

BUFFALO WATER BOARD MINUTES
April 13, 2022

MEMBERS PRESENT:

Oluwole A. McFoy
Gerald Kelly
Jessica Brown
William Sunderlin

OTHERS PRESENT:

Peter Merlo
Jack McMahon
Fouad Arab
Stephen Waldvogel
Damon Sykes
Dustin Steiner
Charlie Martorana
David Hill
Lisa Foti
William Ferguson
Samantha Podlas
Michael Ramos
Damond Rand
Doug Fultz
Ryan Stotz
Delano Dowell
Kelly Leeb
Bill Appenheimer
Malcolm Ertha
Kenneth Molli

The regular monthly meeting of the Buffalo Water Board was called to order at 9:00 a.m.

1. Motion by Mr. Sunderlin, seconded by Ms. Brown to approve the agenda. Approved.
2. Motion by Mr. Sunderlin, seconded by Ms. Brown to approve the minutes from the March 2, 2022, meeting. Approved.
3. There were no public comments made at the Buffalo Water Board meeting.
4. Staff Update: Mr. Hill with Veolia Water provided a staffing update to the Buffalo Water Board.
5. Mr. Hill and Mr. Molli with Veolia Water provided the Buffalo Water Board with an update on the Customer Information System (CIS) and Field Work Order Management (FWOM) Request For Proposals review process. Based on the process, one company has been selected by the review team and upon the recommendation of the Principal Engineer of the Division of Water, GHD Consulting Services, Inc., and Veolia Water, motion made by Mr. Sunderlin, seconded by Ms. Brown to authorize the Buffalo Water Board to proceed with negotiations with SpryPoint regarding the CIS & FWOM contract for the Buffalo Water Board. The project and contract will be administered by the City of Buffalo, Division of Water. Approved.
6. Upon the recommendation of the Principal Engineer of the Division of Water, motion made by Ms. Brown, seconded by Mr. Sunderlin to authorize a contract increase with Kandey Co., Inc. for the Michigan Avenue and Carlton Street Waterline Rehabilitation Project (contract # 93002578) for the weekend milling and paving services. The project and contract will be administered by the City of Buffalo, Division of Water in an amount not-to-exceed \$15,928.80. Approved.

7. Upon the recommendation of the Principal Engineer of the Division of Water and Wendel, motion made by Mr. Sunderlin, seconded by Ms. Brown to authorize a contract completion date extension with Destro & Brothers Concrete Co., Inc. for the 2021 Citywide Water Cut Repair Program (contract # 93002845). The contract extension is due to suspension of the project due to winter shutdown of asphalt plants. The project and contract will be administered by the City of Buffalo, Division of Water. Approved.
8. Motion by Ms. Brown, seconded by Mr. Sunderlin to approve a Resolution Granting the State of New York Authority to Perform the Adjustment for the Owner and Agreeing to Maintain Facilities Adjusted Via State-Let Contract. The specific project is to adjust valve box elevations on NY Route 33 (Kensington Expressway) from Elm/Oak to NY Route 240 (Harlem Road). Approved. (See copy attached).
9. Upon the recommendation of the Principal Engineer of the Division of Water and Veolia Water, motion made by Mr. Sunderlin, seconded by Ms. Brown to authorize, and fund a three-year contract with 120 Water with Arcadis, as a sub-consultant for the Lead and Copper Compliance Program Support Services Project. Of the firms solicited for proposals, only 120 Water submitted a proposal responsive to the solicitation, utilizing Arcadis as a sub-consultant. The project and contract will be administered by Veolia Water in the amount not-to-exceed the values identified below for each of three fiscal years referenced, inclusive of Veolia Water's 10% administrative fee. Approved.

<u>Bidder</u>	<u>Bid</u>
CDM Smith	No Bid
Hazen and Sawyer	No Bid
120 Water (with Arcadis as sub-consultant) FY22/23	\$797,396.88
120 Water (with Arcadis as sub-consultant) FY23/24	\$797,396.88
120 Water (with Arcadis as sub-consultant) FY24/25	\$801,782.52

10. Motion made by Ms. Brown, seconded by Mr. Sunderlin, to authorize and fund an increase for services as part of the Management Agreement dated as of July 1, 2020, with Veolia Water, specifically the Specialty Preventive Maintenance Limit Account in an amount not-to-exceed \$285,000.00 to extend through June 30, 2022. These projects and services will continue to be administered by the City of Buffalo, Division of Water, as part of the Management Agreement with Veolia Water. Approved.
11. Upon the recommendation of the Principal Engineer of the Division of Water, motion made by Mr. Sunderlin, seconded by Ms. Brown, to authorize an increase in funding in an amount not-to-exceed \$115,000.00, for the contract with GHD Consulting Services, Inc. for additional engineering services (contract # 93002860) for the Buffalo Water Board Engineering Retainer Fiscal Year 2021/2022 project. The project and contract will continue to be administered by the City of Buffalo, Division of Water. Approved.
12. Mr. Waldvogel, Mr. Stotz and Mr. Steiner of GHD Consulting Services, Inc. delivered a report of GHD's on-going professional services to assist the Buffalo Water Board on several projects, including: (a) GHD is collaborating with Veolia Water and other stakeholders and developing the Customer Information System and Field Work Order Management System. The technical and financial reviews and demonstrations have been completed. The next step is to complete negotiations with the selected firm; (b) The agreement with the Promise Group has been finalized and the portal interface is being developed; (c) GHD is continuing to provide

engineering and oversight services at Colonel Ward Treatment Facility, for among other matters, the sodium hypochloride system design, the electrical design at the plant, continuing work on the Pipe Loop Project, the design of flood protection berm structures, as part of the flood protection model analyses and initiating work on the electrical project at the Massachusetts Avenue Pumping Station.

13. Mr. Hill of Veolia Water presented Veolia Water's monthly management report with the Buffalo Water Board. Mr. Hill noted that through March 2022, 286 Buffalo Water customers participated in the recently instituted New York State Low Income Household Water Assistance (LIHWA) Program. The State has paid Buffalo Water approximately \$388,000, which has been applied to accounts for eligible customers. Veolia Water is developing a campaign to broaden the notice to customers of the benefits of this program. Veolia Water's Information Technology (IT) Department is working with GHD and Promise Pay to support that project. In addition, Veolia Water is supporting several Capital Initiatives that the City of Buffalo Water Division is currently undertaking. Veolia Water is seeking qualified candidates to fill an open vacancy for an Asset Manager position.

Motion by Ms. Brown, seconded by Mr. Sunderlin to adjourn at 10:00 A.M. Approved.

Next meeting, Wednesday, May 11, 2022, at 9:00 A.M. This meeting will be held in the Colonel Ward Water Treatment Facility Administration Building Conference Room located at 2 Porter Avenue, Buffalo, NY 14201, or by virtual conference call, as authorized by law.

**Buffalo Water Board Resolution Granting the State of New York Authority to Perform the
Adjustment for the
Owner and Agreeing to Maintain Facilities Adjusted Via State-let Contract**

WHEREAS, the New York State Department of Transportation (the "State") proposes the construction, reconstruction, or improvement of NY ROUTE 33 (KENSINGTON EXPRESSWAY) ELM/OAK TO NY ROUTE 240 (HARLEM ROAD) in the CITY OF BUFFALO and TOWN OF CHEEKTOWAGA located in Erie County, PIN 5512.55 (collectively the "Project"); and

WHEREAS, as part of the construction, reconstruction, or improvement of the Project, the State will include the adjustment of water valve box elevations. pursuant to Section 10, Subdivision 24, of the State Highway Law, as shown on the contract plans relating to the Project and meet the requirements of the Buffalo Water Board; and

WHEREAS, the Project will not extend the service life of the relocated and/or replaced utilities; and

WHEREAS, the State will provide for the reconstruction of the above mentioned work, as shown on the contract plans as part of the Project.

NOW, THEREFORE, BE IT RESOLVED:

- 1) That the Buffalo Water Board hereby approves of the adjustment of water valve box elevations and the above mentioned work performed on the Project and as shown on the contract plans relating to the Project, and that the Buffalo Water Board will maintain or cause to be maintained the adjusted facilities performed as above stated and as shown on the contract plans.
- 2) The Buffalo Water Board does hereby authorize the Chair of the Buffalo Water Board and/or Peter J. Merlo, P.E., the Secretary of the Buffalo Water Board, to execute and deliver any contracts or instruments, which upon the advice of legal counsel, are necessary and appropriate to perform the adjustment of water valve box elevations and the above mentioned work as part of the Project, and in furtherance of this Resolution.

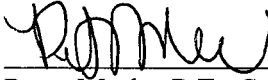
STATE OF NEW YORK)
) SS.:
COUNTY OF ERIE)

I, the undersigned for and on behalf of the Buffalo Water Board (the "Board"), DO HEREBY CERTIFY that I have compared the annexed extract of the minutes of the meeting of the Board, including the resolution contained therein, held the 13th day of April, 2022, with the original thereof on file in my office, and that the same is a true and correct copy of the proceedings of the Board and of such resolution set forth therein and of the whole of said original insofar as the same related to the subject matters therein referred to.

I FURTHER CERTIFY that (A) all members of said Board had due notice of said meeting, (B) said meeting was duly held, (C) pursuant to Article 7 of the Public Officers Law (Open Meetings Law), said meeting was open to the general public, and public notice of the time and place of said meeting was duly given in accordance with such Article 7, (D) there was a quorum of the members of the Board present throughout said meeting, and (E) the said resolution was offered by Ms. Brown, and seconded by Mr. Sunderlin, and was adopted by unanimous vote of the Buffalo Water Board.

I FURTHER CERTIFY that, as of the date hereof, the attached resolution is in full force and effect and has not been amended, repealed or rescinded.

IN WITNESS WHEREOF, I have hereunto set my hand this 13th day of April, 2022.



Peter Merlo, P.E., Secretary
Buffalo Water Board