

**MINUTES OF THE REGULAR MEETING  
OF THE  
BUFFALO SEWER AUTHORITY  
September 5, 2012**

**54035.....54060**



# BUFFALO SEWER AUTHORITY

September 5, 2012

REGULAR MEETING

9:00 A.M.

1038 CITY HALL

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## ITEM NO. 2

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

August 27, 2012

ISSUE DATE	MATURITY DATE	TOTAL DAYS	AMOUNT	BANK	RATE	INTEREST AMOUNT
<b>CAPITAL IMPROVEMENT FUND</b>						
15-Apr-02	Money Market		\$1.00	Chase	0.20%	High Yield
31-Jul-12	Money Market		\$499,999.00	First Niagara	0.10%	Municipal Premium
			<u>\$500,000.00</u>			
<b>CONSTRUCTION FUND</b>						
08-Apr-02	Money Market		\$2,584,715.47	Chase	0.20%	High Yield
31-July-12	Money Market		\$40,000,000.00	First Niagara	0.30%	Municipal Premium
			<u>\$42,584,715.47</u>			
<b>LIABILITY AND CASUALTY RESERVE FUND</b>						
22-Apr-02	Money Market		\$194.02	Chase	0.20%	High Yield
31-July-12	Money Market		\$1,000,815.82	First Niagara	0.30%	Municipal Premium
			<u>\$1,001,009.84</u>			
<b>OPERATING FUND</b>						
08-Apr-02	Money Market		<u>\$6,417,307.36</u>	Chase	0.20%	High Yield
<b>TRUST &amp; AGENCY FUND</b>						
06-May-02	Money Market		395.70	Chase	0.20%	High Yield
31-Jul-12	Money Market		\$33,641.44	First Niagara	0.02%	Municipal Premium
			<u>\$34,037.14</u>			
<b>SURPLUS FUND</b>						
29-Jun-12	27-Sep-12	90	\$991.52	MTB Funds		
			\$6,143,234.30	M&T Securities	0.18%	\$2,765.70
			<u>\$6,144,225.82</u>			
<b>NET REVENUE FUND</b>						
30-Jul-12	29-Aug-12	30	\$2,001,357.04	M&T	0.11%	\$183.45
30-Jul-12	28-Sep-12	60	\$1,999,500.00	M&T Securities	0.15%	\$500.00
30-Jul-12	29-Oct-12	91	\$5,245,744.82	M&T Securities	0.17%	\$2,255.18
			<u>\$9,246,601.86</u>			

ISSUE DATE	MATURITY DATE	TOTAL DAYS	AMOUNT	BANK	RATE	INTEREST AMOUNT
<b>DEBT RESERVE FUND</b>						
<b>Series F</b>						
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%	
13-Jun-12	12-Jun-13	364	\$245,000.00	FDIC Brokered CD	0.45%	
14-Jun-12	14-Jun-13	365	\$245,000.00	FDIC Brokered CD	0.40%	
15-Jun-12	14-Jun-13	364	\$132,000.00	FDIC Brokered CD	0.35%	
			<b>\$1,357,000.00</b>			
<b>Series I</b>						
01-Aug-08	06-Sep-13	1862	<b>\$8,240,877.50</b>	FHLB	4.00%	
<b>Series H</b>						
13-Mar-03	15-Apr-32	10,626	<b>\$2,825,593.00</b>	SLG	4.35%	
<b>Series J</b>						
04-Mar-04	15-Nov-33	10,848	<b>\$774,061.00</b>	SLG	3.82%	
<b>Series K</b>						
22-Jul-04	15-Feb-33	10,435	<b>\$498,654.00</b>	SLG	4.63%	
<b>Series L</b>						
27-Jul-06	01-Oct-35	10,658	<b>\$952,666.00</b>	SLG	4.52%	

**RECEIVE & FILE**

Board Meeting of September 5, 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.

**Wastewater Treatment Plant**

7/24/2012	00520106 Maintenance Services	-\$1,195.00	00200106 Plant Services	\$1,195.00
8/2/2012	00520106 Maintenance Services	-\$5,500.00	00230106 Grit Services	\$5,500.00
8/3/2012	00520105 Maintenance Supplies	-\$2,505.00	00470105 Water Supplies	\$2,505.00
8/6/2012	00520106 Maintenance Services	-\$1,000.00	00230106 Grit Services	\$1,000.00
8/7/2012	00380106 Incinerator Services	-\$5,000.00	00230106 Grit Services	\$5,000.00

**General Financial Charges**

7/6/2012	00800183 Financial Contingency	-\$14,200.00	00200103 Plant Utilities	\$14,200.00
6/12/2012	00800183 Financial Contingency	-\$50,000.00	00200107 Plant Capital Outlay	\$50,000.00

**RECEIVE & FILE**

Board Meeting of September 5, 2012



ITEM NO. 4

**REVISION TO BUFFALO SEWER AUTHORITY POLICY – CAPITAL ASSETS  
(ATTACHMENT A)**

WHEREAS: The Buffalo Sewer Authority has a Capital Asset Guide that establishes the basis for inventory, values of capital and infrastructure assets, and depreciation calculations; and

WHEREAS: The Capital Asset Guide has been reviewed and updated, and now needs be approved by the Board.

NOW THEREFORE  
BE IT RESOLVED: That the Board of the Buffalo Sewer Authority hereby adopts the following “Capital Asset Guide” (Attachment A), which establishes the basis for inventory, values of capital and infrastructure, and depreciation calculations.

MOTION TO APPROVE  
MADE BY MR. KENNEDY, SR.  
2<sup>ND</sup> BY MR. KENNEDY, JR.  
AYES 4 NOES 0

Board Meeting of September 5, 2012

## ITEM NO. 5

**CONSTRUCTION FUND AMENDMENT**

WHEREAS: The Buffalo Sewer Authority desires to fund the Five Year Capital Plan in order to continue its program of improving the sewer system; and

WHEREAS: There is funding available from the 2010-2011 Fund Balance designated for Capital Projects; and

WHEREAS: The General Manager recommends approval of this transfer.

NOW THEREFORE  
BE IT RESOLVED:

That the Board of the Buffalo Sewer Authority hereby approves the transfer of funds from the Fund Balance Designated for Capital Projects to the Construction Fund Budget Amendment for 2011-2012 for the funding of the listed projects as designated by the Amendment.

MOTION TO APPROVE  
MADE BY MR. KENNEDY, JR.  
2<sup>ND</sup> BY MR. ROOSEVELT  
AYES 4 NOES 0

Board Meeting of September 5, 2012

**BUFFALO SEWER AUTHORITY  
CONSTRUCTION FUND BUDGET AMENDMENT #1  
2011-2012 FISCAL YEAR**

This Amendment to the Construction Fund utilizes funds from prior years to provide improvements to the infrastructure of the Buffalo Sewer Authority as designated by the Five Year Capital Plan.

The funds will be added to the various appropriation accounts as listed below:

REVENUES & RESOURCES

FUND BALANCE DESIGNATED FOR CAPITAL PROJECTS	<u>\$11,631,026</u>
TOTAL REVENUE & RESOURCES	<u>\$11,631,026</u>

APPROPRIATIONS

**TREATMENT PLANT:**

Final Clarifier Buildings Rehab	\$200,000
Power Distribution System Survey and Implementation	200,000
Miscellaneous Pipe Replacement	200,000
Thickener Rehabilitation, Pumps and Controls	1,000,000
Door and Window Replacement	300,000
Steam Plant Modifications	240,000
Secondary System Control Valve/Magmeter Replacement	500,000
Secondary Clarifier Weir Refurbishment	225,000
SCADA System Controls	2,116,026
Electrical Sub-Metering	350,000

**COLLECTION SYSTEM:**

Sewer Cleaning/TV Inspection	\$ 300,000
Unanticipated Sewer Replacement	400,000
Swan Trunk System Modifications	400,000
CSO 060 Sewer Separation	2,000,000
CSO 010 Sewer Separation	2,000,000
CSO 053 Sewer Separation	700,000
CSO 005 Sewer Separation	300,000
CSO 007, 008, & 009 Sewer Separation	200,000

<b>TOTAL APPROPRIATIONS</b>	<b><u>\$11,631,026</u></b>
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## ITEM NO. 6

**RESOLUTION TO AUTHORIZE SETTLEMENT AGREEMENT FOR SEWER AND WATER CHARGES FOR REAL PROPERTY AT 153 FILLMORE AVENUE, BUFFALO, NEW YORK**

WHEREAS: The Buffalo Sewer Authority and the Buffalo Water Board provide water and sewer services to property at 153 Fillmore Avenue, Buffalo, New York, which is owned by Donald Wylie; and

WHEREAS: The Buffalo Sewer Authority and the Buffalo Water Board have issued invoices to Mr. Wylie for provision of water and sewer service to this property; and

WHEREAS: Mr. Wylie has paid some invoices but has notified the Buffalo Sewer Authority and the Buffalo Water Board of objections to various charges for water and sewer service for the period from December 1, 1999 to and including December 31, 2005, and to all interest and all collection charges for the period from December 1, 1999 to 2005 due in part by a malfunction of water meters; and

WHEREAS: Mr. Wylie, the Buffalo Sewer Authority, and the Buffalo Water Board are willing to settle all disputes in connection with the Charges, upon the terms and conditions set forth in a proposed Settlement Agreement; and

WHEREAS: The Buffalo Sewer Authority, the Buffalo Water Board, and Mr. Wylie believe it is in their best interest, respectively, to avoid the nuisance and expense of possible litigation and are willing to forebear any litigation and enforcement proceedings in connection with the charges, release each other and waive any defenses and claims each has against the other with respect to the Charges.

NOW THEREFORE  
BE IT RESOLVED:

That in full settlement of the Charges, the Buffalo Sewer Authority and the Buffalo Water Board agree to accept, and based on Mr. Wylie's agreement to pay the sum of \$3,183.14 which shall be payable to the Treasurer of the City of Buffalo, as agent for the Buffalo Sewer Authority and the Buffalo Water Board, upon Mr. Wylie's execution of the Settlement Agreement.

BE IT FURTHER  
RESOLVED:

That the Board of the Buffalo Sewer Authority does hereby, authorize the General Manager to undertake any and all actions that are necessary or appropriate to enable the Buffalo Sewer Authority to fulfill and administer the Settlement Agreement, including but not limited to the execution, delivery, and acceptance of the Settlement Agreement and any other agreements or instruments and to negotiate and establish any modifications, Mr. Wylie, and any other person or entity, including any determinations of compliance or default, upon such terms and conditions reasonably acceptable to the General Manager to effectuate the purposes of this resolution. All actions of the General Manager and any other representative or agent of the Buffalo Sewer Authority in the preparation and negotiation of the Settlement Agreement are hereby ratified, approved, and confirmed.

MOTION TO	<u>APPROVE</u>
MADE BY	<u>MR. KENNEDY, SR.</u>
2 <sup>ND</sup> BY	<u>MR. ROOSEVELT</u>
AYES	<u>4</u> NOES <u>0</u>

Board Meeting of September 5, 2012

STATE OF NEW YORK     )  
   ) SS.:  
 COUNTY OF ERIE         )

I, the undersigned Secretary of the Buffalo Sewer Authority (the "Authority"), DO HEREBY CERTIFY that I have compared the annexed extract of the minutes of the meeting of the Authority, including the resolution contained therein, held the 5<sup>th</sup> day of September, 2012, with the original thereof on file in my office, and that the same is a true and correct copy of the proceedings of the Authority and of such resolution set forth therein and of the whole of said original insofar as the same related to the subject matters therein referred to.

I FURTHER CERTIFY that all members of said Authority Board had due notice of said meeting, said meeting was duly held, pursuant to Article 7 of the Public Officers Law (Open Meetings Law), said meeting was open to the general public, and public notice of the time and place of said meeting was duly given in accordance with such Article 7, and there was a quorum of the members of the Authority Board present throughout said meeting.

I FURTHER CERTIFY that, as of the date hereof, the attached resolution is in full force and effect and has not been amended, repealed or rescinded.

IN WITNESS WHEREOF, I have hereunto set my hand this 5<sup>th</sup> day of September, 2012.

\_\_\_\_\_  
 Eleanor C. Wilson DiVincenzo  
 Secretary of the Board

(SEAL)

ITEM NO. 7

**PAYMENT FROM JUDGMENT AND CLAIMS**

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

WHEREAS: The following commodity was received during a prior fiscal year and charged to the 2012-2013 budget account no. 00800108-480214:

<b>VENDOR</b>	<b>AMOUNT</b>
Damon Morey LLP	\$75.00
; and	

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

NOW THEREFORE  
BE IT RESOLVED: That the Board of the Buffalo Sewer Authority hereby approves the above payment from the Judgment and Claims account no. 00800108-480214.

MOTION TO	_____	APPROVE	_____
MADE BY	_____	MR. KENNEDY, JR.	_____
2 <sup>ND</sup> BY	_____	MR. ROOSEVELT	_____
AYES	_____	4	NOES _____
			0

Board Meeting of September 5, 2012

## ITEM NO. 8

**PAYMENT FROM JUDGMENT AND CLAIMS**

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

WHEREAS: The following commodity was received during a prior fiscal year and charged to the 2012-2013 budget account no. 00800108-480214:

<b>VENDOR</b>	<b>AMOUNT</b>
Securitas Security Services, USA, Inc. ; and	\$944.16

WHEREAS: The Treatment Plant Superintendent and staff recommend the above payment from the Judgment and Claims account.

NOW THEREFORE  
BE IT RESOLVED: That the Board of the Buffalo Sewer Authority hereby formally approves the above payment from the Judgment and Claims account no. 00800108-480214.

MOTION TO	<u>APPROVE</u>
MADE BY	<u>MR. KENNEDY, JR.</u>
2 <sup>ND</sup> BY	<u>MR. ROOSEVELT</u>
AYES	<u>4</u> NOES <u>0</u>

Board Meeting of September 5, 2012



## ITEM NO. 9

**CONTRACT APPROVAL - LEGAL SERVICES**

WHEREAS: The Buffalo Sewer Authority (the "Authority") is engaged in a civil action regarding the termination of an employee; and

WHEREAS: This civil action has been ongoing since 1999, and Damon Morey, LLP has been the Authority's attorney on the case; and

WHEREAS: Randolph C. Oppenheimer, of Damon Morey, LLP, has extensive experience in this area and has been legal counsel for this matter; and

WHEREAS: The Authority wishes to continue to utilize his expertise for this matter; and

WHEREAS: The General Manager and staff recommend approval to retain Randolph C. Oppenheimer, of Damon Morey, LLP, for legal services on an as-needed basis for the fiscal year 2012-2013.

NOW THEREFORE  
BE IT RESOLVED:

That the Board of the Buffalo Sewer Authority hereby authorizes the General Manager to retain, on an as-needed basis, the services of Randolph C. Oppenheimer, of Damon Morey, LLP, to provide legal services for the period July 1, 2012 through June 30, 2013. Hourly rates for these services are as follows: Partners \$150.00; Associates \$125.00; and Legal Assistants \$70.00. Expenses for these legal services will be charged to account no. 00110106-432003 for a total amount not to exceed \$5,000.00.

MOTION TO APPROVE

MADE BY MR. KENNEDY, SR.

2<sup>ND</sup> BY MR. KENNEDY, JR.

AYES 4 NOES 0

Board Meeting of September 5, 2012

## ITEM NO. 10

**AUTHORIZATION FOR CHANGE ORDER TO PURCHASE ORDER NO. 21300178 FOR SECURITY GUARD SERVICES**

WHEREAS: On April 4, 2012, the Board of the Buffalo Sewer Authority authorized the General Manager to renew the contract with Securitas Security Services USA, Inc., for security guard services at the Treatment Plant at a total cost of \$257,755.68 for the period July 1, 2012 to June 30, 2013; and

WHEREAS: Blanket Purchase Order No. 21300178 was established for this service for fiscal year 2012-2013 in the amount of \$257,755.68; and

WHEREAS: The total approved amount was incorrectly based upon last year's total which was for a total of 9 months instead of 12 months since Securitas began service in October 2011; and

WHEREAS: In addition, the NYS Department of Labor's prevailing wage rate on July 1, 2012, decreased by a total of \$0.56 resulting in the billable rate decreasing from \$19.67/hr. to \$19.11/hr. for this service; and

WHEREAS: The total amount of this contract for fiscal year 2012-2013 should be revised from \$257,755.68 to a total not to exceed \$334,807.20 for the period July 1, 2012 – June 30, 2013 necessitating a change order to Purchase Order No. 21300178; and

WHEREAS: The Treatment Plant Superintendent and staff recommend the above change order.

NOW THEREFORE  
BE IT RESOLVED: That the Board of the Buffalo Sewer Authority hereby authorizes the General Manager to increase Blanket Purchase Order No. 21300178 from \$257,755.68 to a total not to exceed \$334,807.20 for fiscal year 2012-2013 for security guard services with Securitas Security Services. Expenses for this contract will be charged to account no. 00200106-434000.

MOTION TO APPROVE

MADE BY MR. ROOSEVELT

2<sup>ND</sup> BY MR. KENNEDY, JR.

AYES 4 NOES 0

Board Meeting of September 5, 2012

## ITEM NO. 11

**CHANGE ORDER NO. 2 – CONTRACT NO. 85100025**

CONTRACTOR:	ORIGINAL CONTRACT COST	\$2,280,614.87
Hohl Industrial Services, Inc.	PREVIOUS CHANGE ORDER	21,433.32
770 Riverview Blvd.	THIS CHANGE ORDER	<u>87,700.00</u>
Buffalo, NY 14150	ADJUSTED CONTRACT COST	\$2,389,748.19

WORK: Sludge Cake Receiving System

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**DESCRIPTION OF CHANGE OR EXTRA WORK:**

- Item #1 Re-configure sludge lines from cake pump in basement of Mega-structure.
- Item #2 Rotate actuator over east conveyor belt on 3<sup>rd</sup> floor of Mega-structure.
- Item #3 Re-route floor drain line in basement of Mega-structure to allow for dimensions of new sludge hopper.
- Item #4 Additional cost of integration for new sludge cake receiving system to existing BSA distributed control system.
- Item #5 Additional excavation to accommodate new piping from Filter Feed Room to the South Mix Tank.
- Item #6 Convert equipment cooling lines from domestic to protected water in basement of Mega-structure.
- Item #7 Make elevation adjustments in core-drilling and recirculation pump height.

**REASON FOR CHANGE OR EXTRA WORK:**

- Item #1 BSA directed the contractor to re-configure these lines to facilitate maintenance of the sludge cake pump.
- Item #2 BSA directed the contractor to rotate the actuator to allow easier maintenance over the east conveyor belt.
- Item #3 The drain collar and conduit needed replacement/re-routing to allow for installation of the new sludge hopper.
- Item #4 These integration costs are those that exceed the allowance indicated in the bid documents.
- Item #5 Unforeseen conditions below grade required additional excavation and concrete support of existing raw, return and thickened sludge and re-circulating lines.
- Item #6 BSA directed contractor to make this conversion to prevent contamination of domestic water in the event of an equipment malfunction.
- Item #7 The floor elevation of the Filter Feed Room is 14" lower than the floor of the South Mixing Tank.

**COST OF CHANGE OR EXTRA WORK:**

Item #1 \$ 16,000.00  
Item #2 \$ 400.00  
Item #3 \$ 1,800.00  
Item #4 \$ 11,000.00  
Item #5 \$ 40,000.00  
Item #6 \$ 9,000.00  
Item #7 \$ 9,500.00

THE TOTAL COST OF THE CHANGE OR EXTRA WORK \$87,700.00

The total INCREASE to the contract as a result of this Change Order is \$87,700.00

**CONTRACT SUPPLEMENT CONDITIONS:**

1. The contract completion date established in the original contract or as modified by previous contract supplements is extended until October 10, 2012.
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. 85100025 as written in the above Agenda Item, increasing the contract cost in the amount of \$ 87,700.00, making the adjusted contract cost \$2,389,748.19.

MOTION TO                     APPROVE                    

MADE BY                     MR. KENNEDY, SR.                    

2<sup>ND</sup> BY                     MR. KENNEDY, JR.                    

AYES           4           NOES           0          

Board Meeting of September 5, 2012

## ITEM NO. 12

**CHANGE ORDER NO. 2 – CONTRACT NO. 85100030**

CONTRACTOR:	ORIGINAL CONTRACT COST	\$200,000.00
Quackenbush Company, Inc.	PREVIOUS CHANGE ORDER	100,000.00
495 Kennedy Road	THIS CHANGE ORDER	<u>42,685.00</u>
Buffalo, NY 14227	ADJUSTED CONTRACT COST	\$342,685.00

WORK: Wastewater Treatment Plant Mechanical Services

**DESCRIPTION OF CHANGE OR EXTRA WORK:**

Item #1 Increase the contract price to accommodate additional work needed to be performed by Quackenbush Company, Inc., during the fiscal year.

**REASON FOR CHANGE OR EXTRA WORK:**

Item #1 The work tasks allotted to the contractor exceed the contract amount for a total increase of \$42,685.00. Additional work needed at various locations throughout the Wastewater Treatment Plant.

**COST OF CHANGE OR EXTRA WORK:**

Item #1 \$42,685.00

THE TOTAL COST OF THE CHANGE OR EXTRA WORK \$42,685.00

The total INCREASE to the contract as a result of this Change Order is \$42,685.00

**CONTRACT SUPPLEMENT CONDITIONS:**

1. The contract completion date established in the original contract or as modified by previous contract supplements 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. 85100030 as written in the above Agenda Item, increasing the contract cost in the amount of \$42,685.00, making the adjusted contract cost \$342,685.00.

MOTION TO APPROVE

MADE BY MR. KENNEDY, JR.

2<sup>ND</sup> BY MR. ROOSEVELT

AYES 4 NOES 0

Board Meeting of September 5, 2012

## ITEM NO. 13

**CHANGE ORDER NO. 1 – CONTRACT NO. 85100032**

CONTRACTOR:	ORIGINAL CONTRACT COST	\$189,855.00
Sterling Refractory	PREVIOUS CHANGE ORDER	-----
120 Michigan Avenue	THIS CHANGE ORDER	<u>39,980.00</u>
Buffalo, NY 14204	ADJUSTED CONTRACT COST	\$229,835.00

WORK: Multiple Hearth Sludge Incinerator Rehabilitation Incinerator No. 3

**DESCRIPTION OF CHANGE OR EXTRA WORK:**

Item #1 Increase the contract price to accommodate additional work needed to be performed by Sterling Refractory, during the fiscal year.

**REASON FOR CHANGE OR EXTRA WORK:**

Item #1 The work tasks allotted to the contractor exceed the original contract amount for a total increase of \$39,980.00. Additional work needed for the Sludge Incinerator Rehabilitation.

**COST OF CHANGE OR EXTRA WORK:**

Item #1 \$39,980.00

THE TOTAL COST OF THE CHANGE OR EXTRA WORK \$39,980.00

The total INCREASE to the contract as a result of this Change Order is \$39,980.00

**CONTRACT SUPPLEMENT CONDITIONS:**

1. The contract completion date established in the original contract or as modified by previous contract supplements 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. 85100032 as written in the above Agenda Item, increasing the contract cost in the amount of \$39,980.00, making the adjusted contract cost \$229,835.00.

MOTION TO APPROVE

MADE BY MR. KENNEDY, SR.

2<sup>ND</sup> BY MR. KENNEDY, JR.

AYES 4 NOES 0

Board Meeting of September 5, 2012

## ITEM NO. 14

**AUTHORIZATION FOR SERVICES FROM INGERSOLL-RAND AND AUTHORIZATION FOR TOTAL EXPENDITURES FOR FISCAL YEAR 2012-2013**

- WHEREAS: On June 16, 2010, the Board of the Buffalo Sewer Authority designated Ingersoll-Rand, the parent company for the original equipment manufacturer, Dresser Rand, as a sole source for equipment repairs and supplies for the digester gas compressors and for compressors in the Grit Building located at the Treatment Plant; and
- WHEREAS: The compressors are a vital part in the process of the Treatment Plant facility; and
- WHEREAS: To date one (1) quarterly maintenance inspection has been completed for a total expended to date of \$4,040.00; and
- WHEREAS: Digester gas compressor No. 10 is in need of a valve rebuild and cylinder head replacement due to the wear and tear of normal operation; and
- WHEREAS: The Superintendent of Mechanical Maintenance requested and received a quote in the estimated amount of \$125,567.00 from Ingersoll-Rand to repair digester gas compressor No. 10; and
- WHEREAS: This service will bring the total monies payable to Ingersoll-Rand for fiscal year 2012-2013 to \$129,607.00; and
- WHEREAS: The Treatment Plant Superintendent, Superintendent of Mechanical Maintenance, and staff recommend authorization to repair digester gas compressor No. 10 at an estimated cost of \$125,567.00 and further request an additional \$13,500.00 to cover the three (3) remaining quarterly maintenance inspections that will be needed through June 30, 2013; 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 formally authorizes the General Manager to utilize the services of Ingersoll-Rand for the required services to repair digester gas compressor No.10 at an estimated cost of \$125,567.00. The Board further authorizes an additional \$13,500.00 to cover three (3) quarterly maintenance inspections that will be performed through June 30, 2013, with the maximum total expenditures not to exceed \$143,107.00 for fiscal year 2012-2013.

MOTION TO                          APPROVE                         

MADE BY                          MR. ROOSEVELT                         

2<sup>ND</sup> BY                          MR. KENNEDY, JR.                         

AYES           4           NOES           0          

Board Meeting of September 5, 2012

ITEM NO. 15

**AUTHORIZATION TO PURCHASE BLACKMERE SYSTEM ONE VORTEX CENTRIFUGAL PUMP**

WHEREAS: On June 16, 2010, the Board of the Buffalo Sewer Authority designated Blackmer Pump Company, the original equipment manufacturer of the Blackmer System One Vortex Centrifugal Pump, and/or their authorized local representative as a sole source. On May 26, 2010, the Board also declared and approved the standardization of this pump based upon trial evaluations; and

WHEREAS: Upon request Corrosion Products and Equipment, Inc., the authorized local representative, submitted a quote in the amount of \$27,640.00, plus freight estimated not to exceed \$400.00, for the purchase of a Blackmer System One Vortex Centrifugal Pump for primary sludge at the Treatment Plant; and

WHEREAS: The Treatment Plant Superintendent, Superintendent of Mechanical Maintenance, and staff recommend this purchase.

NOW THEREFORE  
BE IT RESOLVED: That the Board of the Buffalo Sewer Authority hereby authorizes the General Manager to purchase one Blackmer System One Vortex Centrifugal Pump for primary sludge from Corrosion Products and Equipment, Inc., at a cost not to exceed \$27,640.00, plus freight estimated not to exceed \$400.00. This purchase will be charged to account no. 00240107-474080.

MOTION TO APPROVE

MADE BY MR. KENNEDY, JR.

2<sup>ND</sup> BY MR. KENNEDY, SR.

AYES 4 NOES 0

Board Meeting of September 5, 2012

## ITEM NO. 16

**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>
Timothy Blake	Empire State College	Strategy & Tactics in Project Management	90%	\$1,147.50
Michael A. Letina	N/A	Post Nutrient Removal	100%	\$50.00
Roger D. Wilson	N/A	3A License Renewal	100%	\$160.00

NOW THEREFORE  
BE IT RESOLVED:

That the Board of the Buffalo Sewer Authority hereby approves the above applications for Tuition Reimbursement totaling \$1,357.50. These Reimbursements will be charged to account no. 00800108-480214.

MOTION TO APPROVE  
MADE BY MR. KENNEDY, JR.  
2<sup>ND</sup> BY MR. KENNEDY, SR.  
AYES 4 NOES 0

Board Meeting of September 5, 2012

ITEM NO. 17

**ADJOURNMENT OF MEETING**MOTION TO                     APPROVE                    MADE BY                     MR. KENNEDY, JR.                    2<sup>ND</sup> BY                     MR. ROOSEVELT                    AYES           4           NOES           0          

Board Meeting of September 5, 2012