

**MINUTES OF THE REGULAR MEETING
OF THE
BUFFALO SEWER AUTHORITY
June 26, 2024**

58953

59003

BUFFALO SEWER AUTHORITY

REGULAR MEETING

June 26, 2024

9:00 A.M.

**Bird Island Treatment Facility, 90 West Ferry St.
Teleconference +1 917- 933-2166, ID #214 417 747#**

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| | B. Informative: Reallocation of Funds | |
| | C. Payments from Judgment and Claims | |
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| | | |
|----|---|----------|
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| 34 | Appointment of Stormwater Management Officer for Buffalo Sewer Authority | 59001-02 |
| 35 | Adjournment of Meeting | 59003 |

CALL OF THE ROLL

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

The meeting was called to order at 9:21 A.M. A quorum was present.

ITEM NO. 1

Motion to Adopt the Minutes of the Meeting of May 29, 2024

MOTION TO ADOPT
 MADE BY MRS. PETRUCCI
 2ND BY MR. ROOSEVELT
 AYES 3 NOES 0

Board Meeting of June 26, 2024

ITEM NO. 2

APPROVAL OF CONSENT AGENDA

CONTENTS

- A. Informative: Temporary Investments
- B. Informative: Reallocation of Funds
- C. Payments From Judgment and Claims
- D. Travel Authorization – Saratoga Springs, NY
- E. Travel Authorization - Washington D.C
- F. Amendment to Schedule of Job Classification Plan

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

Board Meeting of June 26, 2024

2-A

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

As of May 31st, 2024

| ISSUE DATE | MATURITY DATE | TOTAL DAYS | AMOUNT | BANK | RATE | INTEREST AMOUNT |
|--|---------------------|------------|------------------------|--------------------------|-------|-----------------|
| CONSTRUCTION/CAPITAL IMPROVEMENT FUND | | | | | | |
| 31-Jul-12 | MONEY MARKET | | \$3,256,374.67 | Key | 0.01% | Public NOW |
| 4-Apr-24 | 7-Jun-24 | 64 | \$5,335,156.16 | Key Banc Capital | 5.31% | \$50,843.84 |
| 11-Apr-24 | 20-Jun-24 | 70 | \$999,777.96 | M&T Securities | 5.21% | \$10,222.04 |
| 30-Apr-24 | 2-Jul-24 | 63 | \$3,999,980.71 | Key Banc Capital | 5.24% | \$37,019.29 |
| 9-May-24 | 18-Jul-24 | 70 | \$3,251,650.86 | Key Banc Capital | 5.22% | \$33,349.14 |
| 23-May-24 | 1-Aug-24 | 70 | \$3,334,804.65 | Key Banc Capital | 5.22% | \$34,195.35 |
| | | | \$20,177,745.01 | | | |
| LIABILITY AND CASUALTY RESERVE FUND | | | | | | |
| 31-Jul-12 | MONEY MARKET | | \$104,023.96 | Key | 0.01% | Public NOW |
| 18-Apr-24 | 18-Jul-24 | 91 | \$751,964.67 | Key Banc Capital | 5.21% | \$10,035.33 |
| | | | \$855,988.63 | | | |
| OPERATING FUND | | | | | | |
| 31-Jul-12 | Super NOW | | \$4,551,085.91 | Key | 0.01% | Public NOW |
| TRUST & AGENCY FUND | | | | | | |
| 31-Jul-12 | Super NOW | | \$18,103.16 | Key | 0.01% | Public NOW |
| SURPLUS FUND | | | | | | |
| 30-May-24 | 21-Nov-24 | 175 | \$747.79 | Wilmington U.S. Treasury | 4.79% | |
| | | | \$10,004,118.72 | Key Banc Capital | 5.15% | \$256,881.28 |
| | | | \$10,004,866.51 | | | |
| NET REVENUE FUND | | | | | | |
| 25-Apr-24 | 27-Jun-24 | 63 | \$221,066.58 | Wilmington U.S. Treasury | | |
| | | | \$3,499,796.99 | M&T Securities | 5.21% | \$32,203.01 |
| 28-May-24 | 30-Jul-24 | 63 | \$8,998,861.10 | M&T Securities | 5.23% | \$83,138.90 |
| | | | \$12,719,724.67 | | | |

BSA 2021 EIB FUND

| | | | | | | |
|-----------|-----------|-----|------------------------|------------------|-------|--------------|
| | | | \$319,921.08 | Cash | 0.00% | |
| 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 |
| 23-May-24 | 14-Nov-24 | 175 | \$32,616,488.40 | Key Banc Capital | 5.15% | \$837,511.60 |
| | | | \$53,024,826.30 | | | |

DEBT RESERVE FUND

| | | | | | | |
|--------------------------|-----------|-------|-----------------------|--------------------------|-------|------------|
| Series J | | | | | | |
| 02-Jul-14 | 13-Nov-33 | 7076 | \$515,879.00 | UST State/Local Govt | 2.70% | |
| Series K | | | | | | |
| 02-Jul-14 | 15-Feb-33 | 6803 | \$361,415.00 | UST State/Local Govt | 2.70% | |
| Series L | | | | | | |
| 12-Nov-15 | 1-Oct-35 | 7263 | \$689,547.00 | UST State/Local Govt | 2.44% | |
| Series M | | | | | | |
| 27-Jun-14 | 1-May-44 | 10901 | \$595,613.00 | UST State/Local Govt | 2.70% | |
| Series N | | | | | | |
| 15-Nov-12 | 15-Apr-32 | 7091 | \$2,167,157.00 | UST State/Local Govt | 2.42% | |
| EFC 2021 | | | | | | |
| | | | \$9,238.58 | Wilmington U.S. Treasury | 4.79% | |
| 29-Feb-24 | 22-Aug-24 | 175 | \$332,562.62 | Key Banc Capital | 5.09% | \$8,437.38 |
| | | | \$341,801.20 | | | |
| DSF PRIN &INT | | | | | | |
| | | | \$0.01 | Wilmington Fund | | |

DSF 2021 EIB

| | | | | | | |
|--|--|--|-----------------------|-----------------|-------|--|
| | | | \$1,795,165.45 | Wilmington Fund | 4.79% | |
|--|--|--|-----------------------|-----------------|-------|--|

RECEIVE & FILE

Board Meeting of June 26th, 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

| | | | | |
|------------|---|---------------|---|--------------|
| 05/14/2024 | 00450103 KELF Electric Light & Power | -\$550.00 | 00420103 AMHE Electric Light & Power | \$550.00 |
| 05/14/2024 | 00400103 SOUT Electric Light & Power | -\$250.00 | 00460103 KELX Electric Light & Power | \$250.00 |
| 05/14/2024 | 00450103 KELF Electric Light & Power | -\$320.00 | 00440103 KELS Electric Light & Power | \$320.00 |
| 05/14/2024 | 00450103 KELF Electric Light & Power | -\$45.00 | 00470103 WATE Electric Light & Power | \$45.00 |
| 05/14/2024 | 00450103 KELF Electric Light & Power | -\$100.00 | 00500103 WALD Electric Light & Power | \$100.00 |
| 05/14/2024 | 00220105 SCRE Equipment Maint | -\$31,196.18 | 00520106 Main Maint. Contract | \$31,196.18 |
| 05/17/2024 | 00230105 GRIT Equipment Maint. | -\$649.57 | 00230106 GRIT Repairs to Equipment | \$649.57 |
| 05/17/2024 | 00670105 SWRC Equipment Maint. | -\$1,500.00 | 00660105 SWRR Road & Highway Maint | \$1,500.00 |
| 05/21/2024 | 00200106 PLAN Eng & Tech | -\$77,661.00 | 00290107 AER Operating Equipment | \$77,661.00 |
| 05/21/2024 | 00330105 FINA Chemicals & Gases | -\$146,589.00 | 00290107 AER Operating Equipment. | \$146,589.00 |
| 05/21/2024 | 00380105 ICIN Equipment Maint | -\$2,000.00 | 00380106 INCIN Refuse Disposal Serv | \$2,000.00 |
| 05/30/2024 | 00600106 ENG Advertisement | -\$3,146.90 | 00200106 PLAN Advertising | \$3,146.90 |
| 05/30/2024 | 00200103 PLAN Telephone | -\$3,000.00 | 00200106 PLAN Advertising | \$3,000.00 |
| 05/31/2024 | 00220105 SCRE Equipment Maint | -\$7,475.00 | 00360105 DEWA Equipment Maint | \$7,475.00 |
| 05/31/2024 | 00200106 PLAN Maintenance Contract | -\$2,800.00 | 00650106 SWRM Laundry & Towel | \$2,800.00 |
| 06/04/2024 | 00290106 AERATION Refuse Disposal | -\$20,000.00 | 00380106 INCIN Refuse Disposal | \$20,000.00 |
| 06/05/2024 | 00200106 PLAN Repairs to Equipment | -\$4,500.00 | 00200105 PLAN Equipment Maintenance | \$4,500.00 |
| 06/05/2024 | 00360105 DEWA Equipment Maint | -\$2,065.00 | 00530105 YARD Janitorial & Operating | \$2,065.00 |
| 06/06/2024 | 00200105 PLAN Clothing Safety | -\$10,000.00 | 00520106 MAIN Building Repairs | \$10,000.00 |
| 06/06/2024 | 00200105 PLAN Equipment Maintenance | -\$20,000.00 | 00520106 MAIN Building Repairs | \$20,000.00 |

| | | | | |
|------------|-----------------------------------|--------------|-----------------------------------|-------------|
| 06/06/2024 | 00210105 RWWP Equipment Maint. | -\$10,000.00 | 00520106 MAIN Building Repairs | \$10,000.00 |
| 06/06/2024 | 00220105 SCRE Equipment Maint | -\$18,508.94 | 00520106 MAIN Building Repairs | \$18,508.94 |
| 06/06/2024 | 00200105 PLAN Miscellaneous | -\$6,491.06 | 00520106 MAIN Building Repairs | \$6,491.06 |
| 06/06/2024 | 00200103 PLAN Telephone | -\$246.86 | 00200105 PLAN Office Supplies | \$246.86 |

Industrial Waste

| | | | | |
|------------|--------------------------------------|-------------|--|------------|
| 05/16/2024 | 00550106 IWS Repairs to Equipment | -\$200.00 | 00550106 IWS Equipment Maintenance | \$200.00 |
| 05/16/2024 | 00550107 IWS Operating Equipment | -\$1,500.00 | 00550105 IWS Lab Supplies | \$1,500.00 |
| 05/16/2024 | 00550106 IWS Repairs to Equipment | -\$3,200.00 | 00550105 IWS Spill Hazards Supplies | \$3,200.00 |

Sewer Maintenance

| | | | | |
|------------|--|--------------|---------------------------------------|-------------|
| 05/16/2024 | 00670105 SWRC Small Tools | -\$3,000.00 | 00660105 SWRR Small Tools | \$3,000.00 |
| 05/16/2024 | 00670105 SWRC Small Tools | -\$1,050.00 | 00660105 SWRR Small Tools | \$1,050.00 |
| 05/16/2024 | 00700106 EDU, Licenses & Train. Tools | -\$575.00 | 00700105 CLOTHING Safety & Med | \$575.00 |
| 05/22/2024 | 00650106 SWRM ED, Lic & Training | -\$4,000.00 | 00660106 SWRR Service & Equip Rent | \$4,000.00 |
| 05/22/2024 | 00650106 SWRM ED, Lic & Training | -\$18,000.00 | 00660105 SWRR Road & Highway | \$18,000.00 |
| 05/30/2024 | 00650106 SWRM ED, Lic & Training | -\$7,000.00 | 00660105 SWRR Road & Highway | \$7,000.00 |

RECEIVE & FILE

Board Meeting of June 26, 2024

2-C

PAYMENTS 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 2022-2023 budget account no. 00800108-480214

| VENDOR | INVOICE | AMOUNT |
|------------------|----------------|---------------|
| Babcock & Wilcox | 622880 | \$99.31 |

; 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-D

TRAVEL AUTHORIZATION – SARATOGA SPRINGS, NY

WHEREAS: The New York State Public Employee Relations Association (NYSPERLA) 49 Annual Training Conference will be held July 8-July 10, 2024, in Saratoga Springs, NY and

WHEREAS: The Buffalo Sewer Authority staff annually participates in this event to keep abreast of pressing issues for the members, public official and employee encounter on a daily basis: and

WHEREAS: The General Manager recommends attendance to the New York State Public Employee Relations Association (NYSPERLA) 49th Annual Conference for the Director of Employee Relations and Clerk; and

NOW THEREFORE
BE IT RESOLVED:

That the Board of the Buffalo Sewer Authority hereby authorized travel from July 7-July 11, 2024, for the Director of Employee Relations and Clerk to attend the 49th Annual NYSPERLA Training Conference in Saratoga Springs, NY at the total cost not to exceed \$4,000.00. Funds are available in account nos. 00110104-458012 and 0010104-458010

2-E

TRAVEL AUTHORIZATION - WASHINGTON D.C

WHEREAS: The Center for Water Security and Cooperation has developed the Water Utility Leadership Fellowship (WULF) for emerging utility leaders to address water access and equity in their communities; and

WHEREAS: The Senior Engineer was selected for the 2023 WULF Cohort which was extended through 2024; and

WHEREAS: The WULF program involves a Convening, an in-person cohort meeting, in Washington, D.C on July 10, 2024 – July 12, 2024; and

WHEREAS: Funders of the WULF program have provided full scholarships to all Program Fellows to cover travel, food, and lodging costs associated with the WULF Convening of approximately \$1,400.00; and

NOW THEREFORE
BE IT RESOLVED:

That the Board of the Buffalo Sewer Authority hereby authorizes travel from July 9, 2024 – July 13, 2024, for the Senior Engineer to attend the WULF Convening with travel, food, and lodging provided through WULF scholarship funding. Expenses for expected ancillary costs and any unreimbursed meals not exceeding \$300.00 will be charged to account no. 00600104-458010.

ITEM NO. 3

AUTHORIZATION FOR ISSUANCE OF CREDIT CARDS

WHEREAS: The Buffalo Sewer Authority has a Credit Card Policy that governs the issuance and proper use of BSA credit cards. This policy is approved annually by the Board; and

WHEREAS: Each credit card is issued by KeyBank, and has an authorized credit limit of \$15,000.00.

WHEREAS: The Credit Card Policy requires the Board to designate individuals to be issued BSA credit cards; and

WHEREAS: The Board has previously designated Desiree Briggs, Paulette Lee, LaToya Cunningham, Oluwole McFoy, Julia Olszewski, and Herbert Bellamy, Jr. to be issued credit cards; and

WHEREAS: The Executive Secretary recommends that a credit card be issued to Angelica Gonzalez; and

NOW THEREFORE
BE IT RESOLVED: That the Board of the Buffalo Sewer Authority hereby authorizes BSA credit cards to be issued to Herbert Bellamy, Desiree Briggs, LaToya Cunningham, Paulette Lee, Oluwole McFoy, Julia Olszewski, and Angelica Gonzalez.

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

Board Meeting of June 26, 2024

ITEM NO. 4

REQUEST TO INCREASE PETTY CASH FUND

WHEREAS: The Buffalo Sewer Authority currently has a petty cash fund in the amount of \$2,250; and

WHEREAS: Current petty cash purchases are limited to \$50.00 per day/per vendor; and

WHEREAS: The amount of the petty cash fund and the per day/per vendor limit have not been adjusted since the 1987-1988 fiscal year; and

WHEREAS: The amount of the petty cash fund and the per day/per vendor limit is no longer sufficient to facilitate the purchase of supplies and materials as needed.

NOW THEREFORE
BE IT RESOLVED: That the Board of the Buffalo Sewer Authority hereby authorizes the petty cash fund to be increased to \$6,000.00 and the per day/per vendor limit to be increased to two hundred dollars (\$200.00).

MOTION TO APPROVE

MADE BY MRS. PETRUCCI

2ND BY MR. ROOSEVELT

AYES 3 NOES 0

Board Meeting of June 26, 2024

ITEM NO. 8

EXTENSION OF THE CONTRACT FOR SLUDGE INCINERATOR REFRACTORY REHABILITATION

WHEREAS: On May 3, 2023, the Board of the Buffalo Sewer Authority awarded a contract to Plibrico Company for Sludge Incinerator Refractory Rehabilitation for the period July 1, 2023 to June 30, 2024 with an option to renew four (4) one-year periods, at an annual cost not to exceed \$179,821.75; and

WHEREAS: Plibrico Company has agreed to extend this contract for one (1) additional year under the same terms and conditions for fiscal year 2024-2025; and

WHEREAS: The Treatment Plant Superintendent and staff recommend this extension at a total cost not to exceed \$179,821.75.

NOW THEREFORE
BE IT RESOLVED: That the Board of the Buffalo Sewer Authority hereby authorize the General Manager to renew the contract with Plibrico Company for Sludge Incinerator Refractory Rehabilitation for the period July 1, 2024 to June 30, 2025, at a total cost not to exceed \$179,821.75. Expenses for this contract will be charged to account no. 00380106-443421.

MOTION TO APPROVE

MADE BY MRS. PETRUCCI

2ND BY MR. ROOSEVELT

AYES 3 NOES 0

Board Meeting of June 26, 2024

ITEM NO. 9

EXTENSION OF THE CONTRACT FOR GAS BURNER SYSTEM INSPECTION, PREVENTIVE MAINTENANCE AND CORRECTIVE REPAIR SERVICES

WHEREAS: On April 7, 2021, the Board of the Buffalo Sewer Authority awarded a contract to Mollenberg-Betz, Inc., for Gas Burner System Inspection, Preventive Maintenance and Corrective Repair Services for the period July 1, 2021 to June 30, 2022 with an option to renew four (4) one-year periods, at an annual cost not to exceed \$40,924.00; and

WHEREAS: On May 4, 2022, the Board authorized the extension of this contract for the period July 1, 2022 to June 30, 2023; and

WHEREAS: On March 1, 2023, the Board authorized the extension of this contract for the period July 1, 2023 to June 30, 2024; and

WHEREAS: Mollenberg-Betz Inc., has agreed to extend this contract for one (1) additional year under the same terms and conditions for fiscal year 2024-2025; and

WHEREAS: The Treatment Plant Superintendent and staff recommend this extension at a total cost not to exceed \$40,924.00.

NOW THEREFORE
BE IT RESOLVED: That the Board of the Buffalo Sewer Authority hereby authorize the General Manager to renew the contract with Mollenberg-Betz, Inc., for Gas Burner System Inspection, Preventive Maintenance and Corrective Repair Services for the period July 1, 2024 to June 30, 2025, at a total cost not to exceed \$40,924.00. Expenses for this contract will be charged to account no. 00380106-443421.

MOTION TO _____ APPROVE _____

MADE BY _____ MRS. PETRUCCI _____

2ND BY _____ MR. ROOSEVELT _____

AYES _____ 3 _____ NOES _____ 0 _____

Board Meeting of June 26, 2024

ITEM NO. 10

EXTENSION OF THE CONTRACT FOR DIRECT ENERGY MANAGEMENT & PNEUMATIC CONTROL SYSTEM REPAIR & SERVICES

WHEREAS: On September 28, 2023, the Board of the Buffalo Sewer Authority awarded a contract to Mollenberg-Betz for Direct Energy Management and Pneumatic Control System Repair and Services for the period July 1, 2023 to June 30, 2024 with an option to renew four (4) one-year periods, at an annual cost not to exceed \$66,320.00; and

WHEREAS: Mollenberg-Betz has agreed to extend this contract for one (1) additional year under the same terms and conditions for fiscal year 2024-2025; and

WHEREAS: The Treatment Plant Superintendent and staff recommend this extension at a total cost not to exceed \$66,320.00.

NOW THEREFORE
BE IT RESOLVED: That the Board of the Buffalo Sewer Authority hereby authorize the General Manager to renew the contract with Mollenberg-Betz for Direct Energy Management and Pneumatic Control System Repair and Services for the period July 1, 2024 to June 30, 2025, at a total cost not to exceed \$66,320.00. Expenses for this contract will be charged to account no. 00380106-443301.

MOTION TO APPROVE

MADE BY MRS. PETRUCCI

2ND BY MR. ROOSEVELT

AYES 3 NOES 0

Board Meeting of June 26, 2024

ITEM NO. 11

EXTENSION OF THE CONTRACT FOR THE PURCHASE OF FERROUS CHLORIDE

WHEREAS: On May 4, 2022 the Board of the Buffalo Sewer Authority awarded a contract to Kemira Water Solutions, Inc., for the purchase of Ferrous Chloride for the period July 1, 2022 to June 30, 2023 with an option to renew four (4) one-year periods, at an annual cost not to exceed \$282,560.00; and

WHEREAS: Kemira Water Solutions, Inc., has extended the price of \$0.920/gallon for fiscal year 2024-2025; and

WHEREAS: Kemira Water Solutions, Inc., has agreed to extend this contract for one (1) additional year under the same terms and conditions for fiscal year 2024-2025; and

WHEREAS: The Treatment Plant Superintendent and staff recommend this extension with the price increase at a total cost not to exceed \$294,400.00.

NOW THEREFORE
BE IT RESOLVED: That the Board of the Buffalo Sewer Authority authorizes the General Manager to renew the contract with Kemira Water Solutions, Inc., at a price of \$0.920/gallon, for the purchase of Ferrous Chloride for the period July 1, 2024 to June 30, 2025, at a total cost not to exceed \$294,400.00. Expenses for this contract will be charged to account no. 00360105-467044.

MOTION TO APPROVE

MADE BY MRS. PETRUCCI

2ND BY MR. ROOSEVELT

AYES 3 NOES 0

Board Meeting of June 26, 2024

ITEM NO. 12

EXTENSION OF THE CONTRACT FOR ANALYTICAL SERVICES

WHEREAS: On May 24 2023, the Board of the Buffalo Sewer Authority authorized the purchase of analytical services with Eurofins Environment Testing Northeast, LLC; and

WHEREAS: Eurofins Environment Testing Northeast, LLC, has agreed to extend this contract for one (1) additional year under the same terms and conditions for fiscal year 2024-2025; and

WHEREAS: The Treatment Plant Superintendent and staff recommend this extension at a price not to exceed \$211,791.00.

NOW THEREFORE
BE IT RESOLVED: That the Board of the Buffalo Sewer Authority authorizes the General Manager to renew the contract with Eurofins Environment Testing Northeast, LLC, for the purchase of analytical services for the period July 1, 2024 to June 30, 2025, at a total cost not to exceed \$211,791.00. Expenses for this contract will be charged to account no. 00550106-432004.

MOTION TO APPROVE

MADE BY MR. ROOSEVELT

2ND BY MRS. PETRUCCI

AYES 3 NOES 0

Board Meeting of June 26, 2024

ITEM NO. 13

EXTENSION OF THE CONTRACT FOR EMISSIONS TESTING

WHEREAS: On May 5, 2021 the Board of the Buffalo Sewer Authority awarded a contract to Gammie Air Monitoring, LLC, for professional services as outlined for the emissions testing of multi-hearth incinerators and auxiliary boilers for the period beginning July 1, 2021 to June 30, 2022, with an option to renew for four (4) one-year periods, at an annual cost not to exceed \$95,765.00; and

WHEREAS: On May 4, 2022, the Board authorized the extension of this contract for the period July 1, 2022 to June 30, 2023; and

WHEREAS: Gammie Air Monitoring, LLC, has agreed to extend this contract for one (1) additional year under the same terms and conditions for fiscal year 2024-2025; and

WHEREAS: The Treatment Plant Superintendent and staff recommend this extension at a total cost not to exceed \$95,765.00.

NOW THEREFORE
BE IT RESOLVED: That the Board of the Buffalo Sewer Authority authorizes the General Manager to renew the contract with Gammie Air Monitoring, LLC, for professional services for the emissions testing of multi-hearth incinerators and auxiliary boilers for the period July 1, 2024 to June 30, 2025, at a total cost not to exceed \$95,765.00. Expenses for this contract will be charged to account no. 00380106-432004.

MOTION TO APPROVE

MADE BY MRS. PETRUCCI

2ND BY MR. ROOSEVELT

AYES 3 NOES 0

Board Meeting of June 26, 2024

ITEM NO. 14

EXTENSION OF THE CONTRACT FOR THE PURCHASE OF POLYMER DEWATERING AID FOR WASTEWATER SLUDGE THICKENING & CONDITIONING

WHEREAS: On May 4, 2022, the Board of the Buffalo Sewer Authority awarded a contract to Polydyne, Inc., for the purchase of Polymer Dewatering Aid for Wastewater Sludge Thickening & Conditioning for the period July 1, 2022 to June 30, 2023 with an option to renew four (4) one-year periods, at an annual cost not to exceed \$1,740,000.00; and

WHEREAS: Polydyne, Inc. has agreed to extend this contract for one (1) additional year under the same terms and conditions for fiscal year 2024-2025; and

WHEREAS: The Treatment Plant Superintendent and staff recommend this extension at a total cost not to exceed \$1,740,000.00.

NOW THEREFORE
BE IT RESOLVED: That the Board of the Buffalo Sewer Authority authorizes the General Manager to renew the contract with Polydyne, Inc., for the purchase of Polymer Dewatering Aid for Wastewater Sludge Thickening & Conditioning for the period July 1, 2024 to June 30, 2025, at a total cost not to exceed \$1,740,000.00. Expenses for this contract will be charged to account nos. 00340105-467044 and 00360105-467044.

MOTION TO APPROVE

MADE BY MRS. PETRUCCI

2ND BY MR. ROOSEVELT

AYES 3 NOES 0

Board Meeting of June 26, 2024

ITEM NO. 15

CERTIFICATE OF ACCEPTANCE AND OCCUPANCY CONTRACT 82000035

PROJECT: Interiors Design and Construction Administration and Construction Inspection

BID: \$220,000.00

CONTRACTOR: Wendel Companies, Inc.
375 Essjay Road
Williamsville, NY 14221

WHEREAS: Item 8 of the December 16th, 2020 Board meeting, the Board of the Buffalo Sewer Authority authorized the General Manager to execute a contract with Wendel Companies, Inc. for Interiors Design and Construction Administration Inspection at a cost not to exceed; \$220,000.00; and

WHEREAS The Acting Treatment Plant Administrator and staff have certified that the Contractor completed the work in accordance with the plans and specifications on June 26, 2024; and

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 June 26, 2024;
- c. The final cost of the Contract is \$220,000.00.

MOTION TO APPROVE

MADE BY MRS. PETRUCCI

2ND BY MR. ROOSEVELT

AYES 3 NOES 0

Board Meeting of June 26, 2024

ITEM NO. 16

CHANGE ORDER NO. 3 – CONTRACT NO 82000055

| | | |
|-----------------------|-------------------------|---------------------|
| CONTRACTOR: | ORIGINAL CONTRACT COST | \$2,669,500.00 |
| Willett Builders, Inc | PREVIOUS CHANGE ORDERS | \$238,050.15 |
| 1728 Seneca Street | THIS CHANGE ORDER NO. 3 | <u>(\$9,991.50)</u> |
| Buffalo, NY 14210 | ADJUSTED CONTRACT COST | \$2,897,558.65 |

WORK: Wastewater Treatment Plant Interiors Upgrade Project

DESCRIPTION OF CHANGE OR EXTRA WORK:

Item #1 \$9,991.50 Decrease in construction costs during construction.

REASON FOR CHANGE OR EXTRA WORK:

Item#1 Field changes during construction resulted in a cost decrease in construction costs in the amount of (\$9,991.50). It was determined that the ceiling at City hall did not need to be demolished during construction. There was also work in the Megastructure control room hallway determined to be unnecessary.

COST OF CHANGE OR EXTRA WORK:

Item #1 (\$9,991.50)

THE TOTAL COST OF THE CHANGE OR EXTRA WORK \$9,991.50

The total DECREASE to the contract as a result of this Change Order is \$9,991.50

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, 2023, 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: On March,13 2024, the Board of the Buffalo Sewer Authority hereby approved Change Order #2 to contract 82000055 in the amount of \$155,550.15 making the adjusted contract amount \$2,907,550.15; and

WHEREAS: The consulting engineer, Wendel Companies, have reviewed the proposal for Change Order #3 from Willett Builders, Inc. in the amount of (\$9,991.50) and recommend approval. BSA Capital Improvements personnel 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, decreasing the contract cost in the amount of \$9,991.50making the adjusted contract cost \$2,897,558.65.

MOTION TO APPROVE

MADE BY MRS. PETRUCCI

2ND BY MR. ROOSEVELT

AYES 3 NOES 0

Board Meeting of June 26, 2024

ITEM NO. 17

CERTIFICATE OF ACCEPTANCE AND OCCUPANCY CONTRACT 82000055

PROJECT: Wastewater Treatment Plant Interiors Upgrades

BID: \$2,669,500.00

CONTRACTOR: Willett Builders, Inc.
1728 Seneca Street
Buffalo, NY 14210

WHEREAS: Item 16 of the September, 28 2022 Board meeting, the Board of the Buffalo Sewer Authority authorized The General Manager to execute a contract with Willett Builders, Inc. for the Megastructure Stair Tower and Maintenance Building Rehabilitation Project at a cost not to exceed; \$2,669,500.00; and

WHEREAS The Treatment Plant Administrator and staff have certified that the Contractor completed the work in accordance with the plans and specifications on June 26, 2024; and

WHEREAS Item No. 19, of the June 28th, 2023, Board Meeting the Board of the Buffalo Sewer Authority approved a deduct change order for unused contingency allowance in the amount of \$82,500.00. Therefore, the adjusted contract cost was \$2,752,000.00; and

WHEREAS Item No. 6, of the March 13th, 2024, Board Meeting the Board of the Buffalo Sewer Authority approved a deduct change order for unused contingency allowance in the amount of \$155,550.15. Therefore, the adjusted contract cost was \$2,907,550.15; and

WHEREAS Item No.15 , of the June 26th, 2024, Board Meeting the Board of the Buffalo Sewer Authority approved a deduct change order for unused contingency allowance in the amount of \$9,991.50. Therefore, the adjusted contract cost was \$2,897,558.65; and

NOW THEREFORE
BE IT RESOLVED:

That the Board of the Buffalo Sewer Authority hereby finds and determines that:

- d. The work to be performed under the terms of the Contract has been complete and is accepted;
- e. The date of entrance and occupancy be fixed as of June 26, 2024;
- f. The maintenance period commences on June 26, 2024;
- g. The final cost of the Contract is \$2,897,558.65.

MOTION TO APPROVE

MADE BY MRS. PETRUCCI

2ND BY MR. ROOSEVELT

AYES 3 NOES 0

Board Meeting of June 26, 2024

ITEM NO. 19

AUTHORIZATION FOR PURCHASE OF THE YEARLY SUBSCRIPTION FOR EZMAXMOBILE

WHEREAS: On February 17, 2021, the Board of the Buffalo Sewer Authority designated Interpro, the owner and distributor of EZMAXMOBILE software as a sole source for the purchase of software and technical support and professional services for EZMAXMOBILE; and

WHEREAS: The Buffalo Sewer Authority Sewer Maintenance Division and Green Infrastructure Department currently use EZMAXMOBILE for work order tracking for repairs and service performed throughout the City of Buffalo; and

WHEREAS: Interpro Solutions submitted a quote for \$47,642.00 for the yearly renewal subscription fee to include EZMAXMOBILE Users, Enhanced Mapping, Cloud Services (Push Notifications); and

WHEREAS: Board approval is required for services over \$20,000.00.

NOW THEREFORE
BE IT RESOLVED: That the Board of the Buffalo Sewer Authority hereby authorizes the General Manager to purchase the yearly subscription from Interpro Solutions at a cost not to exceed \$47,642.00. Account no. 00200106-443420 will be charged for this purchase.

MOTION TO APPROVE

MADE BY MRS. PETRUCCI

2ND BY MR. ROOSEVELT

AYES 3 NOES 0

Board Meeting of June 26, 2024

ITEM NO. 20

REPORTS ON BIDS RECEIVED – REMOVAL AND DISPOSAL OF MISCELLANEOUS CONSTRUCTION DEBRIS

WHEREAS: Formal bids were advertised and solicited for Removal and Disposal of Miscellaneous Construction Debris for a one-year period, July 1, 2024 through June 30, 2025, with an option to renew for four (4) one-year periods; and

WHEREAS: The following bids were received and opened by the Buffalo Sewer Authority Purchase Department on May 28, 2024:

| Vendor | Disposal Site | Price Per Ton (Approx. 2,000 tons) | Total Annual Cost |
|--------------------------------|--|------------------------------------|-------------------|
| Modern Disposal Services, Inc. | NEI Transfer Station 3675 Jeffery Blvd. Blasdell, NY 14219 | \$129.50 | \$259,000.00 |

; and

WHEREAS: The Director of Sewer Maintenance and staff have reviewed the quotes received and recommend awarding the contract to the responsible low bidder, Modern Disposal 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 for the Removal and Disposal of Miscellaneous Construction Debris with Modern Disposal Services, Inc. at a unit cost of \$129.50/ton up to a maximum account of \$259,000.00 for a one-year period, July 1, 2024 through June 30, 2025, with an option to renew for four (4) one-year periods. Expenses for this contract will be charged to account no. 00660106-442100.

MOTION TO APPROVE

MADE BY MRS. PETRUCCI

2ND BY MR. ROOSEVELT

AYES 3 NOES 0

Board Meeting of June 26, 2024

ITEM NO. 21

EXTENSION OF THE CONTRACT FOR OVERHEAD DOOR PREVENTIVE MAINTENANCE & REPAIR SERVICES

WHEREAS: On May 24, 2023, the Board of the Buffalo Sewer Authority awarded a contract to Legacy Overhead & Entry Door Co. LLC, for overhead door preventive maintenance and repair services for the period July 1, 2023 to June 30, 2024 with an option to renew four (4) one-year periods, at an annual cost not to exceed \$49,888.00; and

WHEREAS: Legacy Overhead & Entry Door Co. LLC has agreed to extend this contract for one (1) additional year under the same terms and conditions for fiscal year 2024-2025; and

WHEREAS: The Treatment Plant Superintendent, Superintendent of Mechanical Maintenance and staff recommend this extension at a total cost not to exceed \$49,888.00.

NOW THEREFORE
BE IT RESOLVED: That the Board of the Buffalo Sewer Authority hereby authorize the General Manager to renew the contract with Legacy Overhead & Entry Door Co. LLC for overhead door preventive maintenance and repair services for the period July 1, 2024 to June 30, 2025, at a total cost not to exceed \$49,888.00. These services will be charged to account nos. 00520106-443421 and 00650106-443421

MOTION TO APPROVE

MADE BY MRS. PETRUCCI

2ND BY MR. ROOSEVELT

AYES 3 NOES 0

Board Meeting of June 26, 2024

ITEM NO. 22

EXTENSION OF THE CONTRACT FOR ELEVATOR MAINTENANCE

WHEREAS: On May 26, 2021, the Board of the Buffalo Sewer Authority awarded a contract to DCB Elevator Co., Inc., for elevator maintenance services for the period beginning July 1, 2021 to June 30, 2022, with an option to renew for four (4) one-year periods, at an annual cost not to exceed \$134,600.00; and

WHEREAS: On May 4, 2022, the Board authorized the extension of this contract with DCB Elevator Co., for one (1) additional year under the same terms and conditions for fiscal year 2022-2023; and

WHEREAS: On April 5, 2023, the Board authorized the extension of this contract with DCB Elevator Co., for one (1) additional year under the same terms and conditions for fiscal year 2023-2024; and

WHEREAS: The Treatment Plant Superintendent, Superintendent of Mechanical Maintenance and staff recommend this extension at a total cost not to exceed \$134,600.00.

NOW THEREFORE
BE IT RESOLVED: That the Board of the Buffalo Sewer Authority hereby authorize the General Manager to renew the contract with DCB Elevator Co., Inc., for elevator maintenance services for the period July 1, 2024 to June 30, 2025, at a total cost not to exceed \$134,600.00. Expenses for this contract will be charged to account nos. 00380106-443421, 00520103-443421 and 00650106-443421.

MOTION TO APPROVE

MADE BY MRS. PETRUCCI

2ND BY MR. ROOSEVELT

AYES 3 NOES 0

Board Meeting of June 26, 2024

ITEM NO. 23

EXTENSION OF THE CONTRACT FOR IN-PLANT ELECTRICAL MAINTENANCE SERVICES

WHEREAS: On June 23, 2021, the Board of the Buffalo Sewer Authority awarded a contract to O’Connell Electric Company, Inc., for In-Plant Electrical Maintenance Services for the fiscal year 2021 – 2022 with up to four (4) one-year renewals beginning July 1, 2021; and

WHEREAS: O’Connell Electric Company, Inc., has agreed to extend this contract for one (1) additional year for fiscal year 2024 – 2025; and

WHEREAS: The Superintendent of Mechanical Maintenance and staff recommend this extension at a total cost not to exceed \$2,210,482.00.

NOW THEREFORE
BE IT RESOLVED: That the Board of the Buffalo Sewer Authority hereby authorizes the General Manager to renew the contract with O’Connell Electric Company, Inc., for In-Plant Electrical Services for the period July 1, 2024 through June 30, 2025 at a total cost not to exceed \$2,210,482.00. Expenses for this contract will be charged to account no. 00520106-443421.

MOTION TO APPROVE

MADE BY MRS. PETRUCCI

2ND BY MR. ROOSEVELT

AYES 3 NOES 0

Board Meeting of June 26, 2024.

ITEM NO. 24

EXTENSION OF THE CONTRACT FOR THE IN-PLANT MECHANICAL MAINTENANCE SERVICES

WHEREAS: On May 25, 2022, the Board of the Buffalo Sewer Authority awarded a contract to Quackenbush, Inc., for In-Plant Mechanical Maintenance Services for the fiscal year 2023 – 2024; and

WHEREAS: Quackenbush Company Inc., has agreed to extend this contract for one (1) additional year under the same terms and conditions for fiscal year 2024 – 2025; and

WHEREAS: The Superintendent of Mechanical Maintenance and staff recommend this extension at a total cost not to exceed \$2,000,000.00.

NOW THEREFORE
BE IT RESOLVED: That the Board of the Buffalo Sewer Authority hereby authorizes the General Manager to renew the contract with Quackenbush Company, Inc., for In-Plant Mechanical Services for the period July 1, 2024 – June 30, 2025, at a total cost not to exceed \$2,000,000.00. Expenses for this contract will be charged to Account No. 00520106-443421.

MOTION TO APPROVE

MADE BY MRS. PETRUCCI

2ND BY MR. ROOSEVELT

AYES 3 NOES 0

Board Meeting of June 26, 2024

ITEM NO. 25

REPORTS ON BIDS RECEIVED-PURCHASE OF NEW AND UNUSED MOYNO OR EQUIVALENT REPLACEMENT PARTS

WHEREAS: Formal bids were advertised and solicited for the purchase of various Moyno or equivalent replacement parts needed for the repair and preventative maintenance of thickened sludge pumps; and

WHEREAS: The following bids were received and opened by the Buffalo Sewer Authority Purchase Department on May 9, 2024:

| Vendor | Total Cost: |
|------------------------|--------------------|
| Power-Flo Technologies | \$67,760.00 |
| Corrosion Products | \$53,716.00 |
| Shrier Martin | No Response |

; and

WHEREAS: The Superintendent of Mechanical Maintenance and staff reviewed the quotes received for each item needed and recommend awarding the entire purchase to the lowest eligible bidder, Corrosion Products at a cost not to exceed \$53,716.00.

NOW THEREFORE
BE IT RESOLVED: That the Board of the Buffalo Sewer Authority hereby authorizes the General Manager to purchase various new and unused Moyno Parts from the lowest eligible bidder, Corrosion Products at a total cost of \$53,716.00. This purchase will be charged to account no. 00340105-466107.

MOTION TO APPROVE

MADE BY MRS. PETRUCCI

2ND BY MR. ROOSEVELT

AYES 3 NOES 0

Board Meeting of June 26, 2024

ITEM NO. 26

AUTHORIZATION FOR ORIGINAL EQUIPMENT MANUFACTURER PURCHASES OVER \$20,000.00 AND SERVICES OVER \$35,000.00 FOR FISCAL YEAR 2024-2025

WHEREAS: The Buffalo Sewer Authority designated various original equipment manufacturers, and/or their local representatives, as sole sources for the purchase of various commodities, technology, and/or services for the fiscal year 2024-2025; and

WHEREAS: Based upon historical usage and the fiscal budget plan for this fiscal year of 2024-2025, the Superintendent of Mechanical Maintenance has determined that purchases for the following sole source designated vendors for various commodities, technologies and/or services shall not exceed those listed below for the fiscal year 2024-2025:

| Original Equipment Manufacturer | Estimated Purchases/Services |
|---|-------------------------------------|
| AAF McQuay | \$30,000.00 |
| ABB Inc., Instrumentation Department | \$50,000.00 |
| Allen Sherman Hoff | \$60,000.00 |
| Auma Actuators | \$150,000.00 |
| Blackmer, Division of Dover Energy Inc. | \$110,000.00 |
| Comairco | \$40,000.00 |
| Duperon | \$40,000.00 |
| EIM Controls | \$75,000.00 |
| Emerson Process Management | \$50,000.00 |
| Envirocare | \$80,000.00 |
| Evoqua Water Technologies | \$90,000.00 |
| Fairbanks Morse | \$60,000.00 |
| GEA Mechanical Equipment US Inc. -GEA Westfalia Separator Division | \$1,140,000.00 |
| Gorman-Rupp Company | \$60,000.00 |
| Goulds/ITT IP Division | \$30,000.00 |
| Henry Pratt | \$30,000.00 |
| Infilco | \$100,000.00 |
| Ingersoll-Rand | \$130,000.00 |
| JDV | \$70,000.00 |
| JWC Environmental, LLC | \$120,000.00 |
| Limitorque (Division of Flowserve) | \$60,000.00 |
| Royal Purple | \$15,000.00 |
| Schwing Bioset | \$80,000.00 |
| Serpentix | \$50,000.00 |
| Smith & Loveless, Inc. | \$60,000.00 |
| Val-Matic Valve | \$30,000.00 |
| Val-Matic Valve (Scum Ejector Parts) | \$ 70,000.00 |

| | |
|--|--------------|
| Vaughan Co., Inc. | \$120,000.00 |
| W.S.G. & Solutions | \$75,000.00 |
| Xylem Water Solutions (ITT Flygt Pumps) | \$140,000.00 |
| Xylem Water Solutions (Allis Chalmers Pumps) | \$40,000.00 |
| YSI Incorporated | \$30,000.00 |
| APGN INC | \$50,000.00 |

; and

WHEREAS: The Superintendent of Mechanical Maintenance, Treatment Plant Superintendent, and staff recommend approval for the estimated amounts listed for the various original equipment manufacturers for purchases/services anticipated for fiscal year 2024-2025; and

WHEREAS: Board approval is required on purchases made over \$20,000.00 and services over \$35,000.00.

NOW THEREFORE
BE IT RESOLVED: That the Board of the Buffalo Sewer Authority hereby authorizes the General Manager to purchase original equipment commodities, as needed, and services from the original equipment manufacturers, or their designated local representatives, at a total cost not to exceed the listed amounts for fiscal year 2024-2025 and to charge the appropriate department accounts.

MOTION TO APPROVE

MADE BY MRS. PETRUCCI

2ND BY MR. ROOSEVELT

AYES 3 NOES 0

Board Meeting of June 26, 2024

ITEM NO. 27

EXTENSION OF THE CONTRACT FOR SAFETY PROFESSIONAL SERVICES

WHEREAS: On March 13, 2024, the Board of the Buffalo Sewer Authority awarded a contract to Great Lakes Environmental & Safety Consultants, Inc., for professional occupational health and safety oversight and support services for the remainder of the 2023-2024 fiscal year with the option for up to four (4) one-year renewals; and

WHEREAS: On June 13, 2024, Great Lakes Environmental & Safety Consultants Inc. agreed to extend this contract for one (1) additional year under the same terms and conditions for fiscal year 2024-2025; and

WHEREAS: The Superintendent of Mechanical Maintenance, Treatment Plant Superintendent, and staff recommend this extension at a total cost not to exceed \$203,840.00; and

WHEREAS: Board approval is required on purchases of services over \$35,000.00.

NOW THEREFORE
BE IT RESOLVED: That the Board of the Buffalo Sewer Authority hereby authorize the General Manager to renew the contract with Great Lakes Environmental & Safety Consultants Inc. for Safety Professional Services for the period July 1, 2024 to June 30, 2025, at a total cost not to exceed \$203,840.00. These services will be charged to account no. 00520106-443200.

MOTION TO APPROVE

MADE BY MRS. PETRUCCI

2ND BY MR. ROOSEVELT

AYES 3 NOES 0

Board Meeting of June 26, 2024

ITEM NO. 28

REPORT ON BIDS RECEIVED FOR THE REMOVAL & DISPOSAL OF VARIOUS MATERIALS

WHEREAS: On May 28th, 2024, bids were received and opened for contracts for the removal & disposal of various materials; and

WHEREAS: The bid announcement was advertised and sent to Waste Management, Geiter Done, Modern Disposal, Conex & Casella, with the proposal package being requested by Union Concrete Construction, NOVA Site Company, Noco LLC, Waste Away WNY & Lardon Construction/Vargo Trucking; and

WHEREAS: The only bid received was from Modern Disposal; and

WHEREAS: Modern Disposal bid on all line items, at a total bid amount of \$904,000.00:

| Item | Quantity | Description | Price per Ton | Total Annual Cost |
|--|---------------------------|-------------------|---------------|-------------------|
| 1 | 500 Tons (estimated) | Aeration Grit | \$140.00 | \$70,000.00 |
| 2 | 800 Tons (estimated) | Sewage Screenings | \$140.00 | \$112,000.00 |
| 3 | 300 Tons (estimated) | Sewage Grit | \$140.00 | \$42,000.00 |
| 4 | 200 Tons (estimated) | Trash | \$129.50 | \$25,900.00 |
| 5 | 450 Tons (estimated) | Sludge | \$179.50 | \$80,775.00 |
| 6 | 100 Tons (estimated) | Ash Clinkers | \$80.75 | \$8,075.00 |
| 7 | 7,000 Tons (estimated) | Incinerator Ash | \$80.75 | \$565,250.00 |
| <u>TOTAL BID AMOUNT: \$904,000.00</u> | | | | |

and

WHEREAS: The Treatment Plant Administrator and staff recommend accepting this contract.

NOW THEREFORE
BE IT RESOLVED:

That the Board of the Buffalo Sewer Authority authorizes the General Manager to enter into a contract with Modern Disposal, for the removal & disposal of various materials for the period July 1, 2024 to June 30, 2025, at a total cost not to exceed \$904,000.00. Expenses for this contract will be charged to account nos. 00230106-442100, 00290106-442100 & 00380106-442100.

MOTION TO APPROVE

MADE BY MRS. PETRUCCI

2ND BY MR. ROOSEVELT

AYES 3 NOES 0

Board Meeting of June 26, 2024

ITEM NO. 29

EXTENSION OF THE CONTRACT FOR UTILITY LOCATION SERVICES

WHEREAS: On September 30, 2020, the Board of the Buffalo Sewer Authority awarded a contract to On the Mark, LLC (OTM) for utility location services for the period from November 1, 2020 through June 30, 2021 at the total cost not to exceed \$68,772.00 with up to four (4) one-year renewals beginning July 1, 2021; and

WHEREAS: On April 7, 2021, the Board authorized a change order due to larger than expected number of tickets and linear feet of markings for the amount of \$50,000.00 to cover the costs through the end of the period on June 30, 2021; and

WHEREAS: On June 23, 2021, the Board authorized a one (1) year extension at a cost not to exceed \$236,000.00 for fiscal year 2021-2022; and

WHEREAS: On June 22, 2022, the Board authorized a one (1) year extension at a cost not to exceed \$200,000.00 for fiscal year 2022-2023; and

WHEREAS: On May 24, 2023, the Board authorized a one (1) year extension at a cost not to exceed \$225,000.00 for fiscal year 2023-2024; and

WHEREAS: OTM has agreed to extend this contract for one (1) year under the same terms and conditions for fiscal year 2024-2025; and

WHEREAS: Based on the ticket count and linear footage from the previous year (February 1, 2023 – January 31, 2024), the Principal Sanitary Engineer and staff recommend this extension at a total cost not to exceed \$250,000.00 for the 2024-2025 fiscal year.

NOW THEREFORE
BE IT RESOLVED:

That the Board of the Buffalo Sewer Authority hereby authorizes the General Manager to renew the contract with OTM for utility location services at a cost not-to-exceed \$250,000.00 for the period July 1, 2024 through June 30, 2025. Account no. 00600106-432004 will be utilized for these services.

MOTION TO APPROVE

MADE BY MRS. PETRUCCI

2ND BY MR. ROOSEVELT

AYES 3 NOES 0

Board Meeting of June 26, 2024

ITEM NO. 30

CHANGE ORDER NO. 6 – CONTRACT NO. 82000017

| | | |
|-----------------------------|------------------------|---------------------|
| CONTRACTOR: | ORIGINAL CONTRACT COST | \$2,262,000.00 |
| NOVA Site Companies | PREVIOUS CHANGE ORDERS | \$769,738.09 |
| 6 Lena Court | THIS CHANGE ORDER | <u>\$379,535.53</u> |
| West Seneca, New York 14224 | ADJUSTED CONTRACT COST | \$3,411,273.62 |

VENDOR# 9596 ACCOUNT# 02000507-490740

WORK: Smith at Eagle Real Time Control Project

DESCRIPTION OF CHANGE OR EXTRA WORK:

- Item #1 Clinton St. Restoration - 1-1/2" milling and overlaying of Clinton Street between Fillmore and Smith Street, incorporating the camera system, epoxy striping and crosswalks, traffic protection and maintenance, and signage.
- Item #2 Smith St Restoration - 1-1/2" milling and overlaying of Smith Street between Clinton and Fillmore Street (excluding areas already paved under the original Contract), incorporating the camera system, traffic protection and maintenance, and signage.

REASON FOR CHANGE OR EXTRA WORK:

- Item #1 To restore the pavement along the Detour route on Clinton St. which was utilized during the construction of the RTC.
- Item #2 To restore the pavement along the Detour route on Smith St. which was utilized during the construction of the RTC.

COST OF CHANGE OR EXTRA WORK:

| | |
|---------|--------------|
| Item #1 | \$219,327.85 |
| Item #2 | \$160,207.68 |

THE TOTAL COST OF THE CHANGE OR EXTRA WORK: \$379,535.53

The Total INCREASE to the Contract as a result of this Change Order is \$379,535.53

WHEREAS: This project was awarded a Water Quality Improvement Program grant by the New York State Department of Environmental Conservation with a minimum local match of 25% for Construction; and

- WHEREAS: In Item No. 20, on April 1, 2020 the Board of the Buffalo Sewer Authority authorized the General Manager to enter into and execute a contract with Nova Site Company, LLC for the Smith St. at Eagle St. Real Time Control Project at a cost not to exceed \$2,262,000.00; and
- WHEREAS: Change Order No. 1 to Contract No. 82000017 was approved by the Board on October 20, 2021 with no increase in cost but an increase in the construction schedule of 233 days; and
- WHEREAS: Change Order No. 2 to Contract No. 82000017 was approved by the Board on June 22, 2022 in the amount of \$235,406.63 for additional work and materials; and
- WHEREAS: Change Order No. 3 to Contract No. 82000017 was approved by the Board on September 28, 2022 in the amount of \$0.00 for retention reduction from 5% to 1%; and
- WHEREAS: Change Order No. 4 to Contract No. 82000017 was approved by the Board on May 24, 2023 in the amount of \$81,724.18 for check valve installation and modifications; and
- WHEREAS: Change Order No. 5 to Contract No. 82000017 was approved by the Board on September 28, 2023 in the amount of \$452,607.28 for check valve installation, manhole modifications and sewer extension in Great Arrow; and
- WHEREAS: The Principal Sanitary Engineer and staff have reviewed a request for a Change Order No. 5 to Contract No. 82000017 as detailed above and recommend its approval.

CONTRACT SUPPLEMENT CONDITIONS:

1. The contract completion date established in the original contract or as modified by previous contract supplements is hereby changed by 233 calendar days to set a new final completion date.
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%).

ITEM NO. 31

AUTHORIZATION TO ENTER INTO AN AGREEMENT WITH WENDEL COMPANIES, INC., FOR PROFESSIONAL ENGINEERING SERVICES

WHEREAS: The Buffalo Sewer Authority issued a request for qualifications (RFQ) for the purposes of prequalifying various firms for delivery of green infrastructure capital improvement projects and approved these entities on September 30, 2020; and

WHEREAS: Wendel Companies, Inc., as a prequalified firm has developed preliminary plans for Hennepin Park Green Infrastructure; and

WHEREAS: Wendel Companies, Inc., submitted a proposal for delivery of professional engineering services in support of the Hennepin Park Green Infrastructure; and

WHEREAS: Based upon the review of the Principal Sanitary Engineer and staff, it is recommended to proceed with the proposal and scope of work for professional services at an agreed upon cost not to exceed \$289,000.00.

NOW THEREFORE
BE IT RESOLVED: That the Board of the Buffalo Sewer Authority hereby authorizes the General Manager to execute an agreement with Stantec Consulting Services, Inc. to provide professional engineering services at a cost not to exceed \$289,000.00. The cost of this contract will be funded from account no. 02000587-432004.

MOTION TO APPROVE

MADE BY MRS. PETRUCCI

2ND BY MR. ROOSEVELT

AYES 3 NOES 0

Board Meeting of June 26, 2024

ITEM NO.32

DECLARATION OF LEAD AGENCY FOR STATE ENVIRONMENTAL QUALITY REVIEW FOR DELAVAN TRUNK SEWER IMPROVEMENTS PROJECT

WHEREAS: The Buffalo Sewer Authority (“BSA”) proposes to upgrade BSA’s sewer collection system along Florida Street and Spillman Place to control combined sewer overflow (CSO) discharges to the Scajaquada Creek (“the Project”); and

WHEREAS: The Project area is located in the City of Buffalo’s Masten District; and

WHEREAS: The Project will reduce both the number of CSO activation events to Scajaquada Creek and the total combined sewage discharge to Scajaquada Creek and the Black Rock Canal; and

WHEREAS: In accordance with Part 617 of the implementing regulations pertaining to Article 9 (State Environmental Quality Review Act – “SEQRA”) of the Environmental Conservation Law, the Board has determined that the above project is classified as an Unlisted Action; and

WHEREAS: Part 1 of the SEQRA Long Environmental Assessment Form (EAF) has been completed (See Attachment); and

WHEREAS: The Buffalo Sewer Authority has identified Involved Agencies for the Project;

NOW THEREFORE
BE IT RESOLVED: The Board of the Buffalo Sewer Authority hereby announces its intent that the BSA will serve as Lead Agency to conduct an environmental review of the Project in accordance with SEQR and will notify the Involved Agencies of BSA’s intention to act as Lead Agency.

MOTION TO APPROVE

MADE BY MRS. PETRUCCI

2ND BY MR. ROOSEVELT

AYES 3 NOES 0

Board Meeting of June 26, 2024

ITEM NO. 33

REPORT ON BIDS RECEIVED - DELAVAN TRUNK SEWER IMPROVEMENTS AT FLORIDA STREET PROJECT (SPP 229A CSO-053 10)

WHEREAS: Formal bids were advertised and solicited for the Delavan Trunk Sewer Improvements at Florida Street Project (SPP 229A CSO-053_10). The following bids were received and opened by the Buffalo Sewer Authority on June 7, 2024:

| Bidder | Total Bid |
|---|------------------|
| PM Pavement | \$2,082,678.00 |
| Destro & Brothers Concrete Co., Inc. | \$2,165,120.00 |
| Kandey Co. | \$2,282,828.00 |

; and

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

WHEREAS: Upon review PM Pavement was found to be non-responsive due to several deficiencies including: bid prices did not include both written words and numbers, bid subtotals included mathematical errors, the page containing the full project total was missing, the bid security was insufficient, the Bidder's Qualification submittal was incomplete and referenced work completed by a different corporate entity, and the Non-Collusion Affidavit was unsigned; and

WHEREAS: Upon review Destro & Brothers Concrete Co., Inc. was found to be non-responsive due to lack of attendance at a mandatory pre-bid meeting and incomplete Bidder's Qualification submittal; and

WHEREAS: The Engineer's Estimate for this project was \$2,336,684.00; and

WHEREAS: The Buffalo Sewer Authority's Consulting Engineer, Hazen and Sawyer, has reviewed the bids and recommend awarding the contract to the low responsive and responsible bidder, Kandey Co., at a cost not to exceed \$2,282,828.00; and

WHEREAS: The Buffalo Sewer Authority Principal Sanitary Engineer and staff concur with the recommendation of the Consulting Engineer.

NOW THEREFORE
BE IT RESOLVED:

The Board of the Buffalo Sewer Authority hereby authorizes the General Manager to enter into and execute a contract with Kandey Co., in an amount not to exceed \$2,282,828.00. Expenses for this contract will be charged to account no. 02000588-490740.

MOTION TO APPROVE

MADE BY MRS. PETRUCCI

2ND BY MR. ROOSEVELT

AYES 3 NOES 0

Board Meeting of June 26, 2024

ITEM NO. 34

APPOINTMENT OF STORMWATER MANAGEMENT OFFICER FOR BUFFALO SEWER AUTHORITY

- WHEREAS: The Buffalo Sewer Authority previously appointed Rosaleen B. Nogle, P.E., on May 7, 2014 to serve as Stormwater Management Officer; and
- WHEREAS: The Board appointed Regina L. Harris to succeed Rosaleen B. Nogle, P.E. in the Stormwater Management Officer position on November 6, 2019; and
- WHEREAS: New York State's MS4 SPDES General Permit (GP-0-24-001), Part VI.B: Public Involvement/Participation requires that the Buffalo Sewer Authority (BSA) identify a local point of contact for public concerns regarding the Stormwater Management Program (SWMP) and compliance with this permit as the Stormwater Management Officer; and
- WHEREAS: New York State's MS4 SPDES General Permit (GP-0-24-001), Part IV.B.1: SWMP Plan that the BSA designate a Stormwater Program Coordinator who must be knowledgeable in the principles and practices of stormwater management, the requirements of this SPDES general permit, and the SWMP; and
- WHEREAS: The General Manager has deemed Rosaleen Nogle, P.E., Principal Sanitary Engineer, qualified to hold the Stormwater Management Officer position and therefore is requesting that she succeed Regina L. Harris, Senior Engineer as Stormwater Management Officer; and
- WHEREAS: The General Manager has deemed Regina Harris, Senior Engineer, qualified to hold the newly designated position of Stormwater Program Coordinator; and

NOW THEREFORE
BE IT RESOLVED:

That the Board of the Buffalo Sewer Authority hereby authorizes the appointments of Rosaleen B. Nogle, P.E., Principal Sanitary Engineer, as Stormwater Management Officer and Regina L. Harris, Senior Engineer, as Stormwater Program Coordinator for the Buffalo Sewer Authority.

MOTION TO APPROVE

MADE BY MRS. PETRUCCI

2ND BY MR. ROOSEVELT

AYES 3 NOES 0

Board Meeting of June 26, 2024

ITEM NO. 35

ADJOURNMENT OF MEETING

MOTION TO APPROVE

MADE BY MRS. PETRUCCI

2ND BY MR. ROOSEVELT

AYES 3 NOES 0

Board Meeting of June 26, 2024