subject to the Securities Investors' Protection Corporation jurisdiction or any commercial bank insured by the FDIC, if such broker/dealer or bank has an uninsured, unsecured and unguaranteed obligation rated "P-1" or "A3" or better by Moody's Investors Service, and "A-1" or "A-" or better by Standard & Poor's Corporation, provided:

(a) master repurchase agreement or specific written repurchase agreement governs the transaction.

(8) Commercial paper (having original maturities of not more than 270 days) rated, at the time of purchase, "P-1" by Moody's Investors Service and "A-1" or better by Standard & Poor's Corporation;

"Trustee" shall mean Manufacturers and Traders Trust Company, Buffalo, New York, and its successor or successors and any other person which may at the time be substituted in its place.

Section 2. Collateral

Certificates of Deposit (CD), Time Deposit Accounts (TDA), and Negotiable Order of Withdrawal Accounts (NOW) shall be fully secured by insurance of the Federal Deposit Insurance Corporation, obligations of New York State, obligations of the United States, obligations of federal agencies the principal and interest of which are guaranteed by the United States, or obligations of New York State local governments.

The market value of collateral shall at all times equal or exceed the principal amount of the certificate of deposit, time deposits, or NOW accounts. Market value shall mean the bid or closing price as quoted in the Wall Street Journal or as quoted by another recognized pricing service. The Supervising Accountant shall monitor the collateral no less frequently than monthly.

Securities purchased through a Repurchase Agreement shall be valued to market once during the tenure of the agreement and no less than once a month.

Collateral shall not be required with respect to the direct purchase of obligations of New York State, obligations of the United States, and obligations of federal agencies the principal and interest of which are guaranteed by the United States Government.

Section 3. Funds

In accordance with the Authority's Sewer System Revenue Bond Resolution adopted June 29, 1977, and as amended May 3, 1993, the following special trust funds were established:

1. Construction Fund
2. Net Revenue Fund
3. Debt Reserve Fund
4. Redemption Fund
5. Surplus Fund
6. Rebate Fund

All of said Funds are held by the Trustee.

In addition to the Funds held by the Trustee, the Authority established an Operating Fund and a Capital Improvement Fund held by a Depository designated by and under the supervision of the Authority.

Section 4. Investments

Moneys in any Fund held by the Trustee or the Authority shall be continuously invested and reinvested or deposited and redeposited on terms which in the judgment of the Authority provide reasonable liquidity, in the highest yield Investment Securities that may be reasonably known, with a view toward maximizing yield (with proper preservation of principal) and minimizing the instances of uninvested funds. The Authority shall consult with the Trustee from time to time as to the investment of amounts in the Funds. The Authority through an Authorized Officer may direct the Trustee to or, in the absence of direction, the Trustee shall invest and reinvest the moneys in any such Fund held by it in Investment Securities so that the maturity date or dates of redemption at the option of the holder thereof shall coincide as nearly as practicable with the times at which moneys are needed to be so expended. The Trustee shall sell at the best price obtainable, or present for redemption, any Investment Securities purchased by it as an investment whenever it shall be necessary in order to provide moneys to meet any payment or transfer from the Fund for which such investment was made.

Investment Securities purchased as an investment of moneys in any Fund shall be deemed at all times to be a part of such Fund but the income or interest earned and gains realized in excess of losses suffered by a Fund due to the investment thereof shall be deposited in the Operating Fund as Revenues or shall be reinvested and credited to the Operating Fund.

Moneys in any Fund held by the Trustee may be invested in common with the moneys held in any other such Fund.

The Authority may utilize the service of the office of the Comptroller of the City of Buffalo to obtain the highest available investment yield.

Section 5. Deposits

In lieu of Investment Securities, the Trustee shall at the written direction of an Authorized Officer of the Authority deposit amounts or cause amounts to be deposited from any Fund held by the Trustee in interest bearing time deposits or certificates of deposit, or shall make other similar banking arrangements with itself or a member bank or banks of the Federal Reserve

System or a bank, the deposits of which are insured by the Federal Deposit Insurance Corporation or its successor, or a savings and loan association, the deposits of which are insured by the Federal Savings and Loan Insurance Corporation or its successor. Each such interest bearing time deposit or certificate of deposit or other similar banking arrangement shall permit the moneys so placed to be available at the times at which moneys are needed to be expended, and, except to the extent that any such deposit shall be less than \$5,000 or be insured by the United States of America or the federal corporations enumerated above, all moneys in each such interest bearing time deposit or certificate of deposit or other similar banking arrangement shall be continuously and fully secured as stated in Section 2.

In order to permit such amounts to be available for use at the time when needed, any amounts held by any Fiduciary, as such, any, if and as directed by an Authorized Officer of the Authority, be deposited in the commercial banking department of such Fiduciary which may honor checks and drafts on such deposit with the same force and effect as if it were not such Fiduciary. Any such Fiduciary shall allow and credit on such amounts at least such interest, if any, as it customarily allows upon similar funds of similar size and under similar conditions or as required by law.

All amounts of more than \$5,000 deposited by any Fiduciary pursuant to the paragraph above shall be continuously and fully secured by lodging with the Trustee as custodian, as collateral security, investment securities having a market value not less than the amount of such deposit plus accrued interest.

ITEM NO. 8

CONTRACT APPROVAL - LEGAL SERVICES

WHEREAS: The Buffalo Sewer Authority has many complex regulatory, enforcement, and environmental matters that require the skills of a specialized attorney; and

WHEREAS: Charles C. Martorana, of Hiscock & Barclay, LLP, has extensive expertise in these areas. Mr. Martorana also represents the Buffalo Sewer Authority in litigation and arbitration matters as needed; and

WHEREAS: The General Manager and the members of his committee recommend approval to retain Charles C. Martorana, of Hiscock & Barclay, LLP, for legal services on an as-needed basis for the fiscal year July 1, 2012 through June 30, 2013.

NOW THEREFORE
BE IT RESOLVED:

That the Board of the Buffalo Sewer Authority hereby authorizes the General Manager to retain Charles C. Martorana, of Hiscock & Barclay, LLP, for legal services on an as-needed basis for fiscal year July 1, 2012 through June 30, 2013. Compensation for Mr. Martorana and staff are as follows: \$225.00 per hour for all partners, \$200.00 per hour for all associates and counsel, and \$120.00 per hour for paralegal services, for a total amount not to exceed \$ 80,000. Expenses for these legal services will be charged to account no. 00550106-432003.

MOTION TO	<u>APPROVE</u>
MADE BY	<u>MR. KENNEDY, SR.</u>
2 ND BY	<u>MR. KENNEDY, JR.</u>
AYES	<u>5</u> NOES <u>0</u>

Board Meeting of June 13, 2012

ITEM NO. 9

NYS PREFERRED SOURCE - JANITORIAL SERVICES CONTRACT RENEWAL

WHEREAS: New York State Industries for the Disabled (NYSID) is a not-for-profit corporation appointed by the New York State Department of Education to secure and administer contracts on behalf of community rehabilitation agencies. NYSID is a New York State preferred source under Section 162 of the State Finance Law. This preferred source status authorizes state and local governments to utilize and purchase NYSID products and services without competitive bidding; and

WHEREAS: The Buffalo Sewer Authority utilized a contract with NYSID through their member agency, Phoenix Frontier, Inc., during the period July 1, 2011 to June 30, 2012, to perform janitorial services at the Buffalo Sewer Authority facilities; and

WHEREAS: Phoenix Frontier, Inc., has performed these services in a satisfactory manner; and

WHEREAS: The General Manager, Treatment Plant Superintendent, and staff recommend renewal of this contract for janitorial services for fiscal year 2012-2013.

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 renewal with NYSID through its member agency, Phoenix Frontier, Inc., to perform janitorial services at the Buffalo Sewer Authority facilities for a one-year period from July 1, 2012 to June 30, 2013, at a total cost not to exceed \$74,900.79. Expenses for this contract will be charged to account nos. 00110106-434000, 00200106-434000, and 00650106-434000.

MOTION TO	<u>APPROVE</u>
MADE BY	<u>MR. KENNEDY, JR.</u>
2 ND BY	<u>MS. WILSON-DIVINCENZO</u>
AYES	<u>5</u> NOES <u>0</u>

Board Meeting of June 13, 2012

ITEM NO. 10

AUTHORIZATION TO PURCHASE VARIOUS LABORATORY SUPPLIES AND EQUIPMENT UNDER NEW YORK STATE CONTRACT GROUP NO. 12000, AWARD NO. 21132 FOR FISCAL YEAR 2012-2013

WHEREAS: New York State Contract Group No. 12000, Award No. 21132 is for laboratory supplies and equipment with individual contract awards to twelve vendors including VWR Scientific; and

WHEREAS: The Buffalo Sewer Authority's Laboratory utilizes this New York State Contract pricing to purchase various laboratory supplies from VWR Scientific. Other Authority departments also utilize this NYS Contract for various laboratory supplies and equipment purchases; and

WHEREAS: Based upon historical purchases the Treatment Plant Superintendent and staff recommend approval for purchases anticipated for fiscal year 2012-2013 in an amount not to exceed \$50,000.00 total commodities purchased under this contract; 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 utilize New York State Contract Group No. 12000, Award No. 21132 pricing, when applicable, to purchase commodities for the period July 1, 2012 to June 30, 2013, at a total cost not to exceed \$50,000.00. Expenses for these purchases will be charged to the appropriate accounts.

MOTION TO _____ APPROVE _____

MADE BY _____ MR. ROOSEVELT _____

2ND BY _____ MR. KENNEDY, JR. _____

AYES _____ 5 _____ NOES _____ 0 _____

Board Meeting of June 13, 2012

ITEM NO. 14

REPORT ON BIDS RECEIVED - AIR HANDLING UNIT REPLACEMENT - #1D, #2D, #3D, #4D and #SF-1

WHEREAS: Formal bids were advertised and solicited for air handling unit replacement #1D, #2D, #3D, #4D and #SF-1. The following bids were received and opened by the Buffalo Sewer Authority on June 6, 2012:

Quackenbush Company, Inc.	\$639,954.00
John W. Danforth	\$733,000.00
Mollenberg Betz, Inc.	\$805,800.00
Parise Mechanical, Inc.	\$893,000.00

; and

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

WHEREAS: The Administrator of Capital Improvements and Development and staff reviewed the bids and recommend awarding the contract to the lowest bidder, Quackenbush Company, Inc., at a cost not to exceed \$639,954.00.

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 Quackenbush Company, Inc., at a cost not to exceed \$639,954.00. Expenses for this contract will be charged to account no. 02000335-490740.

MOTION TO APPROVE

MADE BY MR. KENNEDY, JR.

2ND BY MR. KENNEDY, SR.

AYES 5 NOES 0

Board Meeting of June 13, 2012

ITEM NO. 17

CONTRACT NO. 85100022

CERTIFICATE OF ACCEPTANCE AND OCCUPANCY

WORK: Bird Island Doors – Phase II

BID: \$236,983.00

CONTRACTOR: Allstate General Contracting
31 Ransier Drive
West Seneca, NY 14224

WHEREAS: The Administrator of Capital Improvements and Development and staff have certified that the Contractor completed the work in accordance with the plans and specifications on May 23, 2012.

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 completed and is accepted;
- b. The date of entrance and occupancy be fixed as of May 23, 2012;
- c. The maintenance period commence on May 23, 2012;
- d. Final payment will be made to the Contractor in the amount of \$11,849.15 making the final cost of the Contract \$236,983.00.

MOTION TO APPROVEMADE BY MS. WILSON-DIVINCENZO2ND BY MR. ROOSEVELTAYES 5 NOES 0

Board Meeting of June 13, 2012

ITEM NO. 18

AUTHORIZATION TO ENTER INTO A PROFESSIONAL SERVICES AGREEMENT WITH GHD, INC.

- WHEREAS: The Buffalo Sewer Authority is actively involved in establishing a Combined Sewer Overflow (CSO) Long Term Control Plan (LTCP); and
- WHEREAS: A team of consultants lead by GHD, Inc., has proposed to design, construct, and monitor two (2) local reactive real time control (RTC) sites within the Authority's combined sewer system; and
- WHEREAS: The Authority and its consultants have identified RTC as a significant component of the Authority's CSO LTCP that was recently submitted to government regulators; our team of experts in CSO abatement, collection system design and operation, and RTC implementation will work with the Authority to demonstrate the effectiveness of this project; and
- WHEREAS: The team of consultants including GHD, Inc., as lead, along with Malcolm Pirnie the water division of Arcadis and EmNet will provide civil, structural, and electrical engineering services, RTC engineering such as geometry of contract structure, characteristics of the flow control actuator, flow monitoring requirements, dynamic control algorithm programming and hydraulic modeling services during the post construction monitoring period; and
- WHEREAS: The goal of these projects is to demonstrate the effectiveness of RTC within the Authority's collection system to abate CSO's. Demonstration sites will be implemented on Bird Avenue and Hagen Street; and
- WHEREAS: The General Manager, Secretary to the General Manager, and staff have reviewed this proposal submitted by GHD, Inc., and recommend acceptance at a cost not to exceed \$1,074,600.

NOW THEREFORE
BE IT RESOLVED:

That the Board of the Buffalo Sewer Authority hereby authorizes the General Manager to enter into and execute a professional services agreement with GHD, Inc., for the design and construction of two (2) local reactive RTC sites within the Authority's combined sewer system, at a total cost not to exceed \$1,074,600. Funds for this contract are available in account no. 02000336-432004.

MOTION TO APPROVE

MADE BY MR. KENNEDY, SR.

2ND BY MR. KENNEDY, JR.

AYES 5 NOES 0

Board Meeting of June 13, 2012

ITEM NO. 19

AUTHORIZATION TO PURCHASE COMMODITIES UTILIZING CITY OF BUFFALO CONTRACT PRICING FOR FISCAL YEAR 2012-2013

WHEREAS: Board approval is required on purchases made over \$20,000.00; and

WHEREAS: The Sewer Maintenance Department purchases the following commodities available through the City of Buffalo Contract:

Product	Vendor	City of Buffalo Contract	Amount	Account No.
Stone & Slag	New Enterprise Stone & Lime Co. Db: Buffalo Crushed Stone	Formal #7367 (through 6/30/12)	\$50,000.00	00660105-466269
Ready Mix Concrete	LaFarge North America, Inc.	Formal #7437 (through 6/30/12)	\$50,000.00	00660105-466269

; and

WHEREAS: The Treatment Plant Superintendent, Assistant Sewer Maintenance Superintendent, and staff recommend the utilization of City of Buffalo Contract pricing for these purchases.

NOW THEREFORE
BE IT RESOLVED:

That the Board of the Buffalo Sewer Authority hereby authorizes the General Manager to utilize City of Buffalo Contract pricing to purchase the above commodities for fiscal year 2012-2013 at a cost not to exceed the amount listed and further authorizes any subsequent extension or changes to City of Buffalo contracts for the fiscal year through June 30, 2013.

MOTION TO APPROVE

MADE BY MR. KENNEDY, SR.

2ND BY MR. ROOSEVELT

AYES 5 NOES 0

Board Meeting of June 13, 2012

ITEM NO. 20

AUTHORIZATION TO PURCHASE VARIOUS COMMODITIES UTILIZING NEW YORK STATE CONTRACT PRICING FOR FISCAL YEAR 2012-2013

WHEREAS: Board approval is required on purchases made over \$20,000.00; and

WHEREAS: The Sewer Maintenance Division purchases the following commodities available through New York State Contract pricing:

Product	NYS Contract	Current Vendor	Amount:	Account NO.
Gasoline	PC65522 Group: 05600	NOCO Energy Corp. Award: 22258 (through 9/19/13)	\$105,000.00	00520105-462600 (\$40,000.00) 00690105-462600 (\$65000.00)
Diesel Fuel	PC65534 Group: 05602	NOCO Energy Corp. Award: 22259 (through 8/15/13)	\$85,000.00	00520105-462600 (\$25,000.00) 00690105-462600 (\$60,000.00)

;and

WHEREAS: The Assistant Sewer Maintenance Superintendent and staff recommend the utilization of New York State Contract pricing for these purchases.

NOW THEREFORE
BE IT RESOLVED:

That the Board of the Buffalo Sewer Authority hereby authorizes the General Manager to utilize New York State Contract pricing to purchase the above commodities for the fiscal year 2012-2013 at a cost not to exceed the amounts listed and further authorizes any subsequent extensions of the above New York State Contract awards or new awards for the commodities listed for the fiscal year through June 30, 2013.

MOTION TO APPROVE

MADE BY MS. WILSON-DIVINCENZO

2ND BY MR. KENNEDY, JR.

AYES 5 NOES 0

Board Meeting of June 13, 2012

ITEM NO. 21

AMENDMENT TO SCHEDULE OF JOB CLASSIFICATION PLAN

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

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

One (1) Asst. Supt. of Mechanical Maintenance 00200111 411001

MOTION TO APPROVE

MADE BY MR. KENNEDY, JR.

2ND BY MS. WILSON-DIVINCENZO

AYES 5 NOES 0

Board Meeting of June 13, 2012

ITEM NO. 22

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 employee has applied for Tuition Reimbursement:

<u>EMPLOYEE</u>	<u>SCHOOL</u>	<u>COURSE</u>	<u>TUITION%</u>	<u>REIMBURSEMENT TOTAL</u>
Thomas Caulfield	Walden University	PPPA 8115 Quality Prospectus for Public Administration	90%	\$2,162.70

NOW THEREFORE
BE IT RESOLVED:

That the Board of the Buffalo Sewer Authority hereby approves the above application for Tuition Reimbursement totaling \$2,162.70. This Reimbursement will be charged to account no. 00800108-480214.

MOTION TO APPROVE

MADE BY MR. ROOSEVELT

2ND BY MR. KENNEDY, JR.

AYES 5 NOES 0

Board Meeting of June 13, 2012

ITEM NO. 23

ADJOURNMENT OF MEETINGMOTION TO APPROVE MADE BY MS. WILSON-DIVINCENZO 2ND BY MR. KENNEDY, JR. AYES 5 NOES 0

Board Meeting of June 13, 2012