

MINUTES OF THE REGULAR MEETING

OF THE

BUFFALO SEWER AUTHORITY

February 17, 2016

BUFFALO SEWER AUTHORITY

February 17, 2016

REGULAR MEETING

9:00 A.M.

1038 CITY HALL

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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>Oluwole A. McFoy, P.E</u>	<u>General Manger</u>
	<u>Ronald Brown</u>	<u>Executive Secretary</u>
	<u>Thomas Smith</u>	<u>Secretary to the General Manager</u>
	<u>Julie Barrett-O'Neill, Esq.</u>	<u>General Counsel</u>
	<u>Scott Steinwald</u>	<u>Intergovernmental Coordinator</u>
	<u>Michael Letina</u>	<u>Treatment Plant Superintendent</u>
	<u>Roberta Gaiekik, P.E.</u>	<u>Treatment Plant Administrator</u>
	<u>Catherine Knab, P.E.</u>	<u>Principal Sanitary Engineer</u>
	<u>James Skrabacz</u>	<u>Principal Chief Stationary Engineer</u>
	<u>Timothy Blake</u>	<u>Senior Instrument Technician</u>
	<u>Alexander Emmerson</u>	<u>Shift Superintendent</u>
	<u>Laura Surdej</u>	<u>Erie County Dept. of Sewerage</u>
	<u>_____</u>	<u>_____</u>
Absent:	<u>Eleanor Petrucci</u>	<u>Secretary</u>
	<u>_____</u>	<u>_____</u>

The meeting was called to order at 9:04 A.M. A quorum was present.

ITEM NO. 1

Motion to Adopt the Minutes of the Meeting of January 6, 2016

MOTION TO	<u>ADOPT</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 February 17, 2016

ITEM NO. 2

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

As of January 31, 2016

ISSUE DATE	MATURITY DATE	TOTAL DAYS	AMOUNT	BANK	RATE	INTEREST AMOUNT
CONSTRUCTION/CAPITAL IMPROVEMENT FUND						
31-Jul-12	Money Market		\$7,004,952.31	First Niagara	0.15%	Municipal Premium
			\$575.23	Wilmington Fund		
30-Dec-15	29-Mar-16	90	\$2,499,979.64	M&T Securities	0.41%	\$2,564.55
22-May-15	12-May-16	356	\$14,202,214.32	M&T Securities	0.21%	\$29,523.97
08-Dec-15	06-Jun-16	181	\$12,506,763.07	M&T Securities	0.55%	\$34,679.35
08-Dec-15	20-Jun-16	195	\$12,516,819.92	M&T Securities	0.43%	\$29,198.43
			\$48,731,304.49			
LIABILITY AND CASUALTY RESERVE FUND						
31-July-12	Money Market		\$1,077,323.33	First Niagara	0.15%	Municipal Premium
OPERATING FUND						
31-Jul-12	Super NOW		\$3,158,212.36	First Niagara	0.10%	Municipal Premium
TRUST & AGENCY FUND						
31-Jul-12	Money Market		\$35,870.60	First Niagara	0.02%	Municipal Premium
SURPLUS FUND						
			\$341.28	Wilmington Fund		
20-Nov-15	23-Feb-16	95	\$10,002,898.95	M&T Securities	0.22%	\$5,808.46
			\$10,003,240.23			
NET REVENUE FUND						
			\$0.00	Wilmington Fund		
20-Nov-15	23-Feb-16	95	\$3,500,264.79	M&T Securities	0.22%	\$2,032.52
07-Dec-15	09-Mar-16	93	\$6,002,658.05	M&T Securities	0.33%	\$5,119.26
30-Dec-15	29-Mar-16	90	\$8,001,715.38	M&T Securities	0.41%	\$8,207.17
26-Jan-16	27-Apr-16	92	\$9,500,062.35	M&T Securities	0.45%	\$10,937.65
			\$27,004,700.57			

DEBT RESERVE FUND**Series J (1004209)**

02-Jul-14	15-Nov-33	7076	\$515,879.00	UST State/Local Govt	2.70%
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Series K (1004925)

02-Jul-14	15-Feb-33	6803	\$361,415.00	UST State/Local Govt	2.70%
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Series L (3001357)

			\$14,474.73	Federated Treasury	
				Obligation	
12-Nov-15	01-Oct-35	7263	\$689,547.00	UST State/Local Govt	2.44%
			\$704,021.73		

Series M (1039308)

27-Jun-14	01-May-44	10901	\$595,613.00	US State/Local Govt	2.70%
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Series N (1002070)

15-Nov-12	15-Apr-32	7091	\$2,167,157.00	UST State/Local Govt	2.42%
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BSA – DSF PRIN & INT (185110558)

			\$0.10	Wilmington Fund	
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RECEIVE & FILE

Board Meeting February 17, 2016

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.

Wastewater Treatment Plant

1/6/2016	00210105 RWWP Equip. Maintenance	-\$65,00.00	00370105 Centrifuge Equip. Maintenance	\$65,00.00
1/11/2016	00280105 SWWP Equip. Maintenance	-\$2,810.00	00290105 AER Equip. Maintenance	\$2,810.00
1/12/2016	00520105 Main. Equip. Maintenance	-\$600.00	00200105 Plant Equip. Maintenance	\$600.00
1/12/2016	00520106 Main. Repairs Maintenance	-\$900.00	00200106 Plant Repairs Maintenance	\$900.00
1/12/2016	00300103 Blow Electric Light & Power	-\$4,000.00	00390103 Hamburg Drain Float Water	\$4,000.00
1/12/2016	00300103 Blow Electric Light & Power	-\$200,000.00	00360103 DEWA Water	\$200,000.00
1/13/2016	00280106 SWWP Repairs to Equip.	-\$1,400.00	00520106 Main. Building Repairs	\$1,400.00
1/13/2016	00280106 SWWP Repairs to Equip	-\$1,400.00	00380106 INCIN. Building Repairs	\$1,400.00
1/13/2016	00280106 SWWP Repairs to Equip	-\$650.00	00690106 Auto Building Repairs	\$650.00
1/15/2016	00520105 Main. Equip. Maintenance	-\$600.00	00380105 Gas & Lubricants	\$600.00
1/20/2016	00210105 RWWP Equip. Maintenance	-\$5,025.00	00410105 HAMB. Equip. Maintenance	\$5,025.00

General Financial Charges

12/22/2015	00800183 Financial Contingency	-\$450.00	00600106 Eng Membership Dues	\$450.00
12/30/2015	00800183 Financial Contingency	-\$1,309.00	00110103 Admin Telephone	\$1,309.00
01/8/2016	00800183 Financial Contingency	-\$65.00	00600107 ENG Office Equip.	\$65.00
1/11/2016	00800183 Financial Contingency	-\$11.00	00600107 ENG Maint. Contract	\$11.00
1/11/2016	00800183 Financial Contingency	-\$2,810.00	00100104 Board Travel Expenses	\$2,810.00
1/14/2016	00800183 Financial Contingency	-\$32,000.00	00600106 ENG & TECH	\$32,000.00
1/25/2016	00800183 Financial Contingency	-\$525.00	00650103 SWRM Telephone	\$525.00
1/25/2016	00800183 Financial Contingency	-\$57.00	00600107 ENG Office Equip.	\$57.00

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Board Meeting of February 17, 2016

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 the Board a detailed report of the operation and condition of the Liability and Casualty Reserve Fund.”

Fund Balance as of June 30, 2015	\$ 1,094,156.73
Interest Earning	\$ 835.43
Transfer from Operating Fund	\$ 0
Claims Paid	<u>\$ 17,800.02</u>
Fund Balance as of December 31, 2015	\$ 1,077,192.14

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”.

During the period of July 1, 2015 – December 31, 2015 the B.S.A. settled eleven (11) claims; six (6) claims were denied and five (5) claims were settled resulting in cash payments from the BSA totaling \$17,800.02.

Total Active Claims Pending

Bodily Injury

Property Damage 2

Auto B.I. & P.D.

Other Liability

Total 2

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Board Meeting of February 17, 2016

ITEM NO. 6

TRAVEL AUTHORIZATION - SYRACUSE, NY

WHEREAS: The 2016 American Public Works Association (APWA) New York State Chapter Annual Conference is being held in Syracuse, NY from April 13-15, 2016; and

WHEREAS: The Principal Sanitary Engineer is an active member of the local APWA branch of the New York State Chapter and needs to remain current on state-of-the-art practices and the latest regulatory issues; and

WHEREAS: The General Manager recommends that the Principal Sanitary Engineer attend the 2016 Annual State Conference.

NOW THEREFORE
BE IT RESOLVED:

That the Board of the Buffalo Sewer Authority hereby authorizes the Principal Sanitary Engineer to travel to Syracuse, NY from April 13-15, 2016, to attend the 2016 American Public Works Association New York State Chapter Annual Conference at a total cost not to exceed \$650.00. Account nos. 00600104-458010 and 00600104-458012 will be utilized for this travel.

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 February 17, 2016

ITEM NO. 7

CHANGE ORDER NO. 1 - CONTRACT NO. 81600002

CONTRACTOR:	ORIGINAL CONTRACT COST	\$150,000.00
Mollenberg-Betz, Inc.	PREVIOUS CHANGE ORDER	n/a
300 Scott Street	THIS CHANGE ORDER	<u>100,000.00</u>
Buffalo, NY 14204	ADJUSTED CONTRACT COST	\$250,000.00

WORK: In-Plant Steam Services

DESCRIPTION OF CHANGE OR EXTRA WORK:

Item #1 Additional modifications required during the term of the contract

REASON FOR CHANGE OR EXTRA WORK:

Item #1 Burner upgrade for #1 auxiliary boiler is necessary to meet new EPA and NYSDEC Title V Regulations including 6 NYCRR 227-2 and to allow for repairs and PM to the three (3) auxiliary boilers through the end of the fiscal year.

COST OF CHANGE OR EXTRA WORK:

Item #1 \$100,000.00

THE TOTAL COST OF THE CHANGE OR EXTRA WORK \$100,000.00

The total INCREASE to the contract as a result of this Change Order is \$100,000.00

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.

ITEM NO. 8

CHANGE ORDER NO. 1 - CONTRACT NO. 81600003

CONTRACTOR:	ORIGINAL CONTRACT COST	\$600,000.00
Mollenberg-Betz, Inc.	PREVIOUS CHANGE ORDER	n/a
300 Scott Street	THIS CHANGE ORDER	<u>450,000.00</u>
Buffalo, NY 14204	ADJUSTED CONTRACT COST	\$1,050,000.00

WORK: In-Plant Mechanical Services

DESCRIPTION OF CHANGE OR EXTRA WORK:

Item #1 Additional electrical modifications required during the term of the contract

REASON FOR CHANGE OR EXTRA WORK:

Item #1 Burner upgrade for #1 auxiliary boiler is necessary to meet new, EPA and NYSDEC Title V Regulations including 6NYCRR 227-2 and to allow for repairs and PM to the three (3) auxiliary boilers, additional work on the rehab of primary clarifiers 1-4 and safety concerns on the stairways of all the Control Buildings and Amherst Quarry through the end of the fiscal year.

COST OF CHANGE OR EXTRA WORK:

Item #1 \$450,000.00

THE TOTAL COST OF THE CHANGE OR EXTRA WORK \$450,000.00

The total INCREASE to the contract as a result of this Change Order is \$450,000.00

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.

ITEM NO. 9

CHANGE ORDER NO. 1 – CONTRACT NO. 8160009

CONTRACTOR:	ORIGINAL CONTRACT COST	\$236,700.00
Allstate General Contracting, Inc.	PREVIOUS CHANGE ORDER	N/A
31 Ransier Drive	THIS CHANGE ORDER	<u>8,015.50</u>
West Seneca, New York 14224	ADJUSTED CONTRACT COST	\$244,715.50

WORK: Repair of capstone joints at Hamburg Drain Floatables Control Facility

DESCRIPTION OF CHANGE OR EXTRA WORK:

Item #1 Repair capstone joints at Hamburg Drain Floatables Control Facility; grind out and caulk all sky facing capstone joints

REASON FOR CHANGE OR EXTRA WORK:

Item #1 Capstone mortar joints are crumbling.

COST OF CHANGE OR EXTRA WORK:

Item #1 \$8,015.50

THE TOTAL COST OF THE CHANGE OR EXTRA WORK \$8,015.50

The total INCREASE to the contract as a result of this Change Order is \$8,015.50

CONTRACT SUPPLEMENT CONDITIONS:

1. The contract completion date established in the original contract or as modified by previous contract supplements is hereby changed by 0 calendar days, making the final completion date 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.

ITEM NO. 10

AUTHORIZATION TO ENTER INTO A PROFESSIONAL SERVICES AGREEMENT WITH AECOM FOR EMISSION STUDY

WHEREAS: The Buffalo Sewer Authority (BSA) operates the Bird Island Wastewater Treatment Plant under a Title V Air Permit. The New York State Department of Environmental Conservation (NYSDEC) requires the BSA to submit an Annual Emission Statement for the permit by April 15, 2016. The Annual Emission Statement documents the Buffalo Sewer Authority's air emissions over calendar year 2015, and is based on plant operating data, calculations and other related information; and

WHEREAS: This report is required to comply with the Title V permit and NYSDEC regulatory requirements. AECOM, formerly URS Corporation-New York, has been providing this professional service based upon their experience and knowledge of the Buffalo Sewer Authority's Title V permit; and

WHEREAS: Upon request, AECOM submitted a proposal to prepare the 2015 Annual Emission Statement in the amount of \$5,000.00; and

WHEREAS: The Treatment Plant Superintendent, Treatment Plant Administrator and staff have reviewed this proposal and recommend retaining AECOM to perform environmental and engineering services as outlined in their proposal dated January 21, 2016.

NOW THEREFORE
BE IT RESOLVED: That the Board of the Sewer Authority hereby authorizes the General Manager to enter into and execute an agreement with AECOM to prepare the 2015 Annual Emission Statement, in an amount not to exceed \$5,000.00. These services will be charged to account no. 00200106-432004.

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

Board Meeting of February 17, 2016

ITEM NO. 11

AUTHORIZATION TO ENTER INTO A PROFESSIONAL SERVICES AGREEMENT WITH AECOM FOR EVALUATION OF INDUSTRIAL WASTE STREAM

WHEREAS: On September 24, 2014, following a formal Request for Qualification process in which sixteen (16) firms submitted proposals, the Board of the Buffalo Sewer Authority authorized AECOM for professional engineering services for capital improvement projects; and

WHEREAS: Silevo, LLC is constructing a manufacturing facility in South Buffalo, New York, for the production of solar panels. The proposed manufacturing process expects to include a waste stream to the Bird Island Wastewater Treatment Plant that has not been extensively studied; and

WHEREAS: The Buffalo Sewer Authority requires engineering assistance to evaluate the effects of this process wastewater prior to acceptance at the Bird Island Wastewater Treatment Plant; and

WHEREAS: A proposal was submitted by AECOM in conjunction with the State University of New York at Buffalo Department of Civil and Environmental Engineering (SUNY Buffalo) to conduct an evaluation of the proposed waste stream, at a total cost not to exceed \$141,825.00; and

WHEREAS: The Treatment Plant Superintendent, Treatment Plant Administrator, Laboratory Director and Industrial Waste Administrator have reviewed the proposal from AECOM, and recommend its approval.

NOW THEREFORE
BE IT RESOLVED: That the Board of the Buffalo Sewer Authority hereby authorizes the General Manager to enter into and execute an agreement with AECOM to evaluate the effect of the proposed waste stream to the Bird Island Wastewater Treatment Plant, in an amount not to exceed \$141,825.00. These services will be charged to account no. 00600106-432004

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

Board Meeting of February 17, 2016

ITEM NO. 12

AUTHORIZATION FOR PURCHASE OF WESTFALIA PARTS FOR SLUDGE PROCESSING EQUIPMENT

WHEREAS: On July 29, 2015, the Board of the Buffalo Sewer Authority designated GEA Mechanical Equipment US Incorporated/GEA Westfalia Separator Division, the original equipment manufacturer, and/or their local representative as sole source for the purchase of various commodities, technology and/or service on the Westfalia brand centrifuge parts and supplies in an amount not to exceed \$110,000.00; and

WHEREAS: The Principal Chief Stationary Engineer has determined a need to rebuild Westfalia Decanter Scroll. Upon request, GEA Mechanical Equipment US Incorporated/GEA Westfalia Separator Division submitted an estimate in the amount of \$76,122.00, including freight, for the Westfalia parts; and

WHEREAS: The Treatment Plant Superintendent, Principal Chief Stationary Engineer and staff reviewed the estimate received and recommend this purchase; and

WHEREAS: To date, monies payable to GEA Mechanical Equipment US Incorporated, in fiscal year 2015-2016 are \$73,370.68. This purchase will bring the total monies payable for purchase to \$149,492.68.

NOW THEREFORE
BE IT RESOLVED:

That the Board of the Buffalo Sewer Authority hereby authorizes the General Manager to purchase the Westfalia restock parts from GEA Mechanical Equipment US Incorporated/GEA Westfalia Separator Division at a cost of \$76,122.00, including freight. This purchase will be charged to account nos. 00370106-443301 and 00370105-466107.

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 February 17, 2016

ITEM NO. 13

AUTHORIZATION FOR PURCHASE OF MOYNO PARTS FOR PROCESS EQUIPMENT

WHEREAS: On July 29, 2015, the Board of the Buffalo Sewer Authority designated Moyno, Inc., the original equipment manufacturer, and/or their local representatives as a sole source for the purchase of Moyno brand pumps and parts for \$80,000.00 in estimated expenditures for the Bird Island Wastewater Treatment Plant; and

WHEREAS: The Principal Chief Stationary Engineer has determined a need for additional restock of Moyno Poly transfer pump parts. A quote was requested and received from Shrier-Martin Process Equipment, the authorized local representative, in the amount of \$13,151.11; and

WHEREAS: Monies payable to date to Shrier-Martin Process Equipment, in fiscal year 2015-2016 are \$68,374.72. This purchase will bring the total monies payable for purchase to \$81,525.83; and

WHEREAS: The Treatment Plant Superintendent, Principal Chief Stationary Engineer and staff recommend restock of these additional Moyno brand parts.

NOW THEREFORE
BE IT RESOLVED:

That the Board of the Buffalo Sewer Authority hereby authorizes the General Manager to purchase the needed restock Moyno Poly transfer pump parts from Shrier-Martin Process Equipment in the amount of \$13,151.11, and further authorizes total monies payable to Shrier-Martin Process Equipment be increased to a total not to exceed \$81,525.83 for fiscal year 2015-2016. This purchase will be charged to account no. 00320105-466107.

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 February 17, 2016

ITEM NO. 15

CHANGE ORDER NO. 2 – CONTRACT NO. 8160001

CONTRACTOR:	ORIGINAL CONTRACT COST	\$299,745.00
Nova Site Company, LLC	PREVIOUS CHANGE ORDER	\$5,445.81
6 Lena Court	THIS CHANGE ORDER (DEDUCT)	<u>(\$81,114.63)</u>
West Seneca, New York 14224	ADJUSTED CONTRACT COST	\$224,076.18

WORK: SPP 97A, 180, 332, 336A Optimizations and Orlando Street Sewer Abandonment

DESCRIPTION OF CHANGE OR EXTRA WORK:

Item #1 Emergency repair work at 2407 Niagara Street at an additional cost not to exceed \$3,212.23

Item #2 Decrease in contract due to unused quantities in amount of \$84,326.86

REASON FOR CHANGE OR EXTRA WORK:

Item #1 Emergency excavation of sewer backup in vicinity of work previously done by contractor and subject to maintenance bond found not to be due to contractor's negligence

Item #2 Final adjustment

COST OF CHANGE OR EXTRA WORK:

Item #1 \$3,212.23

Item #2 (\$84,326.86)

THE TOTAL COST OF THE CHANGE OR EXTRA WORK (\$81,114.63)

The total DECREASE to the contract as a result of this Change Order is \$81,114.63

CONTRACT SUPPLEMENT CONDITIONS:

- The contract completion date established in the original contract or as modified by previous contract supplements is hereby changed by 0 calendar days, making the final completion date unchanged.

ITEM NO. 16

CONTRACT NO. 81600001

CERTIFICATE OF ACCEPTANCE AND OCCUPANCY

WORK: SPP 97A, 180, 332, 336A Optimizations and Orlando Street Sewer Abandonment

BID: \$299,745.00

CONTRACTOR: Nova Site Company, LLC
6 Lena Court
West Seneca, New York 14224

WHEREAS: The Principal Sanitary Engineer of the Buffalo Sewer Authority has certified that the Contractor completed the work in accordance with the plans and specifications on December 17, 2015.

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 December 17, 2015;
- c. The maintenance period commence on December 17, 2015;
- d. Final payment is made to the Contractor in the amount of \$11,203.81, making the final cost of the contract \$224,076.18.

MOTION TO APPROVE

MADE BY MR. ROOSEVELT

2ND BY MR. KENNEDY

AYES 3 NOES 0

Board Meeting of February 17, 2016

ITEM NO. 17

CHANGE ORDER NO. 11 – CONTRACT NO. 84900006

CONTRACTOR:	ORIGINAL CONTRACT COST	\$1,175,000.00
Malcolm Pirnie, Inc.	PREVIOUS CHANGE ORDERS	3,664,267.46
50 Fountain Plaza, Suite 600	THIS CHANGE ORDER	<u>119,541.50</u>
Buffalo, New York 14202	ADJUSTED CONTRACT COST	\$4,958,808.96

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 United States Environmental Protection Agency (USEPA), United States Department of Justice, and the New York State Department of Environmental Conservation (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 USEPA and NYSDEC on March 18, 2014; and

WHEREAS: Additional hydraulic modeling, model recalibration, and Green Infrastructure implementation is required in concurrence with the USEPA integrated watershed planning approach to address wet weather concerns; and

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

Task No. 1	Model Recalibration Plan Development
Task No. 2	Continued Hydraulic Modeling Required for LTCP Related Project Designs
Task No. 3	GI Master Plan Phase 1 Implementation Assistance

; and

WHEREAS: Upon request, Malcolm Pirnie, Inc., has submitted a proposal to complete these tasks at a cost not to exceed \$119,541.50; and

WHEREAS: The General Manager, Principal Sanitary Engineer and staff recommend approval of Change Order No. 11 to Contract No. 84900006.

NOW THEREFORE
BE IT RESOLVED: That the Board of the Buffalo Sewer Authority hereby approves Change Order No. 11 to Contract No. 84900006 in the amount of \$119,541.50, making the adjusted contract cost \$4,958,808.96. Expenses for this Contract will be funded from account no. 02000293-432004.

MOTION TO APPROVE

MADE BY MR. KENNEDY

2ND BY MR. ROOSEVELT

AYES 3 NOES 0

Board Meeting of February 17, 2016

ITEM NO. 18

CHANGE ORDER NO. 2 – CONTRACT NO. 81300002

CONTRACTOR:	ORIGINAL CONTRACT COST	\$90,000.00
Bergmann Associates	PREVIOUS CHANGE ORDER	30,000.00
28 East Main Street	THIS CHANGE ORDER	<u>12,500.00</u>
200 First Federal Plaza	ADJUSTED CONTRACT COST	\$132,500.00
Rochester, New York 14614		

WORK: GIS Maintenance, Support and Enhancements

DESCRIPTION OF CHANGE OR EXTRA WORK:

Item #1 Additional GIS support services

REASON FOR CHANGE OR EXTRA WORK:

Item #1 To provide additional support services including GIS data maintenance, GIS programming updates to the BSA web application, land surveying and GIS analysis services through June 30, 2016

COST OF CHANGE OR EXTRA WORK:

Item #1 \$12,500.00

THE TOTAL COST OF THE CHANGE OR EXTRA WORK: \$12,500.00

The total INCREASE to the contract as a result of this Change Order is \$12,500.00

NOW THEREFORE
BE IT RESOLVED:

That the Board of the Buffalo Sewer Authority hereby approves Change Order No. 2 to Contract No. 81300002 as written in the above Agenda Item, increasing the contract cost in the amount not to exceed \$12,500.00, making the adjusted contract cost \$132,500.00.

MOTION TO APPROVE

MADE BY MR. ROOSEVELT

2ND BY MR. KENNEDY

AYES 3 NOES 0

Board Meeting of February 17, 2016

ITEM NO. 19

AUTHORIZATION FOR PERMANENT EASEMENT RIGHTS IN AND ABOUT CARROLL STREET AND HYDRAULIC STREET, BUFFALO, NEW YORK

- WHEREAS: The Buffalo Sewer Authority, owns and operates underground tunnels, passageways, basins, pipes, conduits, valves, manholes, fittings, foundations, fixtures, equipment and appurtenances for the purpose of receiving, accumulating, transmitting and/or transporting sewage and other waste throughout the City of Buffalo (collectively referred to as “Sewer Facilities”); and
- WHEREAS: The City of Buffalo Office of Strategic Planning is coordinating the abandonment and sale of portions of Carroll Street and Hydraulic Streets, as depicted on the survey attached hereto by Lawrence J. Zygaj, PLS, P.C., dated April 6, 2011, Job Number 03014 (the “Property”) to LCo, Building, LLC, or another corporation, partnership, limited liability company or other legal entity designated by LCo Building, LLC, and approved by the City of Buffalo Office of Strategic Planning, to enable LCo Building, LLC, or such other entity or person to occupy, use and/or develop the property with such portions of Carroll Street and Hydraulic Street (the “Project”); and
- WHEREAS: The City of Buffalo Common Council by resolution has authorized the Mayor, and other City of Buffalo personnel to negotiate the terms of the sale of the Property, subject to conditions, including but not limited to, the grant, establishment, preservation and reservation of all rights, title and interest in any conveyance by the City of Buffalo that enable the Buffalo Sewer Authority to continue to use, operate, repair, maintain, replace, reconstruct or construct Sewer Facilities as now or in the future may be located in and near the Property, upon the approval by the Buffalo Sewer Authority, the City of Buffalo Corporation Counsel and the City of Buffalo Commissioner of Public Works, Parks and Streets; and
- WHEREAS: The New York State Public Authorities Law Sections 1178(7) and 1182 authorizes the Buffalo Sewer Authority to acquire lands, or any right, title, interest or easement therein in the name of the City of Buffalo, and upon such acquisition, any such fee, right, title, interest or easement shall become dedicated to the uses and purposes of the Buffalo Sewer Authority.

NOW THEREFORE
BE IT RESOLVED:

That the Board of the Buffalo Sewer Authority hereby authorizes the General Manager and any other representative or agent of the Buffalo Sewer Authority, including the City of Buffalo Corporation Counsel, to negotiate, upon such terms and conditions acceptable to the General Manager, and to execute and deliver any agreement, memorandum of understanding, conveyance, documents and instruments with the City of Buffalo, LCo Building, LLC or any other entity or person, to grant, establish, preserve and/or reserve the Buffalo Sewer Authority's rights, title and interests to use, operate, maintain, repair, replace, reconstruct or construct Sewer Facilities in and near the Property, in connection with the City of Buffalo's abandonment and sale of the Property, all as may be necessary or appropriate to implement and effectuate the Project or to better assure, transfer and confirm the rights, title and interests of the City of Buffalo and the Buffalo Sewer Authority, consistent with the substance and intent of this resolution.

BE IT FURTHER
RESOLVED:

That the General Manager and any other representative or agent of the Buffalo Sewer Authority is hereby authorized to take any other action necessary or appropriate to implement this resolution, including but not limited to, the payment of reasonable consultant fees, costs, transactional closing costs, recording and filing fees, title abstract fees, title insurance premiums, permit fees and other transaction fees and costs.

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

Board Meeting of February 17, 2016

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

I, the undersigned Assistant 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 17th day of February, 2016, 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 17th day of February, 2016.

Oluwole A. McFoy, P.E.
Assistant Secretary of the Board

ITEM NO. 20

AUTHORIZATION TO ENTER INTO A PROFESSIONAL ENGINEERING SERVICES AGREEMENT WITH ARCADIS CE, INC.

WHEREAS: The Buffalo Sewer Authority has negotiated with the United States Environmental Protection Agency (EPA), the United States Department of Justice (DOJ) and the New York State Department of Environmental Conservation (DEC) to address sewer system improvements to comply with the Federal Clean Water Act through the Combined Sewer Overflow Long-Term Control Plan (LTCP) which was approved by the agencies on March 18, 2014; and

WHEREAS: The Buffalo Sewer Authority retained Malcolm Pirnie, Inc., pursuant to the Resolution authorizing Amendment No. 4 of Contract No. 83900014, to assist with modeling per negotiations with the EPA, DOJ and the DEC; and

WHEREAS: The work plans for water quality and sewer system modeling and monitoring have been completed by Malcolm Pirnie, Inc., in accordance with the scopes of work developed in concert with the regulatory agencies; and

WHEREAS: On June 17, 2013, Malcolm Pirnie, Inc., was acquired by Arcadis CE, Inc.; and

WHEREAS: Arcadis CE, Inc., continues to host the model which serves as the compliance mechanism for the LTCP; and

WHEREAS: Continuous model hosting and modeling services are required throughout the duration of the LTCP; and

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

Task No. 1	Continued Hydraulic Modeling Required for LTCP Related Project Designs
Task No. 2	GI Master Plan Phase I Implementation Assistance

; and

WHEREAS: Upon request, Arcadis CE, Inc., has submitted a proposal to complete these tasks at a cost not to exceed \$138,000.00; and

ITEM NO. 21

AUTHORIZATION TO ENTER INTO A PROFESSIONAL ENGINEERING SERVICES AGREEMENT WITH GHD CONSULTING SERVICES, INC. (GHD), FOR HYDRAULIC MODEL CALIBRATION EFFORTS

WHEREAS: The Buffalo Sewer Authority has negotiated with the United States Environmental Protection Agency, the United States Department of Justice, and the New York State Department of Environmental Conservation to address sewer system improvements to comply with the Federal Clean Water Act through the Combined Sewer Overflow Long Term Control Plan (LTCP) which was approved by the agencies on March 18, 2014; and

WHEREAS: The Authority's LTCP model was originally calibrated in 2001 with the support and assistance of various consultants, including GHD, to simulate system response to wet weather events and flows. The original model was used to develop the combined sewer overflow (CSO) abatement alternatives included in the Authority's LTCP submitted in 2004; and

WHEREAS: The hydraulic model was validated in 2008, and used to develop revised CSO abatement alternatives that were included in the Authority's approved LTCP. The approved LTCP established that the model would be the tool used to both assist in the design of various CSO abatement projects, and to verify post-construction compliance with LTCP requirements; and

WHEREAS: As part of the BSA's Post Construction Monitoring Plan, the BSA committed to two (2) hydraulic model re-calibration efforts to be performed at various periods during the implementation process as system improvements were put in place in order to improve model simulation of actual system response; and

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

Task No. 1	Program Administration
Task No. 2	Flow and Precipitation Monitoring
Task No. 3	Meter and Precipitation Monitoring Site Selection, Verification and Installation
Task No. 4	Flow and Precipitation Data Review and Validation
Task No. 5	Flow Monitoring Report Preparation
Task No. 6	Model Calibration
Task No. 7	Model Review, Validation and QA/QC
Task No. 8	Model Calibration Report Preparation, Review and Submission

; and

WHEREAS: On September 24, 2014, following a formal Request for Qualification process in which sixteen (16) firms submitted proposals, the Board of the Buffalo Sewer Authority authorized GHD for professional engineering services for projects; and

WHEREAS: Upon request, a team led by GHD has submitted a proposal to complete these tasks at a cost not to exceed \$3,124,150.00; and

WHEREAS: Said proposal having been reviewed by the General Manager, Principal Sanitary Engineer, and staff has been found to be acceptable in the final submitted form.

NOW THEREFORE
BE IT RESOLVED: That the Board of the Buffalo Sewer Authority hereby authorizes the General Manager to execute an agreement with GHD at a cost not-to-exceed \$3,124,150.00 to complete the engineering services defined in the proposal dated January 28, 2016. The cost of this contract will be funded from account no. 02000414-432004.

MOTION TO APPROVE

MADE BY MR. KENNEDY

2ND BY MR. ROOSEVELT

AYES 3 NOES 0

Board Meeting of February 17, 2016

ITEM NO. 22

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) Wastewater Treatment Plant Operator I
00230161 411001

MOTION TO APPROVE

MADE BY MR. ROOSEVELT

2ND BY MR. KENNEDY

AYES 3 NOES 0

Board Meeting of February 17, 2016

ITEM NO. 23

AMENDMENT TO SCHEDULE OF JOB CLASSIFICATION PLAN

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

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

One (1) Assistant Superintendent of Mechanical Maintenance
00200121 411001

One (1) Combination Welder
00520171 411001

One (1) Labor Supervisor I
00530131 411001

MOTION TO APPROVE

MADE BY MR. KENNEDY

2ND BY MR. ROOSEVELT

AYES 3 NOES 0

Board Meeting of February 17, 2016

ITEM NO. 24

CONFIRMATION OF APPOINTMENTS

LABORER I (TEMPORARY)
SEWAGE TREATMENT PLANT
\$17.74 PER HOUR
EFFECTIVE: DECEMBER 21, 2015

JARRED BARKER
435 STARIN
BUFFALO, NY

LABORER I (TEMPORARY)
SEWAGE TREATMENT PLANT
\$17.74 PER HOUR
EFFECTIVE: DECEMBER 21, 2015

MATTHEW SUPPA
35 TACOMA
BUFFALO, NY

LABORER I (SEASONAL)
SEWAGE TREATMENT PLANT
\$105.00 PER DAY
EFFECTIVE: DECEMBER 28, 2015

ANTHONY FORTINI
25 HOLLYWOOD AVE. (RIGHT)
BUFFALO, NY

LABORER I (SEASONAL)
SEWAGE TREATMENT PLANT
\$105.00 PER DAY
EFFECTIVE: DECEMBER 28, 2015

DEMILO GIBBS
452 SPRING ST.
BUFFALO, NY

LABORER I (SEASONAL)
SEWAGE TREATMENT PLANT
\$105.00 PER DAY
EFFECTIVE: DECEMBER 28, 2015

DYLAN CARBONE
202 GEARY ST.
BUFFALO, NY

LABORER I (PERMANENT)
SEWAGE TREATMENT PLANT
\$17.74 HOUR
EFFECTIVE: DECEMBER 28, 2015

JOSEPH DENECKE JR.
143 DENSMORE
BUFFALO, NY

MAINTENANCE ASSISTANT (SEWER CLEANING)
(PROVISIONAL)
SEWAGE TREATMENT PLANT
\$18.82 PER HOUR
EFFECTIVE: JANUARY 4, 2016

RYAN SANDERS
96 ULLMAN ST.
BUFFALO, NY

MAINTENANCE ASSISTANT (SEWER CLEANING)
(PROVISIONAL)
SEWAGE TREATMENT PLANT
\$18.82 PER HOUR
EFFECTIVE: JANUARY 4, 2016

ANDREW STRUG
51 SPANN
BUFFALO, NY

ITEM NO. 25

TUITION ASSISTANCE

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

<u>EMPLOYEE</u>	<u>SCHOOL</u>	<u>COURSE</u>	<u>SEMESTER</u>	<u>TUITION</u>
Timothy Blake	Empire State College	Leadership in Public & Nonprofit Organizations	Spring	\$1,642.00

WHEREAS: No Funds will be expended at this time.

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

MOTION TO APPROVE

MADE BY MR. KENNEDY

2ND BY MR. ROOSEVELT

AYES 3 NOES 0

Board Meeting of February 17, 2016

ITEM NO. 26

ADJOURNMENT OF MEETINGMOTION TO APPROVE MADE BY MR. KENNEDY 2ND BY MR. ROOSEVELT AYES 3 NOES 0

Board Meeting of February 17, 2016