

**MINUTES OF THE REGULAR MEETING
OF THE
BUFFALO SEWER AUTHORITY
July 23, 2014**

54808.....54842

BUFFALO SEWER AUTHORITY

July 23, 2014

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 July 9, 2014	54808
2	Temporary Investments (Certificates of Deposit and Treasury Bills)	54809
3	Reallocation of Funds	54810-11
4	Report on the Condition of the Liability and Casualty Reserve Fund	54812
5	Payment from Judgment and Claims	54813
6	Authorization for Change Order to Blanket Order No. 21400303 for Legal Services	54814
7	Authorization for Change Order to Blanket Order No. 21400030 for Legal Services	54815
8	Contract Approval – Legal Services	54816
9	Change Order No. 1 – Contract for Rehabilitation of Settled Wastewater Pump No. 5 Motor and Eddy Current Coupling	54817-18
10	Authorization to Enter into an Engineering Services Agreement with GHD Consulting Services, Inc.	54819
11	Authorization to Amend Board Resolution No. 28 of the Meeting of May 7, 2014 – Utility Work Agreement (HC 140) – New York State Department of Transportation – PIN 5760.80	54820-21
12	Change Order No. 1 – Contract No. 81300015	54822
13	Change Order No. 1 – Contract No. 81300023	54823
14	Certificate of Acceptance and Occupancy – Contract No. 81300023	54824
15	Change Order No. 1 – Contract No. 81300029	54825-26

16	Change Order No. 8 – Contract No. 84900006	54827-28
17	Change Order No. 3 – Contract No. 85000006	54829-30
18	Authorization for Change Order No. 5 to Contract No. 85000012 for Sewer Cleaning and Internal Television Inspections	54831-32
19	Change Order No. 3 – Contract No. 85100020	54833
20	Change Order No. 2 – Contract No. 85100035	54834-35
21	Authorization for Change Order No. 4 to Contract No. 85100038 with Nova Site Company, LLC for Miscellaneous System Wide Sewer Repairs	54836-37
22	Request for Extension of Leave of Absence	54838
23	Confirmation of Appointments	54839-40
24	Tuition Reimbursement	54841
25	Adjournment of Meeting	54842

CALL OF THE ROLL

Present:	<u>Herbert L. 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>David P. Comerford</u>	<u>General Manager</u>
	<u>Thomas Smith</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>Oluwole McFoy, P.E.</u>	<u>Principal Sanitary Engineer</u>
	<u>Rosaleen Nogle, P.E.</u>	<u>Associate Engineer</u>
	<u>Michael Letina</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>Maintenance</u>
		<u>Erie County Department of</u>
		<u>Sewerage</u>
Absent:	<u>Eleanor C. Wilson DiVincenzo</u>	<u>Secretary</u>

The meeting was called to order at 9:00 a.m. A quorum was present.

ITEM NO. 1

Motion to Adopt the Minutes of the Meeting of July 9, 2014

MOTION TO	<u>ADOPT</u>
MADE BY	<u>MR. KENNEDY</u>
2 ND BY	<u>MR. ROOSEVELT</u>
AYES	<u>3</u> NOES <u>0</u>

Board Meeting of July 23, 2014

ITEM NO. 2

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

June 30, 2014

ISSUE DATE	MATURITY DATE	TOTAL DAYS	AMOUNT	BANK	RATE	INTEREST AMOUNT
CONSTRUCTION/CAPITAL IMPROVEMENT FUND						
31-July-12	Money Market		\$45,328,160.48	First Niagara	0.15%	Municipal Premium
LIABILITY AND CASUALTY RESERVE FUND						
31-July-12	Money Market		\$997,005.64	First Niagara	0.10%	Municipal Premium
OPERATING FUND						
31-July-12	Super NOW		\$3,036,609.46	First Niagara	0.10%	Municipal Premium
TRUST & AGENCY FUND						
31-Jul-12	Money Market		\$33,528.31	First Niagara	0.02%	Municipal Premium
SURPLUS FUND						
			533.07	Wilmington Fund		
30-May-14	28-Aug-14	90	\$7,998,999.75	M&T Securities	0.10%	\$2,000.25
			<u>\$7,999,532.82</u>			
NET REVENUE FUND						
22-May-14	20-Aug-14	90	\$10,180,199.68	M&T Securities	0.11%	\$2,800.32
09-Jun-14	08-Sep-14	91	\$6,499,356.69	M&T Securities	0.10%	\$1,643.31
30-Jun-14	30-Jul-14	30	\$3,001,097.03	M&T	0.05%	\$2,800.32
			<u>\$19,680,653.40</u>			
DEBT RESERVE FUND						
Series J						
			\$515,879.00	Cash and cash equivalents		
Series K						
			\$361,415.00	Wilmington Fund		
Series L						
27-Jul-06	01-Oct-35	10658	\$952,666.00	SLG	4.52%	
			\$311,721.13	Cash and cash equivalents		
			<u>\$1,264,387.13</u>			
Series N						
15-Nov-12	15-Apr-32	7091	\$2,167,157.00	SLG	2.42%	

RECEIVE & FILE

Board Meeting of July 23, 2014

ITEM NO. 3

INFORMATIVE: REALLOCATION OF FUNDS

The following budgetary transfers have been made to cover unforeseen shortages. These transfers do not change the total amount of the Buffalo Sewer Authority's operating budget.

Administration

6/3/2014	00110106 Administration Services	-\$35,000.00	00550106 IWS Services	\$35,000.00
6/5/2014	00100104 Board Travel	-\$101.19	00200104 Plant Travel	\$101.19
6/6/2014	00110106 Admin Services	-\$4,000.00	00820102 Fringe Benefits	\$4,000.00

Wastewater Treatment Plant

6/2/2014	00360105 Dewatering Supplies	-\$13.00	00530105 Yards Supplies	\$13.00
6/2/2014	00300103 Blower Utilities	-\$3,500.00	00410103 Hamburg Utilities	\$3,500.00
6/2/2014	00520106 Maintenance Services	-\$300.00	00380106 Incinerator Services	\$300.00
6/4/2014	00220105 Screen Supplies	-\$6,400.00	00520105 Maintenance Supplies	\$6,400.00
6/4/2014	00210106 RWWP Services	-\$13,000.00	00290106 Aeration Services	\$13,000.00
6/5/2014	00220105 Screen Supplies	-\$1,315.00	00520105 Maintenance Supplies	\$1,315.00
6/6/2014	00380103 Incinerator Utilities	-\$2,500.00	00410103 Hamburg Utilities	\$2,500.00
6/11/2014	00300106 Blower Services	-\$2,000.00	00240106 PSED Services	\$2,000.00
6/11/2014	00330106 Final Services	-\$2,000.00	00240106 PSED Services	\$2,000.00
6/12/2014	00220105 Screen Supplies	-\$1,000.00	00350105 Filter Supplies	\$1,000.00
6/13/2014	00220105 Screen Supplies	-\$550.00	00520105 Maintenance Supplies	\$550.00
6/19/2014	00300103 Blower Utilities	-\$3,100.00	00400103 South Utilities	\$3,100.00
6/26/2014	00300103 Blower Utilities	-\$100.00	00490103 Niagara Utilities	\$100.00
6/26/2014	00520106 Maintenance Services	-\$500.00	00380106 Incinerator Services	\$500.00
7/3/2014	00360106 Dewatering Services	-\$2,000.00	00240106 PSED Services	\$2,000.00
7/3/2014	00520106 Maintenance Services	-\$900.00	00240106 PSED Services	\$900.00
7/11/2014	00380103 Incinerator Utilities	-\$1,000.00	00410103 Hamburg Utilities	\$1,000.00

Sewer Maintenance Division

6/16/2014	00660105 Sewer Repair Supplies	-\$2,000.00	00690105 Auto Supplies	\$2,000.00
6/27/2014	00690106 Auto Services	-\$18,100.00	00670106 Sewer Cleaning Services	\$18,100.00

General Financial Charges

6/3/2014	00800183 Financial Contingency	-\$10,750.00	00200106 Plant Services	\$10,750.00
6/5/2014	00800183 Financial Contingency	-\$5,927.37	00200104 Plant Travel	\$5,927.37
6/6/2014	00800108 Financial Charges	-\$120,000.00	00820102 Fringe Benefits	\$120,000.00
7/2/2014	00800183 Financial Contingency	-\$1,800.00	001100103 Board Utilities	\$1,800.00
7/10/2014	00800183 Financial Contingency	-\$11,060.00	00200106 Plant Services	\$11,060.00

RECEIVE & FILE

Board Meeting of July 23, 2014

ITEM NO. 4

INFORMATIVE: REPORT ON THE CONDITION OF THE LIABILITY AND CASUALTY RESERVE FUND

The Resolution that created the Liability and Casual Reserve Fund provides that:

“The General Manager shall regularly and not less than semi-annually render to the Board a detailed report of the operation and condition of the Liability and Casualty Reserve Fund.”

Fund Balance as of June 30, 2013	\$1,001,079.19
Interest Earnings	\$1,717.51
Less: Claims Paid	<u>\$10,241.06</u>
Fund Balance as of June 30, 2014	\$ 992,555.64

The Resolution that created the Liability and Casual Reserve Fund provides that:

“When the amount of the Liability and Casualty Reserve Fund reaches the sum of \$1,000,000.00, no further additions shall be made thereto until the Fund has been reduced below \$1,000,000.00”.

Because the balance of the Liability and Casualty Reserve Fund is below \$1,000,000.00, a transfer in the amount of \$100,000.00 will be made from the Operating Fund.

During the period of July 1, 2013 – June 30, 2014 the B.S.A. settled twenty four (24) claims. Eighteen (18) claims were denied. Six (6) claims resulted in cash payments from the B.S.A. totaling \$10,241.06.

Total Active Claims Pending

Bodily Injury	1
Property Damage	0
Auto B.I. & P.D	1
Other Liability	<u>0</u>
Total	2

Board Meeting of July 23, 2014

ITEM NO. 5

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 services were received during a prior fiscal year and charged to the 2014-2015 budget account no. 00800108-480214:

VENDOR	AMOUNT
Buffalo Water	\$ 579.76
Sprint	\$ 803.79
Erie County Comptroller	\$ 40,057.00
Koester Associates, Inc.	\$106,069.44

; and

WHEREAS: The General Manager 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 payments from the Judgment and Claims account.

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

Board Meeting of July 23, 2014

ITEM NO. 6

AUTHORIZATION FOR CHANGE ORDER TO BLANKET ORDER NO. 21400303 FOR LEGAL SERVICES

WHEREAS: The Buffalo Sewer Authority utilizes Timothy Cashmore, of Damon Morey, LLP, to assist with various bond matters on an as-needed basis; and

WHEREAS: Blanket Order No. 21400303, in the amount of \$5,000.00, was established for these services for the period July 1, 2013 through June 30, 2014; and

WHEREAS: On January 15, 2014, the Board of the Buffalo Sewer Authority authorized a change order in the amount of \$10,000.00 to Blanket Order No. 21400303, for a total maximum amount not to exceed \$15,000.00; and

WHEREAS: It is necessary to increase the maximum amount for these services by \$1,868.00, making the total cost not to exceed \$16,868.00 for fiscal year 2013-2014.

NOW THEREFORE
BE IT RESOLVED:

That the Board of the Buffalo Sewer Authority hereby authorizes a change order in the amount of \$1,868.00 to Blanket Order No. 21400303 for services provided by Damon Morey, LLP, for a total cost not to exceed \$16,868.00. Funds for this change order shall be charged to account no. 00110106-432003.

MOTION TO _____ APPROVE _____

MADE BY _____ MR. ROOSEVELT _____

2ND BY _____ MR. KENNEDY _____

AYES _____ 3 _____ NOES _____ 0 _____

Board Meeting of July 23, 2014

ITEM NO. 8

CONTRACT APPROVAL - LEGAL SERVICES

WHEREAS: The Buffalo Sewer Authority requires the skills of a specialized attorney for issuance of bonds and notes; and

WHEREAS: Timothy Cashmore, of Damon Morey LLP, has extensive expertise in these areas and has been representing the Authority in various bond matters; and

WHEREAS: The Executive Secretary and staff recommend retaining Timothy Cashmore, of Damon Morey LLP, to provide legal services related to various bond matters for the fiscal year 2014-2015.

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 Timothy Cashmore, of Damon Morey LLP, to provide legal services as required for the period July 1, 2014 through June 30, 2015. Mr. Cashmore shall be compensated at an hourly rate of \$ 220.00, for a total amount not to exceed \$20,000.00. The cost for these services shall be charged to account no. 00110106-432003.

MOTION TO APPROVE

MADE BY MR. ROOSEVELT

2ND BY MR. KENNEDY

AYES 3 NOES 0

Board Meeting of July 23, 2014

ITEM NO. 9

CHANGE ORDER NO. 1 - CONTRACT FOR REHABILITATION OF SETTLED WASTEWATER PUMP NO. 5 MOTOR AND EDDY CURRENT COUPLING

CONTRACTOR:	ORIGINAL CONTRACT COST	\$ 156,380.00
Hohl Industrial	PREVIOUS CHANGE ORDER	n/a
770 Riverview Boulevard	THIS CHANGE ORDER	<u>291,198.00</u>
Tonawanda, NY 14150	ADJUSTED CONTRACT COST	\$ 447,578.00

WORK: Motor repairs

DESCRIPTION OF CHANGE OR EXTRA WORK:

- Item #1 Complete Motor Rotor Rewind-6 weeks with 3 year warranty
- Item #2 Complete Clutch Rotor Rewind-6 weeks with 3 year warranty
- Item #3 Complete Coupling keyed and broached
- Item #4 Install Coupling on pump
- Item #5 Purchase four (4) new bearings

REASON FOR CHANGE OR EXTRA WORK:

Item # 1-4 Additional motor repairs

COST OF CHANGE OR EXTRA WORK:

Item #1	\$108,900.00
Item #2	\$160,050.00
Item #3	\$6,468.00
Item #4	\$2,800.00
Item #5	\$12,980.00

The total INCREASE to the contract as a result of this Change order is \$291,198.00

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 for Rehabilitation of Settled Wastewater Pump No. 5 and Eddy Current Coupling as written in the above Agenda Items, increasing the contract cost in the amount of \$291,198.00, making the adjusted contract cost \$447,578.00.

MOTION TO	_____	APPROVE	_____
MADE BY	_____	MR. KENNEDY	_____
2 ND BY	_____	MR. ROOSEVELT	_____
AYES	_____	3	NOES _____ 0

Board Meeting of July 23, 2014

ITEM NO. 10

AUTHORIZATION TO ENTER INTO AN ENGINEERING SERVICES AGREEMENT WITH GHD CONSULTING SERVICES, INC.

WHEREAS: The Buffalo Sewer Authority operates two (2) influent trash racks at the inlet to the Bird Island Wastewater Treatment Plant (WWTP) and two (2) mixed liquor channel screens in the aeration system. These trash racks have been in operation since the early 1980's and over the past five (5) years have experienced frequent mechanical failures. The screens in the mixed liquor channels have been non-functional for over ten (10) years; and

WHEREAS: GHD Consulting Services, Inc., performed an evaluation on this equipment and a consensus has been reached for replacement, of the influent trash racks with new catenary screens and rehabilitation of the existing mixed liquor channel screens; and

WHEREAS: Upon request, GHD Consulting Services, Inc., has submitted a proposal to the Buffalo Sewer Authority for design, bidding and construction administration for the purchase and installation of two (2) new influent trash racks and rehabilitation of two (2) mixed liquor channel screens for a cost not to exceed \$239,600.00; and

WHEREAS: The Treatment Plant Administrator and staff have reviewed this scope of work and recommend accepting the proposal submitted by GHD Consulting Services, Inc.

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 GHD Consulting Services, Inc., pursuant to their proposal for the Design, Bidding and Construction Administration for Influent Trash Racks and Mixed Liquor Channel Screens Improvements at a cost not to exceed \$239,600.00. Funds for the contract shall be charged to account no. 02000371-432004.

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

Board Meeting of July 23, 2014

ITEM NO. 11

AUTHORIZATION TO AMEND BOARD RESOLUTION NO. 28 OF THE MEETING OF MAY 7, 2014 - UTILITY WORK AGREEMENT (HC 140) - NEW YORK STATE DEPARTMENT OF TRANSPORTATION - PIN 5760.80

WHEREAS: At the May 7, 2014, Meeting, the Board of the Buffalo Sewer Authority authorized the General Manager to execute, on behalf of the Buffalo Sewer Authority, a Utility Work Agreement allowing the State of New York Department of Transportation (NYSDOT) to perform work under PIN 5760.80, the New York Gateway Connections Improvement Project to the US Peace Bridge Plaza and Access Improvements to/from the Peace Bridge, City of Buffalo, Erie County, New York within the Buffalo Sewer Authority with the New York State Department of Transportation; and

WHEREAS: A request was received from the New York State Department of Transportation on June 16, 2014, for a revised resolution “agreeing to maintain facilities adjusted via State-let contract.”

NOW THEREFORE

BE IT RESOLVED: That the Board of the Buffalo Sewer Authority hereby authorizes the amendment of Board Resolution No. 28 of the May 7, 2014, Meeting to read as follows:

“That the Board of the Buffalo Sewer Authority hereby authorizes the General Manager to execute, on behalf of the Buffalo Sewer Authority, a Utility Work Agreement allowing the State of New York Department of Transportation (NYSDOT) to perform work under PIN 5760.80, the New York Gateway Connections Improvement Project to the US Peace Bridge Plaza and Access Improvements to/from the Peace Bridge, City of Buffalo, Erie County, New York within the Buffalo Sewer Authority and agreeing to maintain facilities adjusted via State-let contract with the New York State Department of Transportation.”

MOTION TO	_____	APPROVE	_____
MADE BY	_____	MR. KENNEDY	_____
2 ND BY	_____	MR. ROOSEVELT	_____
AYES	_____	3	NOES _____ 0

Board Meeting of July 23, 2014

CERTIFICATE

I, Eleanor C. Wilson-DiVincenzo, Secretary of the Buffalo Sewer Authority in the County of Erie, State of New York, HEREBY CERTIFY that the foregoing annexed extract from the Minutes of a meeting of the Board of Directors of said Authority, duly called and held on July 23, 2014, and at which a quorum was present and acting throughout and the resolution contained therein is a true and complete copy of the resolution thereupon adopted and recorded in the Minutes of said Authority and that the foregoing extract has been compared by me with the original minutes as officially recorded in my office in the Minute Book of said Authority and is a true, complete and correct copy thereof and of the whole of said original minutes so far as the same relate to the subject matters referred to in said extract, and that said resolution has not been amended or repealed but is in full force and effect.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the corporate seal of said Authority this 23rd day of July, 2014.

(SEAL)

Eleanor C. Wilson-Divincenzo
Secretary

ITEM NO. 12

CHANGE ORDER NO. 1 – CONTRACT NO. 81300015

CONTRACTOR:	ORIGINAL CONTRACT COST	\$ 100,000.00
Erdman Anthony	PREVIOUS CHANGE ORDER	n/a
8608 Main Street	THIS CHANGE ORDER	<u>40,000.00</u>
Buffalo, NY 14221	ADJUSTED CONTRACT COST	\$ 140,000.00

WORK: SPP 165A Kensington Avenue Sewer Upgrade Construction Administration

WHEREAS: At the November 7, 2012, Meeting of the Board of the Buffalo Sewer Authority, Erdman Anthony was authorized to provide engineering services for small to medium-sized capital improvement projects; and

WHEREAS: Erdman Anthony provided engineering services for the final design and bidding of SPP 165A Kensington Avenue sewer upgrade; and

WHEREAS: At the request of the Buffalo Sewer Authority, Erdman Anthony provided a scope of work for construction administration services for SPP 165A Kensington Avenue sewer upgrade; and

WHEREAS: The Principal Sanitary Engineer and staff have reviewed this scope of work for additional services and recommend approval of Change Order No. 1 to Contract No. 81300015 in the amount of \$ 40,000.00.

NOW THEREFORE
BE IT RESOLVED: That the Board of the Buffalo Sewer Authority hereby authorizes Change Order No. 1 to Contract No. 81300015 in the amount of \$ 40,000.00, making the adjusted contract cost not to exceed \$140,000.00. Expenses for this contract will be funded from account no. 02000340-432004.

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

Board Meeting of July 23, 2014

ITEM NO. 13

CHANGE ORDER NO. 1 - CONTRACT NO. 81300023

CONTRACTOR:	ORIGINAL CONTRACT COST	\$ 1,247,860.00
Kandey Company Inc	PREVIOUS CHANGE ORDER	n/a
19 Ransier Drive	THIS CHANGE ORDER (DEDUCT)	<u>(15,651.08)</u>
West Seneca, NY 14224	ADJUSTED CONTRACT COST	\$ 1,232,208.92

WORK: Swan Trunk Improvements; SPP-35 Modifications

WHEREAS: The Board of the Buffalo Sewer Authority authorized the General Manager to enter into and execute a contract with Kandey Company, Inc., at a cost not to exceed \$1,247,860.00 for the Swan Trunk Improvements - SPP 35; and

WHEREAS: The actual quantities required of various materials to successfully complete the contract were less than those listed in the contract documents; and

WHEREAS: The reduced quantities resulted in a net deduction of \$15,651.08 in the total contract cost.

NOW THEREFORE

BE IT RESOLVED: That the Board of the Buffalo Sewer Authority hereby approves Change Order No. 1 to Contract No. 81300023 decreasing the contract cost in the amount of \$15,651.08, making the adjusted contract cost \$1,232,208.92.

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

Board Meeting of July 23, 2014

ITEM NO. 14

CONTRACT NO. 81300023

CERTIFICATE OF ACCEPTANCE AND OCCUPANCY

WORK: Swan Trunk Improvements
SPP-35 Modifications

BID: \$1,247,860.00

CONTRACTOR: Kandey Company, Inc.
19 Ransier Drive
West Seneca, NY 14224

WHEREAS: The Principal Sanitary Engineer and staff of the Buffalo Sewer Authority have certified that the Contractor completed the work in accordance with the plans and specifications on May 31, 2014.

NOW THEREFORE
BE IT RESOLVED: That the Board of the Buffalo Sewer Authority hereby finds and determines that:

- a. The work to be performed under the terms of the Contract has been complete and is accepted;
- b. The date of entrance and occupancy be fixed as of May 31, 2014;
- c. The maintenance period commence on May 31, 2014;
- d. Final payment be made to the Contractor in the amount of \$61,610.45, decreased by \$15,651.08 making the final cost of the Contract \$1,232,208.92.

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

Board Meeting of July 23, 2014

ITEM NO. 15

CHANGE ORDER NO. 1 – CONTRACT NO. 81300029

CONTRACTOR:	ORIGINAL CONTRACT COST	\$337,000.00
CRA Infrastructure and Engineering	PREVIOUS CHANGE ORDER	N/A
285 Delaware Avenue	THIS CHANGE ORDER	<u>455,000.00</u>
Buffalo, New York 14202	ADJUSTED CONTRACT COST	\$792,000.00

WORK: CSO 017 Hamburg Drain Localized Control Project

WHEREAS: As part of its long Term Control Plan, the Authority is facilitating sewer system improvements to comply with Federal Clean Water Act standards; and

WHEREAS: The Board of the Buffalo Sewer Authority, at their September 11, 2013, meeting, authorized the General Manager to retain CRA Infrastructure and Engineering, Inc., to assist the Authority in the geotechnical evaluation, environmental assessment, and hydraulic modeling of a treatment system for CSO 017 Hamburg Drain Localized Control Project at a total cost not to exceed \$337,000.00; and

WHEREAS: CRA Infrastructure and Engineering, Inc., has completed the conceptual design and upon request has submitted a proposal for detailed analysis and design at a total cost not to exceed \$455,000.00; and

WHEREAS: CRA Infrastructure and Engineering, Inc., has proposed partnerships with EmNet, Inc., Advanced Design Group, Buffalo Drilling, Op-Tech, Inc., Aquatic Sciences, and TECSmith, Inc., as subconsultants for this project; and

WHEREAS: The Principal Sanitary Engineer and staff have reviewed the proposal and recommend approval of Change Order No. 1 to Contract No. 81300029.

NOW THEREFORE

BE IT RESOLVED: That the Board of the Buffalo Sewer Authority hereby approves Change Order No. 1 to Contract No. 81300029 in the amount of \$455,000.00 making the adjusted Contract cost \$792,000.00. Expenses for this contract will be funded from account no. 02000323-432004.

MOTION TO APPROVE

MADE BY MR. KENNEDY

2ND BY MR. ROOSEVELT

AYES 3 NOES 0

Board Meeting of July 23, 2014

ITEM NO. 16

CHANGE ORDER NO. 8 – CONTRACT NO. 84900006

CONTRACTOR:	ORIGINAL CONTRACT COST	\$1,175,000.00
Malcolm Pirnie, Inc.	PREVIOUS CHANGE ORDER	3,239,267.46
50 Fountain Plaza, Suite 600	THIS CHANGE ORDER	<u>235,000.00</u>
Buffalo, New York 14202	ADJUSTED CONTRACT COST	\$4,649,267.46

WORK: Long Term Control Plan Water Quality and Sewer System Modeling and Monitoring
Professional Services

WHEREAS: On May 21, 2008, the Board of the Buffalo Sewer Authority authorized the General Manager to execute an agreement with Malcolm Pirnie, Inc., to assist with design, planning, and modeling efforts to define the extent of the water quality and sewer system monitoring and modeling per negotiations with the USEPA, United States Department of Justice, and the NYSDEC at a cost of \$1,175,000.00; and

WHEREAS: The Buffalo Sewer Authority received approval of its Long Term Control Plan (LTCP) to address combined sewer overflows from United States Environmental Protection Agency and New York State Department of Environmental Conservation on March 18, 2014; and

WHEREAS: A Post Construction Monitoring (PCM) plan supplemented by additional hydraulic modeling are required for concurrence with the March 18, 2014, Administrative Order and LTCP Approval; and

WHEREAS: The following tasks have been identified as being necessary to complete work:

Task No. 1	PCM Plan Development
Task No. 2	Additional Hydraulic Modeling
Task No. 3	Hydraulic Model Conversion
Task No. 4	Green Infrastructure Monitoring

WHEREAS: Upon request, Malcolm Pirnie, Inc., has submitted a proposal to complete these tasks at a cost not to exceed \$235,000.00; and

WHEREAS: The General Manager recommends approval of Change Order No. 8 to Contract No. 84900006; and

NOW THEREFORE
BE IT RESOLVED:

That the Board of the Buffalo Sewer Authority hereby approves Change Order No. 8 to Contract No. 84900006 in the amount of \$235,000.00, making the adjusted contract cost \$4,649,267.46. Expenses for this Contract will be funded from account no. 02000293-432004.

MOTION TO APPROVE

MADE BY MR. ROOSEVELT

2ND BY MR. KENNEDY

AYES 3 NOES 0

Board Meeting of July 23, 2014

ITEM NO. 17

CHANGE ORDER NO. 3 – CONTRACT NO. 85000006

CONTRACTOR:	ORIGINAL CONTRACT COST	\$ 305,500.00
GHD Consulting Engineers, LLC.	PREVIOUS CHANGE ORDERS	1,055,000.00
200 John James Audubon Pkwy	THIS CHANGE ORDER	<u>325,000.00</u>
Amherst, New York 14228	ADJUSTED CONTRACT COST	\$1,685,500.00

WORK: Combined Sewer Overflow Long Term Control Plan Swan Trunk Sewer System

WHEREAS: The Board of the Buffalo Sewer Authority (BSA) at their meeting on July 22, 2009, authorized an agreement with GHD Consulting Engineers, LLC, for Combined Sewer Overflow Long Term Control Plan Swan Trunk Sewer System improvements at a cost not to exceed \$305,500.00; and

WHEREAS: The Buffalo Sewer Authority received approval of its Long Term Control Plan (LTCP) to address combined sewer overflows from United States Environmental Protection Agency and New York State Department of Environmental Conservation on March 18, 2014; and

WHEREAS: The Authority agreed to implement various projects recommended to and approved by the New York State Department of Environmental Conservation and the United States Environmental Protection Agency including flow redirection, supplemental capacity, and system storage tributary to the Swan Trunk Sewer System; and

WHEREAS: Upon request, GHD Consulting Engineers, LLC, has submitted an engineering proposal to assist the Authority in the preliminary analysis, detailed design, and construction administration for the optimization projects at a total not to exceed cost of \$325,000.00; and

WHEREAS: The Principal Sanitary Engineer and staff have reviewed the proposal and recommend approval of Change Order No. 3 to Contract No. 85000006.

NOW THEREFORE
BE IT RESOLVED:

That the Board of the Buffalo Sewer Authority hereby approves Change Order No. 3 to Contract No. 85000006 in the amount of \$325,000.00, making the adjusted contract cost \$1,685,500.00. Expenses for this Contract will be funded from account no. 02000304-432004.

MOTION TO APPROVE

MADE BY MR. KENNEDY

2ND BY MR. ROOSEVELT

AYES 3 NOES 0

Board Meeting of July 23, 2014

ITEM NO. 18

AUTHORIZATION FOR CHANGE ORDER NO. 5 TO CONTRACT NO. 85000012 FOR SEWER CLEANING AND INTERNAL TELEVISION INSPECTIONS

- WHEREAS: Formal bids were received and opened by the Buffalo Sewer Authority on July 20, 2009, for Sewer Cleaning and Internal Television Inspection Services; and
- WHEREAS: The responsible low bid was submitted by J.A. Brundage/The Drain Doctor, Inc., in the amount of \$507,975.00; and
- WHEREAS: On January 11, 2012, under Change Order No. 1, J.A. Brundage/The Drain Doctor, Inc., agreed to extend the contract terms and prices as originally bid on July 22, 2009, and the contract amount was increased by \$80,000.00, for a new total of \$587,975.00; and
- WHEREAS: On October 10, 2012, under Change Order No. 2, J.A. Brundage/The Drain Doctor, Inc., agreed to extend the original cleaning and inspection unit costs as per the original bid of July 22, 2009, and the contract amount was increased by \$160,000.00, for a new total of \$747,975.00; and
- WHEREAS: On September 11, 2013, under Change Order No. 3, J.A. Brundage/The Drain Doctor, Inc., agreed to extend the original cleaning and inspection unit costs as per the original bid of July 22, 2009, and the contract amount was increased by \$237,000.00, for a new total of \$984,975.00; and
- WHEREAS: On June 11, 2014, under Change Order No. 4, J.A. Brundage/The Drain Doctor, Inc., agreed to extend the original cleaning and inspection unit costs as per the original bid of July 22, 2009, and the contract amount was increased by \$60,000.00, for a new total of \$1,044,975.00; and
- WHEREAS: It is recommended by the Principal Sanitary Engineer and staff that the contract amount be increased by \$149,000.00 to allow for unanticipated sewer cleaning and TV inspection services.

NOW THEREFORE
BE IT RESOLVED:

That the Board of the Buffalo Sewer Authority hereby approves Change Order No. 5 to Contract No. 85000012 in the amount of \$149,000.00, making the adjusted contract cost \$1,193,975.00. Expenses for this contract will be charged to 02000241-490740.

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

Board Meeting of July 23, 2014

ITEM NO. 19

CHANGE ORDER NO. 3 – CONTRACT NO. 85100020

CONTRACTOR:	ORIGINAL CONTRACT COST	\$ 100,000.00
Wendel Companies	PREVIOUS CHANGE ORDER	210,000.00
140 John James Audubon Pkwy.	THIS CHANGE ORDER	<u>40,000.00</u>
Amherst, NY 14228	ADJUSTED CONTRACT COST	\$ 350,000.00

WORK: Long Term Control Plan Permit Tracking and Reporting Application

WHEREAS: At the January 5, 2011, Meeting of the Board of the Buffalo Sewer Authority, Wendel Companies was authorized to provide engineering services for small to medium-sized capital projects; and

WHEREAS: As part of the Long Term Control Plan (LTCP) it is necessary to track the construction of stormwater management facilities and their designed impact on the combined sewer system; and

WHEREAS: At the request of the Buffalo Sewer Authority, Wendel Companies provided a scope of work to provide a LTCP Permit Tracking and Reporting Application that would be linked to the Geographic Information System (GIS); and

WHEREAS: The Principal Sanitary Engineer and staff have reviewed this scope of work for additional services and recommend approval of Change Order No. 3 to Contract No. 85100020 in the amount of \$40,000.00.

NOW THEREFORE
BE IT RESOLVED: That the Board of the Buffalo Sewer Authority hereby authorizes Change Order No. 3 to Contract No. 85100020 in the amount of \$40,000.00, making the adjusted contract cost not to exceed \$350,000.00. Expenses for this contract will be funded from account no. 02000290-432004.

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

Board Meeting of July 23, 2014

ITEM NO. 20

CHANGE ORDER NO. 2 – CONTRACT NO. 85100035

CONTRACTOR:	ORIGINAL CONTRACT COST	\$ 189,500.00
CRA Infrastructure and Engineering	PREVIOUS CHANGE ORDER	339,500.00
285 Delaware Avenue	THIS CHANGE ORDER	<u>754,000.00</u>
Buffalo, New York 14202	ADJUSTED CONTRACT COST	\$1,283,000.00

WORK: CSO 026 Smith Street Drain

- WHEREAS: As part of its long Term Control Plan, the Authority is facilitating sewer system improvements to comply with Federal Clean Water Act standards; and
- WHEREAS: The Board of the Buffalo Sewer Authority, at their July 27, 2011, meeting, authorized the General Manager to retain CRA Infrastructure and Engineering, Inc., to assist the Authority in the evaluation and conceptual design of a treatment system for CSO 026 at a total cost not to exceed \$189,500.00; and
- WHEREAS: The Board of the Buffalo Sewer Authority, at their February 13, 2013, meeting, authorized Change Order No. 1 at a total cost not to exceed \$339,500.00; and
- WHEREAS: CRA Infrastructure and Engineering, Inc., has completed the conceptual design and upon request has submitted a proposal for additional detailed design, bid services, and construction administration; and
- WHEREAS: CRA Infrastructure and Engineering, Inc., has proposed partnerships with EmNet, Inc., Advanced Design Group, and TECSmith, Inc. as subconsultants for this project; and
- WHEREAS: The Principal Sanitary Engineer and staff have reviewed the proposal and recommends approval of Change Order No. 2 to Contract No. 85100035.

NOW THEREFORE

BE IT RESOLVED: That the Board of the Buffalo Sewer Authority hereby approves Change Order No. 2 to Contract No. 85100035 in the amount of \$754,000.00 making the adjusted Contract cost \$1,283,000.00. Expenses for this contract will be funded from account no. 02000323-432004.

MOTION TO APPROVE

MADE BY MR. KENNEDY

2ND BY MR. ROOSEVELT

AYES 3 NOES 0

Board Meeting of July 23, 2014

ITEM NO. 21

AUTHORIZATION FOR CHANGE ORDER NO. 4 TO CONTRACT NO. 85100038 WITH NOVA SITE COMPANY, LLC FOR MISCELLANEOUS SYSTEM WIDE SEWER REPAIRS

- WHEREAS: Formal bids were received and opened by the Buffalo Sewer Authority on January 30, 2012, for Miscellaneous System Wide Sewer Repairs; and
- WHEREAS: The lowest responsible bidder was Nova Site Company, LLC with a low bid of \$640,825.00; and
- WHEREAS: The Board of the Buffalo Sewer Authority accepted this bid on February 15, 2012; and
- WHEREAS: Additional repair work was indentified under Change Order No. 1 which was accepted by the Board of the Buffalo Sewer Authority on January 9, 2013, as Board Resolution No. 11 at a not to exceed amount of \$290,000.00, for a new total of \$930,825.00; and
- WHEREAS: Additional repair work was identified under Change Order No. 2 which was accepted by the Board of the Buffalo Sewer Authority on October 9, 2013, as Board Resolution No. 18 at a not to exceed amount of \$350,000.00, for a new total of \$1,280.825.00; and
- WHEREAS: Additional repair work was identified under Change Order No. 3 which was accepted by the Board of the Buffalo Sewer Authority on June 11, 2014, as Board Resolution No. 13 at a not to exceed amount of \$80,000.00, for a new total of \$1,360,825.00; and
- WHEREAS: Significant repairs have been identified as part of ongoing collection system maintenance, which requires approval of Change Order No. 4, at a cost not to exceed \$250,000.00; and
- WHEREAS: The Principal Sanitary Engineer and staff have reviewed this Change Order and recommend acceptance.

NOW THEREFORE
BE IT RESOLVED:

That the Board of the Buffalo Sewer Authority hereby approves Change Order No. 4 to Contract No. 85100038 in the amount of \$250,000.00, making the final contract cost \$1,610,825.00. Expenses for this contract will be charged to account no. 02000332-490740.

MOTION TO APPROVE

MADE BY MR. ROOSEVELT

2ND BY MR. KENNEDY

AYES 3 NOES 0

Board Meeting of July 23, 2014

ITEM NO. 22

REQUEST FOR EXTENSION OF LEAVE OF ABSENCE

WHEREAS: Ronald N. Lunghino, a permanent Senior Accountant, was granted an unpaid leave of absence for the period January 14, 2014 through July 14, 2014, to pursue an employment opportunity with the Town of Tonawanda. He has requested an extension of his unpaid leave of absence without pay; and

WHEREAS: The General Manager has reviewed this request and recommends approval.

NOW THEREFORE
BE IT RESOLVED: That the Board of the Buffalo Sewer Authority hereby grants Ronald N. Lunghino, an extension of his personal leave of absence without pay beginning July 14, 2014 and extending until January 14, 2015.

MOTION TO APPROVE

MADE BY MR. KENNEDY

2ND BY MR. ROOSEVELT

AYES 3 NOES 0

Board Meeting of July 23, 2014

ITEM NO. 23

CONFIRMATION OF APPOINTMENTS

SECRETARY TO THE GENERAL MANAGER
ADMINISTRATIVE OFFICE
\$92,074 PER ANNUM
EFFECTIVE: JUNE 23, 2014

THOMAS SMITH
480 WOODWARD AVE.
BUFFALO, NY

SEWER CONSTRUCTION WORKER (PROVISIONAL)
SEWAGE TREATMENT PLANT
\$19.96 PER HOUR
EFFECTIVE: JULY 7, 2014

CLAYTON MAYNARD
121 SHOSHONE (UPPER)
BUFFALO, NY

INVESTIGATOR (PROVISIONAL)
SEWAGE TREATMENT PLANT
\$51,424 PER ANNUM
EFFECTIVE: JULY 7, 2014

ALESSIO ALAGNA
88 TENNYSON
BUFFALO, NY

WHEREAS: The preceding appointments were made by the General Manager since the last Board Meeting; and

WHEREAS: The General Manager requests confirmation of each appointment.

NOW THEREFORE
BE IT RESOLVED:

That the preceding appointments are hereby confirmed by the Board of the Buffalo Sewer Authority.

MOTION TO APPROVE

MADE BY MR. ROOSEVELT

2ND BY MR. KENNEDY

AYES 3 NOES 0

Board Meeting of July 23, 2014

ITEM NO. 24

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	High Performance Management	90%	\$ 1,363.50
Thomas Caulfield	Walden University	PPA 9000 – 3 Dissertation for Public Administration	90%	\$ 2,781.40
Yusef Myrick	University of Kansas	Maintenance Management – Module 3	90%	\$ 900.00
Frank J. Rafferty	California State University	Pretreatment Facility Inspection	100%	\$ 50.00

NOW THEREFORE
BE IT RESOLVED:

That the Board of the Buffalo Sewer Authority hereby approves the above applications for Tuition Reimbursement totaling \$ 5,094.90. These Reimbursements will be charged to account no. 00820102-421026.

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

Board Meeting of July 23, 2014

ITEM NO. 25

ADJOURNMENT OF MEETINGMOTION TO APPROVEMADE BY MR. KENNEDY2ND BY MR. ROOSEVELTAYES 3 NOES 0

Board Meeting of July 23, 2014