

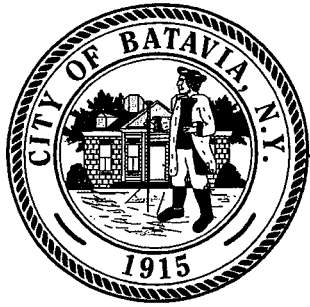
BATAVIA CITY COUNCIL SPECIAL CONFERENCE MEETING

City Hall - Council Board Room
One Batavia City Centre
September 11th 2023 at 7:00 p.m.

AGENDA

- I. Call to Order
- II. Invocation – Councilmember Bialkowski
- III. Pledge of Allegiance
- IV. Public Comments
- V. Council Response to Public Comments
- VI. Communications
 - a. Batavia Rotary Club 5K – 10/28/2023
 - b. Batavia Brewing Company (Eli Fish) – Liquor License
- VII. Council President Report
 - a. Announcement of the next City Council Meeting to be held on Monday, September 25th, 2023 at 7:00 p.m. at the City Hall Council Board Room, 2nd Floor, City Centre
- VIII. Water Treatment Plant – HVAC and Boiler Installation***
- IX. Water Treatment Plant Electrical and Control***
- X. Waste Water Treatment Plant – Sludge Removal - Rejection of Bid***
- XI. Personal Protective Equipment Bid Award***
- XII. Capital Project Close Out***

***Move to Tonight's Business Agenda



City of Batavia

MEMORANDUM

To: Rachael Tabelski, City Manager
From: Heidi J. Parker, Clerk-Treasurer
Date: 9/6/23
Subject: **Event Summary**

Below please find the summary for the events to be reviewed by City Council on September 11, 2023:

Batavia Rotary Club 5K Run – 10/28/23

Estimated cost from the police department is \$200. There were no costs from the other departments.

****NOTE** – Event sponsors are responsible for costs that may be incurred because of their event and have been made aware of estimated costs, if any. For final approval, all applicants must submit a certificate of liability insurance to the Clerk's Office prior to the event date.



City of Batavia
Batavia, New York 14020
(585) 345-6300

Official Use Only:

2023-44

Event Application #:

PAID
AUG 14 2023
CITY OF BATAVIA
CLERK-TREASURER

Event Application Fee - \$25.00 (non-refundable)

(A separate permit must be issued for each item requested)

Event Sponsor BATAVIA ROTARY CLUB

Type of Event 5K RUN

Day and Date of Event 10/28/23

Time of Event (don't include set up time here - just actual event time) 4pm - 8pm

Location of Event DEWITT RECREATION AREA

Details of Event (be as specific as possible!) 5K RUN STARTING AT DEWITT, USING CITY STREETS AND RETURNING TO DEWITT WALKING PATH FOR FINISH.

Contact Information:

Primary contact:

Name DOUG FORSYTHE

Phone # 716-343-0125

Mailing address P.O. Box 347 BATAVIA NY

E-mail address dforsthe143@gmail.com

Secondary contact:

Name JOY GSELL

Phone # 585-813-2511

Mailing address 319 WASHINGTON AVE BATAVIA, NY

E-mail address JOYGSSELL@YAHOO.COM

* Events will be posted on the City's website calendar. If there is a website you would like to include that people can visit for more information or registration, if applicable, note website here: _____

Will there be alcohol at your event? Yes No If yes, complete the following:

Type of alcoholic beverage to be served: Liquor Wine Beer

Will you be providing alcohol to your group? Yes No

Will you be selling alcohol to your group? Yes No Insurance certificate **WILL BE** required with **Liquor Legal**.

Will people be allowed to bring alcohol to the event? Yes No

Who will be applying to the NYS Liquor Authority for the permit to sell? _____

Is the Sponsor requesting waiver of the Open Container law per §34-7 of the City Code? Yes No

It is the Applicant's responsibility to police the area during the gathering to make sure all Alcohol Beverage Control rules are followed. Also, after the event Applicant is responsible to dispose of all empty bottles and debris.

**** If you are contracting with a group to sell alcohol during your event on city property, separate insurance is required from them with Liquor Legal in addition to your insurance. ****

EVENT INFORMATION (required):

Set up date: 10/28/23 Set up time: 4 pm

Tear down date: 10/28/23 Tear down time: 8 pm

PLEASE LIST ALL DATES / TIMES AND CROWD INFORMATION BELOW:

Date: 10/28/23 Start time: 4 pm End time: 8 pm

Estimated crowd size: 150 # of Vendors/Displays N/A

WILL THE EVENT INCLUDE:

- Block Party: Yes No (MAP OF STREET CLOSURE MUST BE ATTACHED)
- Parade: Yes No (MAP OF DESIRED ROUTE MUST BE ATTACHED)
- Run or Walk: Yes No (MAP OF DESIRED ROUTE MUST BE ATTACHED)
- Music: Yes No (SITE DRAWING OF STAGE OR DJ LOCATION ATTACHED)
- Street Closure(s): Yes No (MAP OF CLOSED STREETS AND DROP LOCATION OF BARRICADES)
- Other: Yes No (MAP OF DESIRED ROUTE MUST BE ATTACHED)

Fireworks or Hazardous Materials? Yes No Carnival or Amusement Rides? Yes No

Name of Company Providing Above: _____ Company Contact/Representative _____ Phone # _____

Address, Street _____ City _____ Zip Code _____

Music: N/A Live Group Recorded/DJ

Name of Company Providing Above: _____ Company Contact/Representative _____ Phone # _____

Address, Street _____ City _____ Zip Code _____

CITY SERVICES SUPPORT:

City Code 66-15, D-2 The City reserves the right, as part of the permitting process, to require the applicant to pay for additional operational costs of the City associated with the event.

FOR EVENTS IN CITY PARKS, GARBAGE PICK-UP WILL BE MADE ONLY TO GARBAGE CANS ON SITE. ADDITIONAL GARBAGE MUST BE BAGGED AND REMOVED FROM PREMISES BY EVENT SPONSOR.

ELECTRIC:

Will electric be needed for the event? Yes No

What will you be providing electric to? GENESSEE COUNTY CO. HWY/PICK UP FOREST
ON SITE PAVILION AND RESTROOMS

Will generators be used? Yes No *see Special Events Inspection list for compliance*

If yes, INCLUDE SITE DRAWING INDICATING PLACEMENT/LOCATION OF GENERATOR

SIZE OF GENERATOR(S) _____ FUEL SOURCE - GAS - - DIESEL - - PROPANE -

TENTS/CANOPIES/POP-UPS: See appendices for compliance checklist – all tents will be inspected **

Will Tents/Canopies or other membrane structures be erected at event? Yes No
Will a bounce house or other air supported structures be erected at event? Yes No

NOTE – Appropriate anchoring is required for all tents, canopies, and pop-up structures

Please list size(s) of Tents/Canopies or other temporary structures erected* _____

ANCHORING INTO PAVEMENT IS PROHIBITED!

If anchoring in grass, soil areas please contact the NYS Dig Safe # at: 1-800-962-7962 or 811

STREET CLOSURE(S):

ANY EVENT REQUIRING A STREET CLOSURE REQUIRES 90 DAY ADVANCE NOTICE

Will street(s) need to be closed for the event? Yes No Reason: RAMPERS CROSSING AT CEDAR ST AND ENTERING CEMETERY

List Street(s) and Cross Street(s) that will be affected:

| | | |
|----------------------------|----------------------|-------|
| _____ | & | _____ |
| <i>Street to be closed</i> | <i>Cross Streets</i> | |
| _____ | & | _____ |
| <i>Street to be closed</i> | <i>Cross Streets</i> | |
| _____ | & | _____ |
| <i>Street to be closed</i> | <i>Cross Streets</i> | |
| _____ | & | _____ |
| <i>Street to be closed</i> | <i>Cross Streets</i> | |

Will street barricades be requested from the City? Yes No How Many? 15

Will traffic cones be requested from the City? Yes No How Many? 20-30
(Drop off locations of requested items must be identified on the site drawing)

BANNERS SIGNS OR OTHER DECORATIONS ARE NOT TO BE ATTACHED TO STREET BARRICADES, TRAFFIC CONES, LIGHT POLES, OR ANY OTHER CITY PROPERTY

Are there any other city materials or personnel requested for the event? Identify below: *(there may be additional costs)*
CITY POLICE AT ENTRANCE TO UPPER DEWITT REC PKG AT CEDAR ST.

Block parties must allow local traffic and driveways cannot be blocked. Initial here: _____ (if hosting block party)

POLICE

Will City Police Officers be requested for the event? Yes No

If yes, what type of request? Traffic control Security Community Policing
Other : Specify _____

FINAL DETERMINATION FOR NUMBER OF POLICE OFFICERS and UTILIZATION WILL BE AT THE DISCRETION OF THE CITY.

PLEASE NOTE:

1. Be as specific as possible in the description so we have the best understanding of your event. Also, be clear as to what you would like provided by the City. **Applications should be submitted at least 30 days in advance.**
2. Fire hydrants, Cross Streets/Alleys and Store Fronts **Shall Not Be Blocked** by any Vehicle or Concession at any time.
3. An Emergency Vehicle Safety Lane Must be Maintained at All times at All Locations
4. Fuel Containers Must be of an Approved type and Must be Properly Secured
5. Deep Fryers Must Be Approved. Commercial Types Require a Type "K" Portable Fire Extinguisher
6. All Food Vendors Must Have a Type ABC Fire Extinguisher. All Fire Extinguishers Must Be Inspected Within The Last Year. **A Valid Health Department Permit Must Be Displayed.**
7. No grease or substance of any kind may be discharged upon the streets, sidewalks, or into the storm drains and/or sewers
8. City Sign Ordinances Shall Be Complied With At All Times And In All Regards
9. No paint or other markings may be placed on the street surface.
10. Additional operational costs of the City, as determined by City Departments, must be paid by the event sponsor at the conclusion of the event. The application fee is due at time of submission and is non-refundable.
11. Vendor/participants must also follow all inspection/temporary structure rules found in the appendices (pg 6-7)
12. For block parties, sponsors must notify all affected neighbors and local traffic/driveway access must be maintained.
13. If approved, a Certificate of Liability Insurance of at least \$1,000,000 naming the City of Batavia as an additional insured for at least the day(s) of the event must be submitted to the City Clerk prior to the event date.

Hold Harmless Agreement

BATAVIA ROTARY CLUB, the organizer/sponsor, shall indemnify, hold harmless, assume liability for and defend the City of Batavia, its employees, officers and agents from any and all damages, costs and expenses including but not limited to, attorney's fees, court costs, and all other sums which the City of Batavia its employees, officers and agents may pay or become obligated to pay on account of any and every demand, claim or assertion of liability, or any claim founded thereon, arising or alleged to have arisen out of the activities described in this special event application and sanctioned by the permit issued by the City of Batavia or by any act or omission of the BATAVIA ROTARY (Organizer/Sponsor), its members, agents, employees, volunteers, officers, or directors in relation to activities described in this application and sanctioned by the issuance of a special event permit.

8/11/23
Date:

BATAVIA ROTARY CLUB
Name of Event Sponsor:

Susie Ott PRESIDENT
Authorized Signature, Title

SUSIE OTT, PRESIDENT.
Name - Printed or Typed

The rules and information contained within this application have been read and will be adhered to.

8/10/23
Date:

[Signature]
Signature of Applicant:

Please forward this application to:

**City Clerk's Office
Attention: Events Applications Department
One Batavia City Centre
Batavia, New York 14020**

**SPECIAL EVENT APPLICATION
DEPARTMENT APPROVAL SUMMARY**

FOR OFFICIAL CITY USE ONLY

| <u>OFFICIAL USE ONLY</u> | | | | |
|---|--------------------------|--------------------------|------------------|---------------------|
| Department Recommendations: | Approved | Denied | Additional Costs | Department Initials |
| DPW (if applicable) | <input type="checkbox"/> | <input type="checkbox"/> | _____ | _____ |
| Fire Dept. (if applicable) | <input type="checkbox"/> | <input type="checkbox"/> | _____ | _____ |
| Police Dept. (if applicable) | <input type="checkbox"/> | <input type="checkbox"/> | _____ | _____ |
| <i>If recommendation is denied, please attach a brief explanation</i> | | | | |

| <u>OFFICIAL USE ONLY</u> | |
|--|---|
| _____ | _____ |
| <small>Date Received</small> | <small>Council Action: (Approved / Disapproved)</small> |
| _____ | _____ |
| <small>Date of Council Action:</small> | <small>Insurance Received (if applicable)</small> |

Event Application #: _____

Department: _____
List Department Name Here

| Department Approval | YES | NO |
|---------------------|--------------------------|--------------------------|
| DPW | <input type="checkbox"/> | <input type="checkbox"/> |
| Fire | <input type="checkbox"/> | <input type="checkbox"/> |
| Police | <input type="checkbox"/> | <input type="checkbox"/> |

Department Cost Estimate: _____
If applicable

Estimate based on: Fillable table – type your response here:

If Application not Approved, Provide Reason Here: Fillable table – type your response here:

Submitted By: _____ Name / Title Date Submitted



CERTIFICATE OF LIABILITY INSURANCE

DATE (MM/DD/YYYY)
8/10/23

THIS CERTIFICATE IS ISSUED AS A MATTER OF INFORMATION ONLY AND CONFERS NO RIGHTS UPON THE CERTIFICATE HOLDER. THIS CERTIFICATE DOES NOT AFFIRMATIVELY OR NEGATIVELY AMEND, EXTEND OR ALTER THE COVERAGE AFFORDED BY THE POLICIES BELOW. THIS CERTIFICATE OF INSURANCE DOES NOT CONSTITUTE A CONTRACT BETWEEN THE ISSUING INSURER(S), AUTHORIZED REPRESENTATIVE OR PRODUCER, AND THE CERTIFICATE HOLDER.

IMPORTANT: If the certificate holder is an **ADDITIONAL INSURED**, the policy(ies) must have **ADDITIONAL INSURED** provisions or be endorsed. If **SUBROGATION IS WAIVED**, subject to the terms and conditions of the policy, certain policies may require an endorsement. A statement on this certificate does not confer rights to the certificate holder in lieu of such endorsement(s).

| | | |
|--|--|------------------------------------|
| PRODUCER Arthur J. Gallagher Risk Management Services, Inc. 2850 Golf Road Rolling Meadows IL 60008 | CONTACT NAME: Toni Hanes PHONE (A/C, No, Ext): 1-833-3ROTARY E-MAIL ADDRESS: rotary@ajg.com | FAX (A/C, No): 830-285-4062 |
| | INSURER(S) AFFORDING COVERAGE | |
| INSURED All Active US Rotary Clubs & Districts Batavia Rotary Club ATTN: Risk Management Dept. 1560 Sherman Ave. Evanston, IL 60201-3698 | INSURER A: Westchester Surplus Lines Insurance Company 10172 | |
| | INSURER B: | |
| | INSURER C: | |
| | INSURER D: | |
| | INSURER E: | |
| | INSURER F: | |

COVERAGES **CERTIFICATE NUMBER:** 899307648 **REVISION NUMBER:**

THIS IS TO CERTIFY THAT THE POLICIES OF INSURANCE LISTED BELOW HAVE BEEN ISSUED TO THE INSURED NAMED ABOVE FOR THE POLICY PERIOD INDICATED. NOTWITHSTANDING ANY REQUIREMENT, TERM OR CONDITION OF ANY CONTRACT OR OTHER DOCUMENT WITH RESPECT TO WHICH THIS CERTIFICATE MAY BE ISSUED OR MAY PERTAIN, THE INSURANCE AFFORDED BY THE POLICIES DESCRIBED HEREIN IS SUBJECT TO ALL THE TERMS, EXCLUSIONS AND CONDITIONS OF SUCH POLICIES. LIMITS SHOWN MAY HAVE BEEN REDUCED BY PAID CLAIMS.

| INSR LTR | TYPE OF INSURANCE | ADDITIONAL INSURED | SUBROGATION WAIVED | POLICY NUMBER | POLICY EFF (MM/DD/YYYY) | POLICY EXP (MM/DD/YYYY) | LIMITS |
|----------|--|--------------------|--------------------|----------------|-------------------------|-------------------------|---|
| A | <input checked="" type="checkbox"/> COMMERCIAL GENERAL LIABILITY <input type="checkbox"/> CLAIMS-MADE <input checked="" type="checkbox"/> OCCUR <input checked="" type="checkbox"/> Liquor Liability Included GEN'L AGGREGATE LIMIT APPLIES PER: <input checked="" type="checkbox"/> POLICY <input type="checkbox"/> PROJECT <input type="checkbox"/> LOC OTHER: | Y | | G73578917 002 | 7/1/2023 | 7/1/2024 | EACH OCCURRENCE \$2,000,000 DAMAGE TO RENTED PREMISES (Ea occurrence) \$500,000 MED EXP (Any one person) \$ PERSONAL & ADV INJURY \$2,000,000 GENERAL AGGREGATE \$4,000,000 PRODUCTS - COMP/OP AGG \$4,000,000 \$ |
| A | <input type="checkbox"/> AUTOMOBILE LIABILITY <input type="checkbox"/> ANY AUTO <input checked="" type="checkbox"/> OWNED AUTOS ONLY <input type="checkbox"/> HIRED AUTOS ONLY <input type="checkbox"/> SCHEDULED AUTOS <input checked="" type="checkbox"/> NON-OWNED AUTOS ONLY | | | G73578917 002 | 7/1/2023 | 7/1/2024 | COMBINED SINGLE LIMIT (Ea accident) \$2,000,000 BODILY INJURY (Per person) \$ BODILY INJURY (Per accident) \$ PROPERTY DAMAGE (Per accident) \$ \$ |
| | <input type="checkbox"/> UMBRELLA LIAB <input type="checkbox"/> OCCUR <input type="checkbox"/> EXCESS LIAB <input type="checkbox"/> CLAIMS-MADE DED RETENTION \$ | | | NOT APPLICABLE | | | EACH OCCURRENCE \$ AGGREGATE \$ \$ |
| | <input type="checkbox"/> WORKERS COMPENSATION AND EMPLOYERS' LIABILITY ANY PROPRIETOR/PARTNER/EXECUTIVE OFFICER/MEMBER EXCLUDED? (Mandatory in NH) If yes, describe under DESCRIPTION OF OPERATIONS below | Y/N | N/A | NOT APPLICABLE | | | PER STATUTE OTHER E.L. EACH ACCIDENT \$ E.L. DISEASE - EA EMPLOYEE \$ E.L. DISEASE - POLICY LIMIT \$ |

DESCRIPTION OF OPERATIONS / LOCATIONS / VEHICLES (ACORD 101, Additional Remarks Schedule, may be attached if more space is required)

The Certificate Holder is included as an additional insured where required by written contract or permit subject to the terms and conditions of the general liability policy, but only to the extent bodily injury or property damage is caused in whole or in part by the acts or omissions of the insured.

| | |
|--|--|
| CERTIFICATE HOLDER City of Batavia One City Centre Batavia, NY 14020 | CANCELLATION SHOULD ANY OF THE ABOVE DESCRIBED POLICIES BE CANCELLED BEFORE THE EXPIRATION DATE THEREOF, NOTICE WILL BE DELIVERED IN ACCORDANCE WITH THE POLICY PROVISIONS. AUTHORIZED REPRESENTATIVE |
|--|--|



Map data ©2022 Google 200 ft



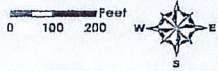
115 CEDAR STREET
BATAVIA, NY 14020

DEWITT RECREATION AREA

EST. 1996
64 ACRES

Map Features

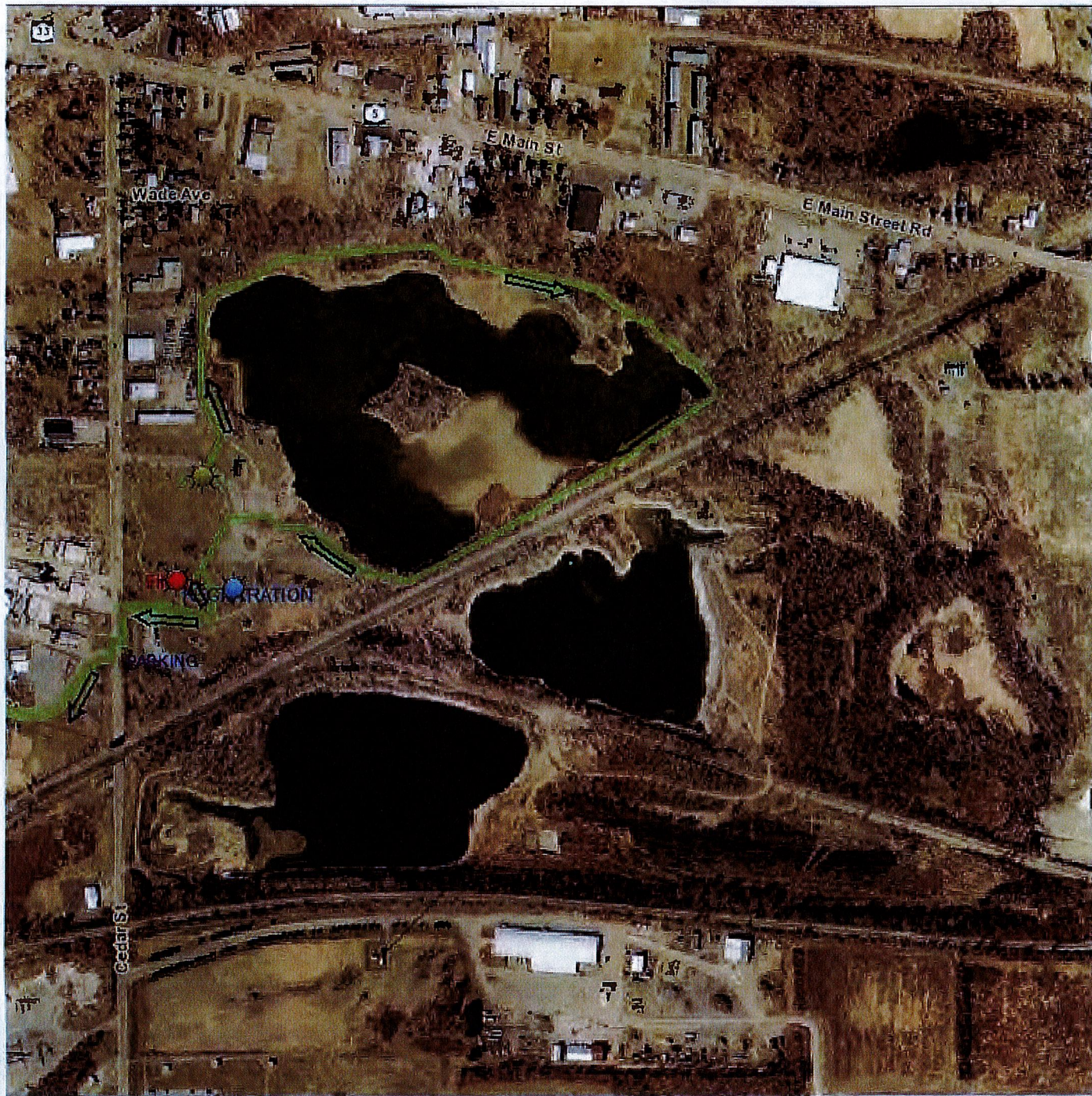
- Pavilion
- Information Kiosk
- Playground
- Fishing Platform
- Boat Launch
- Canoe Launch
- Seating Area
- Restroom
- Gate
- Parking Lot
- Lakeside Trail (1 mi.)
- Wildflower Trail (.20 mi.)
- Goose Neck Trail (.07 mi.)
- Overlook Trail (.06 mi.)
- SeaBees Point (.06 mi.)
- Blue Heron Point (.04 mi.)
- Sunfish Point (.03 mi.)
- Walking Track (.25 mi.)
- Access Road (.06 mi.)
- Bridge
- Active Railroads
- Area Flooded at High Water
- Wetlands
- Park Boundaries
- Parcel Boundaries



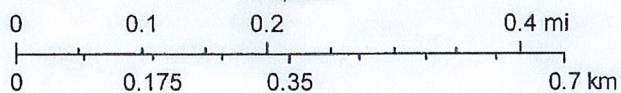
Map created by the Genesee County
Dept. of Planning - December 2012



or Trot 5K



1:9,028



Sources: Esri, HERE, Garmin, Intermap, increment P Corp., GEBCO, USGS, FAO, NPS, NRCAN, GeoBase, IGN, Kadaster NL, Ordnance Survey, Esri Japan, METI, Esri China (Hong Kong), (c) OpenStreetMap contributors, and the GIS User Community

| | | |
|--------------------------------|-------------------------------|------------|
| OFFICE USE ONLY | | |
| <input type="radio"/> Original | <input type="radio"/> Amended | Date _____ |

Standardized NOTICE FORM for Providing 30-Day Advance Notice to a Local Municipality or Community Board

1. Date Notice Sent: 1a. Delivered by:

2. Select the type of Application that will be filed with the Authority for an On-Premises Alcoholic Beverage License:
 For premises outside the City of New York:

New Application Removal Class Change

For premises in the City of New York:

New Application New Application and Temporary Retail Permit Temporary Retail Permit Removal
 Class Change Method of Operation Corporate Change Renewal Alteration

For **New** and Temporary Retail Permit applicants, answer each question below using all information known to date
 For **Renewal** applicants, answer all questions
 For **Alteration** applicants, attach a complete written description and diagrams depicting the proposed alteration(s)
 For **Corporate Change** applicants, attach a list of the current and proposed corporate principals
 For **Removal** applicants, attach a statement of your current and proposed addresses with the reason(s) for the relocation
 For **Class Change** applicants, attach a statement detailing your current license type and your proposed license type
 For **Method of Operation Change** applicants, although not required, if you choose to submit, attach an explanation detailing those changes

Please include all documents as noted above. Failure to do so may result in disapproval of the application.

This 30-Day Advance Notice is Being Provided to the Clerk of the Following Local Municipality or Community Board:

3. Name of Municipality or Community Board:

Applicant/Licensee Information:

4. Licensee Serial Number (if applicable): Expiration Date (if applicable):

5. Applicant or Licensee Name:

6. Trade Name (if any):

7. Street Address of Establishment:

8. City, Town or Village: , NY Zip Code:

9. Business Telephone Number of applicant/ Licensee:

10. Business E-mail of Applicant/Licensee:

11. Type(s) of alcohol sold or to be sold: Beer & cider Wine, Beer & Cider Liquor, Wine, Beer & Cider

12. Extent of Food Service: Full Food menu; full kitchen run by a chef/cook Menu meets legal minimum food requirements; food prep area required

13. Type of Establishment:

Seasonal Establishment Juke Box Disc Jockey Recorded Music Karaoke

14. Method of Operation: (check all that apply) Live Music (give details i.e., rock bands, acoustic, jazz, etc.):

Patron Dancing Employee Dancing Exotic Dancing Topless Entertainment

Video/Arcade Games Third Party Promoters Security Personnel

Other (specify):

15. Licensed Outdoor Area: None Patio or Deck Rooftop Garden/Grounds Freestanding Covered Structure
 (check all that apply) Sidewalk Cafe Other (specify): _____

| | | |
|--------------------------------|-------------------------------|------------|
| OFFICE USE ONLY | | |
| <input type="radio"/> Original | <input type="radio"/> Amended | Date _____ |

16. List the floor(s) of the building that the establishment is located on:

17. List the room number(s) the establishment is located in within the building, if appropriate:

18. Is the premises located within 500 feet of three or more on-premises liquor establishments? Yes No

19. Will the license holder or a manager be physically present within the establishment during all hours of operation? Yes No

20. If this is a transfer application (an existing licensed business is being purchased) provide the name and serial number of the licensee:

Name

Serial Number

21. Does the applicant or licensee own the building in which the establishment is located? Yes (if YES, SKIP 23-26) No

Owner of the Building in Which the Licensed Establishment is Located

22. Building Owner's Full Name:

23. Building Owner's Street Address:

24. City, Town or Village: State: Zip Code:

25. Business Telephone Number of Building Owner:

Representative or Attorney Representing the Applicant in Connection with the Application for a License to Traffic in Alcohol at the Establishment Identified in this Notice

26. Representative/Attorney's Full Name:

27. Representative/Attorney's Street Address:

28. City, Town or Village: State: Zip Code:

29. Business Telephone Number of Representative/Attorney:

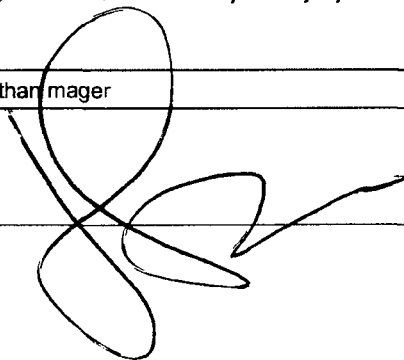
30. Business E-mail Address of Representative/Attorney:

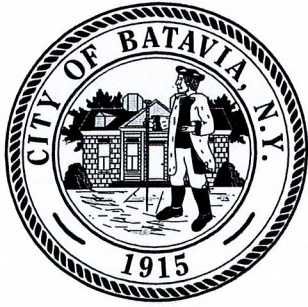
I am the applicant or licensee holder or a principal of the legal entity that holds or is applying for the license. Representations in this form are in conformity with representations made in submitted documents relied upon by the Authority when granting the license. I understand that representations made in this form will also be relied upon, and that false representations may result in disapproval of the application or revocation of the license.

By my signature, I affirm - under **Penalty of Perjury** - that the representations made in this form are true.

31. Printed Principal Name: Title:

Principal Signature: _____





City of Batavia

Memorandum

To: Honorable City Council

From: Tom Phelps, Superintendent of Water & Wastewater

Date: September 7th, 2023

Subject: HVAC Repair and Boiler Installation.

The Bureau of Water and Wastewater issued a Request for Bids in August, 2023 for the HVAC repair and Boiler installation. This is for the Priority Improvement Project at the Water treatment Plant.

Bids documents were opened on September 7th, 2023 and reviewed by City and GHD staff. We had 2 different bidders on the project. After opening the bids and reviewing all the bids we decided to move forward in the process with John W. Danforth Company of Tonawanda NY as the winning bidder in the amount of \$154,400 for the Project.

We recommended City Council to award the contracts at the September 11th 2023 business meeting.

Supporting Documentation:
Bid Tabulation
Resolution

This institution is an equal opportunity provider and employer. If you wish to file a Civil Rights program complaint of discrimination, complete the USDA Program Discrimination Complaint Form, found online at http://www.ascr.usda.gov/complaint_filing_cust.html, or at any USDA office, or call (866) 632-9992 to request the form. You may also write a letter containing all of the information requested in the form. Send your completed complaint form or letter to us by mail at U.S. Department of Agriculture, Director, Office of Adjudication, 1400 Independence Avenue, S.W., Washington, D.C. 20250-9410, by fax (202) 690-7442 or email at program.intake@usda.gov

**Department of Public Works
One Batavia City Centre
Batavia, New York 14020**

**Phone: 585-345-6324
Fax: 585-345-1385
tphelps@batavianewyork.com**

XX-2024

A RESOLUTION TO ENTER INTO AN AGREEMENT WITH JOHN W. DANFORTH COMPANY FOR CONSTRUCTION SERVICES FOR THE WATER TREATMENT PLANT PRIORITY IMPROVEMENTS PROJECT

Motion of Councilmember

WHEREAS, The Council of the City of Batavia authorized a project for The Water Treatment Plant Improvement Project; and

WHEREAS, a request for construction bids was released for contractors to construct the project as specified in the project construction documents. The lowest responsible bidder is John W. Danforth Company of Tonawanda NY.

NOW, THEREFORE, BE IT RESOLVED, that City Council approves the award of a contract for construction for the Water Treatment Plant Improvement Project to John W. Danforth Company of Tonawanda NY in the amount of \$154,400.

**Seconded by Councilmember
and on roll call**

285 Delaware Avenue, Suite 500
Buffalo, New York 14202
United States
www.ghd.com



Our ref: 12577930

September 07, 2023

Brett Frank
Director of Public Works
City of Batavia
One Batavia City Centre
Batavia, NY 14020

City of Batavia – WTP Priority Improvements Project – Contract No. 3 – Recommendation of Award

Dear Mr. Frank:

On Thursday, September 7, 2023, at 10:00 a.m. local time, the City of Batavia received 2 bids for the above-referenced project. The bids were as follows:

| Bidder | Total Amount of Bid Items |
|--|---------------------------|
| John W. Danforth | \$154,400.00 |
| Michael A. Ferraulio Plumbing & Heatin, Inc. | \$210,000.00 |

We have reviewed the bid proposal received from the lowest bidder for the above-referenced project, John W. Danforth, and find said proposal to be responsive to the bid documents.

We therefore recommend award of the City of Batavia – WTP Priority Improvements Project – Contract No. 3 to John W. Danforth in the total bid amount of \$154,000.00, contingent upon availability of project funding and review by the Owner's legal counsel.

If you have any questions or require additional information, please advise.

Regards,

Daniel J. Kolkmann
Senior Project Administrator

+1 716 362-8807
dan.kolkmann@ghd.com

Encl. Bid Tabulation

Copy to: Rachel Tabelski – City of Batavia
Jason Davenport, PE – GHD

TABULATION OF BIDS

OWNER
City of Batavia

ENGINEER

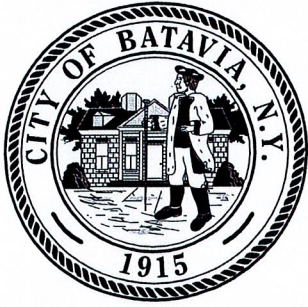
GHD CONSULTING SERVICES INC.
285 DELAWARE AVENUE, SUITE 500
BUFFALO, NEW YORK 14202

DATE ADVERTISED: 8/18/2023
DATE OPENED: 9/7/2023
DATE TABULATED: 9/7/2023
TABULATED BY: EPV

PROJECT
Water Treatment Plant Priority Improvements

PROJECT NO.: 12577930

| BIDDER'S NAME: | | JOHN W. DANFORTH COMPANY | | MICHAEL A. FERRAILO PLUMBING & HEATING, INC. | | | | | | |
|--|-------------------|--|----------------|---|----------------|--------------|----------------|------------|----------------|------------|
| ADDRESS: | | 300 COLVIN WOODS PKWY TONAWANDA, NY 14150 | | 1600 JAY STREET ROCHESTER, NY 14611 | | | | | | |
| ITEM NO. | DESCRIPTION | BID UNITS | PRICE PER UNIT | AMOUNT BID | PRICE PER UNIT | AMOUNT BID | PRICE PER UNIT | AMOUNT BID | PRICE PER UNIT | AMOUNT BID |
| A-6 | HVAC CONSTRUCTION | 1 LS | \$115,000.00 | \$115,000.00 | \$78,000.00 | \$78,000.00 | | | | |
| B-11 | STEAM PIPING | 300 LF | \$83.33 | \$25,000.00 | \$370.00 | \$111,000.00 | | | | |
| B-12 | UNIT HEATERS | 5 EA | \$2,880.00 | \$14,400.00 | \$4,200.00 | \$21,000.00 | | | | |
| GRAND TOTAL BASE BID ITEMS A-6 - B-12 | | | | \$154,400.00 | | \$210,000.00 | | | | |



City of Batavia

Memorandum

To: Honorable City Council

From: Tom Phelps, Superintendent of Water & Wastewater

Date: September 7th, 2023

Subject: Electrical and Controls

The Bureau of Water and Wastewater issued a Request for Bids in August of 2023 for Electrical and Controls installation. This is for the Priority Improvement Project at the Water treatment Plant.

Bids documents were opened on September 7th, 2023 and reviewed by City and GHD staff. We had 2 different bidders on the project. After opening the bids and reviewing all the bids we decided to move forward in the process with Concord Electric as the winning bidder in the amount of \$169,000 for the Project.

We recommended City Council to award the contracts at the September 11th 2023 business meeting.

Supporting Documentation:
Bid Tabulation
Resolution

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**Department of Public Works
One Batavia City Centre
Batavia, New York 14020**

**Phone: 585-345-6324
Fax: 585-345-1385
tphelps@batavianewyork.com**

XX-2024

**A RESOLUTION TO ENTER INTO AN AGREEMENT WITH CONCORD
ELECTRIC COOPERATION FOR CONSTRUCTION SERVICES FOR THE
WATER TREATMENT PLANT PRIORITY IMPROVEMENTS PROJECT.**

Motion of Councilmember

WHEREAS, The Council of the City of Batavia authorized a project for The Water Treatment Plant Improvement Project; and

WHEREAS, a request for construction bids was released for contractors to construct the project as specified in the project construction documents. The lowest responsible bidder is Concord Electric Corporation of Rochester, New York.

NOW, THEREFORE, BE IT RESOLVED, that City Council approves the award of a contract for construction for the Water Treatment Plant Improvement Project to Concord Electric Corporation of Rochester, New York in the amount of \$169,000.

Motion Seconded by Councilmember

And on roll call

285 Delaware Avenue, Suite 500
Buffalo, New York 14202
United States
www.ghd.com



Our ref: 12577930

September 07, 2023

Brett Frank
Director of Public Works
City of Batavia
One Batavia City Centre
Batavia, NY 14020

City of Batavia – WTP Priority Improvements Project – Contract No. 2 – Recommendation of Award

Dear Mr. Frank:

On Thursday, September 7, 2023, at 10:00 a.m. local time, the City of Batavia received 2 bids for the above-referenced project. The bids were as follows:

| Bidder | Total Amount of Bid Items |
|------------------------------|---------------------------|
| Concord Electric Corporation | \$169,000.00 |
| Erie Electric Corporation | \$178,000.00 |

We have reviewed the bid proposal received from the lowest bidder for the above-referenced project, Concord Electric Corporation, and find said proposal to be responsive to the bid documents.

We therefore recommend award of the City of Batavia – WTP Priority Improvements Project – Contract No. 2 to Concord Electric Corporation in the total bid amount of \$169,000.00, contingent upon availability of project funding and review by the Owner’s legal counsel.

If you have any questions or require additional information, please advise.

Regards,

Daniel J. Kolkmann
Senior Project Administrator

+1 716 362-8807
dan.kolkmann@ghd.com

Encl. Bid Tabulation

Copy to: Rachel Tabelski – City of Batavia
Jason Davenport, PE – GHD

TABULATION OF BIDS

OWNER
City of Batavia

ENGINEER

GHD CONSULTING SERVICES INC.
285 DELAWARE AVENUE, SUITE 500
BUFFALO, NEW YORK 14202

DATE ADVERTISED: 8/18/2023
DATE OPENED: 9/7/2023
DATE TABULATED: 9/7/2023
TABULATED BY: EPV

PROJECT
Water Treatment Plant Priority Improvements

PROJECT NO.: 12577930

| BIDDER'S NAME: | | CONCORD ELECTRIC CORPORATION | | | | ERIE ELECTRIC CORPORATION | | | | | |
|--------------------------------------|-------------------------|--|----------------|--------------|----------------|---|----------------|------------|----------------|------------|--|
| ADDRESS: | | 305 PINEWALD DRIVE SUITE #4 ROCHESTER, NY 14606 | | | | 56 LOCUST HILL DRIVE ROCHESTER, NY 14618 | | | | | |
| ITEM NO. | DESCRIPTION | BID UNITS | PRICE PER UNIT | AMOUNT BID | PRICE PER UNIT | AMOUNT BID | PRICE PER UNIT | AMOUNT BID | PRICE PER UNIT | AMOUNT BID | |
| A-5 | ELECTRICAL CONSTRUCTION | 1 LS | \$169,000.00 | \$169,000.00 | \$178,000.00 | \$178,000.00 | | | | | |
| GRAND TOTAL BASE BID ITEM A-5 | | | | \$169,000.00 | | \$178,000.00 | | | | | |

Krista Galdun

From: Brett Frank
Sent: Monday, September 11, 2023 3:09 PM
To: Rachael Tabelski; Van Nest, George
Cc: Krista Galdun
Subject: FW: City of Batavia WWTP Pond A2 Cleaning Bids
Attachments: DJK COPY - 12612005-BID-GFL Environmental Services Bid Documents (002).pdf; DJK COPY-12612005-BID-Denali Bid Documents.pdf

Please see below from Dan Kolkmann.

Brett J. Frank

Director of Public Works
City of Batavia
1 City Centre
Batavia, NY 14020
Office: 585.345.6317
Cell: 585.297.4382

From: Dan Kolkmann <Dan.Kolkmann@ghd.com>
Sent: Monday, September 11, 2023 3:05 PM
To: Brett Frank <bfrank@batavianewyork.com>
Cc: Robert Lannon <Robert.Lannon@ghd.com>
Subject: City of Batavia WWTP Pond A2 Cleaning Bids

Brett,

In follow up to our discussions concerning the bids received for the WWTP Pond A2 cleaning project, we comment as follows:

In summary, the bid received from GFL Environmental (copy attached) contained extraneous information that in our opinion renders the bid non-responsive.

Specifically, statements made in the submission made certain assertions that, if accepted, could negatively affect the City's ability to enforce certain material terms of the contract specification regarding Means and Methods, cost(s) and protection of the facility's pond liner and air piping systems.

As such, award of the subject project to CFL Environmental is not recommended by this office.

As for the apparent second low bidders bid, Denali (copy attached), pricing is exorbitant and therefore said bid should also be rejected.

Thank you,

DANIEL J. KOLKMANN
Senior Construction Administrator - GHD

Proudly employee owned | ghd.com

285 Delaware Avenue Suite 500 Buffalo New York 14202 USA

T (Direct): [+1 716 362-8807](tel:+17163628807) | M: [+1 716 491 3804](tel:+17164913804) | E: dan.kolkmann@ghd.com

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XX-2023

A RESOLUTION TO REJECT ALL BIDS FOR CONTRACT FOR SLUDGE REMOVAL SERVICES FOR THE WASTEWATER TREATMENT PLANT PROJECT

Motion of Councilmember

WHEREAS, in accordance with General Municipal Law Section 103, on August 17, 2023 the City of Batavia issued a competitive bid for the removal of and disposal of sludge from Aerated Pond A2 at the City of Batavia's Wastewater Treatment Plant; and

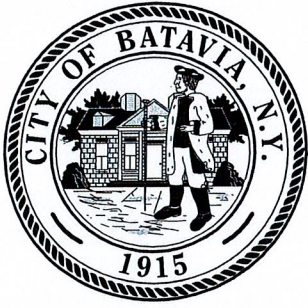
WHEREAS, Two (2) bids were received on September 7, 2023 and GFL Environmental, was the lowest bidder in the amount of \$3,716,245.00 for the removal and disposal of sludge from Pond A2; and

WHEREAS, after review of both bids by the City's engineers and Department of Public Works it has been determined that the lowest bidder has submitted a bid that is inconsistent with bid specifications; and

WHEREAS, the rejection of all bids and re-bidding of the contract "Sludge Removal Services For The Wastewater Treatment Plant" is likely to result in a contract that is consistent with bid specifications prepared by the City's engineers.

NOW, THEREFORE, BE IT RESOLVED, by the City Council of the City of Batavia that all bids for contract "Sludge Removal Services For The Wastewater Treatment Plant" submitted on September 7, 2023 are hereby rejected.

**Seconded by Councilmember
and on the roll call**



City of Batavia

Memorandum

To: Honorable City Council

From: Joshua Graham, Fire Chief

Date: August 8th, 2023

Subject: Personal Protective Equipment Procurement

The City of Batavia Fire Department issued a Request for Bids in July of 2023 for new personal protective gear to include firefighting boots, gloves, and suspenders.

Bids documents were opened on August 8th, 2023 and reviewed by City Fire Chief and Captain Call. We had 3 different bidders on the project. After opening the bids and reviewing all the bids we decided to move forward in the process with High Tech Fire & Safety Inc. as the winning bidder in the amount of \$402.32 per pair of boots, and \$46.83 per set of suspenders. Dival Fire Safety as the winning bidder in the amount of \$115.00-\$119.00 per pair of gloves through 12/30/2023.

We recommended City Council to award the contracts at the September 11th 2023 business meeting.

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**Department of Public Works
One Batavia City Centre
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**Phone: 585-345-6324
Fax: 585-345-1385
tphelps@batavianewyork.com**

#XX-2023
**RESOLUTION AWARDING PURCHASE CONTRACTS FOR PERSONAL
PROTECTIVE EQUIPMENT**

Motion of Councilmember

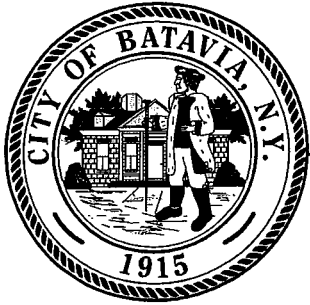
WHEREAS, the City has advertised for competitive, sealed bids for the purchase of protective firefighting boots, gloves, and suspenders used for responses to various emergencies; and

WHEREAS, Three (3) companies submitted bids, and one (1) low bidder were identified for the personal protective equipment.

NOW, THEREFORE, BE IT RESOLVED, by the Council of the City of Batavia that a purchase contract valid through December 30th, 2023 for personal protective boots, gloves, and suspenders be awarded to the lowest responsible bidder hereinafter identified.

| Company Name | Equipment | Bid Amount |
|----------------------------|--------------------------------|-----------------------|
| Hi-Tech Fire & Safety Inc. | Honeywell Pro Series 5555 Boot | \$ 402.32/Pair |
| Dival Fire Safety | Vanguard MK-1 7887K Gloves | \$ 115.00-119.00/Pair |
| Hi-Tech Fire & Safety Inc. | Bunker Pant Suspenders | \$ 46.83/Pair |

**Seconded by Councilmember
and on roll call**



City of Batavia

Memorandum

To: Rachael Tabelski, City Manager

From: Lisa Neary, Deputy Director of Finance

Date: August 30, 2023

Subject: Closing capital projects for year end

In an effort to keep our capital project fund up-to-date and current, it is necessary to close out certain capital projects that are completed at this time. Those capital projects are listed as follows:

Chandler Ross and Bank #220004
Richmond Ave Water Main Abandonment #210004

Attached please find a resolution in support of these actions.

#XX - 2023
A RESOLUTION TO CLOSE OUT CAPITAL PROJECTS

Motion of Councilmember

WHEREAS, The City of Batavia should periodically close capital projects which are completed; and

WHEREAS, projects completed at this time that require official closing are listed as follows:

| | |
|---------|-------------------------------------|
| #220004 | Chandler Ross and Bank |
| #210004 | Richmond Ave Water Main Abandonment |

WHEREAS, the City Council authorizes the City Manager to make any recommended transfers and close out the specified capital projects effective August 31, 2023.

NOW, THEREFORE, BE IT RESOLVED, by the Council of the City of Batavia that any above referenced transfer and capital projects be closed effective August 31, 2023.

**Seconded by Councilmember
and on roll call**