

NEW BUSINESS

ITEM 1 - MASTER PURCHASE ORDERS, RELEASES FROM MASTER PURCHASE ORDERS, PURCHASE ORDERS, AND AMENDMENTS OF SAME

Motion by seconded by and carried to approve creation and payment of attached master purchase orders, releases from master purchase orders, and purchase orders and amendments of same, after certification by the Director of Administration and the Comptroller that the orders and amendments thereof are in accordance with the Authority's By-Laws and Procurement Guidelines.

Ayes:

Noes:

03/25/21-pjf

ITEM 2 - AUTHORIZATION TO ENTER INTO A PROFESSIONAL SERVICES AGREEMENT WITH BROWN AND CALDWELL TO PROVIDE CONSULTING ENGINEERING SERVICES FOR VAN DE WATER RAW WATER AND HIGH SERVICE PUMPING SYSTEM IMPROVEMENTS, IDENTIFIED AS CONTRACT NO. BC-001, PROJECT NO. 202100051

Motion by seconded by

WHEREAS, on December 17, 2020, the Erie County Water Authority's (the "Authority") Board of Commissioners ("Board") authorized the issuance of a Request for Proposals (the "RFP") to qualified firms to provide Consulting Engineering Services for Van de Water Raw Water and High Service Pumping System Improvements; and

WHEREAS, A copy of the RFP was sent to:

Arcadis

Barton & Loguidice

Brown and Caldwell

GHD

Hazen & Sawyer; and

WHEREAS, Arcadis, Brown & Caldwell, GHD, and Hazen & Sawyer submitted proposals for this project; and

WHEREAS, the RFP process was conducted pursuant to the enacted state legislation (New York State Finance Law §§139-j and 139-k) and the Authority's Purchasing Guidelines, Policies and Procedures; and

WHEREAS, after thorough review, Michael J. Quinn, Sr. Distribution Engineer and Leonard F. Kowalski, Executive Engineer recommend that the Authority enter into a Professional Services Agreement with Brown and Caldwell to provide Consulting Engineering Services for Van de Water Raw Water and High Service Pumping System Improvements, identified as Contract No. BC-001; and

WHEREAS, the Authority's 2021 Capital Budget includes funds for this project under Unit 2515 Eng/Const Van de Water, Item No. 101587 Van de Water Improvements;

NOW, THEREFORE, BE IT RESOLVED:

That the Board accepts the proposal of Brown and Caldwell to provide Consulting Engineering Services for Van de Water Raw Water and High Service Pumping System Improvements, identified as Contract No. BC-001; and be it further

RESOLVED: Pursuant to New York State Finance Law §§139-j and 139-k and the Authority's Purchasing Guidelines, Policies and Procedures with the award and execution by the Authority of this agreement, the Restricted Period will cease; and be it further

RESOLVED: That the Chairman is authorized to execute said Professional Services Agreement on behalf of the Authority; and be it further

RESOLVED: That the Secretary is authorized to forward an executed copy of said Agreement together with a certified copy of this resolution to Brown and Caldwell.

Ayes:

Noes:

03/25/21-pjf

ITEM 3 - AUTHORIZATION TO EXECUTE AN ORDER FORM WITH IRTS SOLUTIONS, LLC RELATIVE TO THE DIG SAFELY NY TICKET MANAGEMENT SYSTEM, PROJECT NO. 202000067

Motion by seconded by

WHEREAS, on February 18, 2020 the Erie County Water Authority (the "Authority") entered into a Master Service Agreement ("Agreement") with Irth Solutions LLC relative to the Dig Safely NY Ticket Management System for a period of one year; and

WHEREAS, on December 17, 2020, the Erie County Water Authority's (the "Authority") issued a Request for Information ("RFI") for the procurement of a new Dig Safely NY Ticket Management System; and

WHEREAS, A copy of the RFI was sent to:
Irth Solutions, LLC
USIC
Korterra
Boss Solutions; and

WHEREAS, after thorough review, Michael J. Quinn, Sr. Distribution Engineer and Leonard F. Kowalski, Executive Engineer recommend that the Authority continue using Irth Solutions, LLC; and

WHEREAS, Irth Solutions, LLC submitted an Order Form for execution which incorporates by reference the terms and conditions of the Agreement; and

WHEREAS, the initial term under the Order Form shall be three (3) years from the effective date hereof and thereafter will renew for subsequent three (3) year terms with annual prices not to exceed a 3% increase from the initial term pricing; and

WHEREAS, Michael J. Quinn, Sr. Distribution Engineer and Leonard F. Kowalski, Executive Engineer recommend executing the Order Form which incorporates by reference the terms and conditions of the Agreement; and

WHEREAS, the Authority's 2021 O&M Budget includes funds for this project under Unit 2020 UFPO, Item No. 19 Payments to Contractors-Other;

NOW, THEREFORE, BE IT RESOLVED:

That the Board of Commissioners approve executing the Order Form which incorporates by reference the terms and conditions of the Agreement; and be it further

RESOLVED: That the Chairman is authorized to execute said the Order Form on behalf of the Authority; and be it further

RESOLVED: That the Secretary is authorized to forward an executed copy of said Order Form together with a certified copy of this resolution to Irth Solutions, LLC.

Ayes:

Noes:

03/25/21-pjf

ITEM 4 - AUTHORIZATION TO SOLICIT REQUEST FOR PROPOSALS FOR MASS NOTIFICATION SYSTEM, PROJECT NO. 202000212

Motion by _____ seconded by _____

WHEREAS, pursuant to Article V, Title 3, §1053 of the Public Authorities Law, the Erie County Water Authority (the “Authority”) has the authority to contract for expert professional services; and

WHEREAS, Article III, §6 of the Authority's By-Laws grants to the Authority the right to contract for expert professional services; and

WHEREAS, the Authority deems it necessary to issue a Request for Proposal (the “RFP”) to qualified software vendors for a Mass Notification System; and

WHEREAS, the proposals received by the Authority will be evaluated in accordance with the terms of the RFP, and a professional services contract will be negotiated and executed with the successful offerer; and

WHEREAS, the RFP for a Mass Notification System will be conducted pursuant to the enacted legislation, New York State Finance Law §139-j and §139-k and the Authority’s Purchasing Guidelines, Policies and Procedures; and

WHEREAS, Michael W. Wymer, Sr. Production Engineer, will be the designated contact person for the RFP with the adoption of this resolution; and

WHEREAS, Michael J. Quinn, Sr. Distribution Engineer and Leonard F. Kowalski, recommend that the Authority’s Board of Commissioners (“Board”) approves the RFP; and

WHEREAS, the Authority’s 2021 O&M or Capital Budget includes funds for this project under Unit 6030 Public Information, Item No. 60 Special Services; Unit 1010 Line Maintenance Item No. 19 Payment to Contractors-Other and Unit 2502 Construction, Item No. 19 Payment to Contractors-Other;

NOW, THEREFORE BE IT RESOLVED:

The Board has authorized the issuance of an RFP to qualified software vendors for a Mass Notification System.

Ayes:

Noes:

03/25/21-pjf

ITEM 5 - AUTHORIZATION TO ACCEPT THE CONSTRUCTION AND INSTALLATION OF 20 LINEAR FEET OF SIX (6") INCH DIP WATERMAIN, 1,710 LF OF EIGHT (8") INCH C-900 WATERMAIN, FOUR (4) HYDRANTS, ELEVEN (11) LINE VALVES AND APPURTENANCES IN SHERWOOD MEADOWS SUBDIVISION, PART 4, PHASE 2, TOWN OF HAMBURG, NEW YORK, PROJECT NO. 202000052, EC NO. 7121

Motion by seconded by

WHEREAS, the Erie County Water Authority (the "Authority"), by resolution dated August 27, 2020, identified as Item No. 4, of the Minutes of that meeting, entered into a Main Extension Agreement (Builder-Contractor-Developer) with Dato Development, LLC and Russo Development, Inc. for the construction and installation of approximately 1,710 lf of eight (8") inch PVC watermain, four (4) hydrants, five (5) line valves and appurtenances in Sherwood Meadows Subdivision, Part 4, Phase 2, Town of Hamburg, New York, identified by Work Authorization No. EC No. 7121; and

WHEREAS, the Bill of Sale and Schedule of Inventory have been approved by Leonard F. Kowalski, Executive Engineer and the construction and installation of 20 linear feet of six (6")DIP watermain, 1,710 lf of eight (8") inch C-900 watermain, four (4) hydrants, eleven (11) line valves and appurtenances in Sherwood Meadows Subdivision, Part 4, Phase 2, Town of Hamburg, New York have been installed in accordance with the specifications of the Authority; and

WHEREAS, the Division of Environmental Health of the Health Department of the County of Erie has approved the completed works for public water supply improvement for Sherwood Meadows Subdivision, Part 4, Phase 2, Town of Hamburg, New York; and

WHEREAS, Joyce A. Tomaka, Comptroller has reviewed the costs of the main and hydrants and finds them reasonable and correct; and

WHEREAS, Leonard F. Kowalski, Executive Engineer recommends approval and acceptance of said main and hydrants;

NOW, THEREFORE, BE IT RESOLVED:

That the Authority's Board of Commissioners accepts the construction and installation of 20 linear feet of six (6")DIP watermain, 1,710 lf of eight (8") inch C-900 watermain, four (4) hydrants, eleven (11) line valves and appurtenances in Sherwood Meadows Subdivision, Part 4, Phase 2, Town of Hamburg, New York and said main, line valves and hydrants be added to the property records of the Authority.

Ayes:

Noes:

03/25/21-pjf

ITEM 6 - 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 IN CONNECTION WITH PIN NO. 5131.39, PROJECT NO. 202100068

Motion by seconded by

WHEREAS, the New York State Department of Transportation proposes the construction, reconstruction, or improvement of 1R-mill and resurface and intersection safety improvements; NY Route 277 (Union Road) from George Urban Blvd. to Wehrle Drive, Town of Cheektowaga, New York, Erie County, identified as PIN 5131.39; and

WHEREAS, the State will include as part of the construction, reconstruction, or improvement of the above-mentioned project 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 meeting the requirements of the owner; and

WHEREAS, the service life of the relocated and or replaced utilities has not been extended; and

WHEREAS, the State will provide for the reconstruction of the above-mentioned work, as shown on the contract plans relating to the above-mentioned project;

NOW, THEREFORE, BE IT RESOLVED:

That the Erie County Water Authority (the “Authority”) approves of the adjustment of water valve box elevations and the above-mentioned work performed on the project and shown on the contract plans relating to the project and that the Authority will maintain or cause to be maintained the adjusted facilities performed as above stated and as shown on the contract plans; and be it further

RESOLVED: That Authority’s Chairman has the authority to sign, with the concurrence of the Board, any and all documentation that may become necessary as a result of this project as it relates to the Authority; and be it further

RESOLVED: That the Secretary of Authority is directed to transmit four (4) certified copies of the foregoing resolution to the New York State Department of Transportation.

Ayes:

Noes:

03/25/21-pjf

**ITEM 7 - AWARD OF CONTRACT TO STC CONSTRUCTION, INC. FOR
CONTRACT NO. GHD-007, WATER SYSTEM IMPROVEMENTS
GUENTHER PUMP STATION REHABILITATION, PROJECT NO.
201800138 - \$9,527,775.00**

Motion by seconded by

WHEREAS, the Erie County Water Authority (the “Authority”) advertised in Construction Exchange and the New York State Contract Reporter on the 10th day of December 2020, a notice inviting sealed bids in accordance with Public Authorities Law §1069 for Contract No. GHD-007, Water System Improvements Guenther Pump Station Rehabilitation; and

WHEREAS, Authority personnel opened sealed bids in the office of the Authority on the 9th day of February 2021, at 11:00 a.m., local time, and were as follows:

BIDDERS	AMOUNT
STC Construction, Inc.	\$ 9,527,775.00
Mark Cerrone, Inc.	9,843,900.00
RP Oak Hill Building Co., Inc.	10,107,359.75*
H&K Services, Inc.	10,528,520.00

*Corrected Figure; and

WHEREAS, GHD, Michael J. Quinn, Sr. Distribution Engineer and Leonard F. Kowalski, Executive Engineer have reviewed the specifications and bids and determined that STC Construction, Inc. is the lowest bidder qualified to perform the project and have recommended that a contract be awarded to that firm for the abovementioned project; and

WHEREAS, the Authority’s 2021 Capital Budget includes funds for this project under Unit 2520 Eng/Const Control, Item No. 101358 GHD-007 Guenther Rehab;

NOW, THEREFORE, BE IT RESOLVED:

That it is determined that STC Construction, Inc. is the lowest responsible bidder for the abovementioned project, and that the Chairman is authorized to execute a contract with STC Construction, Inc. for Contract No. GHD-007, Water System Improvements Guenther Pump Station Rehabilitation as a unit price contract for the estimated total amount of \$9,527,775.00 and be it further

RESOLVED: That the Secretary is authorized to return to the unsuccessful bidders their deposit submitted with their bid to the Authority for the abovementioned project; and be it further

RESOLVED: That the Director of Administration is authorized to create a Master Purchase Order for the abovementioned contract.

Ayes:

Noes:

03/25/21-pjf

**ITEM 8 - AWARD OF CONTRACT TO 716 SITE CONTRACTING, INC. FOR
CONTRACT NO. BL-001, WATER SYSTEM IMPROVEMENTS, TOWNS
OF CLARENCE AND AURORA, PROJECT NO. 202000060 - \$1,859,680.00**

Motion by seconded by

WHEREAS, the Erie County Water Authority (the “Authority”) advertised in Construction Exchange and the New York State Contract Reporter on the 4th day of January 2021, a notice inviting sealed bids in accordance with Public Authorities Law §1069 for Contract No. BL-001, Water System Improvements, Towns of Clarence and Aurora; and

WHEREAS, Authority personnel opened sealed bids in the office of the Authority on the 9th day of February 2021, at 11:30 a.m., local time, and were as follows:

BIDDERS	AMOUNT
716 Site Contracting, Inc.	\$1,859,680.00
4 th Generation Construction, Inc.	1,882,820.00
DJM Contracting, Inc.	1,953,960.00*
CMH Company, Inc.	2,457,625.00*
Kandey Company, Inc.	2,799,997.00

*Corrected Figure; and

WHEREAS, Michael J. Quinn, Sr. Distribution Engineer and Leonard F. Kowalski, Executive Engineer have reviewed the specifications and bids and determined that 716 Site Contracting, Inc. is the lowest bidder qualified to perform the project and have recommended that a contract be awarded to that firm for the abovementioned project; and

WHEREAS, the Authority’s 2021 Capital Budget includes funds for this project under Unit 2590 Eng/Const Distribution Mains, Item No. 101515 BL-001 Waterline Replacement;

NOW, THEREFORE, BE IT RESOLVED:

That it is determined that 716 Site Contracting, Inc. is the lowest responsible bidder for the abovementioned project, and that the Chairman is authorized to execute a contract with 716 Site Contracting, Inc. for Contract No. BL-001, Water System Improvements, Towns of Clarence and Aurora as a unit price contract for the estimated total amount of \$1,859,680.00; and be it further

RESOLVED: That the Secretary is authorized to return to the unsuccessful bidders their deposit submitted with their bid to the Authority for the abovementioned project; and be it further

RESOLVED: That the Director of Administration is authorized to create a Master Purchase Order for the abovementioned contract.

Ayes:

Noes:

03/25/21-pjf

**ITEM 9 - AWARD OF CONTRACT TO CARBON ACTIVATED CORPORATION
FOR THE FURNISHING, DELIVERING AND INSTALLING OF
ANTHRACITE FILTER MEDIA, PROJECT NO. 202100018 - \$83,800.00**

Motion by seconded by

WHEREAS, the Erie County Water Authority (the “Authority”) advertised in Construction Exchange and the New York State Contract Reporter on the 12th day of February 2021, a notice inviting sealed bids in accordance with Public Authorities Law §1069 for the Furnishing, Delivering and Installing of Anthracite Filter Media; and

WHEREAS, Authority personnel opened sealed bids in the office of the Authority on the 9th day of March 2021, at 11:30 a.m., local time, and were as follows:

BIDDERS	AMOUNT
Carbon Activated Corporation	\$ 83,800.00
H&K Services, Inc.	126,475.00; and

WHEREAS, Michael W. Wymer, Sr. Production Engineer and Leonard F. Kowalski, Executive Engineer have reviewed the specifications and bids and determined that Carbon Activated Corporation is the lowest bidder qualified to perform the project and have recommended that a contract be awarded to that firm for the abovementioned project; and

WHEREAS, the Authority’s 2021 O&M includes funds for this project under Unit 1015 Van de Water Plant, Item No. 10 Materials and Supplies;

NOW, THEREFORE, BE IT RESOLVED:

That it is determined that Carbon Activated Corporation is the lowest responsible bidder for the abovementioned project, and that the Chairman is authorized to execute a contract with Carbon Activated Corporation for the Furnishing, Delivering and Installing of Anthracite Filter Media as a unit price contract for the estimated total amount of \$83,800.00; and be it further

RESOLVED: That the Secretary is authorized to return to the unsuccessful bidder their deposit submitted with their bid to the Authority for the abovementioned project; and be it further

RESOLVED: That the Director of Administration is authorized to create a Master Purchase Order for the abovementioned contract.

Ayes:

Noes:

03/25/21-pjf

**ITEM 10 - AUTHORIZATION TO ADVERTISE FOR BIDS FOR STURGEON POINT
WATER TREATMENT PLANT SLUDGE REMOVAL, DISPOSAL AND
RELOCATION, PROJECT NO. 202100038**

Motion by seconded by

WHEREAS, Michael W. Wymer, Sr. Production Engineer and Leonard F. Kowalski, Executive Engineer recommend that the Erie County Water Authority (the "Authority") publish a notice inviting sealed bids or proposals pursuant to §1069 of the Public Authorities Law for Sturgeon Point Water Treatment Plant Sludge Removal, Disposal and Relocation; and

WHEREAS, the work, labor and services for the abovementioned project is estimated to cost an amount in excess of \$10,000.00; and

WHEREAS, the Advertisement for Bids for Sturgeon Point Water Treatment Plant Sludge Removal, Disposal and Relocation will be conducted pursuant to the enacted legislation, New York State Finance Law Sections 139-j and 139-k and the Authority's Purchasing Guidelines, Policies and Procedures; and

WHEREAS, Brenden Stoll, Engineering Draftswoman will be the designated contact person for the project with the adoption of this resolution; and

WHEREAS, the Authority's 2021 O&M includes funds for this project under Unit 1010 Sturgeon Point Plant, Item No. 35 Refuse and Disposal;

NOW, THEREFORE, BE IT RESOLVED:

That the plans and specifications and form of bid be prepared for the Sturgeon Point Water Treatment Plant Sludge Removal, Disposal and Relocation and upon completion be made available for inspection by bidders in the office of the Authority; and be it further

RESOLVED: That the Secretary of the Authority is authorized to publish a notice inviting sealed bids or proposals pursuant to Section 1069 of the Public Authorities Law for the abovementioned project.

Ayes:

Noes:

03/25/21-pjf

ITEM 11 - AUTHORIZATION TO ADVERTISE FOR BIDS FOR WSA-015, WATER SYSTEM IMPROVEMENTS IN THE TOWN OF HAMBURG AND CITY OF LACKAWANNA, NEW YORK, PROJECT NO. 202000058

Motion by seconded by

WHEREAS, Wm. Schutt and Associates, Consulting Engineers, Michael J. Quinn, Sr. Distribution and Leonard F. Kowalski, Executive Engineer recommend that the Erie County Water Authority (the "Authority") publish a notice inviting sealed bids or proposals pursuant to §1069 of the Public Authorities Law for WSA-015, Water System Improvements in the Town of Hamburg and City of Lackawanna, New York; and

WHEREAS, the work, labor and services for the abovementioned project is estimated to cost an amount in excess of \$5,000.00; and

WHEREAS, the Advertisement for Bids for WSA-015, Water System Improvements in the Town of Hamburg and City of Lackawanna, New York will be conducted pursuant to the enacted legislation, New York State Finance Law Sections 139-j and 139-k and the Authority's Purchasing Guidelines, Policies and Procedures; and

WHEREAS, William Schutt, Wm. Schutt Associates, will be the designated contact person for the project with the adoption of this resolution; and

WHEREAS, the Authority's 2021 O&M or Capital Budget includes funds for this project under Unit 2590 Eng/Const Distribution Mains, Item No. 101518 WSA-015 Waterline Replacement;

NOW, THEREFORE, BE IT RESOLVED:

That the plans and specifications and form of bid be prepared for WSA-015, Water System Improvements in the Town of Hamburg and City of Lackawanna, New York and upon completion be made available for inspection by bidders in the office of the Authority; and be it further

RESOLVED: That the Secretary of the Authority is authorized to publish a notice inviting sealed bids or proposals pursuant to Section 1069 of the Public Authorities Law for the abovementioned project.

Ayes:

Noes:

03/25/21-pjf

**ITEM 12 - AUTHORIZATION TO ADVERTISE FOR BIDS FOR CONTRACT NO.
GHD-008 RESIDUALS HANDLING UPGRADES VAN DE WATER WATER
TREATMENT PLANT, PROJECT NO. 201900208**

Motion by seconded by

WHEREAS, GHD Consulting Engineers, Michael W. Wymer, Sr. Production Engineer and Leonard F. Kowalski, Executive Engineer recommend that the Erie County Water Authority (the "Authority") publish a notice inviting sealed bids or proposals pursuant to §1069 of the Public Authorities Law for Contract No. GHD-008 Residuals Handling Upgrades Van de Water Water Treatment Plant; and

WHEREAS, the work, labor and services for the abovementioned project is estimated to cost an amount in excess of \$5,000.00; and

WHEREAS, the Advertisement for Bids for Contract No. GHD-008 Residuals Handling Upgrades Van de Water Water Treatment Plant will be conducted pursuant to the enacted legislation, New York State Finance Law Sections 139-j and 139-k and the Authority's Purchasing Guidelines, Policies and Procedures; and

WHEREAS, Michael J. Quinn, Sr. Distribution Engineer, will be the designated contact person for the project with the adoption of this resolution; and

WHEREAS, the Authority's 2021 Capital Budget includes funds for this project under Unit 2515 Eng/Const Van de Water, Item No. 101537 GHD-008 VDW WTP Residuals;

NOW, THEREFORE, BE IT RESOLVED:

That the plans and specifications and form of bid be prepared for Contract No. GHD-008 Residuals Handling Upgrades Van de Water Water Treatment Plant and upon completion be made available for inspection by bidders in the office of the Authority; and be it further

RESOLVED: That the Secretary of the Authority is authorized to publish a notice inviting sealed bids or proposals pursuant to Section 1069 of the Public Authorities Law for the abovementioned project.

Ayes:

Noes:

03/25/21-pjf

ITEM 13 - AUTHORIZATION TO ADVERTISE FOR BIDS FOR ASBESTOS CEMENT PIPE (ACP) AND ASBESTOS CONTAINING MATERIALS (ACM) ABATEMENT, REMOVAL, AND DISPOSAL, JUNE 1, 2021 THROUGH MAY 31, 2023, PROJECT NO. 202100013

Motion by seconded by

WHEREAS, Michael J. Quinn, Sr. Distribution Engineer and Leonard F. Kowalski, Executive Engineer recommend that the Erie County Water Authority (the "Authority") publish a notice inviting sealed bids or proposals pursuant to §1069 of the Public Authorities Law for Asbestos Cement Pipe (ACP) and Asbestos Containing Materials (ACM) Abatement, Removal, and Disposal, June 1, 2021 through May 31, 2023; and

WHEREAS, the work, labor and services for the abovementioned project is estimated to cost an amount in excess of \$5,000.00; and

WHEREAS, the Advertisement for Bids for Asbestos Cement Pipe (ACP) and Asbestos Containing Materials (ACM) Abatement, Removal, and Disposal, June 1, 2021 through May 31, 2023 will be conducted pursuant to the enacted legislation, New York State Finance Law Sections 139-j and 139-k and the Authority's Purchasing Guidelines, Policies and Procedures; and

WHEREAS, Michael J. Quinn, Sr. Distribution Engineer will be the designated contact person for the project with the adoption of this resolution; and

WHEREAS, the Authority's 2021 O&M Budget includes funds for this project under Unit 2010 Line Maintenance, Item No. 15 Payments to Contractors-Repair; Unit 1010 Sturgeon Point Plant, Item No. 19 Payments to Contractors-Other; Unit 1020 Control Operations, Item No. 19 Payments to Contractors-Other and Unit 1015 Van de Water Plant, Item No. 19 Payments to Contractors-Other;

NOW, THEREFORE, BE IT RESOLVED:

That the plans and specifications and form of bid be prepared for Asbestos Cement Pipe (ACP) and Asbestos Containing Materials (ACM) Abatement, Removal, and Disposal, June 1, 2021 through May 31, 2023 and upon completion be made available for inspection by bidders in the office of the Authority; and be it further

RESOLVED: That the Secretary of the Authority is authorized to publish a notice inviting sealed bids or proposals pursuant to Section 1069 of the Public Authorities Law for the abovementioned project.

Ayes:

Noes:

03/25/21-pjf

ITEM 14 - APPROVAL OF AMENDMENT NO. 1 OF THE CONTRACT WITH MODERN DISPOSAL SERVICES, INC. FOR FURNISHING NECESSARY LABOR AND MATERIALS FOR THE PICKUP, HAULING, AND DISPOSAL OF ALUMINUM-BASED RESIDUALS, ZEBRA MUSSELS, AND OTHER DEBRIS AND WASTE LOCATED AT DIFFERENT PROPERTIES BELONGING TO THE ERIE COUNTY WATER AUTHORITY FOR TWO YEARS FROM MAY 1, 2019 THROUGH APRIL 30, 2021 PROJECT NO. 201900012, IDENTIFIED AS CONTRACT NO. 19-08-05

Motion by seconded by

WHEREAS, on the 18th day of April 2019 the Erie County Water Authority (the "Authority") Board of Commissioners (the "Board") approved a resolution awarding a Contract with Modern Disposal Services, Inc. (the "Contractor") for Pickup, Hauling, and Disposal of Aluminum-Based Residuals, Zebra Mussels, and Other Debris and Waste Located at Different Properties Belonging to the Authority for Two Years from May 1, 2019 through April 30, 2021, identified as Contract No. 19-08-05 (the "Contract"); and

WHEREAS, in accordance with section 00500, paragraph 11.00, subparagraph A of the Contract, the parties may agree to extend the Contract on the same terms and conditions for one year; and

WHEREAS, the Contractor has agreed to extend this Contract until April 30, 2022 based on the same terms and conditions; and

WHEREAS, Michael W. Wymer, Sr. Production Engineer and Leonard F. Kowalski, Executive Engineer recommend executing an amendment extending this Contract until April 30, 2022 based on the same terms and conditions; and

WHEREAS, the Authority's 2021 O&M Budget includes funds for this project under Unit 1010 Sturgeon Point Plant, Item No. 35 Refuse and Waste Disposal; Unit 1015 Van de Water Plant, Item No. 35 Refuse and Waste Disposal; Unit 1020 Control Operations Item No. 19 Payments to Contractors-Other and Unit 3070 Facilities, Item No. 35 Refuse and Waste Disposal;

NOW, THEREFORE, BE IT RESOLVED:

That the Board approve amending this Contract to allow for a one-year extension until April 30, 2022 based on the same terms and conditions; and be it further

RESOLVED: That the Chairman is authorized to execute Amendment No. 1 on behalf of the Authority.

Ayes:

Noes:

03/25/21-pjf

ITEM 15 - APPROVAL OF AMENDMENT NO. 1 OF THE PROFESSIONAL SERVICES CONTRACT WITH WENDEL WD ARCHITECTURE, ENGINEERING, SURVEYING, AND LANDSCAPE ARCHITECTURE, P.C. TO PROVIDE CONSULTING ENGINEERING SERVICES FOR THE DESIGN AND CONSTRUCTION OF WATER SYSTEM IMPROVEMENTS IN THE TOWN OF AMHERST, NEW YORK, IDENTIFIED AS CONTRACT NO. W-030, PROJECT NO. 201800074

Motion by seconded by

WHEREAS, on the 14th day of June 2018 the Erie County Water Authority (the "Authority") Board of Commissioners (the "Board") approved a resolution to enter into a Professional Services Contract with Wendel WD Architecture, Engineering, Surveying, and Landscape Architecture, P.C. (the "Consultant") to provide consulting engineering services for the design and construction of water system improvements in the Town of Amherst, New York, identified as Contract No. W-030 (the "Contract"); and

WHEREAS, under the Contract's scope of services, the existing transmission main was to be replaced to a point approximately 250 linear feet south of the Ball Pump Station site. The length of main to be replaced was selected to account for replacement of those sections where the majority of historical leaks have occurred; and

WHEREAS, during the design phase of the project, a significant amount of discharge piping at the Ball Pump Station was replaced under an emergency declaration to avoid a failure of that piping; and

WHEREAS, the Authority wishes to ensure that the entire length of the transmission main in the area of the pumping station is new of the same vintage as the balance of the main between the station and Millersport Highway; and

WHEREAS, the Authority desires to replace approximately 250 linear feet of transmission main not previously included in the contract; and

WHEREAS, based on the recommendation of the Authority's Chief Operating Officer and Executive Engineer, the Authority seeks to amend the Contract by expanding the scope of services allowing the Engineer to design the replacement of the remaining 250 linear feet of piping and two required interconnections thereto; and

WHEREAS, in accordance with Paragraph 5 of the Contract, no modification or variation from the terms of the Contract shall be effective unless it is in writing and authorized by a resolution of the Board of Commissioners of the Authority (the "Board") and signed by all parties; and

WHEREAS, Michael J. Quinn, Sr. Distribution Engineer and Leonard F. Kowalski, Executive Engineer recommend executing an amendment by expanding the scope of services allowing the Consultant to design the replacement of the remaining 250 linear feet of piping and two required interconnections thereto; and

WHEREAS, the Authority's 2021 Capital Budget includes funds for this project under Unit 2595 Eng/Const Transmission Mains, Item 101362 W-030 Transmission Main Replacement;

NOW, THEREFORE, BE IT RESOLVED:

That the Board approve amending this Contract by expanding the scope of services allowing the Consultant to design the replacement of the remaining 250 linear feet of piping and two required interconnections thereto; and be it further

RESOLVED: That the Chairman is authorized to execute Amendment No. 1 on behalf of the Authority.

Ayes:

Noes:

03/25/21-pjf

**ITEM 16 - AUTHORIZATION TO GRANT LEAK ALLOWANCE REQUESTS -
\$6,526.13**

Motion by seconded by

WHEREAS, Karen A. Prendergast, Chief Financial Officer, has received leak allowance requests from Erie County Water Authority (the “Authority”) customers listed below resulting from a service line leak:

- | | |
|---|---|
| 1) Marilla Country Village, Inc.
950 Three Rod Road
Alden, NY 14004
\$1,730.50 | 3) Estate of Jacquelyn Thompson
18 Doyle Court
Cheektowaga, NY 14225
\$579.43 |
| 2) YMCA Buffalo Niagara
3636 Eggert Road
Orchard Park, NY 14127
\$2,158.25 | 4) Liberty Square Apts.
4291 Chestnut Ridge Road
Amherst, NY 14228
\$2,057.95; and |

WHEREAS, Karen A. Prendergast, Chief Financial Officer advised that the requests contain documentation showing that the leaks have been repaired; and

WHEREAS, said leak allowance requests have complied with all leak allowance requirements; and

WHEREAS, as stated in Section 9.09 of the Authority's Tariff, the granting of a leak allowance shall be in the sole discretion of the Authority; and

WHEREAS, Karen A. Prendergast, Chief Financial Officer recommends granting the above leak allowance requests;

NOW, THEREFORE, BE IT RESOLVED:

That the Authority’s Board of Commissioners grant the leak allowance requests to the abovementioned customers; and be it further

RESOLVED: That the Comptroller is authorized to adjust the account of the abovementioned customers.

Ayes:

Noes:

03/25/21-pjf

ITEM 17 - AUTHORIZATION TO WAIVE THE MARCH 2021 CONTRIBUTION FOR HEALTH & DENTAL COVERAGE FOR A SPECIFIC EMPLOYEE

Motion by seconded by

WHEREAS, on February 28, 2021, the Board of Commissioners (the “Board”) of the Erie County Water Authority (the “Authority”) discussed in executive session, severing employment relations with an Authority staff member; and

WHEREAS, following this executive session, the Board unanimously adopted a motion to authorize the Authority’s General Counsel to prepare a termination letter for the individual; and

WHEREAS, the Authority’s General Counsel, in consultation with the Secretary of the Authority, the Director of Human Resources, the Chief Financial Officer and Comptroller, now recommends to the Board that the individual’s contribution for health and dental coverage, in the amount of Three Hundred Forty-Four Dollars and twenty-four cents (\$344.24), be waived for the month of March;

NOW, THEREFORE BE IT RESOLVED, that the Board authorizes the Chief Financial Officer and the Comptroller to waive the March contribution for health and dental coverage for employee identified as 0867, and be further

RESOLVED, that the Comptroller is directed to prepare a final payroll check without making any deduction for the employee’s March contribution for health and dental coverage, and be further

RESOLVED, the Comptroller is authorized to hold the check until such time as the employee has surrendered an Authority-issued laptop and access identification card and has returned all files relating to Authority work assignments and related matters.

Ayes:

Noes:

03/25/21-MAM:pjf

**ITEM 18 - AUTHORIZATION TO AMEND THE ERIE COUNTY WATER
AUTHORITY'S ANNUAL CAPITAL BUDGET FOR FISCAL YEAR 2021**

Motion by seconded by

WHEREAS, in a resolution dated October 27, 2020, the Erie County Water Authority (the "Authority") adopted its Annual Capital Budget for the fiscal year 2021; and

WHEREAS, from time to time, due to changes in spending priorities, availability of funds, or changes in other circumstances, the Authority finds it proper to amend its Budget to reflect such changes; and

WHEREAS, the Authority has been advised by Leonard Kowalski, Executive Engineer, funds need to be reallocated in the 2021 Capital Budget for various reasons; and

WHEREAS, additional funds will be available from various capital budget items based on the bids that were received; and

WHEREAS, funds within the Capital Budget will need to be re-allocated as follows:

<u>Unit No</u>	<u>Capital No:</u>	<u>Description</u>	<u>Increase</u>	<u>Decrease</u>
2590	101409	CPL-005 Waterline Replacement	\$ 330,000	
2590	101411	CH-012 Waterline Replacement	650,000	
2590	101412	WSA-14 Waterline Replacement	23,000	
2590	101590	LA-005 Waterline Replacement	94,000	
2590	101591	CH-014 Waterline Replacement	60,000	
2590	101592	BL-002 Waterline Replacement	32,000	
2590	101594	DA-011 Waterline Replacement	14,000	
2595	101351	CH0-010 Transmission Main Replacement	23,000	
2595	101598	NC-042 Transmission Main Replacement	57,000	
2595	101599	GP-010 Transmission Main Replacement	112,000	
2595	101600	EA-013 Transmission main Replacement	<u>214,000</u>	
2590	101519	DA-010 Waterline Replacement		\$ 294,500
2590	101520	CPL-007 Waterline Replacement		510,000
2590	101531	GP-009 Waterline Replacement		804,500

Totals \$ 1,609,000 \$ 1,609,000

NOW, THEREFORE, BE IT RESOLVED:

That the Authority's Annual Capital Budget for the fiscal year 2021 be amended as listed above.

Ayes:

Noes:

03/25/21-SVD:pjf

**ITEM 19 - AUTHORIZATION TO AMEND THE ERIE COUNTY WATER
AUTHORITY'S ANNUAL CAPITAL BUDGET FOR FISCAL YEAR 2021**

Motion by seconded

WHEREAS, in a resolution dated October 27, 2020, the Erie County Water Authority (the "Authority") adopted its Annual Capital Budget for the fiscal year 2021; and

WHEREAS, from time to time, due to changes in spending priorities, availability of funds, or changes in other circumstances, the Authority finds it proper to amend its Budget to reflect such changes; and

WHEREAS, the Authority has been advised by Michael Wymer, Senior Production Engineer, funding is needed for improvements to the Raw Water Intakes at Sturgeon Point and Van De Water Treatment Plants that were not included in the 2021 Capital Budget; and

WHEREAS, additional funds will be available from capital budget item 101267- W-27 Transmission Main Replacement due to scheduled early completion; and

WHEREAS, in order to provide funding for the Raw Water Intake Improvements funds within the Capital Budget will need to be re-allocated as follows:

<u>Unit No</u>	<u>Capital No:</u>	<u>Description</u>	<u>Increase</u>	<u>Decrease</u>
2510	101609	Sturgeon Point Raw Water Intake Improvements	\$ 200,000	
2515	101610	Van De Water Raw Water Intake Improvements	<u>100,000</u>	
2595	101267	W-27 Transmission Main Replacement		\$ <u>300,000</u>
Totals			\$ 300,000	\$ 300,000

NOW, THEREFORE, BE IT RESOLVED:

That the Authority's Annual Capital Budget for the fiscal year 2021 be amended as listed above.

Ayes:

Noes:

03/25/21-SVD:pjf

ITEM 20 - CREATION OF ONE POSITION OF CONTROL OPERATOR CREW CHIEF (PART-TIME)

Motion by seconded by

WHEREAS, Pursuant to Article V, Title 3, Section 1053 of the Public Authorities Law, the Erie County Water Authority (“Authority”) has the authority to appoint an attorney and an engineer and such additional officers and employees as it may require for the performance of its duties, fix and determine their qualifications, duties and compensation, subject to the provisions of the Civil Service Law of the State of New York and such rules as the Personnel Officer of the Count of Erie may adopt and make applicable to such authority; and

WHEREAS, Article V, Section 6 of the By-Laws of the Erie County Water Authority grants to the Authority the right to name and appoint from time to time an attorney or engineer and employees as it may require for the performance of its duties, fix their qualification, duties and compensation, subject to the provisions of the Civil Service Law of the State of New York;

NOW, THEREFORE, BE IT RESOLVED:

That the Erie County Water Authority does hereby create one position of Control Operator Crew Chief (Part-Time), Grade 17E with an hourly rate of \$40.265-\$44.793, effective March 25, 2021; and be it further

RESOLVED: On March 8, 2021 the Erie County Department of Personnel reviewed and approved the above creation.

Ayes:

Noes:

03/25/21-pjf

ITEM 21 - AUTHORIZATION TO FILE THE PUBLIC AUTHORITY REPORTING INFORMATION SYSTEM (PARIS) 2020 REPORTS TO THE NEW YORK STATE AUTHORITY BUDGET OFFICE

Motion by seconded by

WHEREAS, in accordance with the Public Authorities Law, as amended by the Public Authorities Accountability Act of 2005, and the Public Authorities Reform Act of 2009, the Erie County Water Authority is required to file an Annual Report which reflects the 2020 results of operations and other supporting information; a Procurement Report of the Authority's activity for the year; the Authority's audited Investment Report; and the Certified Financial Audit report.

WHEREAS, the certification statement must be affirmatively answered confirming that the Report has been presented to and accepted by the Board of Commissioners (the "Board") before the submission of the data; and

WHEREAS, the Governance Committee has recommended that the Board approves the filing of the Public Authority Reporting Information System (PARIS) 2020 Reports to the NYS Authorities Budget Office;

NOW, THEREFORE, BE IT RESOLVED:

That the Board approves the filing of the PARIS 2020 Reports to the NYS Authorities Budget Office; and be it further

RESOLVED: that the Board authorizes the Authority's Chief Financial Officer to file the Public Authority Reporting Information System 2020 Reports described above to the New York State Authority Budget Office and post all required documents to the Authority's website.

Ayes:

Noes:

03/25/21-pjf

**ITEM 22 - AUTHORIZATION TO REVISE AND ADOPT THE ERIE COUNTY
WATER AUTHORITY'S CODE OF ETHICS & CONFLICTS OF INTEREST
POLICY AND ADOPT THE 2020 FINANCIAL DISCLOSURE STATEMENT
FORM AND 2020 VENDOR LIST**

Motion by seconded by

WHEREAS, on March 25, 2021 the Governance Committee (the "Committee") of the Erie County Water Authority (the "Authority") conducted an annual review of the Authority's Code of Ethics & Conflicts of Interest Policy, Whistleblower Protection Policy, In-House Financial Disclosure Statement; Vendor List for the previous calendar year; and any reports or recommendations submitted to the Committee by the Authority's Independent Ethics Panel (the "Panel"); and

WHEREAS, following this annual review, the Committee recommends to the Board of Commissioners (the "Board") the adoption of a revised Code of Ethics & Conflicts of Interest Policy (Policy No. 11.9), adding certain titles to the list of individuals required to file an annual Financial Disclosure Statement to the Authority; and

WHEREAS, the Committee recommends no changes to the Authority's Whistleblower Protection Policy (Policy No. 16.0); and

WHEREAS, the Committee has reviewed and recommends for the approval a Financial Disclosure Statement, as amended for calendar year 2020, and a 2020 Vendor List;

NOW THEREFORE BE IT RESOLVED:

The Board adopts the revised Erie County Water Authority Code of Ethics & Conflicts of Interest Policy together with the 2020 ECWA Financial Disclosure Statement and 2020 Vendor List; and be it further

RESOLVED: That the Secretary is hereby directed to post the revised Code of Ethics & Conflicts of Interest Policy on the Authority website.

Ayes:

Noes:

03/25/21-pjf

ITEM 23 - AUTHORIZATION TO ADOPT POLICY NO. 96.0 COMMUNICABLE DISEASE PREPAREDNESS PLAN OF THE EMPLOYEE POLICY AND PROCEDURES MANUAL

Motion by seconded by

WHEREAS, on September 7, 2020, Governor Andrew Cuomo signed into law Senate Bill 8617-B, amending provisions within the Education Law, and adding section 27-c to the Labor Law; and

WHEREAS, the purpose of the new law is to protect the health and safety of public employees by mandating public employers to draft and publish contingency plans for declared public health emergencies involving communicable diseases; and

WHEREAS, pursuant to Labor Law §27-c, the Erie County Water Authority (the “Authority”), as a public employer, must adopt and published a Communicable Disease Preparedness Plan (“CDPP”) on or before April 1, 2021; and

WHEREAS, the Authority’s Executive Staff submitted to the Governance Committee a new Policy No. 96.0, Communicable Disease Preparedness Plan and recommended adoption of the new Policy; and

WHEREAS, the Governance Committee reviewed and recommended to the Board of Commissioners to adopt a new Policy No. 96.0, Communicable Disease Preparedness Plan;

NOW THEREFORE BE IT RESOLVED:

The Authority’s Board of Commissioners adopt a new Policy No. 96.0, Communicable Disease Preparedness Plan; and be it further

RESOLVED: That the Secretary is hereby directed to post the newly adopted new Policy No. 96.0, Communicable Disease Preparedness Plan on the Authority’s website.

Ayes:

Noes:

03/25/21-pjf

**ITEM 24 - AUTHORIZATION TO AMEND THE FLEET MANAGEMENT POLICY IN
THE ERIE COUNTY WATER AUTHORITY'S EMPLOYEE POLICIES
AND PROCEDURES MANUAL**

Motion by seconded by

WHEREAS, as part of an annual review, the Office of the Secretary for the Erie County Water Authority (the "Authority") discovered the policy numbers assigned to the Authority's Fleet Management Policy was the same the number already assigned to the Authority's Defense and Indemnification Policy (Policy No. 94.0); and

WHEREAS, the Secretary of the Authority recommends the Fleet Management Policy, as amended, be assigned the Policy No. 95.2;

NOW THEREFORE BE IT RESOLVED:

The Authority's Board of Commissioners approve amending the Fleet Management Policy making it Policy No. 95.2.

Ayes:

Noes:

03/25/21-pjf