

**MINUTES OF THE REGULAR MEETING**

**OF THE**

**BUFFALO SEWER AUTHORITY**

**March 13, 2024**

**58856**

**58881**



# **BUFFALO SEWER AUTHORITY**

## **REGULAR MEETING**

**March 13, 2024**

**9:00 A.M.**

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

| <b><u>ITEM NO.</u></b> | <b><u>CONTENTS</u></b>  | <b><u>PAGE NO.</u></b> |
|------------------------|---|------------------------|
|                        | Roll Call   |                        |
| 1                      | Motion to Adopt the Minutes of February 21, 2024  | 58856                  |
| 2                      | Approval Of Consent Agenda  | 58857-66               |
|                        | A. Informative: Temporary Investments   |                        |
|                        | B. Informative: Reallocation of Funds   |                        |
|                        | C. Informative: Report On Fiscal Year 2023-24 Rates and Charges<br>for Sewer Services                                   |                        |
|                        | D. Payment from Judgment and Claims   |                        |
|                        | E. Travel Authorization - Greenville, SC  |                        |
|                        | F. Travel Authorization - Greenville, SC  |                        |
|                        | G. Confirmation of Appointments   |                        |
| 3                      | Preliminary Outline of Operating Budget for The Fiscal Year<br>Commencing July 1, 2024                                  | 58867-69               |
| 4                      | Claim Against Liability and Casualty Reserve Fund   | 58870                  |
| 5                      | Natural Gas Supply Extension Item Ratification  | 58871                  |
| 6                      | Change Order No. 2 – Contract No 82000055   | 58872-73               |
| 7                      | Report On Bids Received – Bird Island WWTP Seepage and Subsidence<br>Repairs and Kelly Island Lift Station Improvements | 58874                  |



|    |  |          |
|----|--|----------|
| 8  | Authorization To Enter into An Agreement for Professional Services for Occupational Health Nd Safety Oversight and Support   | 58875-76 |
| 9  | Amendment To Board Resolution No. 22 Of the February 21, 2024, Board Meeting - Authorization to Enter into An Agreement with Wendel Energy Services, LLC For Renewable Natural Gas Recovery, Production, And Energy Efficiency Improvement Project | 58877    |
| 10 | Change Order No. 2 –Contract No. 82000033 Environmental Impact Bond Program Management   | 58878-79 |
| 11 | Amendment To Schedule of Job Classification Plan   | 58880    |
| 12 | Adjournment Of Meeting   | 58881    |

**CALL OF THE ROLL**

|          |                                |  |
|----------|--------------------------------|--|
| Present: | Herbert Bellamy, Jr.           | Chairman of Board                              |
|          | _____<br>Christopher Roosevelt | _____<br>Vice Chairman of the Board            |
|          | _____<br>Eleanor Petrucci      | _____<br>Secretary of the Board                |
|          | _____<br>Oluwole McFoy, P.E.   | _____<br>General Manager                       |
|          | _____<br>Adam Sassone          | _____<br>Secretary to General Manager          |
|          | _____<br>Gelea Y. James        | _____<br>Director of Employee Relations        |
|          | _____<br>LaToya Cunningham     | _____<br>Special Assistant                     |
|          | _____<br>Charles Riley         | _____<br>Executive Secretary                   |
|          | _____<br>Cheryl Colston        | _____<br>General Counsel                       |
|          | _____<br>Alexander Emmerson    | _____<br>Treatment Plant Superintendent        |
|          | _____<br>Joel Renzoni          | _____<br>Director of Sewer Maintenance         |
|          | _____<br>Rosaleen Nogle, P.E.  | _____<br>Principal Sanitary Engineer           |
|          | _____<br>Laura Surdej          | _____<br>Erie County Department of<br>Sewerage |
|          | _____<br>Eddie Aplerh-Doku     | _____<br>Greeley and Hansen                    |
|          | _____<br>Nadia Mugisha         | _____<br>Greeley and Hansen                    |

The meeting was called to order at 9:09 AM. A quorum was present.

ITEM NO. 1

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

MOTION TO \_\_\_\_\_ ADOPT \_\_\_\_\_  
 MADE BY \_\_\_\_\_ MRS.PETRUCCI \_\_\_\_\_  
 2<sup>ND</sup> BY \_\_\_\_\_ MR. ROOSEVELT \_\_\_\_\_  
 AYES \_\_\_\_\_ 3 \_\_\_\_\_ NOES \_\_\_\_\_ 0 \_\_\_\_\_

Board Meeting of March 13, 2024

ITEM NO. 2

**APPROVAL OF CONSENT AGENDA**

**CONTENTS**

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

MOTION TO APPROVE

MADE BY MRS.PETRUCCI

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

AYES 3 NOES 0

Board Meeting of March 13, 2024

2-A

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

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

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



**BSA 2021 EIB FUND**

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

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

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

**Series K**

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

**Series L**

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

**Series M**

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

**Series N**

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

**EFC 2021**

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

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

Wilmington Fund

**DSF 2021 EIB**

|  |  |  |                     |                 |       |  |
|--|--|--|---------------------|-----------------|-------|--|
|  |  |  | <b>\$886,991.97</b> | Wilmington Fund | 4.79% |  |
|--|--|--|---------------------|-----------------|-------|--|

**RECEIVE & FILE**Board Meeting of March 13<sup>th</sup>, 2024

## 2-B

## INFORMATIVE: REALLOCATION OF FUNDS

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

***Wastewater Treatment Plant***

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

***General Financial Charges***

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

**RECEIVE & FILE**

Board Meeting of March 13, 2024

2-C

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

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

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

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

**RECEIVE AND FILE**

Board Meeting of March 13, 2024

2-D

**PAYMENT FROM JUDGMENT AND CLAIMS**

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

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

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

; and

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

NOW THEREFORE  
BE IT RESOLVED:

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

2-E

**TRAVEL AUTHORIZATION - GREENVILLE, SC**

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

2-F

**TRAVEL AUTHORIZATION - GREENVILLE, SC**

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

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

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

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

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

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

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

NOW THEREFORE  
BE IT RESOLVED:

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

2-G

**CONFIRMATION OF APPOINTMENTS**

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

KAITLIN WALSH  
437 POTOMAC AVE LOWER  
BUFFALO, NY

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

ANDRE BROWN SR.  
27 ROEBLING AVE.  
BUFFALO, NY

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

BRUCE FRYER JR.  
69 PROCTOR AVE  
BUFFALO, NY

---

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

JEREMY WASIELEWSKI  
358 DOWNING ST.  
BUFFALO, NY

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

ELIZABETH SCHEELER  
471 SOUTHSIDE PKWY  
BUFFALO, NY

---

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

WHEREAS: The General Manager requests confirmation of each appointment.

NOW THEREFORE  
BE IT RESOLVED:

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



ITEM NO. 3

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

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

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

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

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

Capital Budget Projects for 2024-2025.

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

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

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

MOTION TO APPROVE

MADE BY MRS.PETRUCCI

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

AYES 3 NOES 0

Board Meeting of March 13, 2024

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

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

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

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

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

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



ITEM NO.5

**NATURAL GAS SUPPLY EXTENSION ITEM RATIFICATION**

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

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

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

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

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

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

MOTION TO APPROVE  
 MADE BY MRS.PETRUCCI  
 2<sup>ND</sup> BY MR. ROOSEVELT  
 AYES 3 NOES 0

## ITEM NO. 6

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

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

WORK: Wastewater Treatment Plant Interiors Upgrade Project

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**DESCRIPTION OF CHANGE OR EXTRA WORK:**

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

**REASON FOR CHANGE OR EXTRA WORK:**

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

**COST OF CHANGE OR EXTRA WORK:**

Item #1 \$155,550.15

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

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

**CHANGE ORDERS**

WHEREAS: On September 28, 2022, the Board of the Buffalo Sewer Authority hereby approved the General Manager to enter into and execute a contract with Willett Builders, Inc. for the Wastewater Treatment Plant Interiors Upgrade Project at a cost not to exceed \$2,669,500.00; and

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

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

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

CONTRACT SUPPLEMENT CONDITIONS:

1. The contract completion date established in the original contract or as modified by previous contract remains unchanged.
2. Any additional work to be performed under this contract supplement shall be carried out in compliance with the specifications included in the preceding description of changes involved with the supplemental contract drawings designated none and under the provisions of the original contract, including compliance with applicable equipment specifications, general specifications, and project specifications for the same type of work.
3. This contract supplement unless otherwise provided herein does not relieve the Contractor from strict compliance with the guarantee provisions of the original contract, particularly those pertaining to performance and operation of equipment.
4. The Contractor expressly agrees that he will place under coverage of his performance and payment bonds and Contractor’s Insurance all work covered by this contract supplement. The Contractor will furnish to the Owner evidence of increased coverage of his performance and payment bonds for the accrued value of all contract supplements that exceeds the original contract price by twenty percent (20%).
5. The costs established under this contract supplement are acknowledged as including any and all costs associated with the work described herein and including any and all costs associated with any and all work performed or to be performed by the Contractor that may be affected in any manner by the work described herein.

NOW THEREFORE  
BE IT RESOLVED:

That the Board of the Buffalo Sewer Authority hereby approves Change Order No. 2 to Contract No. 82000055 as written in the above Agenda Item, increasing the contract cost in the amount of \$155,550.15 making the adjusted contract cost \$2,907,550.15.

MOTION TO APPROVE

MADE BY MR. ROOSEVELT

2<sup>ND</sup> BY MRS.PETRUCCI

AYES 3 NOES 0

Board Meeting of March 13, 2024





## ITEM NO. 8

**AUTHORIZATION TO ENTER INTO AN AGREEMENT FOR PROFESSIONAL SERVICES FOR OCCUPATIONAL HEALTH AND SAFETY OVERSIGHT AND SUPPORT**

- WHEREAS: The Buffalo Sewer Authority Treatment Plant staff determined a need to provide additional third party professional occupational health and safety oversight and support services while key qualified Buffalo Sewer Authority safety personnel are unavailable for an extended period of time; and
- WHEREAS: Additional professional safety oversight is required to adequately support overall Treatment Plant, Collections System, and major capital project work. Additional professional safety oversight is also needed to aid in creating, promoting and maintaining a healthy and safe working environment for all Buffalo Sewer Authority employees and contractors; and
- WHEREAS: Formal bids were advertised for professional occupational health and safety services for the remainder of fiscal year 2023-2024 with an option to renew for four (4) one-year periods. Multiple vendors were solicited, including Great Lakes Environmental & Safety Consultants, Lancaster Safety, Encourus Group Engineering, Cahill Resources, and Quality Risk Solutions; and
- WHEREAS: Great Lakes Environmental & Safety Consultants, provided the lowest and only bid at an hourly rate of \$98.00 per hour and an emergency/overtime rate of \$120.00 per hour; and
- WHEREAS: Superintendent of Mechanical Maintenance, and staff reviewed the bids received and recommend retaining Great Lakes Environmental & Safety Consultants, to provide professional occupational health and safety oversight and support services for an estimated 640 hours, at a total cost not to exceed of \$65,000.00.

NOW THEREFORE  
BE IT RESOLVED:

That the Board of the Buffalo Sewer Authority hereby authorizes the General Manager to execute an agreement with Great Lakes Environmental & Safety Consultants, for the remainder of the 2023-2024 fiscal year, at a cost not to exceed \$65,000.00, to provide professional occupational health and safety oversight and support services. These services will be charged to account no. 00520106-443200.

MOTION TO APPROVE

MADE BY MR. ROOSEVELT

2<sup>ND</sup> BY MRS.PETRUCCI

AYES 3 NOES 0

Board Meeting of March 13, 2024

ITEM NO. 9

**AMENDMENT TO BOARD RESOLUTION NO. 22 OF THE FEBRUARY 21, 2024, BOARD MEETING - AUTHORIZATION TO ENTER INTO AN AGREEMENT WITH WENDEL ENERGY SERVICES, LLC FOR RENEWABLE NATURAL GAS RECOVERY, PRODUCTION, AND ENERGY EFFICIENCY IMPROVEMENT PROJECT**

WHEREAS: On February 21, 2024, the Board of the Buffalo Sewer Authority authorized an agreement with Wendel Energy Services, LLC to develop design-build energy efficiency and renewable natural gas recovery and production projects; and

WHEREAS: The original board item provided for a contract cost not to exceed \$715,000.00; and

WHEREAS: The correct contract cost should have been \$2,805,212.00; and

WHEREAS: The General Manager recommends that an amendment to Resolution No. 22 of the Board Meeting of February 21, 2024, be approved reflecting the correct contract cost.

NOW THEREFORE  
BE IT RESOLVED:

That Resolution No. 22 of the Board Meeting of February 21, 2024, hereby be amended to read as follows:

**“That the Board of the Buffalo Sewer Authority hereby authorizes the General Manager to execute an agreement with Wendel Energy Services, Inc. to provide energy service company services in the furtherance of design-build projects at a cost not to exceed \$2,805,212.00.”**

|                    |                      |      |          |
|--------------------|----------------------|------|----------|
| MOTION TO          | <u>APPROVE</u>       |      |          |
| MADE BY            | <u>MRS.PETRUCCI</u>  |      |          |
| 2 <sup>ND</sup> BY | <u>MR. ROOSEVELT</u> |      |          |
| AYES               | <u>3</u>             | NOES | <u>0</u> |

Board Meeting of March 13, 2024

## ITEM NO. 10

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

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

VENDOR NO. 12770                      ACCOUNT NO.                      02000536-432004

WORK:                      Engineering Services Green Infrastructure Projects

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**DESCRIPTION OF CHANGE OR EXTRA WORK:**

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

**REASON FOR CHANGE OR EXTRA WORK:**

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

**COST OF CHANGE OR EXTRA WORK:**

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

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

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

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

WHEREAS: The Principal Sanitary Engineer and staff have reviewed a request for a Change Order No. 3 to Contract No. 82000033 (Environmental Impact Bond Management) in the amount of \$204,478.50 as detailed above and recommend its approval.

NOW THEREFORE  
BE IT RESOLVED: That the Board of the Buffalo Sewer Authority hereby approves Change Order No. 3 to Contract No. 82000033 as written in the above Agenda Item, increasing the contract cost in the amount of \$204,478.50, making the adjusted contract cost \$1,008,798.50. Expenses from this contract will be funded from Account No. 02000536-432004.

MOTION TO APPROVE

MADE BY MRS.PETRUCCI

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

AYES 3 NOES 0

Board Meeting of March 13, 2024

ITEM NO. 11

**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 Job Classification Plan:

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

MOTION TO                                      APPROVE                  

MADE BY                                        MRS.PETRUCCI                  

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

AYES                                   3           NOES                              0          

Board Meeting of March 13, 2024

ITEM NO. 12

**ADJOURNMENT OF MEETING**

MOTION TO                     APPROVE                    

MADE BY                     MRS.PETRUCCI                    

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

AYES           3           NOES           0          

Board Meeting of March 13, 2024