

BUFFALO SEWER AUTHORITY

REGULAR MEETING

April 9, 2025

3:00 P.M.

**Buffalo City Hall, 65 Niagara Square Room 1038
Teleconference +1 917- 933-2166, ID #952 052 521#**

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ATTACHMENTS

Attachment A: Schedule of Sewer Rents and Other charges

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ITEM NO. 2

APPROVAL OF CONSENT AGENDA

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- A. Informative: Temporary Investments
- B. Informative: Reallocation of Funds
- C. Claim Against Liability and Casualty Reserve Fund
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- E. Claim Against Liability and Casualty Reserve Fund
- F. Correction of Date Error on Item No. 7 of February 19, 2025, Board Resolution Authorizing Contract With Mark Cerrone, Inc.
- G. Amendment To Schedule of Job Classification Plan
- H. Confirmation of Appointments

MOTION TO _____

MADE BY _____

2ND BY _____

AYES _____ NOES _____

Board Meeting of April 9, 2025

2-A

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

As of February 28th, 2025

| ISSUE DATE | MATURITY DATE | TOTAL DAYS | AMOUNT | BANK | RATE | INTEREST AMOUNT |
|--|---------------------|------------|------------------------|--------------------------|-------|-----------------|
| CONSTRUCTION/CAPITAL IMPROVEMENT FUND | | | | | | |
| 31-Jul-12 | MONEY MARKET | | \$3,027,209.88 | Key | 0.01% | Public NOW |
| 13-Feb-25 | 13-Mar-25 | 28 | \$6,499,647.35 | Key Banc Capital | 4.21% | \$21,352.65 |
| 27-Feb-25 | 27-Mar-25 | 28 | \$9,999,228.80 | Key Banc Capital | 4.20% | \$32,771.20 |
| 27-Feb-25 | 10-Apr-25 | 42 | \$8,499,049.45 | Key Banc Capital | 4.21% | \$41,950.55 |
| | | | \$28,025,135.48 | | | |
| LIABILITY AND CASUALTY RESERVE FUND | | | | | | |
| 31-Jul-12 | MONEY MARKET | | \$243,678.37 | Key | 0.01% | Public NOW |
| 16-Jan-25 | 17-Apr-25 | 91 | \$779,673.90 | Key Banc Capital | 4.18% | \$8,326.10 |
| | | | \$1,023,352.27 | | | |
| OPERATING FUND | | | | | | |
| 31-Jul-12 | SUPER NOW | | \$3,082,204.11 | Key | 0.01% | Public NOW |
| TRUST & AGENCY FUND | | | | | | |
| 31-Jul-12 | SUPER NOW | | \$31,597.85 | Key | 0.01% | Public NOW |
| SURPLUS FUND | | | | | | |
| 21-Nov-24 | 15-May-25 | 175 | \$627.92 | Wilmington U.S. Treasury | 4.79% | |
| | | | \$10,004,262.50 | Key Banc Capital | 4.50% | \$223,737.50 |
| | | | \$10,004,890.42 | | | |
| NET REVENUE FUND | | | | | | |
| 28-Jan-25 | 27-Mar-25 | 58 | \$1,230,491.84 | Wilmington U.S. Treasury | | |
| | | | \$3,490,216.27 | Key Banc Capital | 4.20% | \$23,783.73 |
| 25-Feb-25 | 29-Apr-25 | 63 | \$6,997,806.64 | M&T Securities | 4.15% | \$51,193.36 |
| | | | \$11,718,514.75 | | | |

BSA 2021 EIB FUND

| | | | | | | |
|-----------|----------|-----|------------------------|------------------|-------|--------------|
| | | | \$324,902.08 | Cash | 0.00% | |
| 14-Nov-24 | 8-May-25 | 175 | \$32,615,964.44 | Key Banc Capital | 4.26% | \$690,035.56 |
| 12-Dec-24 | 5-Jun-25 | 175 | \$9,982,955.78 | M&T Securities | 4.16% | \$206,044.22 |
| 19-Dec-24 | 5-Jun-25 | 168 | \$10,101,004.00 | M&T Securities | 4.14% | \$198,996.00 |
| | | | \$53,024,826.30 | | | |

DEBT RESERVE FUND

| | | | | | | |
|-----------|-----------|-------|-----------------------|--------------------------|-------|------------|
| | | | | Series J | | |
| 02-Jul-14 | 13-Nov-33 | 7076 | \$278,762.17 | UST State/Local Govt | 2.70% | |
| | | | | Series K | | |
| 02-Jul-14 | 15-Feb-33 | 6803 | \$194,396.92 | 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 | \$585,063.94 | 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 | | |
| | | | \$2.42 | Wilmington U.S. Treasury | 4.79% | |
| 13-Feb-25 | 7-Aug-25 | 175 | \$358,563.08 | M&T Securities | 4.18% | \$7,436.92 |
| | | | \$358,565.50 | | | |

DSF PRIN &INT**\$0.01**

Wilmington Fund

DSF 2021 EIB**\$1,182,682.51**

Wilmington Fund 4.79%

RECEIVE & FILEBoard Meeting of April 9th, 2025

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

| | | | | |
|------------|-------------------------------------|--------------|----------------------------------|-------------|
| 02/28/2025 | 00400105 SOUTH Equipment Maint | -\$60,448.00 | 00380106 INCIN Maint Contract | \$60,448.00 |
| 02/28/2025 | 00200106 PLAN Eng & Tech | -\$31,000.00 | 00380106 INCIN Maint Contract | \$31,000.00 |
| 02/28/2025 | 00380107 INCIN Maint & Equipment | -\$50,000.00 | 00380106 INCIN Maint Contract | \$50,000.00 |

Sewer Maintenance

| | | | | |
|------------|---------------------------------|-------------|---------------------------------------|------------|
| 02/25/2025 | 00660105 SWRR Road & Highway | -\$4,000.00 | 00690107 AUTO Cars & Other Vehicle | \$4,000.00 |
|------------|---------------------------------|-------------|---------------------------------------|------------|

Industrial Waste

| | | | | |
|------------|--------------------------------------|-----------|--|----------|
| 02/26/2025 | 00550106 IWS Repairs to Equipment | -\$292.13 | 005501015 IWS Spill Hazard Supplies | \$292.13 |
|------------|--------------------------------------|-----------|--|----------|

RECEIVE & FILE

Board Meeting of April 9, 2025

2-C

CLAIM AGAINST LIABILITY AND CASUALTY RESERVE FUND

WHEREAS: Ashley Rossney filed a Notice of Claim for property damage to a 2024 VW Taos while parked at the Bird Island Treatment Facility on or about October 1, 2024.

WHEREAS: The General Counsel has reviewed this matter and recommends the final settlement amount of \$1,065.75 is in the best interest of the Buffalo Sewer Authority.

NOW THEREFORE
BE IT RESOLVED:

That the Board of the Buffalo Sewer Authority hereby authorizes the payment to Ashley Rossney in the final settlement amount of \$1,065.75 in full and complete settlement of this matter. This claim will be paid out of the Liability and Casualty Reserve Fund.

2-D

CLAIM AGAINST LIABILITY AND CASUALTY RESERVE FUND

WHEREAS: INCT Holdings c/o Dasa Properties filed a Notice of Claim for property damage arising out of an alleged sewer basement back up at or near 18 Goethe in the City of Buffalo on or about January 7, 2025.

WHEREAS: After reviewing this matter the General Counsel agrees that the final settlement amount of \$4,500.00 is in the best interest of the Buffalo Sewer Authority.

NOW THEREFORE
BE IT RESOLVED: That the Board of the Buffalo Sewer Authority hereby authorizes payment to INCT Holdings c/o Dasa Properties in the final settlement amount of \$4,500.00 and in full and complete settlement of this matter. This claim will be paid out of the Liability and Casualty Reserve Fund.

2-E

CLAIM AGAINST LIABILITY AND CASUALTY RESERVE FUND

WHEREAS: National Fuel Gas Distribution Corporation filed a Notice of Claim for property damage arising out of an alleged motor vehicle accident occurring on or about January 10, 2025 at Coit Street involving a Buffalo Sewer Authority vehicle and a parked National Fuel Gas vehicle.

WHEREAS: The General Counsel has reviewed this matter and concludes that the final settlement amount of \$1,633.52 is in the best interest of the Buffalo Sewer Authority.

NOW THEREFORE
BE IT RESOLVED: That the Board of the Buffalo Sewer Authority hereby authorizes the payment to National Fuel Gas Distribution Corporation in the final settlement amount of \$1,633.52 in full and complete settlement of this matter. This claim will be paid out of the Liability and Casualty Reserve Fund.

2-F

CORRECTION OF DATE ERROR ON ITEM NO. 7 OF FEBRUARY 19, 2025 BOARD RESOLUTION AUTHORIZING CONTRACT WITH MARK CERRONE, INC.

- WHEREAS: At the February 19, 2025 Board meeting, the Buffalo Sewer Authority Board authorized the Executive Secretary to enter into and execute a contract with Mark Cerrone, Inc. for the Cornelius Creek CSO Backwater Gate Flooding Mitigation Project at a cost not to exceed \$2,631,875.00.
- WHEREAS: Subsequent to the February 19, 2025 Board meeting, Buffalo Sewer Authority staff discovered the scrivener's error and that the resolution authorizing the Executive Secretary to enter into and execute the contract reflected the year of approval as 2024, when in fact it should have reflected 2025.
- WHEREAS: There being no other errors, changes or amendments to Item No. 7, attached hereto as Attachment B bearing the corrected date of February 19, 2025, the General Counsel recommends approval and the record corrected.
- NOW THEREFORE
BE IT RESOLVED: That the Board of the Buffalo Sewer Authority hereby adopts the resolution correcting the record with Attachment B.

2-G

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 positions to the Job Classification Plan:

Two (2) Laborer II 00530161 411001

2-H

CONFIRMATION OF APPOINTMENTS

PRINCIPAL SANITARY ENGINEER (TEMPORARY)
CITY HALL ENGINEERING
\$131,946 PER ANNUM
EFFECTIVE: FEBRUARY 3, 2025

ROSALEEN NOGLE
100 BAYNES ST.
BUFFALO, NY 14213

PRINCIPAL CHIEF STATIONARY ENGINEER (PERMANENT)
SEWAGE TREATMENT PLANT
\$95,899 PER ANNUM
EFFECTIVE: MARCH 3, 2025

DAVID AMOIA
49 TREEHAVEN RD.
BUFFALO, NY 14215

PERSONNEL CLERK (PERMANENT)
CITY HALL ADMINISTRATION
\$57,052 PER ANNUM
EFFECTIVE: MARCH 10, 2025

LEAH ROSSI
660 CRESCENT AVE
BUFFALO, NY 14216

PERSONNEL CLERK (PERMANENT)
CITY HALL ADMINISTRATION
\$54,858 PER ANNUM
EFFECTIVE: MARCH 10, 2025

CRYSTALEE LOZADA
301 GERMANIA ST.
BUFFALO, NY 14220

SENIOR CLERK (PROVISIONAL)
SEWER MAINTENANCE DIVISION
\$54,858 PER ANNUM
EFFECTIVE: MARCH 10, 2025

JANELLE VACANTI
141 REBECCA PARK
BUFFALO, NY 14207

SEWER CONSTRUCTION WORKER (PROVISIONAL)
SEWER MAINTENANCE DIVISION
\$27.44 PER HOUR
EFFECTIVE: MARCH 10, 2025

LAMONT WATKINS
53 WILBURY PLACE
BUFFALO, NY 14216

SEWER CONSTRUCTION WORKER (PROVISIONAL)
SEWER MAINTENANCE DIVISION
\$27.73 PER HOUR
EFFECTIVE: MARCH 10, 2025

FREDERICK PERKINS
14 LAUX ST.
BUFFALO, NY 14206

LABORER I (PERMANENT)
MAINTENANCE DIVISION
\$22.04 PER HOUR
EFFECTIVE: MARCH 10, 2025

LAMARR WHITFIELD
200 VILLA AVE
BUFFALO, NY 14216

CLERK (PERMANENT)
SEWAGE TREATMENT PLANT
\$45,216 PER ANNUM
EFFECTIVE: MARCH 17, 2025

KATHERINE MURPHY
56 S. PONTIAC ST.
BUFFALO, NY 14206

CLERK (PERMANENT)
CITY HALL ADMINISTRATION
\$45,216 PER ANNUM
EFFECTIVE: MARCH 17, 2025

JOHN OVAK
1183 ELMWOOD AVE
BUFFALO, NY 14222

PRINCIPAL CLERK (PERMANENT)
SEWAGE TREATMENT PLANT
\$72, 779 PER ANNUM
EFFECTIVE: MARCH 17, 2025

MORGAN MAYNARD
13 MCCARTHY DRIVE
BUFFALO, NY 14211

CLERK (PERMANENT)
SEWAGE TREATMENT PLANT
\$45, 216 PER ANNUM
EFFECTIVE: MARCH 27, 2025

MARIDETH WANAT
1240 DELAWARE AVE APT 308
BUFFALO, NY 14209

LABORER I (PERMANENT)
SEWER MAINTENANCE DIVISION
\$22.04 PER HOUR
EFFECTIVE: MARCH 24, 2025

TARIQ EUBANKS
405 GLENWOOD AVE
BUFFALO, NY 14208

WHEREAS: The preceding appointments were made by the Executive Secretary since the last Board Meeting; and

WHEREAS: The Executive Secretary 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

CONSIDERATION OF THE OPERATING FUND BUDGET FOR FISCAL YEAR 2025-2026

BE IT RESOLVED: That the Board of the Buffalo Sewer Authority does hereby adopt the attached Operating Fund Budget and Five-Year Capital Plan for the fiscal year commencing July 1, 2025.

MOTION TO _____

MADE BY _____

2ND BY _____

AYES _____ NOES _____

Board Meeting of April 9, 2025

ITEM NO. 4

PROPOSED AMENDED "SCHEDULE OF SEWER RENTS AND OTHER CHARGES"
(ATTACHMENT A)

WHEREAS: The Buffalo Sewer Authority has hereto adopted a "Schedule of Sewer Rents and Other Charges" pursuant to Section 1180 of Title 8, Article 5 of Chapter 870 of the Laws of 1939 of the State of New York; and

WHEREAS: Such "Schedule of Sewer Rents and Other Charges" now requires adjustments to provide the required revenue to finance our Operating Fund Budget for the fiscal year July 1, 2025 to June 30, 2026; and

WHEREAS: With the goal of providing the citizens of the City of Buffalo with equitable and affordable water resources, the "Schedule of Sewer Rents and Other Charges" has been restructured to include an increase in the levy of sewer rents based on assessed value, a Consumer Price Index adjustment to sewer rents based on water use, and low-income and senior discount programs.

NOW THEREFORE
BE IT RESOLVED: That the Board of the Buffalo Sewer Authority does hereby adopt the attached proposed amended "Schedule of Sewer Rents and Other Charges" (Attachment A).

MOTION TO _____

MADE BY _____

2ND BY _____

AYES _____ NOES _____

Board Meeting of April 9, 2025

ITEM NO. 5

AUTHORIZATION TO PUBLISH NOTICE OF PROPOSED AMENDED "SCHEDULE OF SEWER RENTS AND OTHER CHARGES"

WHEREAS: The Buffalo Sewer Authority requires an amendment to the "Schedule of Sewer Rents and Other Charges."

NOW THEREFORE
BE IT RESOLVED: That the Board of the Buffalo Sewer Authority hereby authorizes and directs that the proposed amended "Schedule of Sewer Rents and Other Charges" be published as a notice once a week for three (3) successive weeks, in *The City Record*, and the *Buffalo News* on Friday, April 11, April 18, and April 25, 2025. This notice shall state that the proposed amended "Schedule of Sewer Rents and Other Charges" will remain open for inspection in the office of the Authority for thirty (30) days from the date of said notice, and that objections thereto may be filed during said period with said Authority by any person conceiving himself or herself aggrieved thereby, and that the Authority shall hear and examine such complaints and may modify the proposed Schedule and shall adopt the final amended "Schedule of Sewer Rents and Other Charges" within sixty (60) days of such notice.

MOTION TO _____

MADE BY _____

2ND BY _____

AYES _____ NOES _____

Board Meeting of April 9, 2025

ITEM NO. 6

CONTRACT APPROVAL - PROPERTY INSURANCE

WHEREAS: The Buffalo Sewer Authority currently receives property insurance coverage through Affiliated FM Insurance Company; and

WHEREAS: Affiliated FM Insurance Company has proposed a renewal extension to the Buffalo Sewer Authority for property insurance coverage for the period April 15, 2025 through April 15, 2026, at a cost of \$305,590.00, which represents an increase of \$3,090.00 or 1% over last year's cost; and

WHEREAS: This increase represents a \$6.1 million increase in the appraised value of insured property, from \$620,889,000.00 to \$627,012,150.00; and

WHEREAS: The Buffalo Sewer Authority requested its broker, Gallagher Insurance, to reach out to other carriers in the market for competitive pricing and it was determined that Affiliated FM's comparative pricing, terms, and conditions provided stronger coverage than other insurance providers; and

WHEREAS: The Buffalo Sewer Authority will continue to look at our policy terms and conditions including limits and deductibles to achieve the best possible cost and coverage to the Authority; and

WHEREAS: The Executive Secretary of the Buffalo Sewer Authority has carefully reviewed the policies and recommends acceptance of these proposals.

NOW THEREFORE
BE IT RESOLVED: That the Board of the Buffalo Sewer Authority hereby approves property insurance coverage through Affiliated FM Insurance Company at a cost not to exceed \$305,590.00 effective April 15, 2025, for a one-year period. The cost shall be charged to account nos. 00200108-452000 and 00650108-452000 on a pro rata basis.

MOTION TO _____

MADE BY _____

2ND BY _____

AYES _____ NOES _____

Board Meeting of April 9, 2025

ITEM NO. 8

AUTHORIZATION FOR COMBINATION SEWER CLEANING MACHINE RENTAL UNDER NEW YORK STATE CONTRACT

WHEREAS: The Buffalo Sewer Authority’s Facility Maintenance Division utilizes a rental Combination Sewer Cleaning Machine to perform routine and preventative maintenance cleaning at various locations throughout the Treatment Facility and Outlying Stations; and

WHEREAS: A need for a seven-month rental agreement for a Combination Sewer Cleaning Machine commencing in April 2025 to perform these essential tasks has been identified; and

WHEREAS: Joe Johnson Equipment, LLC is the designated vendor under New York State Contract PS69111 to provide this service at a cost not to exceed \$76,430.00 for the duration of the seven-month agreement; and

WHEREAS: Service orders exceeding \$35,000 require Board Approval; and

WHEREAS: The Superintendent of Mechanical Maintenance, Supervisor of Yards & Grounds and Staff, recommend approval for this seven-month agreement, extending through October 31, 2025, for a total cost not to exceed \$76,430.00.

NOW, THEREFORE,
BE IT RESOLVED: That The Board of the Buffalo Sewer Authority hereby authorizes the execution of a seven-month rental agreement for the Combination Sewer Cleaning Machine, for a total cost not to exceed \$76,430.00. Expenses incurred under this agreement shall be charged to account no. 00520106-444255.

MOTION TO _____

MADE BY _____

2ND BY _____

AYES _____ NOES _____

Board Meeting of April 9, 2025

ITEM NO. 9

CHANGE ORDER NO. 1 – CONTRACT NO 82000032

| | | |
|------------------------|----------------------------|---------------------|
| CONTRACTOR: | ORIGINAL CONTRACT APPROVAL | \$600,000.00 |
| O’Connell Electric | CONTRACT RENEWAL 2022-2023 | \$1,418,616.00 |
| 830 Phillips Road | CONTRACT RENEWAL 2023-2024 | \$2,179,717.00 |
| Victor, New York 14564 | CONTRACT RENEWAL 2024-2025 | \$2,210,482.00 |
| | THIS CHANGE ORDER | <u>\$359,121.35</u> |
| | ADJUSTED CONTRACT COST | \$6,767,936.35 |
| VENDOR: 13243 | ACCOUNT # 00520106-443421 | |

WORK: In-Plant Electrical Maintenance Services

The Superintendent of Mechanical Maintenance, Treatment Plant Superintendent, Senior Instrument Technician, and staff and consultants from Arcadis have identified the need to perform remedial de-energized maintenance items through the In-Plant Electrical Maintenance Service contract for the following systems:.

DESCRIPTION OF CHANGE OR EXTRA WORK:

- Item #1 Raw Wastewater 2500kVA MV Electrical Distribution System
- Item #2 Grit Collection 750kVA MV Electrical Distribution System
- Item #3 Secondary Electrical Distribution System for Raw Wastewater, Primary Sludge, Administration Building, Plant Maintenance Building, Digester Area, & Gas Compressor Building
- Item #4 Secondary Electrical MCC Panels for Raw Wastewater, Administration Building & Primary Sludge
- Item #5 Secondary Electrical Primary Sludge Ancillary Loads
- Item #6 Secondary Electrical MCC Panels for Thickener Area
- Item #7 Thickener Area MV Electrical Distribution System
- Item #8 Generator Equipment & Materials for use during deenergized maintenance
- Item #9 Additional related expenses as required

REASON FOR CHANGE OR EXTRA WORK:

- Item #1 Unforeseen degradation of Raw Wastewater 2500kVA MV Electrical Distribution System.
- Item #2 Unforeseen degradation of Grit Collection 750kVA MV Electrical Distribution System.
- Item #3 Unforeseen degradation of secondary electrical distribution system for Raw Wastewater, Primary Sludge, Administration Building, Plant Maintenance Building, Digester Area, & Gas Compressor Building, Secondary Electrical Distribution System.
- Item #4 Unforeseen degradation of Secondary Electrical MCC Panels for Raw Wastewater, Administration Building & Primary Sludge.
- Item #5 Unforeseen degradation of Secondary Electrical Primary Sludge Ancillary Loads
- Item #6 Unforeseen degradation of Secondary Electrical MCC Panels for Thickener Area
- Item #7 Unforeseen degradation of Thickener Area MV Electrical Distribution System
- Item #8 Generator Equipment & Materials are required to perform de-energized maintenance work.
- Item #9 Additional expenses may be identified in the course of deenergized maintenance work that can be more efficiently and cost-effectively resolved through an expedited authorization process.

COST OF CHANGE OR EXTRA WORK:

Item #1 \$18,400.00

Item #2 \$18,400.00

Item #3 \$18,024.00

Item #4 \$18,024.00

Item #5 \$7,088.00

Item #6 \$7,088.00

Item #7 36,000.00

Item #8 \$203,449.95

Item #9 \$32,647.40

THE TOTAL COST OF THE CHANGE OR EXTRA WORK \$359,121.35

The total INCREASE to the contract as a result of this Change Order is \$359,121.35

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.

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 period July 1, 2021 to June 30, 2022 in an initial amount not to exceed \$600,000.00, with an option to renew for four (4) one-year renewals periods;

WHEREAS: On June 22, 2022, the Board of the Buffalo Sewer Authority approved an extension to this contract for the period July 1, 2022 to June 30, 2023 at a cost not to exceed \$1,418,616.00; and

WHEREAS: On May 3, 2023, the Board of the Buffalo Sewer Authority approved an extension to this contract for the period July 1, 2023 to June 30, 2024 at a cost not to exceed \$2,179,717.00; and

WHEREAS: On June 26, 2024, the Board of the Buffalo Sewer Authority approved an extension to this contract for the period July 1, 2024 to June 30, 2025 at a cost not to exceed \$2,210,482.00; and

WHEREAS The Superintendent of Mechanical Maintenance, Treatment Plant Superintendent, Senior Instrument Technician, and staff requested a proposal for and have reviewed Change Order No. 1 to Contract No. 82000032 as detailed above and recommend approval.

NOW THEREFORE
BE IT RESOLVED:

That the Board of the Buffalo Sewer Authority hereby approves Change Order No. 1 to Contract No. 82000032 as written in the above Agenda Item, increasing the contract cost in the amount of \$359,121.35 making the adjusted contract cost \$6,767,936.35.

MOTION TO _____

MADE BY _____

2ND BY _____

AYES _____ NOES _____

Board Meeting of April 9, 2025

THE TOTAL COST OF THE CHANGE OR EXTRA WORK: \$1,609,600.00

The total INCREASE to the contract as a result of this Change Order is \$1,609,600.00

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

WHEREAS: As part of the approved LTCP, the BSA committed to the installation of up to sixteen Real Time Control (RTC) projects; and

WHEREAS: The Board of the Buffalo Sewer Authority has prequalified five (5) engineering firms to allow for the submission of proposals for future real time control (smart sewer) projects under Item No. 13 of the November 22, 2021 Board Meeting; and

WHEREAS: Upon request, one of the five (5) prequalified firms, Greeley-Hansen, submitted a letter proposal to complete applicable tasks for the design phase and construction bidding services for the Smart Sewer/ Real Time Control (RTC) Project for the Breckenridge St. CSO Control Project a in the amount of \$838,300.00; and

WHEREAS: On December 6, 2023, the Board of the Buffalo Sewer Authority approved the awarding of a contract in the amount of \$838,300.00 for the design of this project; and

WHEREAS: The Principal Sanitary Engineer and staff have reviewed the request for an Additional Work Phase for Contract No. 82000076 Breckenridge Street CSO Control Project \$1,609,600.00 as detailed above and recommend its approval.

NOW THEREFORE
BE IT RESOLVED: That the Board of the Buffalo Sewer Authority hereby approves an Additional Work Phase for Contract No. 82000076 as written in the above Agenda Item, increasing the contract cost in the amount of \$1,609,600.00, making the adjusted contract cost \$2,487,900.00.

MOTION TO _____

MADE BY _____

2ND BY _____

AYES _____ NOES _____

ITEM NO. 11

REPORT ON BIDS RECEIVED – BRECKENRIDGE STREET COMBINED SEWER OVERFLOW (CSO) CONTROL PROJECT

WHEREAS: Formal bids were advertised and solicited for the Breckenridge Street CSO Control Project. The following bids were received and publicly opened by the Buffalo Sewer Authority on Wednesday, March 12, 2025 at 11:00 AM:

| <u>Contractor</u> | <u>Bid Amount</u> |
|----------------------|-------------------|
| Mark Cerrone, Inc. | \$23,665,000.00 |
| Kandey Company, Inc. | \$29,348,650.00 |

WHEREAS: The proposals were received, and the contract will be awarded on the basis of unit bid and lump sum prices. The bids do not reflect the true amount of the contract; and

WHEREAS: The Buffalo Sewer Authority’s Engineering consultant, TYLin, reviewed the packages and recommends awarding the contract to the low bidder, Mark Cerrone, Inc.; and

WHEREAS: The Principal Sanitary Engineer has reviewed the consultant’s recommendation and concurs with the recommendation provided by TYLin to award the contract to the low bidder, Mark Cerrone, Inc.;

NOW
THEREFORE BE
IT RESOLVED: That the Board of the Buffalo Sewer Authority hereby authorizes the Executive Secretary to enter into and execute a contract with Mark Cerrone, Inc.; for the Breckenridge Street CSO Control Project at a cost not to exceed \$23,665,000.00. Expenses for this contract shall be charged to account no. 02000594-490740

MOTION TO _____

MADE BY _____

2ND BY _____

AYES _____ NOES _____

Board Meeting of April 9, 2025

ITEM NO. 10

ADJOURNMENT OF MEETING

MOTION TO _____

MADE BY _____

2ND BY _____

AYES _____ NOES _____

Board Meeting of April 9, 2025