

BATAVIA CITY COUNCIL CONFERENCE MEETING

City Hall - Council Board Room
One Batavia City Centre
September 27, 2021 at 7:00 p.m.

AGENDA

- I. Call To Order
- II. Invocation – Councilmember Karas
- III. Pledge Of Allegiance
- IV. Public Comments
- V. Council Response To Public Comments
- VI. Communications
 - a. Game of Throws Liquor License Application
- VII. Council President Report
 - a. Announcement Of The Next City Council Business Meeting To Be Held On Tuesday, October 12th At 7:00 P.M. At The City Hall Council Board Room, 2nd Floor, City Centre
- VIII. Divide NY Legislation- Rose Mary Christian
- IX. American Rescue Plan Act (ARPA) Presentation
- X. Amending The Capital Projects Resolution
- XI. Headworks Study Proposal- GHD Engineers
- XII. Water System Study Proposal- GHD Engineers
- XIII. Sewer Camera Purchase
- XIV. Water Reading Equipment Purchase
- XV. Ice Rink Compressor Purchase
- XVI. National Grid Street Light Authority To Add Lights Operationally
- XVII. Fund Balance Policy
- XVIII. Accept NBRC Grant and Execute Agreement

XIX. Adjournment



City of Batavia

MEMORANDUM

To: Rachael Tabelski, City Manager
From: Heidi J. Parker, Clerk-Treasurer
Date: 9/17/21
Subject: **Event Summary**

Below please find the summary for the events to be reviewed by City Council on September 27, 2021:

Liquor license application – Game of Throws, LLC

There were no objections from the police department.

****NOTE** – Event sponsors are responsible for any costs that may be incurred because of their event and have been made aware of this change until further notice.

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 was Sent: 1a. Delivered by:

2. Select the type of Application that will be filed with the Authority for an On-Premises Alcoholic Beverage License:

- New Application Renewal Alteration Corporate Change Removal Class Change Method of Operation Change

For **New** 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

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 or cook Menu meets legal minimum food availability requirements; food prep area at minimum

13. Type of Establishment:

14. Method of Operation: (check all that apply)

Seasonal Establishment Juke Box Disc Jockey Recorded Music Karaoke

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: (check all that apply)

None Patio or Deck Rooftop Garden/Grounds Freestanding Covered Structure

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:

<input style="width: 95%; border: none;" type="text" value="N/A"/>	<input style="width: 95%; border: none;" type="text"/>
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:

Batavia Investment 2021

American Rescue Plan Act (ARPA)



ARPA - Coronavirus Local Fiscal Recovery Fund

- \$1.9 trillion stimulus
- \$360 billion in direct financial relief for state and local governments
- **\$1,474,764.79 allocated to the City of Batavia**
- Deadline to have the funds spent is Dec 31, 2026
- Specific rules and regulations on how municipalities spend the funds

ARPA – Rules & Regulations

- ▶ Support public health expenditures
- ▶ Address negative economic impacts caused by the public health emergency
- ▶ Replace lost public sector revenue
- ▶ Provide premium pay for essential workers
- ▶ Invest in water, sewer, and broadband infrastructure



ARPA – Restrictions

- ▶ Cannot use to lower tax rate
- ▶ Cannot use to offset retirement/pension funds
- ▶ Cannot be used to pay off current debt
- ▶ Cannot use for general infrastructure like sidewalks and roads unless you can prove they were impacted by COVID-19
- ▶ Cannot be used to support current operations unless you can prove the loss revenue model and the reporting requirements are convoluted

ARPA – Project Recommendations

WHY These Projects??

- Conversations (multiple) with department heads and staff members and citizen input (calls, emails, meetings)
- Review all capital plans, current needs, and likelihood of other funding, etc.
- Review current reserve accounts
- Dissect the rules and regulations to create qualifying projects that will be impactful to the City and/or advance future projects
- Ensure that projects examine key social and economic factors in the City
- Build off of projects that could receive other matching funds from other sources to increase total investment
- Capacity of City staff to complete, monitor and report on the projects

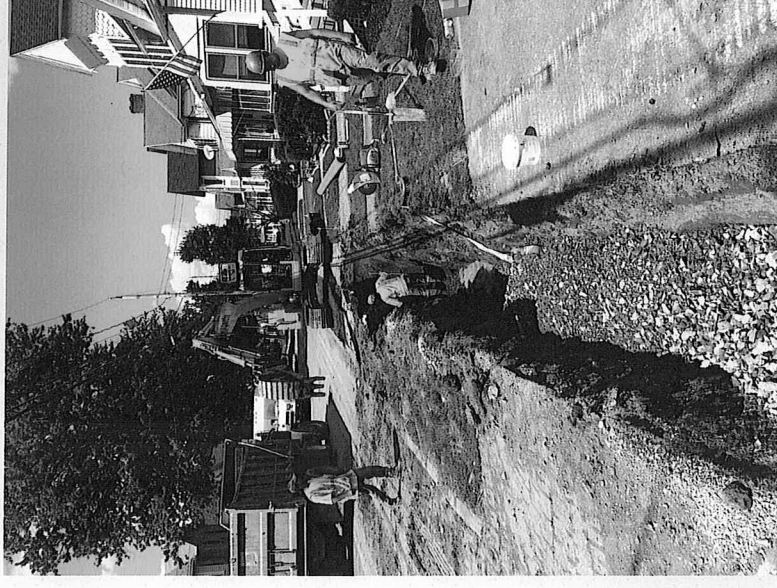
ARPA – Project Recommendations

Project #	ARPA Funds	Other Funds	Total Project	Category	Project	Funding Match
ARPA-1	\$248,000	\$0	\$248,000	Engineering	Water system engineering and distribution inventory	N/A
ARPA-2	\$400,000	\$400,000	\$800,000	Construction	Cohocton water transmission line - 12"	Water Fund Reserves
ARPA-3	\$400,000	\$400,000	\$800,000	Construction	Inclusive destination playground- Austin Park	Potential grant sources, playground manufacturer, corporate sponsorship
ARPA-4	\$100,000	\$440,000	\$540,000	Construction	Fire Department generator, boiler and ADA accessibility	Facility Reserves, FEMA grant for Sprinklers and fire alarm
ARPA-5	\$250,000	\$0	\$250,000	Engineering	WWTP Headwork's Study and capacity engineering	N/A
ARPA-6	\$50,000	\$50,000	\$100,000	Equipment	Sewer camera purchase	Sewer Fund Reserves
ARPA-7	\$26,765	\$1,719	\$28,484	Equipment	Water meter readers	Water Fund Reserves
	\$1,474,765	\$1,291,719	\$2,766,484			

ARPA-1

Water System Engineering

- ▶ The City of Batavia needs to conduct retain professional engineering services for water system planning assistance to map, inventory and plan to address lead service lines throughout the City related to the new Lead and Copper Rule
- ▶ The City also needs to continue to prepare for the Water Treatment Plan closure as MCWA and Genesee County advance Phase III water to supply the City
- ▶ Scope of Services:
 - ▶ conduct a water system analysis
 - ▶ update the water system capital plan and rate analysis
 - ▶ assist in developing and mapping a lead services line inventory
 - ▶ assist the City to develop a lead services line replacement plan
 - ▶ assist with general lead and copper rules compliance
 - ▶ assist in analyzing longer term opportunities for the water system.



ARPA-2

Cohocton Water Transmission

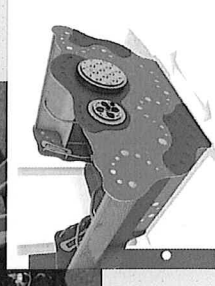
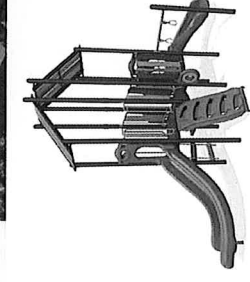
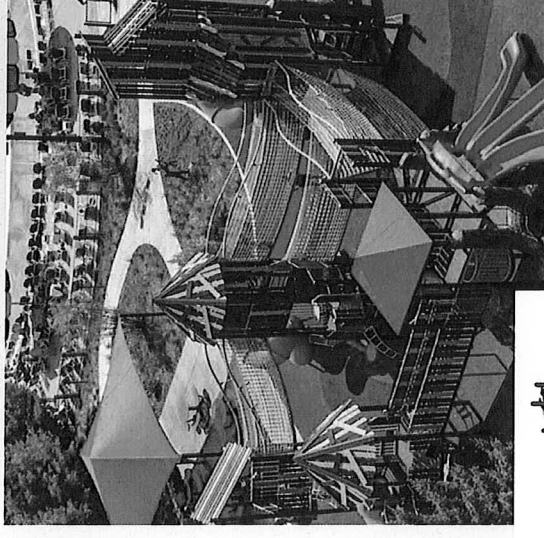
- Replacement of 12-inch water main with new PVC water main
- Connection to existing 12-inch main near the intersection of Industrial Blvd. and Treadeasay
- 3,700 linear feet will be replaced
- The main has had 11 breaks in the last 30 years including the most recent break when a fire at Summit Lubricants
- The main provides adequate water supply and fire protection for the SW quadrant of the City



ARPA-3

Inclusive Destination Playground – Austin Park

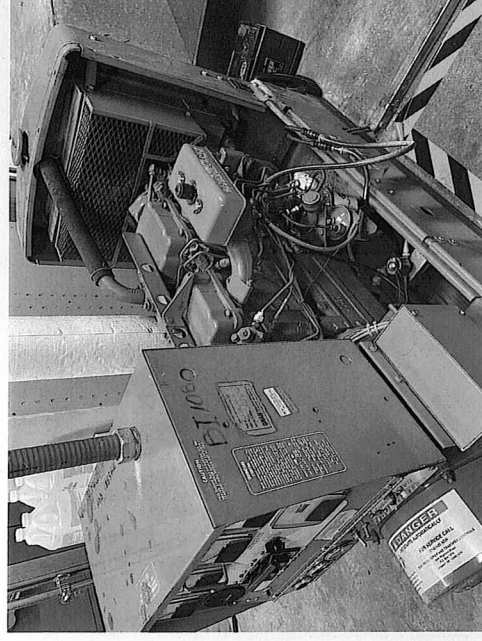
- ▶ By improving Austin Park the City can address negative economic impacts caused by the public health emergency
- ▶ Improving the park space will benefit the health and wellness of the community
- ▶ Austin Park is located in the City of Batavia's Opportunity Zone.
- ▶ A new destination inclusive park will serve residents in the City and visitors alike
- ▶ The investment will enhance downtown and create more healthy living as identified as a tenet of the Downtown Revitalization Initiative (DRI)
- ▶ Enhances public safety through environmental design



ARPA-4

Fire Department Accessibility and Generator

- The Fire Department facility capital improvement plan was placed on hold at the beginning of COVID-19
- The Fire Department supported the community response to COVID-19 in multiple ways including providing medical response and being a central hub for mask and hand sanitizer distribution
- The Department, as part of a larger facility capital plan, needs to replace the existing generator and ensure that access to the facility is corrected to meet ADA standards



ARPA-5

WWTP Headwork's Study and Capacity

- The City of Batavia needs to conduct a headworks, capacity analysis and financial planning engineering services for the Wastewater Treatment Plant (WWTP) and wastewater system. The last headworks study was performed in 1983. The WWTP has experienced deterioration in its aeration system due to leaks in the main header. While this problem has been remedied, it highlighted the need to complete a more thorough analysis of the aeration and blower system that is 30+ years old.
- Scope of Services:
 - Phase 1 - Project Management and Coordination
 - Phase 2 – Technical WWTP Analysis
 - Maximum Allowable Headworks Loadings Evaluation
 - Wastewater Treatment Plant Capacity Evaluation
 - Treatment Plant Upgrades Evaluation and Conceptual Plan
 - Engineering Report and Updated Capital Improvement Plan
 - Phase 3 – Financial and Planning Analysis
 - Funding Programs and Application Assistance
 - Updated Wholesale Cost of Service Analysis



ARPA-6

Replace Aging Sewer Camera

- ▶ As part of the equipment replacement plan the sewer main line camera is scheduled for replacement in 2022
- ▶ BOM recommends the purchase of the EnviroSight Rover X as supplied and serviced by Joe Johnson Equipment of Rochester, N.Y.
- ▶ This unit will replace existing camera unit (2012 RapidView) that is at end of life



ARPA-7

Replace Aging Water Meter Readers

- The meter reading equipment is over ten years old and at the end of their useful life
- Units are not repairable
- New handheld mobile data collection units will be purchased
- City will move to cloud based data storage system



Thank you!

Rachael J. Tabelski

City Manager

City of Batavia

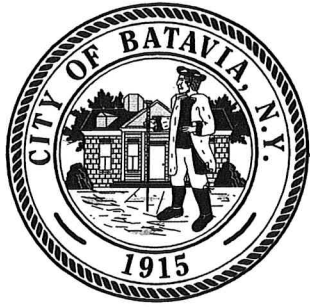
One Batavia City Centre

Batavia, NY 14020

Phone: 585-345-6334

Cell: 585-409-4008

Email: rtabelski@batavianewyork.com



City of Batavia

Memorandum

To: Honorable City Council Members

From: Rachael J. Tabelski, MPA, City Manager

Date: September 20, 2021

Subject: Capital Project Fund Amended Resolution American Rescue Plan Act (ARPA)

Since the first case of coronavirus in the United States, life has changed, things were placed on hold across all facets of society, and unemployment rose to extremely high levels. The pandemic forced governments to respond on an massive scale working every day throughout the pandemic. Prices rose due the economic downturn, staffing layoffs occurred as well as staffing shortages and infrastructure investments were delayed. These cuts come at time when demand for government service has surged including the police addressing mental health and neighborhood issues, the fire department responding to medical issues and the Department of Public Works responding to public requests for more outdoor recreational opportunities.

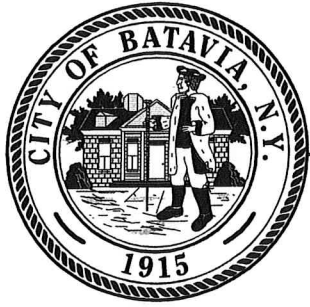
Low-income and impoverished neighborhoods were hit the hardest, and the City of Batavia is no exception. In these neighborhoods, national statistics show that transmission rates were higher, ability to access remote school or work was lower, and mental health issued surged.

The federal government responded with the The Coronavirus Local Fiscal Recovery Fund. This fund provides for \$19.53 billion to support non-entitlement units of local government (NEUs), population under 50,000. The City of Batavia received \$1,474,764.79 in American Rescue Plan Act (ARPA) funds (paid in two equal payments in 2021 and 2022).

With the ARPA funds I recommend the following changes to the Annual Capital Project Resolution related to COVID-19 and ARPA.

Modify Facility Capital Plan Project

The Facility Capital Plan was put on hold during the beginning of the pandemic; however, the facilities at the Bureau of Maintenance and the Fire Department need to make critical facility improvements. The changes to the project include the allocation of \$100,000 in ARPA funds to the Fire Department project



City of Batavia

to support the purchase of a new generator that will run the entire facility and ADA compliance work on the entry stairs and into the bays. The remainder of the funds are still committed to the projects in the Facility Reserve Fund.

Add Playground at Austin Park

Outdoor recreation became more popular during the pandemic and the City must maintain socially distant, healthy, free activities for all. Therefore, I am recommending adding an inclusive destination playground to the capital plan. The City can use \$400,000 in ARPA funds, and seek grants to double the investment of a new inclusive park. The park is located in the City's designated Opportunity Zone and is central to all neighborhoods. Not only will local families enjoy this amenity it will draw visitors from the region to bolster activity in the downtown corridor. By replacing the 25-year-old park, and designing a new inclusive playground at the park the City will also assist in public safety in the park and surrounding areas through environmental design.

Modify Police Station

While we cannot apply ARPA funds to the Police Station project, I am recommending that City Council increase the Capital Investment to \$10.8M reflecting COVID-19 construction prices while we are making changes to the resolution. Pricing was discussed during the Feasibility Study presentation this summer at a previous Council Meeting.

Modify Cohocton Water Transmission Line

The Cohocton Water Transmission Line project will replace 12" water transmission that supplies water to the SW quadrant of the City. The main has had 11 breaks in the last 30 years starting back to the 1990's. The new 12-inch main will connect to the existing 12-inch main near the intersection of Industrial Boulevard and Tredeasy Avenue, continuing southerly into the National Grid Right-of-Way (ROW) where it will then continue easterly within the ROW to the connection with an existing 12-inch main near Walnut Street. The projected price of the project has increased to \$800,000. I recommend the City use \$400,000 in ARPA funds and \$400,000 in reserve funds to finance the project.

Add Bank St. 8" Water Main

The City received a \$334,000 Northern Border Regional Commission (NBRC) economic development and infrastructure grant to install 950 linear feet of 8-inch diameter water main along Bank Street. The project will replace 90+ year old pipe, improve reliability, increase firefighting flows, and supply water needed for redevelopment projects including the new police facility on Alva and Bank. \$334,000 is grant funded and \$84,000 will be funded by Water Reserves.

#-2021

**A RESOLUTION TO ESTABLISH AND UPDATE CURRENT CAPITAL PROJECTS
AND TRANSFER FUNDS FOR CAPITAL PROJECT BUDGETS**

Motion of Councilmember

WHEREAS, the City of Batavia has included funds in its budget for capital projects, and after reviewing uses for ARPA funds, is desirous in amending the Capital Projects Resolution.

NOW, THEREFORE, BE IT RESOLVED, that the following capital projects be established and budget be adjusted as follows; and

BE IT FURTHER RESOLVED, the following projects are authorized to be completed for no more than the said estimated amount and may extend no later than March 31, 2023.

PROJECT PROJECT COST FUNDING SOURCE FISCAL YEAR

General Fund

Highway PM- Transportation Improvement Program (TIP) Richmond/Harvester	\$ 2,040,370 \$ 382,569 \$ 127,523	Federal Grant Marchiselli CHIPs	18/19/20/21
Facilities Capital Plan – Bureau of Maintenance /Fire Department	\$ 1,100,000	Facilities Reserve ARPA FEMA Grant	18/19/20/21/22 *project on hold due to COVID-19
ERP Software Conversion Project	\$ 45,000 \$ 750,000	Admin. Reserves Finance	19/20/21/22
IT Capital Improvement Phase I	\$ 190,000	Administrative Reserves	19/21/22
IT Capital Improvement Phase II	\$ 200,000	Administrative Reserves	19/21/22
Richmond & Harvester	\$1,633,000 \$ 408,000	TIP Grant CHIPs/Marchiselli	20/21/22/23
Jackson Square Capital Project DRI	\$750,000	DOS Grant	21/22
LED NYPA Street Light Conversion	\$549,033	Finance	21/22
Playground at Austin Park	\$800,000	ARPA Grants	21/22/23
Police Station	\$8,000,000 \$10,800,000	Finance/Grants	21/22/23

Water Fund

Lead Services	\$ 554,112	DOH Grant	20/21/22
Richmond Ave water main abandonment	\$ 340,400	Reserves	21/22/23
Cohocton Water Line/ NMROW	\$612,500 \$800,000	Reserves ARPA	21/22
Well House Electric System Improvements	\$87,750	Reimbursed	21/22
Refurbish Water Treatment Plant Filters	\$360,000	Reimbursed	21/22
<u>Bank Street 8" Water Project</u>	<u>\$418,000</u>	<u>NBRC Grant</u> <u>Water Fund</u>	<u>21/22/23</u>

Sewer Fund

WWTP air system blower, motor and VFD	\$1,000,000	Reserves	21/22/23
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City Centre Fund

Mall Roof II	\$160,000	Facility Reserve	21/22
City Centre DRI	\$1,000,000	DRI Grant – Empire State Development	21/22/23

**Second by Councilmember
and on roll call**



City of Batavia

Memorandum

To: Honorable City Council Members

From: Rachael J. Tabelski, MPA, City Manager

Date: September 14, 2021

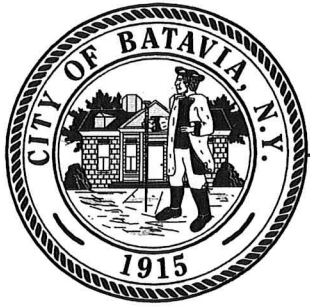
Subject: Wastewater System Headworks and Capacity Analysis and Financial Planning
Engineering Services

The City of Batavia needs to contract for professional engineering services to conduct a headworks, capacity analysis and financial planning for the Wastewater Treatment Plant (WWTP) and wastewater system. The last headworks study was completed in 1983. The WWTP has experienced deterioration in its aeration system due to leaks in the main header. While this problem has been remedied via the \$1 Million Air Header project, it has highlighted the need to complete a more thorough analysis of the aeration and blower system that is 30+ years old.

Moreover, there continues to be development pressures from economic development growth outside the City to access/purchase more capacity at the WWTP. To ensure that we can continue to properly operate the WWTP and study the potential for growth this study will need to be completed. The results of the study will guide the future capital planning of wastewater projects.

The scope of engineering services included the following:

1. Phase 1 - Project Management and Coordination
2. Phase 2 – Technical WWTP Analysis
 - a. Maximum Allowable Headworks Loadings Evaluation
 - b. Wastewater Treatment Plant Capacity Evaluation
 - c. Treatment Plant Upgrades Evaluation and Conceptual Plan
 - d. Engineering Report and Updated Capital Improvement Plan
3. Phase 3 – Financial and Planning Analysis
 - a. Funding Programs and Application Assistance
 - b. Updated Wholesale Cost of Service Analysis
 - c. Capacity Valuation and Potential Purchase Agreement
 - d. Updated Wholesale Metering Agreement Assistance



City of Batavia

- e. Updated Wholesale Rate Agreement Assistance
- f. Updated Retail Rate Calculations and Financial Planning

The expenditure for engineering related to the WWTP and wastewater system is an allowable use of American Rescue Plan Act (ARPA), and the total cost of the proposal is \$247,000.

I recommend that City Council approve the wastewater system headworks and capacity analysis and financial planning engineering services agreement with GHD of Buffalo, NY (a professional engineering firm with an extensive history in providing engineering services to the City for the WWTP and wastewater systems), and the utilization of ARPA funds.

#-2021

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BATAVIA
AUTHORIZING WASTEWATER SYSTEM HEADWORKS AND CAPACITY
ANALYSIS AND FINANCIAL PLANNING ENGINEERING SERVICES AGREEMENT
AND USE OF AMERICAN RESCUE PLAN ACT (ARPA) FUNDS**

Motion of Councilmember

WHEREAS, the City Council of the City of Batavia has determined it necessary to undertake a headworks, capacity analysis, and financial planning through professional engineering services for the Wastewater Treatment Plant (WWTP) and wastewater system; and

WHEREAS, it is desired by the City to authorize the expenditure of \$247,000 for the costs of professional engineering services to provide technical engineering services in multiple phases; and

WHEREAS, GHD engineering firm has worked on behalf of the City on numerous water and wastewater projects in a professional capacity and is pre-qualified via resolution #66-2017; and

WHEREAS, wastewater projects and engineering are an allowable use of American Rescue Plan Act (ARPA) funds.

NOW, THEREFORE, BE IT RESOLVED, by the City Council of the City of Batavia authorize the City Council President to execute a headworks, capacity analysis, and financial planning engineering agreement with GHD and authorizes the City Manager to use ARPA funds for the expense.

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

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



Our ref: 11230445

September 14, 2021

Ms. Rachael J. Tabelski
City Manager
City of Batavia
One Batavia City Centre
Buffalo, New York 14020

Proposal - Wastewater System Headworks and Capacity Analysis, Financial Planning, and Update of Town Agreements

Dear Ms. Tabelski,

GHD is pleased to submit this proposal to the City of Batavia (City) to provide professional engineering services in connection with the wastewater system headworks and capacity analysis, financial planning assistance, and assistance with updating the Town of Batavia (Town) agreements. This proposal was developed after discussions with the City and includes several major tasks related to the wastewater system, which have been identified over the last several months.

1. Understanding of the Project and Program

The City's wastewater system provides collection, conveyance, and treatment services for the City and part of the Town. The City's Wastewater Treatment Plant (WWTP) is a lagoon system that treats residential, commercial, and industrial wastewater through a series of nine treatment lagoons and three manmade wetlands. Recent discussions with the New York State Department of Environmental Conservation (NYSDEC) highlighted the need for an updated headworks analysis at the WWTP. Subsequently, the City requested a proposal from GHD for the development of a comprehensive treatment evaluation including a Maximum Allowable Headworks Loading (MAHL) Evaluation. The WWTP is permitted to discharge a winter and summer monthly average flow of 12 and 7 million gallons per day (mgd), respectively. The discharge to Tonawanda Creek is regulated under the State Pollutant Discharge Elimination System (SPDES) Permit No. NY 0026514.

In addition, the WWTP has recently experienced a deterioration in its aeration system due to leaks in the main header. This problem was recently repaired under an emergency contract but has highlighted the need to complete a more thorough analysis of the aeration and blower system, which is 30+ years old. Moreover, the Town has expressed preliminary interest in purchasing more treatment capacity at the WWTP and independently completed a study, which examined a major expansion to the WWTP and aeration system. As a result, a comprehensive capacity analysis that considers both the City's and the Town's short- and long-term needs is being proposed. This analysis will be crucial to determining the sizing, design, and estimated cost of any necessary WWTP upgrades including the aeration system, if required.

Finally, there are several related service and operational issues that must be addressed in relation to the Town. The potential request and possible purchase of additional treatment capacity by the Town will require careful consideration and thoughtful negotiations. A new Capacity Purchase Agreement would need to be developed

based on an updated valuation exercise. Furthermore, the resulting ownership implications and capital cost sharing formulas will require updates to the Wholesale Meter Agreement, the Wholesale Rate Agreement, and an update to the inside-City sewer rates.

2. Scope of Services

The proposed scope of services has been arranged into three primary phases with several tasks as follows:

1. Phase 1 – Project Management and Coordination
2. Phase 2 – Technical WWTP Analysis
 - Maximum Allowable Headworks Loadings Evaluation
 - Wastewater Treatment Plant Capacity Evaluation
 - Treatment Plant Upgrades Evaluation and Conceptual Plan
 - Engineering Report and Updated Capital Improvement Plan
3. Phase 3 – Financial and Planning Analysis
 - Funding Programs and Application Assistance
 - Updated Wholesale Cost of Service Analysis
 - Capacity Valuation and Potential Purchase Agreement
 - Updated Wholesale Metering Agreement Assistance
 - Updated Wholesale Rate Agreement Assistance
 - Updated Retail Rate Calculations and Financial Planning

2.1 Phase 1 – Project Management and Coordination

GHD will provide oversight and general management services throughout the project. A Senior Project Manager will direct all project activities and serve as liaison with the City to facilitate project meetings and coordinate communications between GHD and the City. This Manager will schedule and attend a kick-off meeting with the City to discuss the scope of services, project schedule, budget, and general work approach, which includes the identification of contact persons for day-to-day communications as well as the City's preference for requesting information.

2.1.1 Assumptions and Deliverables

GHD assumes the project will last approximately 24 months and contemplates holding a progress meeting at City Hall (or virtually, as required) approximately every other month, GHD will be available via phone or additional meetings throughout the project at the request of the City. Deliverables under this task include meeting agenda(s) and minutes, as well as regular schedule and budget updates.

2.2 Phase 2 – Technical WWTP Analysis

2.2.1 Maximum Allowable Headworks Loading Evaluation

The last MAHL evaluation completed by the City was conducted in 1993. Based on recent discussions with the NYSDEC, the City has been directed to complete an updated evaluation. However, complicating matters is the fact that the existing air header that supplies air to the lagoons, has largely failed over recent years. As a result, most of the process air has been leaking from the header and not reaching the lagoons. The air header has just been replaced to address this issue, which will likely result in improved treatment in the aerated lagoons.

To complete a proper MAHL evaluation, new/updated aeration/treatment performance data must be collected and annualized. Process and final effluent data collection should begin immediately following the final testing of the air header upgrades and should continue for a minimum of one year. This will allow for data collection through each season and the resulting data will be compared to the previous years to observe any notable changes in performance after the aeration system was fixed.

The first step will consist of an MAHL Evaluation under the existing conditions, which is why it is so important to begin after the aeration improvements are completed and working effectively. In accordance with 40 CFR §403.5(c)(1) and §403.8(f)(4) of the federal pre-treatment regulations, publicly owned treatment works (POTWs) shall develop and enforce Local Limits to implement the prohibitions in §403.5(a)(1) and (b). Each POTW with an approved pre-treatment program shall continue to develop Local Limits as necessary and effectively enforce such limits.

The development of Local Limits is necessary for the prevention of contaminant pass through and/or interference at the WWTP and also for the protection of sludge quality, the environment, and the public. Site-specific conditions and data are necessary to conduct an MAHL and to develop Local Limits. The MAHL Evaluation and review of Local Limits will be conducted in accordance with United States Environmental Protection Agency's (EPA's) 2004 Local Limits Development Guidance using an EPA-provided Local Limits Spreadsheet that has been specifically developed for this purpose.

This evaluation includes the following primary tasks:

1. Reviewing existing WWTP data and information for a complete understanding of treatment processes and any future changes that may impact local limits development.
2. Reviewing industrial user Self-Monitoring Reports (SMRs)
3. Reviewing existing pollutants of concern (POC) and determining if additional pollutants need to be added to POC list.
4. Developing a sampling plan for potential new POCs and determining uncontrolled loadings from residential and commercial areas of sewer system.
5. Compiling all available data and additional sampling data and determining intermediate process and overall POTW removal rates.
6. Developing technologically-based MAHL and maximum allowable industrial loadings (MAILs) based on water quality criteria, inhibition criteria and sludge criteria. While the WWTP does not collect and process sludge from lagoons on a consistent basis like a conventional activated sludge plant, sludge grab samples will be taken from the bottom of lagoons and will be analyzed for pollutants.
7. Providing a written technical report containing narrative and data tables for submission to the EPA.
8. Providing a timely response to any EPA comments as necessary.
9. Providing a revised written technical report containing narrative and data tables based on EPA comments.
10. Making recommendations for pollutant allocations to industries.

2.2.1.1 Data Review and Collection

All pertinent data as shown below will be requested and reviewed by GHD prior to initiating the MAHL Evaluation, as well as a determination if additional information is necessary.

1. City's SPDES permit.
2. Existing raw influent, final effluent, and available intermediate data for the past 5 years.
3. Collection system data for the past 5 years.
4. Significant Industrial User (SIU) Self-Monitoring Reports (SMRs) for the past 5 years.

Following the review of the data, GHD will work with the City to determine if additional parameters should be included on list of POCs. Moreover, we will also evaluate if additional sampling and analysis of selected POCs is necessary for the MAHL evaluation. Finally, we will develop a sampling plan for POCs and review with the City.

2.2.1.2 Identify Pollutants of Concern

The first task associated with an MAHL Evaluation is to develop an initial list of POCs based on existing wastewater data from a variety of sampling locations and the types of industrial facilities that discharge to the City's sewer system. The POC are defined by the following criteria:

1. EPA's 15 Recommended Pollutants of Concern: Ammonia Nitrogen, Arsenic, Biochemical Oxygen Demand (BOD₅), Cadmium, Chromium, Copper, Total Cyanide, Lead, Mercury, Molybdenum, Nickel, Silver, Selenium, Total Suspended Solids (TSS), and Zinc.
2. SPDES Permit Limits: Ammonia Nitrogen, Arsenic, BOD₅, Cadmium, Chloroform, Chromium, Copper, Fluoride, Free Cyanide, Lead, Mercury, Nickel, Oil and Grease, Silver, Tetrachloroethylene, Total Cyanide, Total Kjeldahl Nitrogen (TKN), Total Phosphorus (TP), TSS, Trichloroethylene, and Zinc. May include new limits and/or action level parameters incorporated into the City's new SPDES permit, which is anticipated to be received 2021.
3. Sludge Disposal Criteria: Arsenic, Cadmium, Copper, Lead, Mercury, Molybdenum, Nickel, PCBs, Selenium, and Zinc.
4. Federal Categorical Pretreatment Standards for any categorical SIUs discharging to the City sewer system.
5. Existing Local Limits: Ammonia Nitrogen, BOD₅, Bromine, Cadmium, Chlorine, Chromium, Copper, Cyanide, Fluoride, Iodine, Lead, Mercury, Nickel, Oil and Grease, Silver, Tetrachloroethylene, Trichloroethylene, TSS, Zinc, and Zirconium.
6. Pollutants detected in the influent, effluent, or sludge of the City's WWTP after reviewing the priority pollutant scans.
7. Pollutants detected in industrial discharges after reviewing the SMRs.

2.2.1.3 Prepare Sampling Plan

A sampling plan will list the POCs, their recommended sampling locations, and the recommended monitoring frequencies. The sampling plan may define sampling at the WWTP at the following locations: raw influent, final effluent, and intermediate locations between lagoons. Sampling from several points in the collection system that represent only residential and commercial establishments is necessary to determine background uncontrolled loadings attributed to the residential and other non-significant users of the sewer system. It is preferable that data used for local limits evaluations be no more than 5 years old and should also include a minimum of 1-year worth of data after the main air header is repaired and operational. Sampling data from SIUs will also be reviewed to determine if additional sampling and testing is necessary at any of the SIUs. A review of the existing industrial dischargers to the City sewer system tributary to the WWTP will be conducted.

All sampling and analysis should be conducted by an accredited environmental laboratory using sufficiently sensitive test methods in accordance with 40 CFR §122.21(e)(3) and §122.44(i)(1)(iv). The more sensitive test methods are necessary to show that pollutants are not present to avoid unnecessary Local Limits, which saves both the City and any industrial dischargers from spending more money in laboratory fees than necessary. No laboratory fees are included in this proposal.

The list of POCs and the sampling plan will be reviewed with the City. We have included one meeting with the City during the first three steps of this task.

2.2.1.4 Compile and Review Sampling Data

Upon completion of the sampling plan and POC list, any recommended/agreed sampling will be conducted by the City and is not included within this proposal. Upon receipt of the test data, GHD will review and compile the data. This test data includes both data from the implementation of the sampling plan plus any historical data that may be considered valid for the purpose of this analysis. Potential outliers will be marked and, as a result, may not be included in the evaluation. The EPA's Local Limits spreadsheet automatically determines such potential outliers. The spreadsheet calculates the standard deviation of the data set, and any sample result that is different from the average by more than two times the standard deviation is highlighted in red bold font. Such potential outliers may then be marked with an "X" and will not be included in the calculations.

EPA guidance recommends that 20 to 30 samples for each sample location are analyzed for the data to be considered statistically valid. Historical data may be used to supplement the required number of samples if it is still considered representative of the sampling location. As previously mentioned, the data review will likely include samples collected and analyzed from various points in the wastewater treatment process, the collection system and from SIUs.

2.2.1.5 Develop Local Limits

Allowable headworks loadings (AHLs) for each POC are determined based on water quality (pass-through), inhibition and sludge quality. Water quality AHLs are calculated using acute, chronic, and human health water quality criteria, and SPDES permit limits. Inhibition AHLs are calculated using criteria inhibitory to the activated sludge process. Sludge quality AHLs are determined using Class A biosolids disposal criteria. The most stringent AHL is selected from the three AHLs to which safety and growth factors are applied and background uncontrolled loadings are subtracted from, which results in the MAIL for each pollutant. The collection system test data and corresponding flows are used to determine the background loadings.

GHD will use the Excel-based EPA-developed Local Limits Spreadsheet for the evaluation and development of local limits. GHD will also create a separate Excel spreadsheet that contains other background data not entered on the EPA Local Limits spreadsheet.

A report will be prepared summarizing the Local Limits development, such as explaining the Local Limits calculations and the reasoning used to determine the recommended Local Limits, or more commonly known as the MAILs, in mg/L or lbs/day, whichever the City prefers. GHD will review the Local Limits calculations and report with the City prior to EPA submission. There may also be a need to schedule other meetings during the Local Limits development process. GHD has included one meeting in our fee estimate for the developing and submitting the Local Limits.

2.2.1.6 Submit Local Limits

Upon incorporation of the City's comments and revisions, GHD will prepare a submission packet for EPA review and approval. Under current conditions, the Local Limits evaluation will be submitted electronically. Two paper copies and one digital version of the final Local Limits Report and tables will be provided to the City. GHD will assist in responding to EPA's comments, as necessary, we have included two meetings with the EPA and one round of revisions to the report.

2.2.1.7 Adopt Local Limits

Following receipt of written EPA acceptance of the City's Local Limits, GHD will assist the City, to develop draft legal authority language for adoption of the Local Limits, which must occur prior to final EPA public notice and approval of the City's Local Limits. We have included one meeting with the City to discuss the language for adopting the Local Limits.

2.2.1.8 Assumptions and Deliverables

GHD will attend the project kick-off meeting with City staff. We have also assumed three additional meetings with the City to review/develop/implement the Local Limits reports, and two meetings with the EPA.

Deliverables under this task include:

- Sampling Plan
- Draft Local Limits Report
- Revised Local Limits Report
- Local Limits packet for submission to the EPA
- Final Local Limits Report and Tables

2.2.2 Wastewater Treatment Plant Capacity Evaluation

The driving force for the capacity evaluation is to determine if the WWTP can accept both the current and future influent flows and loads from both the City and Town and treat the water to the extent that the discharge is compliant with discharge permits. Therefore, careful consideration is needed when developing projections to allow the community the flexibility to grow and accept a variety of wastewater flows. Industrial users can be especially challenging because the wastewater characteristics are often different and stronger than residential and commercial flows.

Projecting future flows and loadings to the WWTP will consist of assembling information from three components:

1. Existing flows/loads and historical growth
2. Future residential and commercial growth for a 20-year planning horizon for both the City and the Town
3. Future potential flows and loads from industrial development in the Town or City

In addition to confirming existing average and peak flow/loading, we will review historical trends for consideration when projecting into the future. As part of this component, we will review plant operational and compliance data from the previous 5 years, and the 1-year of data collected post aeration improvements to establish the current averages and peaks. This will allow trending to determine the pattern of historical growth in the service area. This information will provide an understanding of how close to capacity the WWTP is operating at, particularly with respect to BOD, CBOD, ammonia and TKN.

GHD plans to collaborate closely with the City and Town in projecting future loads. After establishing existing/historical conditions, reviewing available planning documents and population projections, GHD will discuss the existing/historical findings with the City and get the City's insight on potential growth and development plans within the service area. GHD also anticipates a meeting with the Town and its Engineering Consultant to identify potential growth for its residential, commercial, and industrial customers, and to estimate the potential loading impacts.

GHD will also conduct a process capacity evaluation to examine the WWTP's existing design and operations to determine the maximum capacity based on current design standards, such as 10 States Standards and TR-16. This will also include developing a BioWin process model to confirm existing capacity of the WWTP. GHD will develop the BioWin model using existing data and the additional data collected under previously.

Once the future flow and loading projections and existing plant capacity are established, a gap analysis between the WWTP's current/improved capacity and the future needed capacity for each unit process will be evaluated under this task.

GHD will prepare a technical memorandum summarizing the evaluations conducted under this task, including the historical and future growth projections, wastewater treatment capacity evaluation (flow and loadings), and the potential plant capacity gaps. The results of this task will be used to develop the conceptual treatment plant upgrades to meet future needs under a subsequent task.

2.2.2.1 Assumptions and Deliverables

GHD will meet with City and Town staff to review existing/historical planning information and discuss potential growth and development plans within the service area. GHD will develop the BioWin process model using existing plant data and data collected under previous tasks to establish a calibrated model of existing conditions. The deliverable for this task will be a technical memorandum summarizing the evaluations completed as part of this task.

2.2.3 Treatment Plant Upgrades Evaluation and Conceptual Plan

The results of the capacity analysis will identify whether the existing WWTP (with the recent air header upgrades) has sufficient capacity to meet the current and projected future flows and loadings of the City, as well as the Town. These results will dictate the necessary improvements to the WWTP. If the existing WWTP capacity is found insufficient to handle the future flows and loadings, a conceptual plan for expanding the WWTP capacity will be developed. If the existing capacity is adequate to treat the future flow and loadings, only an evaluation of the necessary aeration system upgrades will be completed to address the aging equipment. The work to be completed is described below and will consist of only one of the following options.

2.2.3.1 Option 1: Conceptual WWTP Expansion

Under this option, GHD will determine the future aeration requirements and associated plant upgrades necessary to treat the future flow and loading projections. The gap analysis previously completed will have identified the necessary capacity increase for each unit process, which will be used to develop conceptual-level improvements to expand the capacity of the WWTP.

GHD is aware that the Town has already developed a conceptual major WWTP upgrade to increase capacity to close this presumed treatment gap. GHD will closely evaluate the Town's proposed upgrades and develop a conceptual approach/project that will meet the WWTP future needs with the City's perspective in mind.

GHD will identify the necessary improvements to each unit process, develop a conceptual site plan for the improvements, and develop a planning-level opinion of probable cost estimate for the WWTP expansion. This includes the influent screening, grit removal, lagoons, aeration system, and other ancillary systems. If not already collected under previous tasks, GHD anticipates requesting the following information to facilitate the WWTP expansion improvements:

- Record drawings of the entire facility
- Record drawings for modifications to the facility
- Information on previous upgrades, replacements or rehabilitation of existing equipment, or other facility assets
- Operating and maintenance manuals

Since the aeration system is approaching the end of its useful life, a detailed evaluation of the existing aeration system will not be completed, but rather a completely new aeration system will be considered for the WWTP expansion.

As the lagoons are not routinely drained and inspected, it is proposed that a sludge inventory be developed for each of the WWTP ponds such that future cleaning needs can be assessed, and associated costs developed. This inventory may possibly be completed by City staff but will be discussed further with City staff during the project.

The conceptual WWTP expansion plan and opinion of probable cost estimates will be incorporated into the Engineering Report to be developed as described below.

2.2.3.2 Option 2: Aeration System Upgrades

The existing plant equipment, specifically the air system, including blowers, piping and diffusers, is more than 30 years old and approaching the end of its useful life. A physical condition assessment of the existing infrastructure will be conducted to determine its current condition and any deficiencies, considering both the current and future capacity needs. As part of the assessment, GHD will request information for review (e.g., key design, asset condition, plant performance, etc.). This information will be helpful to gain a comprehensive understanding of current asset condition and essential to the maintenance and treatment process evaluation. Items we anticipate using and requesting, if not already available, may include but may not be limited to:

- Record drawings of the entire facility
- Record drawings for modifications to the facility
- Any available previous inspection reports on plant conditions
- Information on previous upgrades, replacements or rehabilitation of existing equipment, or other facility assets
- Operating and maintenance manuals
- Maintenance reports and repair histories of assets
- Any previous energy performance testing and energy audit reports (if available)
- Odor control reports (if available)
- Instrumentation certification reports

The physical condition assessment of the aeration equipment at the WWTP will be performed by a team of personnel led by individuals with extensive experience in the asset class being reviewed. The assessment will include a physical inspection (to the extent possible) focusing on the aeration system (e.g., diffusers, blowers, piping). A review of available capital improvement and maintenance records along with applicable standards/codes will be completed. Finally, interviews with operations and maintenance staff will be conducted to obtain any and all relevant institutional knowledge and observations. Specific deficiencies and/or improvement needs will be identified and documented. In addition to the visible infrastructure, the aerated lagoons are not routinely drained and inspected and the condition of the aeration equipment is unknown. High sludge levels/diffuser fouling could be reducing the treatment capacity; therefore, the assessment will include inspection of the existing diffusers and sludge levels in all aerated lagoons (to the extent possible).

In addition, it is proposed that a sludge inventory be developed for each of the WWTP ponds such that future cleaning needs can be assessed, and associated costs developed. This inventory may possibly be completed by City staff, but this must be discussed further.

Based on the review of existing data, the physical condition assessment, and interviews with WWTP staff, GHD will identify recommended aeration system upgrades necessary to maintain treatment performance for the next 30 years. GHD will develop planning-level opinion of probable cost estimates for the upgrades using equipment vendor cost proposals and costs from similar recent project bids. The aeration system upgrades and opinion of probable cost estimates will be incorporated into the Engineering Report described below.

2.2.3.3 Assumptions and Deliverables

GHD assumes that only one of the two options presented here will be implemented, depending upon the results of capacity analysis. For Option 1, GHD has assumed up to two meetings with the City staff to review the conceptual WWTP expansion.

For Option 2, GHD has assumed one day to conduct the physical condition assessment of the aeration system equipment, and one day to conduct interviews with operations and maintenance staff. GHD has assumed one additional meeting with City staff to review the proposed aeration system upgrades and discuss the sludge inventory.

The key deliverable for this task, regardless of option, is the conceptual upgrades and opinion of probable cost estimates to be incorporated into the Engineering Report.

2.2.4 Engineering Report and Updated Capital Improvement Plan

The results of the capacity evaluation and treatment plant upgrade evaluation, in combination with an energy efficiency evaluation, will be used to develop an Engineering Report that will satisfy the New York State Environmental Facilities Corporation's (EFC) Engineering Report outline, which is required for New York State funding opportunities such as the Clean Water State Revolving Fund (CWSRF) loans, Water Infrastructure Improvement Act (WIIA) grants, and Intermunicipal Water Infrastructure Grants (IMG). GHD will prepare a draft engineering report for review by the City, meet with the City to review the report, and address one set of comments to prepare the final Engineering Report.

The previous tasks will also be used to update the long-term capital improvement plan (CIP) for the WWTP. GHD will develop a planning level conceptual design and preliminary cost estimates of the recommended improvements resulting from the completed evaluations. GHD will also work with the City to develop anticipated construction sequencing for any other improvements that are identified in the CIP and consider any measures necessary to allow the WWTP upgrades/expansion to provide continuous treatment throughout the construction phase such that all permit requirements are satisfied.

An updated CIP will be prepared including revised capital project cost estimates, a multi-year schedule of the estimated project sequencing/duration and the anticipated sources of funding. GHD will work closely with the City's fiscal advisor to develop funding sources to be incorporated into the updated rate model(s).

2.2.4.1 Assumptions and Deliverables

GHD has assumed two meetings with City staff under this task to review the Engineering Report and updated CIP. Deliverables will include:

- Engineering Report for Recommended WWTP Improvements (following EFC guidelines)
- Updated CIP document

2.3 Phase 3 – Financial and Planning Analysis

2.3.1 Funding Programs and Application Assistance

GHD will work closely with the City to identify and pursue available funding opportunities to support the anticipated CIP. There may be several opportunities or methods to package certain future capital investments such that the City can obtain low-cost financing and or grant funding for these projects. GHD is not a registered municipal fiscal advisor and as such cannot advise the City regarding specific financing products. However, GHD will work closely with the City's fiscal advisor to identify the best funding options and incorporate the specific financing terms into the updated rate model and financial forecasts. In addition, GHD will assist the City in preparing up to three funding applications as required, to support the investments necessary in the wastewater system. This includes preparing the Engineering Report outlined above (for EFC funding opportunities) and providing answers to technically related questions on the funding application(s).

2.3.1.1 Assumptions and Deliverables

As stated previously, GHD is not a registered municipal fiscal advisory firm and assumes the City will utilize its current fiscal advisor or retain a financial consultant as necessary. Deliverables under this task include all technically related documentation required for a complete funding application including reports, photos, illustrative figures, schematic site plans and State Environmental Quality Review Act compliance documentation.

2.3.2 Updated Wholesale Cost of Service Analysis

Under this phase, the Cost of Service Analysis (COS) and Financial Forecast, developed several years ago, will be updated to establish a methodology that can be used to adjust Town sewer rates. The COS and Financial Forecast consists of the following tasks:

2.3.2.1 Data Request and Tabulation

This task will include the collection and tabulation of various data. A data request will be prepared that describes the data required for completion of the COS. This list includes but is not limited to financial data, asset data; flow data, wastewater characteristics and loading data; operational data and customer data. It is common in studies of this nature that some of the data is not immediately available. In such cases, GHD will work closely with the City to identify alternative data that will suffice. All relevant financial, demographic and system data will be tabulated in worksheets to be used in the analysis.

2.3.2.2 Historic Financial Trending

Based on the financial data tabulated in the previous task, the financial condition and relevant fiscal trends will be analyzed. This exercise will be aimed at identifying major cost categories and the historical context of the analysis. It is anticipated that the trending analysis will be performed on major budget categories for purposes of forecasting future operational costs. Furthermore, it will be critical to identify any budgetary, organizational, or financial shifts that have occurred or are anticipated within the next 5 years such that they can be incorporated into subsequent tasks.

In addition, GHD will thoroughly review the various historical documents, reports, and calculations that the City and/or its consultants, have used previously to determine the Town's sewer rates. This will be important to fully understand the historical precedence that has been previously established. It will strengthen the City's position and help avoid potential challenges if the COS is prepared within context of previous agreements and in line with the rationale used to support historical rate setting procedures.

2.3.2.3 Customer Demographic and Consumption Projections

Under this task, GHD will trend and forecast relevant demographic patterns and consumption. The necessary projections will be based on historic trends and anticipated growth rates. Accurate consumption forecasts are essential when predicting future revenues and will be carefully reviewed with the City. Of particular importance is the projected flows and loadings from the Town's Ag Park. This may be difficult to forecast, particularly if the Town's tenants are unwilling or unable to provide characteristic flow data. In such instances, GHD will use industry-based data to form conservative assumptions.

2.3.2.4 Test Year Development and Revenue Requirement Forecast

Under this task, revenue requirements will be developed for a Test Year and forecasted over a 5-year projection period based on historical cost trending and flow projections. The Test Year revenue requirement will form the basis of the COS in subsequent tasks and include all operation and maintenance, depreciation, return and other annual expenses. An inflation factor will be applied to each budgetary line item and a uniform escalation calculated over the projection period. Since the Test Year revenue requirement and forecasts are critical to the analysis, GHD will review the results with the City before proceeding further with COS.

2.3.2.5 Revenue Projection and Status Quo Analysis

Under this task, a 5-year revenue forecast will be prepared based on estimated growth rates, consumption, flow patterns and other revenue sources under the existing rate structure. Revenue projections will be reviewed with the City and a revenue gap analysis performed by comparing projected revenues to the revenue requirement forecast completed in the previous task. This analysis will determine any potential revenue gap that the City may experience if the current rates remain unchanged over the next 5-years.

2.3.2.6 Cost Allocation to Functional Activities

Under this task, the Test Year revenue requirement will be allocated to generalized functional wastewater system categories based on the established methodology previously used by the City. Functional categories include but are not limited to volume, total suspended solids, biochemical oxygen demand, phosphorus, meters, bulk, and billing and collection. This task will determine the predominant functions and activities that influence the annual costs of the City's wastewater system.

2.3.2.7 Determine Service Units

Under this task, the service demands for customer classes will be quantified for each of the functional categories identified in the previous task. The total number of units for each functional category is determined and then assigned proportionally to each customer class based on the services received. This exercise will provide a uniform approach to equitably share functional costs through the application of units based on the unique service requirements for each class. Developing the appropriate ratio of units per service function may be challenging if adequate data is unavailable. GHD will work closely with the City to obtain the proper data and use previous study data or industry data if current data is not available.

2.3.2.8 Distribution of Utility Costs to Customer Classes

Under this task, annual costs will be allocated to customer classes based on the cost of serving each class. The proportion of costs for each functional category assigned to various customer classes will be combined to determine the total cost responsibility for each class. This will result in the most equitable and industry accepted COS for the purpose of establishing a Town sewer rate.

2.3.2.9 COS Wholesale Rate Determination

Under this task, a volumetric unit cost for each customer class will be determined based on the total cost of serving each class and the respective flow contributed from each class. This calculation will determine the actual cost of service but may not necessarily be the established rates charged by the City. In many cases, the rate structure would be too complex to accommodate precise rates for each class. The objective however is to establish a wholesale rate for the Town that is reasonably consistent with the cost of providing service. Generally, rate schedules are designed to meet average conditions for major customer classes or achieve specific objectives established by the City. These policy discussions and decisions will be considered with the City as the COS results are developed. Ultimately, the COS results will be compared to existing rates and any substantive differences examined with a recommended approach to improve the rate structure as necessary.

2.3.2.10 Surcharge Rate Structure Review and Update

In addition to the COS, GHD will review the existing surcharge rates and make recommendations to update surcharge rates if necessary. In recent years, the City has no substantial revenue from surcharges due to changes and/or decline of industry. Consequently, the existing surcharges have not been reviewed or updated for some time and may not accurately reflect the true cost of treating and removing the various contaminants that may be discharged to the wastewater system. Moreover, due to the planned development within the Town and the potential economic opportunity of receiving high strength waste from a new industry, an appropriate surcharge fee schedule is critical. GHD will work closely with the City to develop surcharges that appropriately recoup any added costs associated with the potential additional contaminant loadings while attempting to remain economically attractive to an industry that might want to avoid pre-treatment costs.

2.3.2.11 Assumptions and Deliverables

GHD assumes the City will maintain the current wastewater rate structure and utilize the same COS methodology to determine wastewater rates. Upon completion, GHD will provide a summary including charts, graphs, and tables, describing the recommendations relative to the City's preferred wastewater rate schedule.

2.3.3 Potential Capacity Evaluation and Purchase Agreement

The Town recently indicated that a major expansion is being considered at their Industrial/Agricultural Development Park (Ag Park). The Town completed an independent study of potential impacts to the City's WWTP and contemplates a major expansion of the aeration system to accommodate increased flows and loadings. In addition to other improvements at the WWTP, the Town would likely be required to purchase additional conveyance and treatment capacity from the City. The current Agreement makes provision for the Town to purchase additional capacity from the City; however, a new capacity valuation must be completed to establish a fair and mutually agreeable purchase price.

Under this task, GHD proposes to review and update the previous valuation exercise completed by GHD in 2014 to establish a current unit purchase price for any additional capacity the Town may wish to acquire. This exercise must be done in careful coordination with the City's short- and long-term capacity needs such that the City's development plans and objectives are not adversely impacted. Ultimately, GHD will assist the City in determining a fair and equitable compensation for the purchase of their conveyance and treatment capacity. In addition, GHD will be available to assist the City in any meetings or negotiations with the Town to develop a new purchase agreement.

2.3.4 Updated Wholesale Metering Agreement Assistance

The City has an agreement with the Town that governs the metering of its wholesale interconnections. The agreement was last updated several years ago and stipulates that certain capital improvements and maintenance activities be completed. It is recommended the agreement be reviewed and updated based on contractual requirements, operational needs, metering technology changes, flow meter upgrades and establishing a real-time connection to the City's SCADA system. In addition, GHD will be available to assist the City in any meetings or negotiations with the Town to develop a new wholesale metering agreement.

2.3.5 Wholesale Rate Agreement Assistance

The City has a Wholesale Rate Agreement with the Town of Batavia that is based on the Cost of Service methodology, and analysis and pricing for sewer conveyance and treatment services. The current wholesale sewer rates were developed based on a very detailed cost of service analysis, which has been established as the methodology moving forward. This agreement requires periodic updates to the rates based on current flows, loadings, operational expenses, capital liability and other factors. Moreover, this Agreement will likely need to be updated based on potential changes to total treatment capacity, the percentage of capacity

ownership, operation and maintenance cost sharing, wholesale metering technology, anticipated capital improvements and the percentage of associated debt service obligations. In addition, GHD will be available to assist the City in any meetings or negotiations with the Town to develop a new wholesale rate agreement.

2.3.6 Updated Retail Rate Calculations and Financial Planning

Under this task, the City's wastewater fund financial model, developed several years ago, will be updated based on the findings of previous phases. GHD will work with the City to update the retail rate forecast and estimated customer impacts for both budget cycles during the project term.

2.3.6.1 Update to Financial Trending and O&M Cost Analysis

Based on the data provided and tabulated in the previous phases, the historical financial data will be trended and analyzed for anomalies. We anticipate that a trending analysis will be performed on each major budgetary category for purposes of projecting future operational costs. Ideally, such trending will be based on actual expenses (rather than budgetary) and filter out any anomalies that might skew projections. Furthermore, it will be critical to identify any budgetary, organizational, or financial shifts that are anticipated within the next 5 years such that they can be incorporated into the analysis.

2.3.6.2 Capital Incorporation and Financing Forecast

Based on the updated Capital Improvement Plan completed previously, GHD will estimate annual financing costs associated with the anticipated capital improvements. These costs will be incorporated into the rate analysis along with any existing financing or debt service expenditures.

2.3.6.3 Reserve Fund Analysis and Forecast

It is recommended throughout the industry (sometimes required) that water and wastewater utilities maintain certain fund balances to protect the fiscal status of their system. GHD will work closely with City staff to review O&M, capital, and any other relevant funds to determine what appropriate balances should be maintained over the 5-year projection period. These fund balance targets will be incorporated into the rate study expense and revenue projections.

2.3.6.4 Revenue Requirement Forecast

Based on the historical cost trending, capital financial projections, reserve fund targets and growth projections, the water and wastewater revenue requirements will be forecast over a 5-year period. Each budgetary line will be forecast independently based on the specific patterns and anticipated expenses over the next 5 years. Since these forecasts are critical to the analysis and dependent on several previous steps, GHD will carefully review the results with City staff before proceeding further in the project. We anticipate that a specific inflation factor will be applied to each budgetary line and a uniform escalation calculated over the projection period.

2.3.6.5 Revenue Projections

Under this task, a 5-year revenue forecast will be prepared based on estimated growth rates, consumption patterns, estimated interest earnings, and the existing rate and fee structure. GHD will review revenue projections with City staff. The revenue projection will initially assume that the rate and fee structure will not change over the projection period. GHD will then perform a revenue gap analysis by comparing projected revenues to the revenue requirement forecast. This exercise will determine any potential revenue gap that the City may experience if rates are held constant for the next 5 years.

2.3.6.6 Rate Recommendation

GHD does not anticipate that the City will change its rate structure at this time. Consequently, a rate recommendation will be provided based on achieving revenue sufficiency over the next 5-year planning horizon within the existing rate structure. This recommendation will be based on the rate model that incorporates the projected capital needs, fund balance requirements, consumption projections, and operational costs. The rate recommendation will provide a forecasted impact to residential, commercial, and industrial customers.

3. Schedule

GHD has developed a preliminary schedule (Figure 3.1) for the completion of the Scope described above. Due to the interactive and iterative nature of some tasks, including the negotiation of new/updated agreements, the schedule is subject to change and represents our current estimate of time required for completion. GHD will remain flexible regarding the schedule and budget to accommodate the City's requirements and the various interactions/negotiations with the City's partners and other stakeholders.

Milestone/Task	2021			2022												2023									
	October	November	December	January	February	March	April	May	June	July	August	September	October	November	December	January	February	March	April	May	June	July	August	September	October
Project Award																									
Phase 1																									
Project Management																									
Phase 2 - Technical WWTP Analysis																									
Maximum Headworks Loading Analysis																									
WWTP Capacity Evaluation																									
WWTP Upgrades Evaluation and Plan																									
Engineering Report and Updated CIP																									
Phase 3 - Financial & Planning Analysis																									
Funding Programs and Applications																									
Wholesale Cost of Service Analysis																									
Capacity Valuation and Agreement																									
Wholesale Metering Agreement																									
Wholesale Rate Agreement																									
Updated Retail Rate and Financial Planning																									

Figure 3.1 Proposed Preliminary Schedule

4. Fee

The effort and lump sum fee for each of the tasks included in the scope of services have been estimated and provided in Table 4.1:

Table 4.1 Fee Summary

Project Tasks	Estimated Hours	Lump Sum Fee
Phase 1 – Project Management and Coordination	144	\$26,700
Phase Total:	144	\$26,700
Phase 2 – Technical WWTP Analysis		
Max Allowable Headworks Loading Evaluation	326	\$48,200
WWTP Capacity Evaluation	205	\$31,000
WWTP Upgrades Evaluation	269	\$40,500
Engineering Report and Updated CIP	145	\$21,800
Phase Total:	945	\$141,500
Phase 3 – Financial and Planning Analysis		
Funding Programs and Application Assistance	75	\$12,000
Wholesale Cost of Service Analysis	152	\$24,000
Capacity Valuation and Purchase Agreement	63	\$11,200
Wholesale Metering Agreement Assistance	42	\$7,800
Wholesale Rate Agreement Assistance	42	\$7,800
Retail Rate Updates and Financial Planning	98	\$16,000
Phase Total:	472	\$78,800
Project Total:	1561	\$247,000

These fees are based on an estimated project timeline of 2 years (24 months). We assume that there will be a bi-monthly progress meeting at City Hall with our project team and the City's senior management, which is included in our Project Management task. Moreover, we anticipate periodic meetings/negotiations will be required from time to time throughout the project with the Town, the NYSDEC, NYSEFC, and others, which are included within the individual tasks above with any associated deliverables.

For project flexibility and efficient use of the City's allocated funding, we propose to invoice monthly based on a percent complete against the three project phases. This approach is intended to provide flexibility to the City if certain tasks require a reallocation of efforts within each phase. All travel costs and other expenses are included in the Phase 1 fee. GHD will review the budget on a regular basis with the City during the progress meetings to track budget and progress.

Please do not hesitate to contact us if you have any questions or would like to discuss this proposal in more detail. We appreciate the opportunity to be of continued service to the City.

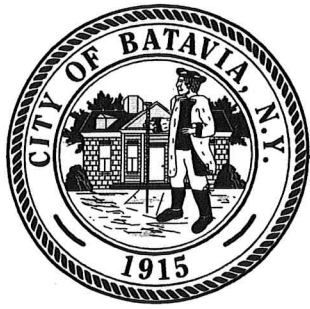
Regards



Stephen Waldvogel, PE
Project Director

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stephen.waldvogel@ghd.com



City of Batavia

Memorandum

To: Honorable City Council Members

From: Rachael J. Tabelski, MPA, City Manager

Date: September 17, 2021

Subject: Professional Engineering Services for Water System Planning Assistance

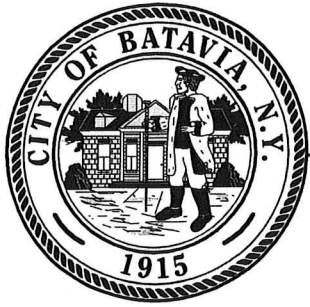
The City of Batavia needs to retain professional engineering services for water system planning assistance as the City continues to work with Genesee County in support of their Phase III water project, phase out of the City's Water Plant, and new federal regulation changes. The City also needs engineering assistance to map, inventory, and plan to address lead service lines throughout the City related to the new Lead and Copper Rule.

With the publication of the final Lead Copper Rule municipalities will need to replace lead lines owned publically, and to assist homeowners with replacing lead lines in their private systems. To do so the City will need to conduct extensive inventories of lead lines in the City and at private residences. The City will need assistance with future capital planning and water rate setting as infrastructure ages and water line replacements continue.

The scope of services of the proposals include but are not limited to the following:

- Conduct a water system analysis
- Update the water system capital plan and rate analysis
- Develop and mapping a lead services line inventory
- Develop a lead services line replacement plan
- General lead and copper rules compliance
- Analyze long term opportunities for the water system

The comprehensive engineering proposal expenses is an allowable use of American Rescue Plan Act (ARPA), and the total cost of the proposal is \$245,700.



City of Batavia

I recommend that City Council approve the professional engineering services for water system planning assistance agreement and utilization of ARPA funds.

#-2021

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BATAVIA
AUTHORIZING A PROFESSIONAL ENGINEERING SERVICES PROPOSAL FOR
WATER SYSTEM PLANNING ASSISTANCE AND USE OF AMERICAN RESCUE
PLAN ACT (ARPA) FUNDS**

Motion of Councilmember

WHEREAS, the City Council of the City of Batavia has determined it necessary to contract with a professional engineering firm to preform water system planning assistance; and

WHEREAS, GHD engineering firm has worked on behalf of the City on numerous water and wastewater projects in a professional capacity and is pre-qualified via resolution #66-2017; and

WHEREAS, GHD will conduct a water system analysis, update the water system capital plan and water rate analysis; and

WHEREAS, GHD will assist the City in developing and mapping a lead services line inventory, develop a lead services line replacement plan, assist with general lead and copper rules compliance, and assist in analyzing longer term opportunities for the water system; and

WHEREAS, it is desired by the City to authorize the expenditure of \$245,700 for the costs of GHD to provide technical engineering services in multiple phases; and

WHEREAS, water projects and engineering are an allowable use of American Rescue Plan Act (ARPA) funds.

NOW, THEREFORE, BE IT RESOLVED, by the City Council of the City of Batavia authorize the City Council President to execute a professional engineering services agreement for water system planning assistance and authorizes the City Manager to use ARPA funds for the expense.

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

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



Our ref: 11230447

September 14, 2021

Ms. Rachael J. Tabelski
City Manager
City of Batavia
One Batavia City Centre
Batavia, New York 14020

Professional Engineering Services Proposal for Water System Planning Assistance

Dear Ms. Tabelski,

GHD is pleased to submit this proposal for specialized professional engineering services related to the City of Batavia's (City's) drinking water treatment, storage, and distribution system (the "System"). Our proposal is based on our recent discussions and GHD's knowledge of the System's needs and the City's long-term plans for water supply.

1. Introduction and Background

In the early 2000s, the City, Genesee County (the "County") and the Monroe County Water Authority (the "Authority" or "MCWA") entered into a series of agreements to promote regional economic development by addressing water supply problems, reducing operational costs, and equitable sharing of sales tax revenues. The agreements contemplated a multi-phased regional water supply program to be implemented throughout the County. During the early phases of the water supply program, it was agreed that both the County and the City would make use of the City's Water Treatment Plant (WTP) as the primary source of supply within the County.

Phase 1 of the water supply program included the construction of certain water transmission, distribution, pumping and storage infrastructure that interconnected existing water suppliers both inside and outside of the County. Several new towns and districts received public water as a result of this first phase of the regional water supply program. In addition, the City agreed to lease its WTP to the County in support of the regional approach.

The County currently is in Phase 2 of the regional water supply plan with construction improvements ongoing. Phase 2 has experienced delays from the Covid-19 pandemic but is expected to be completed over the next couple of years. The County is concurrently advancing Phase 3 design with construction anticipated over the next 3 to 5 years. However, construction schedules could take longer due to supply chain and other general economic challenges. The delays associated with the regional water supply plan and the higher than anticipated demands, have highlighted the importance of the City's WTP. It is critical that the WTP is maintained and/or improved as necessary, such that it can continue to operate reliability given the necessary high production levels, over the next several years. Phase 3 of the County's improvements is expected to address the current and future water needs in the County and ultimately provide an alternative source of supply to the City.

Based on these conditions and recent discussions with the County, it was concluded that the City's WTP will need to remain operational for another 5 – 10 years, until such time that an alternative source of supply is completed. Consequently, there are important capital improvements that were previously deferred, which must now be completed at the WTP such that it remains operational for the required period. Failure to make these improvements in a timely manner may jeopardize the City and County's water supply in the short-term.

In addition to the short-term capital needs at the WTP and the ongoing County water supply program implementation, the City has begun to evaluate potential longer-term management/ownership alternatives for its water system following the decommissioning of its WTP. Ultimately, the City wants to carefully evaluate the potential long-term costs associated with its current ownership and management framework as compared to a MCWA ownership/management framework.

Finally, it is also likely the City water system will be significantly impacted by the recently revised Lead and Copper Rule (LCR). New inventory, sampling, notification, education, and treatment requirements may result in significant changes within the City's water system. These requirements must be identified, understood, evaluated, and implemented in a cost-effective manner such that the City remains compliant with the revised rule.

2. Scope of Services

GHD has developed the following Scope of Services (Scope) based on the needs identified above and as discussed with the City during recent meetings with management, staff, and the County. The Scope has been generally split into three phases; (1) Project Management and Coordination, (2) tasks that will impact the City over the Short to Medium Term (1-5 years), and (3) other tasks that will impact the City over a Longer Term (5-10 years). All three phases are anticipated to be completed over the next 24 months as the City develops a comprehensive strategy and plan for the future of its water system.

2.1 Phase 1 – Project Management and Coordination

GHD will provide oversight and general management services throughout the project. A Senior Project Manager will direct all project activities and serve as liaison with the City to facilitate project meetings and coordinate communications between GHD and the City. This Manager will schedule and attend a kick-off meeting with the City to discuss the scope of work, project schedule, budget, and general approach, which includes the identification of contact persons for day-to-day communications, as well as the City's preference for requesting information. In addition, we anticipate that GHD will conduct a progress meeting every other month with senior City management staff at City Hall throughout the duration of the project. Throughout the project, GHD will provide status and budget updates at these regular meetings.

2.2 Phase 2 – Short to Medium Term Water System Analysis and Assistance

The short to medium term Scope relates to the City's water system over the next 1 – 5 years. These tasks are aimed at helping the City manage the System in a safe and economically stable manner prior to the anticipated long-term water supply changes. The short to medium term Scope includes the following major tasks:

- Development of a Final Water System Capital Improvement Plan
- Assist City with Water System Discussions with Genesee County
- Assist City in Developing a Lead Service Line Inventory

- Assist the City in Preparing a Lead Service Line Replacement (LSLR) Plan
- General Lead and Copper Rule Compliance Assistance
- Update Inside City Rate Model and Develop 5-Year Forecast

2.2.1 Development of a Final Water System Capital Improvement Plan

GHD has developed a draft Capital Improvement Plan (CIP) for the Water and Wastewater Systems over the last several months. This has included an update to the asset inventory and a condition assessment of all major WTP assets. Several onsite visits and inspections were completed to identify and prioritize near-term capital needs. In addition, a high-level water treatment process evaluation was completed to identify if relatively low-cost improvements could be made to boost output capacity.

Based on our inspections and asset condition evaluations, specific capital improvement needs were identified for critical short-lived assets. Conceptual projects were developed to address each near-term capital need. In addition, several alternative investment options were developed for the lime system, ferric system, backwash system, transformers, well improvements, and filter media upgrades. Each alternative carefully considered the redundancy and sustainability of water production over the next 5 to 10 years, until the WTP is replaced by a MCWA supply.

Planning level cost estimates were then developed for the prioritized projects along with projected financing costs. A preliminary construction schedule with annual costs and funding sources was developed for inclusion in the City's rate forecast model.

Under this task, GHD will incorporate the several changes and new Water System projects identified during the City's recent review of our preliminary results. Furthermore, any changes resulting from discussions with the County (Task 2.2.2) related to the water treatment and storage facilities will also be incorporated. New and/or updated cost estimates will be developed as required. A final draft schedule for System projects including storage, treatment and distribution projects will be prepared. Finally, the anticipated funding sources will be identified for each project such that the financial implications can be evaluated and incorporated into the City's Inside-City water rate forecast model. Ultimately, all draft project costs, priorities, schedules, and funding sources will be reviewed with the City and finalized as required to meet the City's planning and budgeting needs.

2.2.2 Assist City with Water System Discussions with Genesee County

Upon completion of the draft CIP, the City will meet with the County to review which projects must be completed such that the WTP can function safely for the next 5-10 years and continue to supply safe drinking water throughout the County. Furthermore, the City and the County discussed which capital improvement projects will be funded by the County, the City or shared. Currently, the County is reviewing the proposed projects, associated costs and anticipated funding mechanisms. Some improvements may be best funded through the normal operation and maintenance (O&M) budgets, which must be identified and agreed upon. The timing and funding mechanisms (O&M, County bonds, City bonds, City reserves, grants, or other) for each project will be identified and agreed on such that the City can move forward as required with design and construction documents. Ultimately, the specific capital projects and funding mechanisms will be agreed upon between the City and the County within the context of the existing Lease Agreement and the Water Supply Operation and Maintenance Agreement. GHD will participate and assist in these discussions to identify and prepare estimates of all Water System projects and incorporate them into the financial and planning analyses.

2.2.3 Assist City in Developing a Lead Service Line Inventory

The newly revised LCR requires that the City develop a detailed LSL Inventory. The inventory must include specific identification of the materials that comprise both the public (outside) and private side (inside) of each water service line. This inventory must be completed and made available to customers within the next 3 years.

The purpose of the inventory is intended to strengthen public accessibility to LSL information. Ideally, each customer can identify the material of their specific service line from the inventory and make informed decisions regarding their water service line. The four general categories for which each service line must be identified include:

- Lead – a service line that is confirmed to be comprised of lead pipe. The revised LCR requires numerous actions and/or notifications associated with these service lines on an annual basis or more frequently in the event of a trigger or action-level exceedance or any type of disturbance.
- Non-lead – a service line that is confirmed as a material other than lead or galvanized requiring replacement. Most of the revised LCR requirements do not apply to these customers.
- Lead Status Unknown – a service line for which its material of composition has not been determined and must be assumed to be lead until such time as the material is identified. Due to the assumption of lead, these service lines require most of the same actions and/or notifications as an LSL.
- Galvanized Requiring Replacement – a galvanized service line or partial service line that is downstream or was downstream from a lead pipe at some time in the past. These service lines must be managed essentially the same as an actual LSL.

The City does not have an accurate inventory of LSLs. Based on anecdotal evidence, the City believes that all actual LSL materials are on the public side and are owned by the City. No known private side LSL exist or have been observed by staff. However, there are many galvanized service lines on the private side which likely are downstream or were downstream of lead at some point in time. Consequently, all service lines currently with lead materials or with galvanized materials that were downstream of lead in the past are essentially considered lead services. In addition, those service lines for which the City has no information are considered Lead Status Unknown and also are subject to many of the same actions and/or notification requirements. So, in addition to the mandatory inventory development, it is in the City's best interest to develop an accurate inventory to reduce the specific actions and/or notification requirements associated with the Lead Status Unknown lines.

Under this task, GHD will work closely with the City's Department of Public Works (DPW) to develop a strategy for identifying service line materials, capturing this data in an accessible database that can be made available to customers in compliance with the LCR. Since most communities have found it best to develop their inventory in GIS, GHD proposes to implement ESRI's ArcGIS Online (AGOL) platform. AGOL is a collaborative, cloud-based GIS software that can be used anytime, anywhere, with desktop computers or mobile devices to view, edit, and symbolize mapped data and not break the bank for software costs. GHD has worked with many clients to implement ESRI's AGOL platform to manage their water, sewer, and stormwater assets with great success. AGOL provides the platform to host data, tools to collect and interact with data, and capabilities to share and collaborate with City departments working on related projects. Everyone is working off the same source of data without the need to juggle thumb drives and email files with updates. We have included an allowance of \$2,000 per year for licensing and hosting service for this software. Both the City and GHD will be required to hold a license such that both can readily use the software.

The specific strategy to develop an accurate inventory will likely include multiple efforts at different levels. Please note that GHD proposes to assist the City in developing these strategies and will perform desktop review and data entry to build the database. However, GHD does not anticipate performing any field inspections and will rely on available data that the City can provide. Some of the collective activities that may be employed to develop the LSL inventory include:

- Reviewing historic community records, construction standards, plumbing codes and other available information
- Screening tap cards, permits, inspections, repairs records, past meter installations, construction documents and other available information
- City customer outreach, education, engagement, and self-reporting options
- DPW in-house inspections, site visits or other

- Future inspection/verification for all new meter installations or other service calls
- Collaboration with local plumbers, and linking verification with future plumbing permits
- Future watermain replacement projects to include examination/reporting of both public and private side service materials
- Potential water sampling tests
- Mechanical or vacuum excavation
- Predictive modeling
- Pipe material examination at the service box

Each of these and/or other technologies can be reviewed together with GHD to identify a cost-effective, stepwise process to productively capture data to meet the City's requirements.

The proposed AGOL platform will be made available to the City, and we anticipate it will be eventually linked to the City's website so that customers can access the data directly to comply with the new regulations. The platform specifically provides an LSL Inventory Solution (Figure 2.1) where project members can collaborate to:

- Customize the parameters and characteristics to meet the client's needs
- Inventory and symbolize pipe material on both the customer and utility side of the water service line
- Inform and educate customers using a map viewing application to publicly display where lead or potential lead is located (*LCR Updated Requirement*)
- Monitor service line replacement projects
- Dynamically create lead reports using interactive selections or administrative areas in the Lead Report application



Figure 2.1 Example Screenshot of ArcGIS Online Lead & Copper Inventory Solution

2.2.4 Assist the City in Developing a Lead Service Line Replacement Plan

Another mandated requirement of the revised LCR is that every community develop a strategic plan to replace LSLs in the event of a trigger or action-level exceedance. It is likely that the City will never have an exceedance, but a comprehensive LSLR Plan is required that incorporates but is not limited to:

- Procedures for full LSLR
- Strategies for notifying customers before full or partial LSLR
- Pre-construction notices regarding lead risks, flushing and sampling
- Pitcher and cartridge distribution
- Flushing procedures
- Funding strategy for private LSL replacements
- Response strategy to replace public side within 45 days following a private side replacement
- Post-construction sampling procedures
- Notification schedules and procedures
- Primary agency reporting and notification compliance

The LSLR Plan will include many detailed required elements. It must also demonstrate how the City will prioritize LSLR. The United States Environmental Protection Agency (EPA) is directing utilities to include a strategy that considers susceptible and disadvantaged populations, tap sampling data, costs, environmental justice, and other factors.

Under this task, GHD will work closely with DPW staff to develop the required LSLR Plan, which includes all of the required elements under the LCR. Furthermore, as included below, we will monitor any guidance and interpretations of the rule that may be issued by the EPA or New York State Department of Health (NYSDOH) relative to the required LSLR Plan. Our scope includes up to two meetings with the NYSDOH/GCDOH and responding to any comments they may provide relative to the City's LSLR Plan.

2.2.5 General Lead and Copper Rule Compliance Assistance

In addition to the LSL Inventory and LSLR Plans, the revised LCR will require many additional actions by the City. These may include treatment evaluations, enhanced sampling, improved public education, increased customer notifications, detailed reporting, collaboration with schools and day care facilities, never before offered customer financing options, and much more. GHD will work closely with DPW staff to develop a compliance plan for the City Water System in all areas. Since the revised rule is still very new, the EPA and the New York State Department of Health (DOH) have not yet issued clarifying guidance for the many detailed requirements. GHD will monitor any such guidance and help the City incorporate rule interpretations and requirements into the City's Standard Operating Procedures (SOPs) moving forward. We anticipate that the NYSDOH will be the primacy agency tasked with enforcing the rule and ultimately approving the City's plans and approach.

A strategy for compliance will likely require the consideration of improved data collection, developing new public education materials, increased sampling collection and reporting, creative financing options for low-income customers, and many other items that may not yet be determinable. Consequently, the City's strategy for compliance will be wide ranging and most likely remain relatively dynamic as the rules interpretation and implications are better understood and enforced by the regulators.

Under this task, GHD will work closely with DPW staff to develop a comprehensive strategy for compliance that aims to satisfy each rule requirement in a cost-effective manner while remaining flexible and agile as enforcement and compliance interpretations become clearer. In addition, there is proposed legislation pending that may offer significant funding assistance associated with some of these issues over the next few years, which also may impact implementation timelines and strategies, and thus the plan must remain a living document.

2.2.6 Update Inside City Rate Model and Develop 5-Year Forecast

Based on all of the previous short to mid-terms tasks, GHD will incorporate any necessary factors into the City's rate model and develop a 5-year forecast for inside City water rates and fees. This rate model will be a valuable tool for the City moving forward as it can be used to examine different capital improvement, LSL replacement and financing scenarios. Specifically, the impact on revenues, expenses and anticipated water rates will be evaluated over a 5-year horizon. As discussed previously, GHD suggests that the rate model be updated/calibrated annually by incorporating actual revenues, expenses, and water sales such that the resulting 5-year forecast is as accurate as possible. This will ensure the usefulness of the model moving forward for City's annual budgeting and planning exercises. Under this task, updating the rate model includes the following:

2.2.6.1 Update Financial Trending and O&M Cost Analysis

Based on the data provided and tabulated in the previous phases, the historical financial data will be trended and analyzed for anomalies. We anticipate that a trending analysis will be performed on each major budgetary category for purposes of projecting future operational costs. Ideally, such trending will be based on actual expenses (rather than budgetary) and filter out any anomalies that might skew projections. Furthermore, it will be critical to identify any budgetary, organizational, or financial shifts that are anticipated within the next 5 years such that they can be incorporated into the analysis.

2.2.6.2 Capital Incorporation and Financing Forecast

Based on the updated Infrastructure Plan completed in previous tasks, GHD will estimate annual financing costs associated with the anticipated capital improvements. These costs will be incorporated into the rate analysis along with any existing financing or debt service expenditures.

2.2.6.3 Reserve Fund Analysis and Forecast

It is recommended throughout the industry (sometimes required) that water and wastewater utilities maintain certain fund balances to protect the fiscal status of their system. GHD will work closely with City staff to review O&M, capital, and any other relevant funds to determine what appropriate balances should be maintained over the 5-year projection period. These fund balance targets will be incorporated into the rate study expense and revenue projections.

2.2.6.4 Revenue Requirement Forecast

Based on the historical cost trending, capital financial projections, reserve fund targets and growth projections, the water and wastewater revenue requirements will be forecast over a 5-year period. Each budgetary line will be forecast independently based on the specific patterns and anticipated expenses over the next 5 years. Since these forecasts are critical to the analysis and dependent on several previous steps, GHD will carefully review the results with City staff before proceeding further in the project. We anticipate that a specific inflation factor will be applied to each budgetary line and a uniform escalation calculated over the projection period.

2.2.6.5 Revenue Projections

Under this phase, a 5-year revenue forecast will be prepared based on estimated growth rates, consumption patterns, estimated interest earnings, and the existing rate and fee structure. GHD will review revenue projections with City staff. The revenue projection will initially assume that the rate and fee structure will not change over the projection period. GHD will then perform a revenue gap analysis by comparing projected revenues to the revenue requirement forecast. This exercise will determine any potential revenue gap that the City may experience if rates are held constant for the next 5 years.

2.2.6.6 Rate Recommendation

It is not anticipated that the City will change its rate structure at this time. Consequently, a rate recommendation will be provided based on achieving revenue sufficiency over the next 5-year planning horizon within the existing rate structure. This recommendation will be based on the rate model that incorporates the projected capital needs, fund balance requirements, consumption projections, and operational costs.

2.3 Phase 3 – Longer-Term Water System Analysis and Planning

The longer-term scope of services relates to developing a strategy for the City's Water System over the next 5 to 10 years. These tasks are aimed at helping the City position itself well for the anticipated transition to the MCWA supply and to evaluate the various potential long-term water system management/ownership options. The longer-term scope of services includes the following major tasks:

- Review of the County's/MCWA's Long-Term Supply Plan for the City
- Financial Projections for Alternative Water System Management Structures
- Long-Term Water System Capital Improvement Plan and Engineering Report
- Funding Application Assistance
- Long-Term Impacts to the County Agreements
- Negotiate Possible Management Agreement with MCWA
- Finalize/Update Water Rate Model and Financial Forecast

2.3.1 Review of the County's/MCWA's Long-Term Supply Plan for the City

The County along with the Monroe County Water Authority (MCWA) and its Engineering Consultants are developing a phased water supply plan for the County and the City of Batavia. This plan is intended to bring a sufficient supply to the City such that its aging WTP can be retired and decommissioned. At such time that this alternative supply is operational, the WTP property will revert from City ownership to the County per the Facilities Lease Agreement.

The anticipated alternative supply concept has been agreed by the City and all parties are working cooperatively towards achieving this goal within the next estimated 5 to 10 years. However, water system supply conversions such as this require careful technical planning and analysis. The City's water treatment plant has been supplying consistent safe potable water for its residents and surrounding communities for many years and an interruption to such supply would be very problematic and must be avoided. Furthermore, the City's existing water system currently satisfies all hydraulic requirements including flow, pressure, storage capacity and fire supply throughout all sections of the City. Each of these hydraulic conditions must be maintained such that customers do not experience a loss or reduction to service levels. Moreover, the new water supply plan should also include provisions for redundancy and short-term emergency supply in the event that the proposed MCWA alternative supply system (transmission piping, pumping, storage facilities) were to fail or are temporarily interrupted sometime in the future.

In addition, any change in the source of supply will require DOH review and approval. It is likely that a water quality parameter analysis will be required to evaluate the potential impacts to lead and copper corrosion and disinfection by-products throughout the City. MCWA has recently retained a consulting team to evaluate its corrosion control strategies and the City will likely need to work closely with MCWA to evaluate this potential in order to gain DOH approvals.

Under this task, GHD will work closely with City, Genesee County, MCWA personnel and their Engineering Consultants to review the proposed phased water supply plan for the City. GHD will work to ensure that the City's levels of service are not impacted negatively as a result of the water supply transition. This may include the review of planning documents, hydraulic modelling results, fire-flow simulations, construction documents, design reports, and other documents. In addition, there may be improvements within the City's transmission and distribution system that are required as a result of the water supply transition. GHD will evaluate this potential at a planning level with the aim of identifying any major concerns. GHD will also review the MCWA's corrosion control strategies and ongoing studies as appropriate and assist the City in any discussions with the GCDOH regarding these issues.

Finally, due to the major anticipated shift from autonomous supply to a supply from another water provider, the City should review the management strategies of the new supply organization to ensure continuity, stability, and resiliency. The anticipated alternative supply concept includes tens of millions of dollars of new infrastructure with multiple facilities. GHD will assist the City review the operational and management plans for these facilities, which will be providing supply to the City for the long term.

At this time, no corrosion control studies, detailed engineering analysis, or engineering design are included in our scope. Our scope will be limited to reviewing how the MCWA and the County are planning to address these important issues and providing guidance to the City, as required. We anticipate up to four meetings during this task, which may include meetings with the County, the MCWA, NYSDOH, other consulting engineers and internal meetings with the City. GHD will provide the City with a confidential memorandum highlighting its findings for the City's use.

2.3.2 Financial Projections for Alternative Water System Management Structures

In addition to an alternative water supply such that the City's WTP can be retired, the MCWA may offer the City the opportunity for wholesale supply, lease management of direct service (ownership). These potential options would impact the City in different ways and potentially allow the City to exit the water business entirely or retain ownership in some form. The ultimate ownership/management structure will impact how operations and maintenance are managed and how transmission, distribution, pumping and storage system improvements are made in the future.

Under this task GHD will develop a predictive model to forecast the financial implications to the City and its customers for the following potential scenarios:

- Baseline Status Quo Scenario
- Wholesale supply from MCWA Scenario
- Lease Management by MCWA Scenario
- Direct Service by MCWA (Ownership) Scenario

It is likely that each of these scenarios will have significantly different technical, administrative, operational, and financing requirements impacting future costs. Some of the elements that will be evaluated under this task include the anticipated impacts from the Lead and Copper Rule Revisions, which will require significantly greater investment towards removing lead and galvanized public and private service lines. Also, the impact of owning, operating, maintaining, and improving a water transmission, pumping and storage system verses the direct service price/rate for water customers must be carefully evaluated. GHD anticipates up to three meetings with the City and/or the MCWA during this task. GHD will provide the City with a financial model and results for this analysis.

2.3.3 Long-Term Water System CIP and Engineering Report

Depending on the review of the County/MCWA long-term water supply plan analysis (task 2.3.1), the Alternative Management Structures Analysis (task 2.3.2) and the LCR compliance obligations (tasks 2.2.3-5), additional capital improvements and various capital funding responsibilities are likely to be identified for the longer-term horizon. Specifically, the water supply plan review may reveal certain capital investments are required within the City storage or transmission system such that service levels are maintained. Moreover, the MCWA may require certain improvements and/or investments in the Water System prior to taking on management or ownership responsibilities. Moreover, certain investments may be identified during the Lead Program development that will be incorporated. These factors will likely impact how much is invested in the City's Water system and by which governmental agency. Under this task GHD will develop a conceptual longer-term CIP (10-15 years) that outlines the investment needs, opinions of probable costs, schedule of investments, funding sources and any resulting financial responsibilities of the City. This will be developed in tabular format similar to previous CIP documents and may include several scenarios depending on the long-term supply plan and ultimate management/ownership structure.

In addition to the Long-Term Water System CIP, GHD will prepare an Engineering Report to satisfy the NYSDOH requirements necessary for a NYSEFC funding application. During this task, the results of the Long-Term Water System CIP will be discussed with the City and a specific project(s) identified for which the City wants to pursue funding (up to three applications). For this specific project(s), GHD will develop an Engineering Report that will satisfy the application requirements. GHD will prepare a draft Report for review by the City, meet with the City to review the Report, and provide a Final Report that addresses one round of comments from the NYSDOH and City.

2.3.4 Funding Application Assistance

GHD will work closely with the City to identify and pursue available funding opportunities to support the anticipated Long-Term Water System CIP. There may be several opportunities or methods to package certain future capital investments such that the City can obtain low-cost financing and or grant funding for these projects. GHD is not a registered municipal fiscal advisor and as such cannot advise the City regarding specific financing products. However, GHD will work closely with the City's fiscal advisor to identify the best funding options and incorporate the specific financing terms into the updated rate model and financial forecasts. GHD will assist the City in preparing up to three funding applications as required, to support the investments necessary in the water system. This effort includes compliance with applicable environmental review requirements and consultation with the New York State Historic Preservation Office (SHPO) to satisfy funding application requirements. GHD assumes that proposed projects will meet the definition of a Type 2 action under the State Environmental Quality Review Act (SEQR) and be exempt from further review under SEQR or result in a negative declaration and therefore, the effort does not include the preparation of any environmental impact statements. In addition, GHD assumes that SHPO will determine that proposed projects will have no effect on cultural resources and therefore, the effort does not include effort associated with additional cultural or archaeological surveys, investigations, or studies.

2.3.5 Long-Term Impacts to the County Agreements

The City currently has two long-term agreements with the County with regard to its water system including the Water Supply Agreement and Facilities Lease Agreement. Depending on which management structure is eventually selected for the City's water system, it is likely that the agreements with the County will be impacted. Under this task, GHD will work closely with the City to review and develop revised agreements to be considered with the County based on the ultimate water system management structure. As necessary, GHD will assist the City and its attorney in negotiating any renewed terms with the County. GHD anticipates up to three meetings with the City and the County during this task.

2.3.6 Negotiate Possible Management Agreement with MCWA

Based on the analyses above, the City may choose to enter a Lease Management of Direct Service Agreement or other ownership transfer agreement with MCWA. Typically, MCWA will conduct a review of any candidate water system and develop a list of improvements or other changes that must be completed prior to taking over management or ownership responsibilities. Moreover, an agreement is typically negotiated between the MCWA and the candidate water system, which outlines capital requirements, operation and maintenance responsibilities, various service levels, anticipated schedules, and other items.

Under this task, GHD will assist the City and its attorney negotiate an agreement with the MCWA as required. We anticipate up to four meetings may be required for this task.

2.3.7 Finalize/Update Water Rate Model and Financial Forecast

Based on the timing and extent of the long-term water supply plan, the ultimate management structure that is established, the necessary capital improvements that are identified within the City and the final ownership and O&M requirements that are agreed to, the City's water rates will be impacted. Under this task, GHD will update the rate model using a similar methodology as described under Task 2.2.6, to incorporate and forecast any changes in water system revenues, expenses, retail water sales, surcharge revenues, wholesale revenues, capital costs, reserve balances, and other items such that cost impacts to City and County customers can be estimated under a select set of scenarios. GHD will provide 10-year forecasts for residential, commercial, and industrial customer impacts within the City so that City leadership can assess the impacts of the primary drivers before finalizing the long-term water system supply and operations plan.

3. Schedule

GHD has developed a preliminary schedule (Figure 3.1) for the completion of the Scope described above. Due to the interactive and iterative nature of some tasks, including the negotiation of new agreements, the schedule is subject to change and represents our current estimate of time required for completion. GHD will remain flexible regarding the schedule and budget to accommodate the City's requirements and the various interactions/negotiations with the City's partners and other stakeholders.

Milestone/Task	2021			2022												2023										
	October	November	December	January	February	March	April	May	June	July	August	September	October	November	December	January	February	March	April	May	June	July	August	September	October	
Project Award																										
Phase 1																										
Project Management																										
Phase 2 Short-Term Tasks																										
Final Water System CIP																										
Discussions with GC Assist.																										
LSL Inventory																										
LSL Replacement Plan																										
Lead and Copper Rule Assist.																										
Update Inside-City Rates																										
Phase 3 Long-Term Planning Tasks																										
Review MCWA's Supply Plan																										
Alt. Water Mangt. Structures																										
L-T Water System CIP & Eng. Report																										
Funding Application Assistance																										
Genesee County Agreement(s)																										
MCWA Agreement																										
Update Inside-City Water Rates																										

Figure 3.1 Preliminary Schedule

4. Fees

The effort and lump sum fee for each of the tasks included in the scope of services have been estimated and provided in the Table 4.1 below:

Table 4.1 Effort and Fee Summary

Project Tasks	Estimated Hours	Lump Sum Fee
Phase 1 – Project Management and Coordination	148	\$27,600
Phase Total	148	\$27,600
Phase 2 – Short to Medium Term Water System Analysis and Assistance		
Final Water System CIP	48	\$7,200
Discussions with GC Assistance	40	\$7,000
Lead Service Line Inventory	270	\$42,000*
Lead Service Line Replacement Plan	136	\$21,500
Lead and Copper Rule Assistance	182	\$29,800
Update Inside-City Rate Model	40	\$6,500
Phase Total	716	\$114,000
Phase 3 – Longer-Term Planning Tasks		
Review GC/MCWA's Long-Term Supply Plan	132	\$23,500
Alternative Water Management Structures	96	\$15,900
Long-Term Water System CIP & Eng. Report	126	\$18,900
Funding Application Support	68	\$9,600
Genesee County Agreement(s)	56	\$10,400
MCWA Agreement	68	\$12,500
Water System Rate Analysis	80	\$13,300
Phase Total	626	\$104,100
Project Total	1,490	\$245,700

*Includes \$4,000 total allowance for licensing and fees for 2 years

These fees are based on an estimated project timeline of 2 years (24 months). We assume that there will be a bi-monthly progress meeting at City Hall with our project team and the City's senior management, which is included in our Project Management task. Moreover, we anticipate periodic meetings/negotiations will be required from time to time throughout the project with the County, the MCWA, the GCDOH, NYSDOH, NYSEFC, and others, which are detailed within the individual tasks above with any associated deliverables.

For project flexibility and efficient use of the City's allocated funding, we propose to invoice monthly based on a percent complete against the three project phases. This approach is intended to provide flexibility to the City if certain tasks require a reallocation of efforts within each phase. All travel costs and other expenses are included in the Phase 1 fee. GHD will review the budget on a regular basis with the City during the progress meetings to track budget and progress.

Please do not hesitate to contact us if you have any questions or would like to discuss this proposal in more detail. We appreciate the opportunity to be of continued service to the City.

Sincerely,

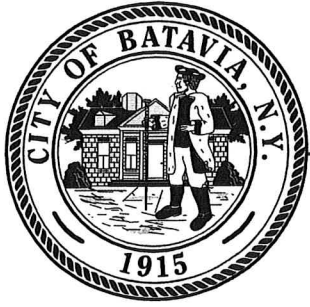


Stephen C. Waldvogel, PE
Project Director

+1 716 362-8810

stephen.waldvogel@ghd.com

SCW/las



City of Batavia

Memorandum

To: Mrs. Rachael Tabelski – City Manager

From: Raymond Tourt – Superintendent of Maintenance

Date: September 10, 2021

Subject: CCTV Pipe Inspection Camera

As part of the equipment replacement plan the sewer main line camera is scheduled for replacement in 2022. The Bureau of Maintenance has demonstrated three units and recommends the purchase of the Envirosight Rover X as supplied and serviced by Joe Johnson Equipment of Rochester, N.Y. The unit is available at government discount through public bid utilizing the HGAC-Buy cooperative purchase program. The quoted price for the Envirosight Rover X system is \$98,597.10.

This unit will replace our existing camera unit a 2012 RapidView. This has been a good unit but it is entering the end of its useful life (8-10 years). We are seeing more frequent downtime and services. The unit was at onetime locally represented but not in the last 3 years. This has left us to ship to Indiana for repairs, leading to extended downtime for shipping to and from the manufacturer. This was part of our decision making process in selecting the Envirosight unit, the dealer has a long relationship with Envirosight and provides local expertise and service.

This type of equipment is eligible for ARPA (American Rescue Plan Act) funding. It is recommended that we utilize \$50,000 from ARPA and \$50,000 from Wastewater Reserves. The existing unit will be surplus. It will be evaluated for trade value or possibly sent to auction.

#-2021

**A RESOLUTION TO PURCHASE A MAIN LINE SEWER CAMERA AND USE
WASTEWATER RESERVES**

Motion of Councilmember

WHEREAS, The City is desirous to purchase a new main line sewer camera, Envirosight Rover X as supplied and serviced by Joe Johnson Equipment of Rochester, N.Y; and

WHEREAS, The sewer camera equipment is an allowable use under the American Rescue Plan Act (ARPA) program; and

WHEREAS, The total estimated cost of the equipment is \$100,000 and The City will use \$50,000 in ARPA funds; and

WHEREAS, the remainder of the equipment funded by Wastewater Reserves in an amount not to exceed \$50,000; and

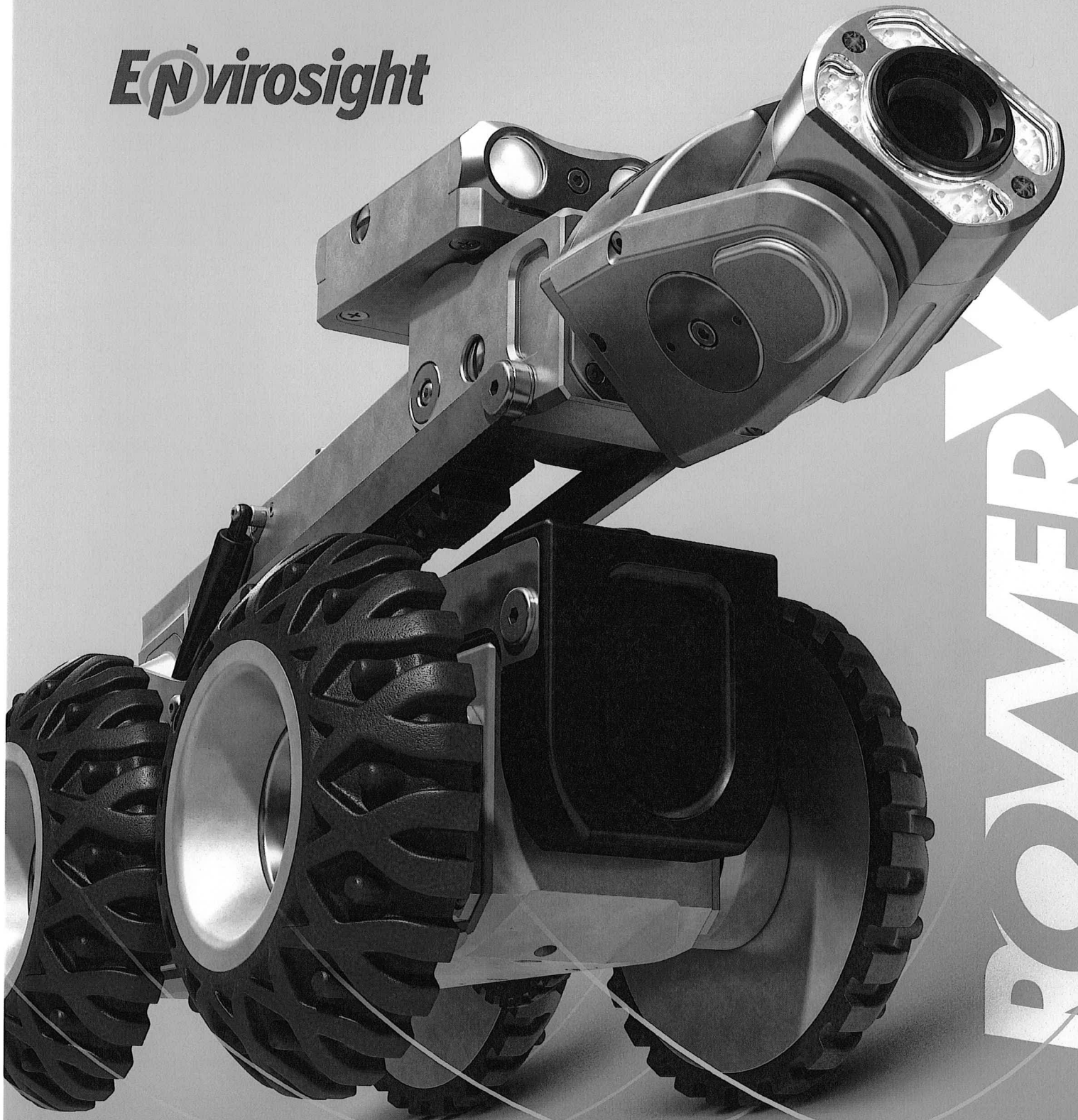
WHEREAS, pricing was obtained utilizing HGAC- Buy cooperative purchasing program; and

WHEREAS, the City of Batavia is an authorized member of HGAC-Buy.

NOW, THEREFORE, BE IT RESOLVED, by the City Council of the City of Batavia that the City Council President is hereby authorized on behalf of the City to authorize the Department of Public Works to purchase a main line sewer camera system not to exceed \$100,000.

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

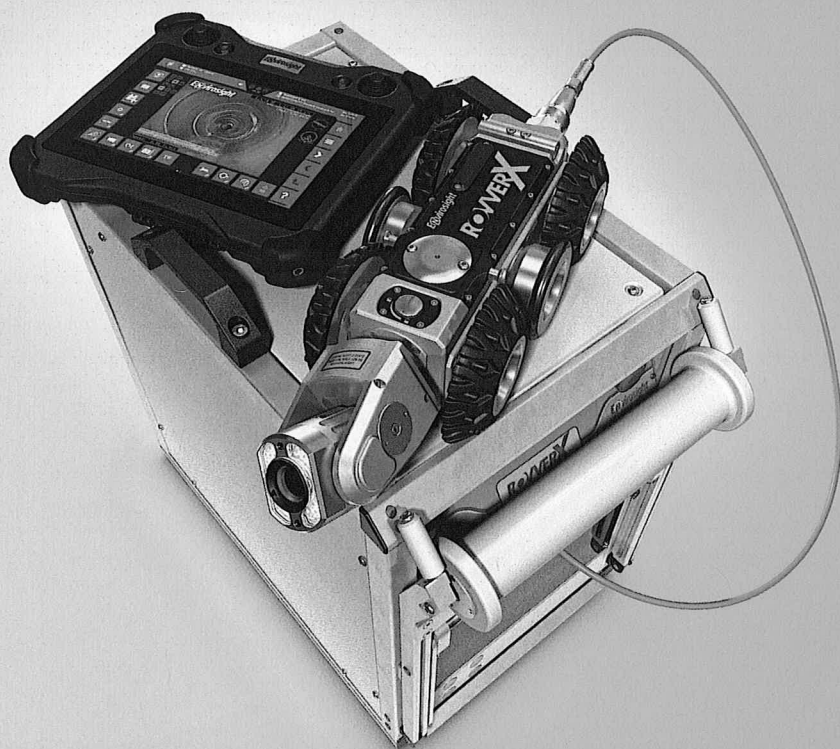
Envirosight



ROVER X

The Power of One

Safe, Easy and Advanced Sewer Inspection Crawler



The Power of One

ROVER X is the one system that lets you do everything—control inspections, view and record digital video, log observations, generate reports, and link directly to asset-management software. All this capability is packed into a simple three-piece layout, with no CCU or other components to clutter your truck.

ROVER X is built on a powerful digital backbone. Not only can you add side-scanning, laser profiling and lateral launch, you can view status from onboard sensors, automate tasks with macros, and measure defects on-screen. And future capabilities are limitless—ROVER X's firmware updates automatically to the latest features and accessory support.

Technology aside, ROVER X is built for the rigors of sewer work. Twelve wheel options—plus camera lift, carriage and lamp accessories—mean ROVER X transforms in seconds to inspect any line. Its steerable six-wheel drive navigates past obstacles, and overlapping wheels climb offsets better than tracks.

ROVER X

ROWE

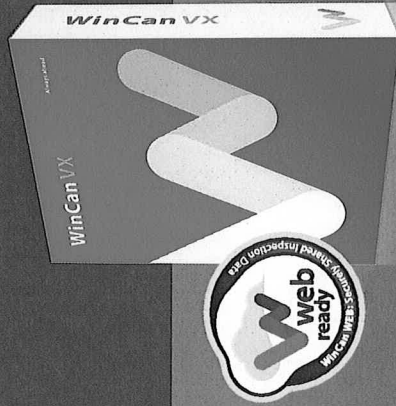


Recording

Store digital video and images, and export them via USB media, network port or Wi-Fi. • Review footage directly onscreen.

Reporting

Log observations on touchscreen. • Use standard or custom defect catalogs. • Generate simple reports, or use WinCan for full reporting. • Overlay text on video without external hardware. • View system status and operating history.



WinCan VX software now comes standard with every ROWVER X system. WinCan VX lets you database your inspections, deliver detailed reports, share projects via the cloud, map your data, and achieve PACP compliance.

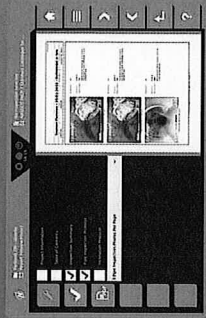
And upgrading your license gives you access to: technology modules (laser, Digisewer, 3D, lateral launch) • enhanced reporting • network installation and enterprise databases (Oracle, SQL) • links to municipal apps (ArcGIS, Hansen, Maximo, CityWorks, GBA, Cartegraph)



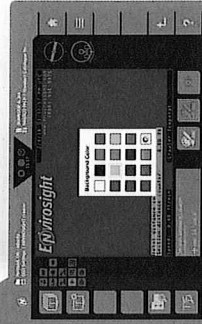
observation entry



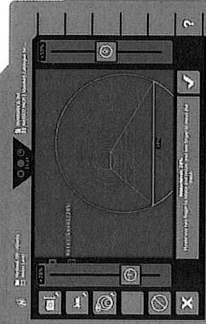
inspection overview



report generation



overlay setup



measurement tools

system

ratings CE, NRTL
power 120-240 Vac, 60 Hz
viewing capability pipelines 4-96" dia.

camera (RCX90)

imager color 1/4" CCD
resolution 720 × 576 pixels
zoom lens 120× (10× optical, 12× digital)
pressure rating 1 bar
features auto shutter; auto/manual focus
illumination dimmable 40-LED array
articulation ±145 deg tilt; infinite pan
measurement twin laser diodes
sensing temperature, pressure, pan/tilt
size 6.6" × 3.1" × 2.8" (168 × 81 × 72 mm)
weight 3.3 lb (1.5 kg)
materials aluminum, stainless steel

crawler (RX130)

wheels 6
turn radius down to 0.0"
camera color rear-view with tri-LED lamp
sensors pitch, roll, temperature, pressure
pressure rating 1 bar
size 12.2" × 4.4" × 3.2" (310 × 111 × 90 mm)
weight 13.2 lb (6 kg)
materials aluminum, stainless steel
sonde transmitter 33 kHz / 512 Hz

control pendant (VC500)

controls joysticks, touchscreen, power, stop
touchscreen 10.1" color TFT, 1280×800 pixels,
1280 cd/m², 150-deg view angle
video capture MPEG-4 AVC (H.266)
image capture JPEG or PNG
internal storage 32 GB
connectivity LAN (RJ45), USB, Wi-Fi, HDMI, BNC
size 11" × 10.5" × 2.8" (280 × 267 × 71 mm)
weight 4 lb (1.81 kg)
housing plastic (ABS, PC), IP55-rated
operating temp 32 to 140°F
storage temp -22 to 158°F

aux. lamp (optional)

lamps four (4) tri-LED lamps
dimensions 4.6"×5.2"×5.2" (117×132×132 mm)
materials aluminum, stainless steel



cable reel (RAX300)

cable length 1000' (300 m)
cable diameter 1/4" (6.5 mm)
cable weight 0.03 lb/ft
cable strength 1000 lb
cable conductors 6
controls (local) power, emergency stop
controls (via pendant) auto/manual, speed,
forward/reverse, pull strength
sensors tension, tilt
size 24.2"×12.4"×19.3" (620×315×490 mm)
weight 68.3 lb (31 kg)
connections pendant, service, video in/out

camera lift (optional)

lift range 3.1-10.2" (132-312 mm)
materials aluminum, stainless steel

carriage (optional)

wheelbase (w/t) 14.5"/12.2" (368/310 mm)
weight 34.2 lb (15.5 kg)
materials aluminum, stainless steel

aux. lamp/rear camera (optional)

forward illumination twin tri-LED lamps
camera color rear-view with tri-LED lamp
sonde transmitter 33 kHz / 512 Hz
materials aluminum, stainless steel

basic system

- RX130 crawler body
- RCX90 camera head
- RAX300 reel with 1000' cable
- VC500 control pendant
- WinCan VX software (basic)
- single-channel digital wireless remote control
- small rubber wheels (6)
- medium rubber wheels (4)
- medium grease wheels (4)
- climber wheels (2)
- large rubber wheels (4)
- crawler body transport case
- camera head transport case
- tools (wrenches, pressure kit)

options/accessories

- laser profiler
- Digisewer side-scan camera
- lateral launch crawler/reel
- remote camera lift
- large-pipe carriage
- large- and small-dia. crawlers
- aux. lamp/rear-view camera
- desktop mount for pendant
- USB media for pendant
- wheel sets (see chart on flap)
- cable management accessories
- lowering devices
- WinCan VX software (advanced)
- other accessories



Envirosight

www.envirosight.com

(866) 936-8476

111 Canfield Ave., Unit B3
Randolph, NJ 07869

Regional sales, support and service
across North and South America.

The industry's most
extensive network of
service partners.



We've analyzed the preferences of our inspection vehicle customers to identify the most popular configurations. We offer these as our Preferred Build-Outs.

We can also build inspection vehicles of any chassis and size, with production facilities on each coast for responsive delivery. We stock select chassis and boxes, and can retrofit new systems into existing trucks.





CONTRACT PRICING WORKSHEET
For Standard Equipment Purchases

Contract No.:

SC01-21A

Date Prepared:

8/31/2021

*This Form must be prepared by Contractor, and provided to End User to attach to Purchase Order, with copy to H-GAC.
The H-GAC administrative fee shall be calculated and shown as a separate line item. Please type or print legibly.*

Buying Agency:	City of Batavia, NY DPW	Contractor:	Joe Johnson Equipment
Contact Person:	Brett Stevenson	Prepared By:	M. Putney
Phone:	585-345-6401	Phone:	973-219-0166
Fax:		Fax:	
Email:	bstevenson@batavianewyork.com	Email:	mputney@envirosight.com

Product Code:	SC21AE020	Description:	Standard Rovver X Basic System (E-RX-SYS-Truck_Basic-21)
----------------------	-----------	---------------------	--

A. Product Item Base Unit Price Per Contractor's H-GAC Contract: \$ 77,749.00

B. Published Options - Itemize below - Attach additional sheet(s) if necessary - Include Option Code in description if applicable.
(Note: Published Options are options which were submitted and priced in Contractor's bid.)

Description	Cost	Description	Cost
E-564-0900-04 RED200 RX Camera Elevator Kit, QCD	\$ 14,210.00		
E-000-0035-00 / Top Manhole Cable Roller	\$ 430.00		
E-000-0036-00 Tyger Tail	\$ 75.00		
Four (4) E-080-0711-00 Medium Aggressive Wheels	\$ 2,416.00		
Four (4) E-080-0704-02 XXL Rubber Wheels	\$ 2,260.00		
		Subtotal From Additional Sheet(s):	
		Subtotal B:	\$ 19,391.00

C. Unpublished Options - Itemize below / attach additional sheet(s) if necessary.
(Note: Unpublished options are items which were not submitted and priced in Contractor's bid.)

Description	Cost	Description	Cost
Freight, Delivery, and Full Training			\$ 1,457.10
		Subtotal From Additional Sheet(s):	
		Subtotal C:	\$ 1,457.10

Check: Total cost of Unpublished Options (C) cannot exceed 25% of the total of the Base Unit Price plus Published Options (A+B). **For this transaction the percentage is:** 8%

D. Other Cost Items Not Itemized Above (e.g. Installation, Freight, Delivery, Etc.)

Description	Cost	Description	Cost
		Subtotal D:	\$ -

E. Total Cost Before Any Applicable Trade-In / Other Allowances / Discounts (A+B+C+D)

Quantity Ordered:	1	X Subtotal of A + B + C + D:	\$ 98,597.10	= Subtotal E:	\$ 98,597.10
--------------------------	---	-------------------------------------	--------------	----------------------	--------------

F. H-GAC Fee Calculation (From Current Fee Tables) **Subtotal F:**

G. Trade-Ins / Other Allowances / Special Discounts

Description	Cost	Description	Cost
		Subtotal G:	0

Delivery Date: **H. Total Purchase Price (E+F+G):** 98597.10



Memorandum

To: Rachael Tabelski, City Manager
From: Bill Davis, Superintendent Water and Wastewater
Date: September 20, 2021
Subject: Meter Reading Equipment

The meter reading equipment that is currently being used is over ten years old and has reached the end of their useful life. The department was advised by Ti-Sales Inc. if our units fail, they would not be repairable.

New handheld and data recorders would be purchased and will replace the two current handheld devices, along with moving into a cloud based data storage system. As the City moves forward into more radio signal meter registers the mobile data collector is the future in meter reading.

This type of equipment is eligible for ARPA (American Rescue Plan Act) funding. I recommended that we utilize \$26,764.79 from ARPA and \$1,718.79 from Water Reserves to purchase the equipment.

XX-2021

A RESOLUTION TO PURCHASE NEW WATER METER READING EQUIPMENT

Motion of Councilperson

WHEREAS, the City of Batavia's water meter reading equipment and software is obsolete, and needs to be upgraded; and

WHEREAS, water meter reading equipment is an allowable use of funds under ARPA (American Rescue Plan Act); and

WHEREAS, the City will use funds in the amount of \$26,764.79 from ARPA; and

WHEREAS, the remainder of the equipment will be funded through Water Reserves not to exceed \$1,718.79; and

WHEREAS, the pricing was obtained through Ti-Sales Inc, the sole source for the City Water Meter Reading equipment.

NOW, THEREFORE, IT BE RESOLVED, by the City Council of the City of Batavia authorizes the Department of Water and Wastewater to purchase meter-reading equipment and authorizes the City Manager to use ARPA funds for the expense.

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



800-225-4616
 978-443-2002
 Fax: 978-443-7600
 www.tisales.com

Quote	QTE0050551
Quoted To	Bill
Date	08/17/2021

Sold To: Batavia City Water Dept.
 One Batavia City Center
 Batavia NY 14020-2050

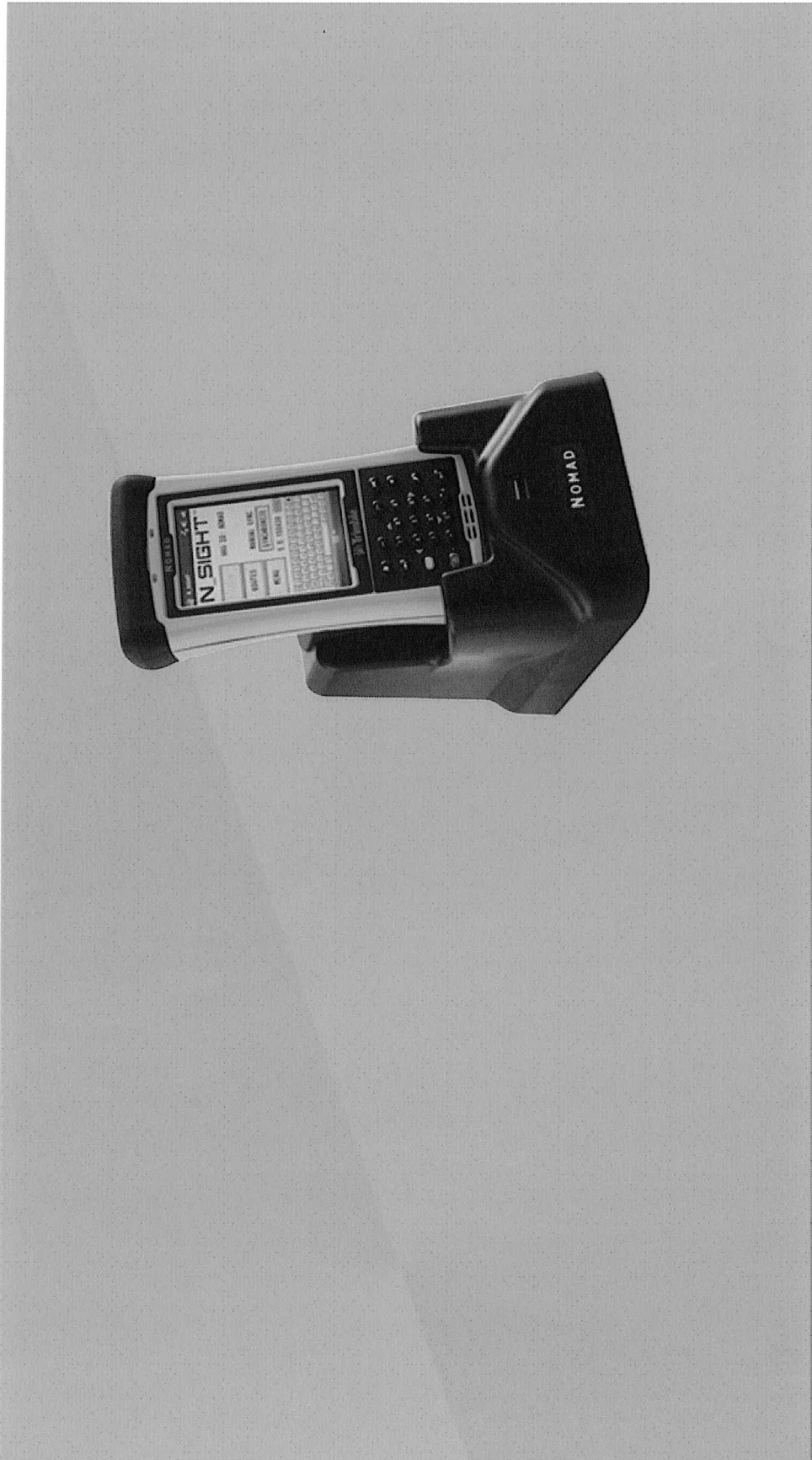
Ship To: Batavia City Water Dept.
 One Batavia City Center
 Batavia NY 14020-2050

Customer Number	Telephone	Fax	Job Location	Job Name	Territory Manager
BATA7	(585) 345-6315	(585) 345-1385	Batavia NY		Marcus Anten
Expires	Estimated Delivery	Freight		Terms	Master Number
10/16/2021	2-4 Weeks	Allowed		NET 30	330888
Item Number	Description	Quantity	Price	Extension	
N360AAMRSETUP	Neptune 360 Advanced AMR Set-up Fee (One-Time Fee) Shipping direct from vendor	1	\$4,527.00	\$4,527.00	
N360AAMR10000	Neptune 360 Advanced Module Annual SaaS Subscription for AMR (5K-10K Cust) Per Endpoint Per Year Shipping direct from vendor	5,600	\$1.22	\$6,832.00	
MRX920V4	Neptune MRX920 Mobile Data Collector V4 With RF Data Logging Feature	1	\$6,500.00	\$6,500.00	
RANGER	Trimble Ranger 3 XE w/ HR2650i Receiver (Bluetooth, WiFi, GPS, Camera, Scanner, WWAN)	1	\$9,999.60	\$9,999.60	
RANGERC	Neptune Ranger3 Charging and Communication Cradle	1	\$624.98	\$624.98	
12110-100	Pocket ProReader RF System Complete W/Battery Charger	1	\$800.00	\$800.00	
Quoted By: Ryan Hourihan					\$28,483.58
				Subtotal	\$29,283.58
				Other Charges	\$0.00
				Tax	\$0.00
				TOTAL DUE	\$29,283.58

Visit our website @ www.tisales.com

If you are in agreement with this quote and wish to order, please sign, date, and fax back to 978-443-7600 or email us at orders@tisales.com

Signature: _____ Date: _____





A PRODUCT SHEET OF NEPTUNE TECHNOLOGY GROUP

MRX920™ Mobile Data Collector and MX900™ Software

Make Reading Success and Efficiency Automatic

Reliable, accurate, and field-proven, the Neptune® MRX920™ mobile data collector – along with its MX900™ meter routes and mapping software – has helped water utilities across North America streamline, automate, and increase operational efficiencies. As part of Neptune's R900® System, the MRX920 helps transform data into actionable information that helps identify hidden causes of loss and optimize operational efficiency.

Strapped to the seat of your utility vehicle, the MRX920 reads up to fifty (50) meters simultaneously as your meter reader cruises down the streets. And in conjunction with the routes-integrated/Esri®-powered MX900 mapping, meter reading is automatic, fast, and effortless for your meter readers, accurate with less manpower deployed for your utility.

The MRX920 comes with Bluetooth capability, so your meter readers have the option of wirelessly updating routes and uploading the latest readings to the host system remotely and in near real-time without having to return to the office^{1,2}.

Additionally, Neptune has ported its well-established R900 radio frequency (RF) architecture to the latest release of MRX920 using software-defined radio (SDR) technology. This means all Neptune data collection systems have a common, core code base which translates to faster availability of new features and functionalities for your utility.

Make Migration to Other Technology Simple

The R900 System is designed to easily accommodate and support past generations of meters, encoder registers, and data collectors – while at the same time giving your utility the flexibility to incorporate future innovations as needed. The MRX920 is no exception, providing seamless compatibility with all generations of R900 MIUs. Its industry-leading performance can save days or even weeks for your meter reading routes, and new features within its MX900 software, such as Esri-powered mapping and wireless mobility, make valuable data available in real time as you read your system. Feel free to phase in these new features and equipment at your own pace, secure in the knowledge that Neptune will support your future needs without leaving you with stranded assets.



KEY BENEFITS

Reduced Meter Reading Time

- Reads up to fifty (50) meters simultaneously

Simple Access to Actionable Data

- Esri-powered GIS maps¹ show meter reading and flag status
- Wireless mobility – communicate meter reading data back to Neptune® 360™ in real time¹
- User-configurable advanced filtering shows you only the information you need
- Data logging and off-cycle reads without physical access to the meters

Analyze Data at the Source

- View data logging graphs in the field and share with homeowner to address high bill complaints
- Identify high/low audit status failures
- Receive leak, reverse flow, and days of no flow alerts from E-CODER®-equipped meters

¹ Optional MX900™ Mapping and Mobility module required. Mobile computing device recommended and not included.

Save Your Utility – and Your Customers – Time and Money
 While the R900 System always allows your utility to migrate forward to implement fixed network data collectors, or backward to use RF technology for individual off-cycle readings or data logging, using the MRX920 and MX900 software as a part of your system makes for fast and simple access to information that can provide effective resolutions to customers' water-related issues. With detailed consumption data in hand while working in the field, along with proactive alerts of leaks and backflow conditions, you can enhance customer service. In the process, you can even preempt high bill complaints, reduce delinquent payments, and eliminate write-offs.

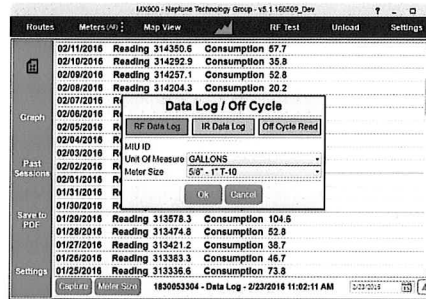
Specifications

Physical Specifications

- Dimensions: 8" (width) x 3.15" (height) x 11" (length excluding connections and handle)
- Weight: ~5 lbs

Electrical Specifications

- Power consumption: < 1A
- Power supply: 12V DC via vehicle power source adapter



Neptune recommends the following mobile computing hardware specifications for optimal performance:

- 12.1" XGA (800 x 600) minimum
- 89-key keyboard
- Operating System:
 - Windows® 7 Professional 32 & 64
 - Windows® 8 Professional 32 & 64
 - Windows® 8.1 Professional 64
 - Windows® 10 Professional 64
- .Net Framework 4.5 or higher
- Processor: Intel Pentium 1.7 Ghz or faster processor
- Memory: 1 GB minimum
- Communication
 - Internal 802.11 b/g wireless LAN
 - Windows Wireless Connection Manager (if Bluetooth connection to the receiver is desired, Bluetooth v2.1 + EDR required)
- USB 2.0
- GPS receiver (required for the mapping and mobility module)
- Minimum of 2 GB of available hard drive space

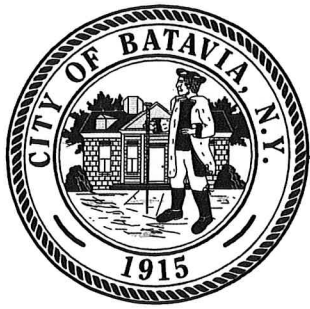
Environmental Conditions

- Operating temperature: -40°F to +122°F (-20°C to +50°C)
- Storage temperature: -40°F to +185°F (-40°C to +85°C)
- Operating humidity: 5 to 95% non-condensing relative humidity



#winyourday
 neptunetg.com

Neptune Technology Group
 1600 Alabama Highway 229
 Tallahassee, AL 36078
 800-633-8754 f 334-283-7293



Memorandum

To: Rachael Tabelski, City Manager
From: Bill Davis, Superintendent Water and Wastewater
Date: September 9, 2021
Subject: Ice Rink Compressor

One of the two compressors at the Ice Rink has failed. Carrier Corporation has the service contract for the facility, and advised that to try to rebuild this unit would not be cost effective. Parts are no longer being manufactured and would have to be custom ordered with a high cost and lead-time of 20 weeks.

The cost of a new compressor, installation, charging, laser alignment, and disposal of the old unit is \$38,800. Carrier has provided an NYS OGS number of #23150 and a PT number of PT68766.

Carrier has supplied a NYS OGS number so we would not have to put this out as a public works contract.

I would request we use funds from the Ice Rink reserves to pay for this project.

XX-2021

**RESOLUTION TO AUTHORIZE USE OF RESERVES TO FUND REPAIRS OF
COMPRESSOR AT CITY ICE RINK**

Motion of Councilperson

WHEREAS, the City Ice Rink had a compressor fail for the ice making equipment; and

WHEREAS, the cost of repairs will be \$38,800.00; and

WHEREAS, this was not a budgeted expense.

NOW, THEREFORE, BE IT RESOLVED, that the Council of the City of Batavia does hereby authorize the City Manager to utilize Ice Rink Reserve funds in the amount of \$38,800 as shown below; and

BE IT FURTHER RESOLVED, by the Council of the City of Batavia that the City Manager be and hereby is authorized to make the following budget amendments and transfers effective October 12, 2021: To amend the 2021-22 budget.

By increasing expenditure account:

A.03.1620.1621.200.2103

Facilities- Ice Rink Large Equipment	\$	38,800.00
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By increasing reserve account:

A.0511.2103	Facility Ice Rink Reserves	\$	38,800.00
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Address 5 Marway Cir, Suite 6
Rochester NY 14624
Phone 5854094528
Fax
E-mail matthew.strong@carrier.com

Contact Name Bill Davis
Account CITY OF BATAVIA
Phone 5853456315

Site Address 22 Evans St
Batavia
NY
14020-3111
United States

Estimate Date 09/01/2021

Quote Number 00621753

Job Description Compressor #2 Replacement

Scope of Work

- LOTO existing compressor
- Rig old compressor from the pad and remove
- Set new Carrier supplied OEM compressor
- Replace gaskets, make connections, leak check and evacuate
- Wire and charge compressor
- Pump in 120lbs of fresh R22 as system is low
- Provide laser alignment on compressor and motor
- Check for proper operation

Exclusions / Clarifications

This quote does not include the waste disposal and labor performed outside normal business hours unless otherwise noted. In addition, the quoted price does not include any sales, excise, or similar taxes, any that apply will be added at cost.

Total Quoted Price

Total Price for Scope of Work excluding applicable taxes: \$38,800.00

This proposal is valid for 30 days from the date of proposal. Carrier's terms and conditions will govern in lieu of any other terms and conditions contained in any resulting Purchase, Order, Contract, Agreement, etc. Carrier would like to thank you for the continuing opportunity to be of service.

Sincerely,

Matthew D Strong

Carrier Commercial Service

Title

Customer Acceptance (signature)

Date

Purchase Order

The attached Terms & Conditions shall govern.



Memorandum

To: Rachael Tabelski, City Manager

From: Bill Davis, Superintendent Water and Wastewater

Date: September 7, 2021

Subject: Changes in Streetlights

Currently if the City needs to make any changes to streetlights, both City and National Grid owned, the changes must be approved by City Council. Any basic change should be able to be ordered by the City Manager through general operations. This would include adding or deleting single lights, changing of wattages of fixtures, etc. Major changes would still need an act of City Council.

I would respectfully request City Council approve a resolution to give this authority to the City Manager. City Council will be updated to any and all changes at City Council meeting.

#XX-2021

**A RESOLUTION TO AUTHORORTIZE THE CITY MANAGER THE TO MAKE
STREETLIGHT CHANGES WITH NATIONAL GRID**

Motion of Councilmember

WHEREAS, The City from time to time needs to add streetlights to aid in public safety;
and

WHEREAS, National Grid requires a written request and a resolution from a municipal
body to aid the City in adding streetlights; and

WHEREAS, The City Council wishes to allow the City Manager to have the authority,
under this resolution, to request changes and additions of streetlights through general operational
duties; and

WHEREAS, the Manager will report to Council at Council meetings of all changes and
updates made to streetlights.

NOW, THEREFORE, BE IT RESOLVED, by the Council of the City of Batavia that
the City Manager has the authority to order changes to street lights, the addition of streetlights
and the modification of streetlights for reasons of public safety.

**Seconded by Councilmembers
and on roll call**



City of Batavia

Memorandum

To: Rachael Tabelski, City Manager

From: Lisa Neary, Deputy Director of Finance

Date: September 16, 2021

Subject: Revised Fund Balance Policy

A typographical error was found in the fund balance policy that was adopted by council in June, 2020. In Section IV. Guidelines, the second paragraph refers to the percentage range of regular general fund operating expenditures the unassigned fund balance needs to be. In words, it was spelled out fifteen – twenty percent but in numbers it showed (15-25%).

The attached resolution and fund balance policy corrects that error by changing the words to read fifteen to twenty-five percent.

Attached please find the resolution and policy in support of this action.

#-2021

**A RESOLUTION AUTHORIZING THE ADOPTION OF A FUND BALANCE POLICY
FOR THE CITY OF BATAVIA, NEW YORK**

Motion of Councilmember

WHEREAS, a fund balance policy is a key element of ensuring long-term economic and financial stability; and

WHEREAS, the objective of the Governmental Accounting Standards Board (GASB) Statement No. 54 "*Fund Balance Reporting and Governmental Fund Type Definitions*" is to enhance the usefulness of fund balance information by providing clearer fund balance classifications and by clarifying governmental fund type definitions; and

WHEREAS, the City Council last adopted its Fund Balance Policy in June of 2020; and

WHEREAS, it is necessary for the City's Fund Balance Policy be consistent to ensure that procedures are current and appropriate to meet the changing needs of the City of Batavia; and

NOW THEREFORE, BE IT RESOLVED, that the Batavia City Council of the City of Batavia, New York hereby authorizes the adoption of the attached Fund Balance Policy effective immediately.

NOW, THEREFORE, BE IT FURTHER RESOLVED, that the adoption of the attached Fund Balance Policy is consistent with the City's Strategic Plan in achieving Key Intended Outcome's identified under the Financial Health strategic priority.

**Seconded by Councilmember
and on roll call**

City of Batavia Fund Balance Policy

I. Purpose

The City of Batavia recognizes that the maintenance of a fund balance is essential to the preservation of the financial integrity of the City, is fiscally responsible, helps mitigate current and future risks (e.g., revenue shortfalls and unanticipated expenditures) and assists in ensuring stable tax rates. This policy establishes goals and provides guidance concerning the desired level of year-end fund balance to be maintained by the City of Batavia.

II. Background

The Governmental Accounting Standards Board (GASB) issued GASB Statement No. 54, Fund Balance Reporting and Governmental Fund Type Definitions. Statement 54 abandons the reserved and unreserved classifications of fund balance and replaces them with five new classifications for Governmental Funds: non-spendable, restricted, committed, assigned and unassigned.

III. Definitions

Fund balance is a measurement of available financial resources and represents the difference between total assets and total liabilities in each fund.

GASB Statement No. 54 distinguishes fund balance classifications based on the relative strength of the constraints that control the purposes for which specific amounts can be spent. Beginning with the most binding constraints, fund balance amounts will be reported by the following classifications:

Non-spendable – Consists of assets that are inherently nonspendable in the current period either because of their form or because they are legally or contractually required to be maintained intact, including prepaid items, inventories, long-term portions of loans receivable, financial assets held for resale, and principal of endowments.(e.g., principal of a permanent fund).

Restricted – Consists of amounts that are subject to externally enforceable legal purpose restrictions imposed by creditors, or laws and regulations of other governments; or through constitutional provisions or enabling legislation (e.g. grants, donations and established reserve funds).

Committed – Consists of amounts that are subject to a purpose constraint imposed by a formal action of the City's highest level of decision-making authority before the end of the fiscal year, and the same level of formal action is required to remove the constraint.

Assigned – Consists of amounts that are intended to be used for a specific purpose established by the government's highest decision-making authority, or by the City Manager. Amounts cannot be assigned to a specific purpose if it would cause a deficit in the unassigned fund balance.

Unassigned – Represents the residual classification for the government's general fund, and could report a surplus or a deficit. In funds other than the general fund, the unassigned classification should be used only to report a deficit balance resulting from overspending for the specific purposes for which amounts had been restricted, committed or assigned.

IV. Guidelines

The fund balance of the City's General Fund provides stability and flexibility and to respond to unexpected adversity and/or opportunities.

The City shall strive to attain and maintain an adequate fund balance in its general fund to provide flexibility and to mitigate current and future risks (e.g., revenue shortfalls and unanticipated expenditures), to ensure stable tax rates, to provide for one-time opportunities and to retain favorable credit ratings. The City will endeavor to maintain unassigned fund balances in its general fund of fifteen to twenty-five percent (15 - 25%) of regular general fund operating expenditures. This amount provides the liquidity necessary to accommodate the City's uneven cash flow, which is inherent in its periodic tax collection schedule, and to respond to contingent liabilities.

If the unassigned fund balance falls below the 15 - 25% minimum fund balance percentage, the Audit Advisory Committee will evaluate current fund balance classifications in order to recommend the final distribution of fund balance in any fiscal year in consideration of estimated liabilities of the City and sound financial planning.

The actual level of fund balance in the City's general fund is determined in its annual financial statement, several months after the end of the fiscal year. The City's budgeting process, which culminates both in the establishment of the following year's tax rate and the use of any appropriated fund balance, begins approximately two years in advance of the financial statement that will show the budget's results. Because of this time lag and because of the uncertainties of the budgeting process (such as the amounts of appropriated fund balance actually used each year), it is not possible to guarantee in advance a specific level of fund balance at the close of any fiscal year. Therefore, the City will use the following procedures to adjust the levels of fund balance, as necessary.

1. Once the external auditor has audited the City's financial statements for the prior year and has confirmed the fund balances of the general fund, the City Manager will

recommend to the Audit Advisory Committee the amounts and types of assignments for the fund balance to be included in the financial statement.

2. The Audit Advisory Committee will review these assignments, discuss them with the external auditor as necessary and accept or modify the assignments prior to the presentation of the statement to the City Council.
3. The City Manager, as the Chief Executive and Administrative Officer, shall make recommendations regarding the use of fund balance to be appropriated in the following year's budget based on this policy; specifically, he/she shall recommend an amount that will, in his/her estimation, retain the requisite/appropriate level of fund balances established in this policy based on current budgetary constraints and opportunities.

V. Disbursement Policy for Fund Balances

The City Manager will assess the current financial condition of the City and then recommend to the City Council the order of application of expenditures to which fund balance classification will be charged related to restricted or unrestricted amounts spent when an expenditure is incurred for purposes for which both restricted and unrestricted amounts are available.

The City considers that committed amounts will be reduced first, followed by assigned amounts, and then unassigned amounts when expenditures are incurred for purposes for which amounts in any of those unrestricted fund balance classifications could be used.

VI. Fund Balance Classifications – Governmental Funds:

The following is a listing of the classifications for the City's General Fund current reserves and designations:

Non-spending Fund Balance:

None

Restricted Fund Balance:

- Retirement contribution reserve (GML §6-r) – used for payment of “retirement contributions,” which are defined as all or any portion of the amount payable to either the New York State and Local Employees’ Retirement System or the New York State and Local Police and Fire Retirement System, pursuant to Sections 17 or 317 of the Retirement and Social Security Law.
- Reserve for employee benefits accrued liability (GML §6-p) – established for payment of accrued employee benefits due to an employee upon termination of the employee’s service. This includes payments for accrued leave time and

benefits due to termination or separation from service and payments for professional services rendered in connection with the investigation or settlements of claims or judgments relating to accrued employee benefits. This reserve is evaluated based on the Compensated Absence liability audited annually by the City's external auditors.

- Insurance reserve (GML §6-n) – used for payment of health benefit claims and for the payment of costs for judgments, actions and claims against the City being the result of a self-assumed or uninsured occurrence, casualty or event of the type insurable by the City.
- Workers Comp reserve (GML 6-j) - used to pay compensation and benefits, medical, hospital or other expenses authorized by Workers Compensation Law and to pay the expenses of administering a self-insurance program.
- Capital projects reserve (GML §6-e) – used to pay the cost of construction, reconstruction or acquisition of a type of capital improvement or equipment. Capital reserves are evaluated based on the status of capital projects, capital improvement plans and equipment replacement plans.
- Reserve for repairs (GML §6-d) – a Dwyer Stadium Repair Reserve Fund was established for the purpose of replacing or making major repairs to capital improvements and equipment for Dwyer Stadium, or supplement other available moneys, by gift, grant from the State of New York, or from any other source, for replacing or making major repairs to capital improvements and equipment for Dwyer Stadium
- Designated for special projects – restricted by the State of New York – represents accumulated profits earned as a result of Emergency Medical Service training, provided by the City's fire department, whose use is restricted for the purposes of purchasing supplies, materials and equipment that will benefit future Emergency Medical training sessions.

Committed Fund Balance:

Represents amounts committed by City Council for funding of specific projects or grants.

Assigned Fund Balance:

Assigned for Encumbrances – represents the amount of outstanding encumbrances at the end of the fiscal year.

Unassigned Fund Balance:

Undesignated fund balance – remaining fund balance that has not been designated or reserved.

VII. Reference(s)

- Governmental Accounting Standards Board (GASB) Statement No. 54
- New York State General Municipal Law
- Office of the New York State Comptroller, Local Government Management Guide, Reserve Funds
- Office of the New York State Comptroller, November 2010 memo – Fund Balance Reporting and Governmental Fund Type Definitions

Original Author: Lisa Neary, Deputy Director of Finance

Date Revised/ Adopted	2/22/12	6/8/20	9/16/21					
Revised by	L Neary	L Neary	L Neary					

DRAFT



City of Batavia

Memorandum

To: Honorable City Council Members

From: Rachael J. Tabelski, MPA, City Manager

Date: September 17, 2021

Subject: Accept NBRC Grant Award for Bank Street Water Project and Commit Reserve Funding

In April 2021, The City of Batavia applied for the Northern Border Regional Commission (NBRC) economic development and infrastructure grant. The NBRC program is administered in partnership with the New York State Department of State.

The City of Batavia was selected as a grant recipient in August of 2021 to install 950 linear feet of 8-inch diameter water main along Bank Street. This will replace 90+ year old pipe. The project will improve reliability, increase firefighting flows, and supply water needed for redevelopment projects including the new police facility on Alva and Bank.

The project is within the City's Brownfield Opportunity Area and the federally designated Opportunity Zone, as well as consistent with the City Downtown Revitalization Initiative (DRI). This project was a finalist for DRI funding but was not selected in the final round.

The total project amount is \$418,000. The NBRC grant award is \$334,000 and the City will need to utilize \$84,000 of Water Reserves as the local match for the project.

I recommend that City Council authorize the City Council President to execute the NBRC Grant Agreement and approve \$84,000 in Water Reserve funds to the project as the local match.

#-2021

A RESOLUTION TO ACCEPT THE NORTHERN BORDER REGIONAL COMMISSION (NBRC) GRANT, TO AUTHORIZE THE COUNCIL PRESIDENT TO EXECUTE THE GRANT AGREEMENT AND THE CITY MANAGER TO UTILIZE WATER RESERVE FUNDS AS A LOCAL MATCH TO THE GRANT

Motion of Councilperson

WHEREAS the City received a \$334,000 Northern Border Regional Commission (NBRC) economic development and infrastructure grant to install 950 linear feet of 8-inch diameter water main along Bank Street; and

WHEREAS, the project will replace 90+ year old pipe, improve reliability, increase firefighting flows, and supply water needed for redevelopment projects including the new police facility on Alva and Bank; and

WHEREAS, the City commits to a local match of \$84,000 and will utilize the Water Reserves to fund the match.

NOW THEREFORE, BE IT RESOLVED, that the City Council of the City of Batavia accepts the grant award and authorizes the Council President to execute all necessary documents to receive the grant; and

Be it Further Resolved, that the City Council authorizes the City Manager to utilize Water Reserves as a local match to the NBRC grant.

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



**Grant Agreement
Between
Northern Border Regional Commission (NBRC)
And
City of Batavia, NY**

August 4, 2021

**NBRC Grant Agreement Number: NBRC21GNY08
Project Title: Water Infrastructure Improvement Project - City of Batavia**

<p>Grantee/Recipient: City of Batavia, NY Contact: Rachael Tabelski, City Manager One Batavia City Centre Batavia, New York 14020 585-345-6334 rtabelski@batavianewyork.com</p>	<p>Grantor: Northern Border Regional Commission Contact: Andrea K. Smith, Program Director 53 Pleasant Street, Suite 1501, Concord, NH 03301 603-369-3001 admin@nbrc.gov www.nbrc.gov</p>
<p>Co- Recipient: N/A</p>	
<p>Contact: N/A</p>	
<p>State Contact: Kyle Wilber, Program Manager, Division of Local Government Services 518-473-3694 kyle.wilber@dos.ny.gov</p>	

Grantee's Employer Identification Number (EIN): **16-6002535**

Grantee's DUNS Number:	080338734
Date of Award:	August 4, 2021
Date of Amendments	
Total Project Amount:	\$ 418,000
Amount of Federal NBRC Funds Awarded:	\$ 334,000
Total Other Funds/Match:	\$ 84,000
Payment Rate:	80%
CFDA Number and Name:	#90.601 /Economic and Infrastructure Development Grant Program
Project Description:	The City of Batavia would install 950 linear feet of 8-inch diameter water main along Bank St. This will replace undersized and aging, 90+ yr old water lines (output). This project will improve reliability, increase firefighting flows and supply water needed for redevelopment projects (outcome).
Approved Indirect Cost Rate:	N/A
Period of Performance:	October 1, 2021 – September 30, 2024
Project Scope:	As provided in the 2021 Economic Infrastructure Development application submitted on or before May 14, 2021.

Grant Provisions

- I. STATEMENT OF PURPOSE—This agreement incorporates by reference the recipient’s proposal properly submitted in accordance with NBRC procedures on or before May 14, 2021. The agreement implements a grant/investment made under authorities of Northern Border Regional Commission to provide funding to the Grantee/Recipient and/or the Co-Recipient. Any other recipient of funding shall be funded through an award of a contract or subgrant. The scope of work included within the recipient’s proposal constitutes the Grant Agreement purpose. To the extent that this agreement conflicts with the incorporate proposal, the agreement shall govern.

- II. ORDER OF PRECEDENCE—This grant agreement is subject to multiple sources of federal policy. Any conflict between or among these sources shall be resolved using the following order of precedence:
 - a. Federal statutes, including 40 USC Subtitle 5;
 - b. Federal regulations including but not limited to 2 CFR Parts 25, 170, 180, 182, 183, and 200 in effect at the time the Grant Agreement is signed;
 - c. NBRC Bylaws
 - d. This Agreement, and
 - e. The most recent NBRC Compliance Manual.

For ease of adoption and clarity, this agreement contains references to specific regulatory provisions that the recipient is required to follow. By signing this agreement, the recipient acknowledges that it has received either paper copies or electronic links to the provisions cited.

- III. FEDERAL AGENCY RESPONSIBILITIES—NBRC has overall responsibility for agency awarded funds including providing oversight for programmatic, financial, and administrative performance. The Federal Co-Chair is responsible for all actions on behalf of NBRC including entering, modifying, suspending, or terminating this Grant Agreement. NBRC may enforce the terms and conditions of this Grant Agreement utilizing procedures identified in 2 CFR 200.208, 2 CFR 200.339, 2 CFR 200.520, and 2 CFR 180.

- IV. RECIPIENT RESPONSIBILITIES—The recipient has full responsibility for the ongoing management of the project or activity supported under the Grant Agreement and for adherence to the federal requirements and Grant Agreement terms documented in this Grant Agreement. Although the recipient is encouraged to seek the advice of NBRC staff concerning the Grant Agreement, that does not diminish the recipient’s responsibility for making prudent and sound judgments

under the circumstances prevailing at the time that a decision is made nor does seeking advice shift responsibility for operating decisions to NBRC.

- V. NOTICES—All official notices concerning this Grant Agreement are to be delivered to the designated contact personnel whose names appear on the cover sheet of the Grant Agreement at the address designated. Such notices may be delivered in person, by United States Postal Service, by private deliver service, or electronic mail.
- VI. LIABILITY—Nothing contained in this agreement permits the recipient to assert that it is a part of the United States Government or that the United States Government is liable for any of its actions. The recipient shall hold and save the Government, its officers, agents, and employees harmless from any liability of any nature or kind, including costs and expenses, for or on account of any and all suits for damage sustained by any person or persons or property by virtue of performance of this Grant Agreement.
- VII. SEVERABILITY—If any portion of this agreement is determined to be invalid, the remainder of the agreement remains in effect.
- VIII. TERMINATION—Any dispute arising under this agreement shall initially be addressed through good faith negotiation between the parties. However, this agreement may be terminated under terms outlined in 2 CFR 200.340.
- IX. STATEMENT OF ASSURANCES (SF 424B—Non-construction; SF 424D—Construction)—As part of the grant application process, the recipient executed a Statement of Assurances which contains a listing of numerous federal laws, executive orders, and regulations which may apply by their terms to this Grant Agreement.
- X. SUSPENSION AND DEBARMENT (2 CFR 180)—The recipient certifies, in accordance with 2 CFR 180.335, that neither it nor any of its principals is suspended or debarred from doing business with the Federal Government because of conditions covered under 2 CFR 180.
- XI. DRUG-FREE WORKPLACE (2 CFR 182)- Recipient must comply with the drug-free workplace regulations.
- XII. HATCH ACT (5 CFR 900)—The Hatch Act restricts the political activity of executive branch employees of the Federal Government and state or local officers or employees whose principal employment is in connection with an activity that is financed in whole or in part by loans or grants made by the United States or a Federal agency.
- XIII. STEVENS AMENDMENT (P.L. 101-166, Section 511). When issuing statements, press releases, requests for proposals, bid solicitations and other documents

describing projects or programs funded in whole or in part with Federal money, all grantees receiving Federal funds, including but not limited to State and local governments, shall clearly state (1) the percentage of the total costs of the program or project which will be financed with Federal money, (2) the dollar amount of Federal funds for the project or program, and (3) percentage and dollar amount of the total costs of the project or program that will be financed by nongovernmental sources.

- XII. **USE OF FEDERAL AGENCY AGREEMENT NUMBER** - The assigned NBRC Grant Agreement Number as listed for this Grant Agreement. **This Grant Agreement Number must appear on all correspondence and financial claims and other official communication.**
- XIII. **OBLIGATION OF FEDERAL FUNDS**—The total amount of federal funds obligated under this Grant Agreement is listed on page 2 of this Agreement as: “Amount of Federal NBRC Funds Awarded”. No claims above this amount will be honored by NBRC.

The following items are required to be completed and filed with NBRC for the federal funds to be obligated for this project:

- i. A signed copy of this Grant Agreement
- ii. Completed SF3881 - Automated Clearing House (ACH) Vendor/Miscellaneous Payment Enrollment Form.
- iii. Executed Compliance Manual Acknowledgement of Receipt Form

These documents should be attached as separate files to an e-mail and sent to admin@nbrc.gov. The Grant Agreement number must be in the subject line of the email.

- XIV. **NOTICE TO PROCEED**—**No work may begin on this project until an official Notice-to-Proceed issued by NBRC. Further, no documented non-federal matching or invoices generated by the recipient will be considered valid charges until the Notice-to-Proceed is issued by NBRC.**

The following items must be completed and submitted to NBRC prior to issuance of a Notice-to-Proceed:

- a. Completed Standard Form 3881 (Automated Clearinghouse (ACH) Vendor/Miscellaneous Payment Enrollment Form)
- b. Fully Executed NBRC Grant Agreement
- c. Executed NBRC Grant Administration and Compliance Manual Acknowledgment of Receipt Form
- d. Documentation of non-NBRC matching funds form (NBRC Form 1002) listing the total amount of funding and each funding source, together with letters of commitment for each funding source

- e. Signed contract with LDD for grant administration services or documentation of approved LDD waiver from NBRC. (This requirement is not applicable to an agency of State Government)
- f. All NEPA required documentation
- g. Executed SF428 Tangible Personal Property report on equipment being purchased with NBRC funds (if applicable)
- h. Executed SF429-A Real Property Report form for property being acquired and/or improved with NBRC funds (if applicable)
- i. Notice of Federal Interest (NFI) on property being acquired and/or improved with NBRC funds. (if applicable)

These documents should be attached as separate files to an e-mail and sent to admin@nbrc.gov. If the required documents have previously been provided to NBRC, they do not need to be resubmitted. NBRC must have all these documents in our files before a Notice to Proceed will be issued. The Grant Agreement number must be in the subject line of the email.

XV. PAYMENT PROCEDURES— In order to receive payments, the recipient must electronically submit a Standard Form 270 (Request for Advance or Reimbursement) to NBRC for the applicable period, to the email address: admin@nbrc.gov. NBRC does not process requests for advancement. Requests for reimbursement will be reviewed and process the request and will make payments based on the methods permitted under 2 CFR 200.305.

XVI. DISCLOSURES—In accordance with 2 CFR 200.113, the recipient will immediately disclose to NBRC any violations of federal criminal statutes (18 USC) involving fraud, bribery or gratuity violations.

XVII. REPORTING

a. QUARTERLY PERFORMANCE REPORTING—The recipient is required to provide quarterly progress reports. **Reports are due from October 1st of the award year through to the closeout of the project.** Reports must be submitted along the following schedule, using the Performance Progress Report (SF-PPR) form.

Reporting Period: (Quarter 1) October 1 - December 31	-Report Due January 31
Reporting Period: (Quarter 2) January 1 - March 31 -	Report Due April 30
Reporting Period: (Quarter 3) April 1 - June 30 -	Report Due July 30
Reporting Period: (Quarter 4) July 1 - September 30 -	Report Due October 30

These are not an optional task for grantees. Progress reports are required even if no activity has taken place during the quarterly period. A final performance report covering the entire project must be submitted no later than 90 days after the end of the performance period. No payment requests will be processed until the progress reports are current.

Reports must be sent to admin@nbrc.gov with the Grant Agreement number in the subject line of the email.

- b. **FINANCIAL REPORTS**—In accordance with 2 CFR 200.328, a completed Federal Financial Report (Standard Form 425) is required within 30 days after the end of the federal fiscal year (i.e., by October 30). In addition, a final Standard Form 425 must be submitted within 90 days after the performance period ends. **No payment requests will be processed unless financial reports are up to date.**

Reports must be sent to admin@nbrc.gov with the Grant Agreement number in the subject line of the email.

- c. **CLOSEOUT REPORTING** —Five percent (5%) of the NBRC award will be held until all Project Close Out documents are received by NBRC.
- d. **PERFORMANCE MEASURES**—The recipient agrees to report on program performance measures and outcomes as part of its final progress report, and three years after the final progress report using the Government Performance and Results Act (GPRA) information collection document. The measures and outcomes that apply to this Grant Agreement are:

As provided under the Economic Impact and Outcomes of the Project sections contained in the 2021 SEID application submitted on or before May 14, 2021.

- e. **OTHER REPORTING**—The recipient will submit the following additional reports at the end of the project:
 - i. 5-10 photos describing the project results must be submitted with the final progress report.
 - ii. An inventory of any equipment purchased as part of the project must be submitted with the final progress report. Equipment is defined as an item of tangible personal property having a useful life of more than one year and a unit cost of more than \$5,000. A depreciation schedule may be used for determination of fair market value.
 - iii. Standard Form 429A concerning any real property purchased as well as any recorded deed restrictions associated with the property must be submitted with the final progress report. Any leases of real estate developed as part of the project must also be submitted at that time.

- XVIII. **APPROVED BUDGET**—The total budget for this project is established as provided in the 2021 Economic and Infrastructure Development application and supporting documentation contained in the SF424cbw Budget Form and Budget Narrative submitted on or before May 14, 2021.

- XIX. PROGRAMMATIC AND BUDGETARY CHANGES—Under 2 CFR 200.308(f), NBRC exercises its option to restrict cumulative transfers among direct cost categories or programs, functions, or activities to ten (10) percent of the total budget as last approved whenever it has designated the recipient as subject to special conditions pursuant to 2 CFR 200.208.
- XX. NON-NBRC SHARE—Prior to issuance of a Notice-to-Proceed and any disbursement of grant payment, the recipient must identify the total project costs including any required matching share. Failure to satisfy any requirement for non-NBRC match by the conclusion of the project may lead to disallowance of federal funds already drawn and spent.
- XXI. PROGRAM INCOME—If program income is earned as a result of expenditures under this Grant Agreement, it must be spent on allowable eligible costs of the project and must be disbursed prior to draw down of additional federal funds. Under this Grant Agreement, program income will be applied under the deductive alternative described in 2 CFR 200.307.
- XXII. SUBAWARDS—Subawards of federal financial assistance are awards to lower tier organizations that assist them in carrying out a public program. Pursuant to 2 CFR 200.308(c), NBRC approval is required for the recipient to subaward a portion of the funds under this Grant Agreement. Prior to making the subaward, the recipient must, using the criteria identified in 2 CFR 200.331, make a case-by-case determination that the nature of activity being carried out constitutes a subaward (as opposed to a contract) and that the entity to which the subaward is to be made is an eligible entity under the NBRC authorizing legislation (i.e., a state or local government, Indian tribe, or public or private organization described in Section 501(c) of the Internal Revenue Code of 1986 and exempt from taxation under Section 501(a) of that code). The recipient must prepare a subaward agreement to govern the programmatic and administrative activities of the subrecipient. The subaward agreement must contain the data elements identified in 2 CFR 200.332(a) and incorporate applicable provisions of this agreement including those identified in the applicable Statement of Assurances (SF 424B or SF 424D). The recipient shall carry out mandatory oversight and enforcement actions as outlined in 2 CFR 200.332(d) and (f) and may carry out discretionary oversight actions as outlined in 2 CFR 200.332(e). **If your project includes a subaward component, please contact NBRC staff prior to making such awards.**
- XXIII. PROCUREMENT—Procurement of goods and services will be carried out following the recipient's own procurement procedures provided they meet the minimum standards established in 2 CFR 200.317-327 and Appendix II of 2 CFR 200. Methods of procurement must conform to procedures identified in the recipient's own procurement procedures and those identified in 2 CFR 200.320. The recipient must take all affirmative steps identified in 2 CFR 200.321 to assure that small and minority businesses, women's business enterprises, and labor surplus area firms are solicited and utilized when possible. The recipient must develop and maintain a code of conduct for officers, employees, and agents

which prohibits financial and familial conflict of interest and curtails solicitation or acceptance of gratuities in accordance with 2 CFR 200.318(c).

- a. This agreement requires that all services necessary for design and engineering phases of the project be discharged by qualified personnel. Contracts for architect and engineering services shall be arranged using the competitive procedures identified in 2 CFR 200.320(b)(2)(iv) under which price may not be used as a selection factor. Also, the recipient may not enter into a cost-plus percentage of cost or a cost plus a percentage of construction cost contract.
- b. In accordance with 2 CFR 200.318(b), the recipient will exercise oversight to assure that contractors perform in accordance with the delivery requirements of the contract and that they comply with all terms and conditions. The recipient shall enter into a sound and complete agreement with any contractor which is enforceable in the jurisdiction where the contract is to be performed and which contains the applicable clauses of 2 CFR 200, Appendix II.
- c. In accordance with the policy of the United States Government, consistent with applicable law, use, terms and conditions of Federal financial assistance awards and federal procurements, recipients must maximize the use of goods, products, and materials produced in, and services offered, in the United States. Whenever possible, the recipient shall procure goods, products, materials, and services from sources that will help American businesses compete in strategic industries and help America's workers thrive. See the January 25, 2021 Executive Order on Ensuring the Future is Made in All of America by All of America's Workers for more information.

XXIV. PROPERTY TITLE, USE AND DISPOSITION—Title to real property, equipment, and supplies acquired by the recipient using funds from this agreement vests with the recipient. These assets shall be used for their original purposes if they are needed. The following policies apply to the different classes of property identified:

- a. REAL PROPERTY—Real property shall be used for its original purpose as long as it is needed. If no longer needed for its original purpose, the recipient must obtain disposition instructions from NBRC. Options available under 2 CFR 200.311(c) are retention, sale, or transfer to a third party. In each case, a settlement of residual financial interests will be made. If real property is retained by the recipient, it shall be treated as being encumbered for a period of 20 years. If the recipient is not a state or local government, such encumbrance will be recorded as a deed restriction and a copy of the restriction must be provided to NBRC no later than the end of the performance period. The recipient must also prepare a Standard Form 429A with respect to each piece of real property acquired and submit a copy of NBRC in accordance with the reporting requirements of this agreement.

- b. **EQUIPMENT**—Equipment as defined in 2 CFR 200.1 is an item of tangible property having a useful life of more than one year and a unit acquisition cost of \$5,000 or more. Equipment may be used for its original purpose as long as it is needed and may be used on other activities of the recipient provided activities under this Grant Agreement receive first priority. However, such equipment is not to be used in a manner that competes unfairly with private commercial firms. An inventory of equipment purchased under the Grant Agreement will be submitted to NBRC at close-out. Items of equipment with a unit fair market value of \$5,000 or less may be retained without compensation to the federal government. Other items of equipment will be subject to disposition instructions as provided in 2 CFR 200.313(e) and include retention, sale, or transfer to a third party. In each case, a financial settlement of residual financial interests will be made.
- c. **SUPPLIES**—Supplies acquired under this Grant Agreement shall be used only for purposes allowed under the Grant Agreement. If a residual inventory of unused supplies remains at the end of the Grant Agreement that has a fair market value of more than \$5,000 in the aggregate and the supplies are not needed for any other federally financed program, the recipient shall repay NBRC for its share of the fair market value.
- XXV. **EMPLOYMENT**—The recipient shall use its regular recruitment, hiring, and employment practices consistent with federal, state, and local law including but not limited to various non-discrimination policies which apply because of the status as a federal assistance recipient or as an employer. However, the recipient agrees that it will not employ, offer any office or employment to, or retain for professional services any person who (1) on the date that NBRC executed this Grant Agreement or within a one period ending on that date served as an officer, attorney, agent, or employee of NBRC and (2) occupied a position or engaged in activities which the Federal Co-chair determines involved discretion with respect to the Grant Agreement by NBRC.
- XXVI. **NON-RELOCATION**—By signing this agreement, the recipient attests that the NBRC funding is not intended to assist efforts by the recipient to induce the relocation or movement of existing jobs from one geographic region to another in competition for those jobs with the following exception: Financial assistance may be used as otherwise authorized by this subtitle to attract businesses to the region from outside the United States per 40 USC, Subtitle V §15501 (f.) If NBRC determines that its assistance was used for such purposes, NBRC reserves the right to pursue appropriate enforcement action including suspension of payment and possible disallowance and recovery of funds from the recipient.
- XXVII. **COST ALLOWABILITY**—Cost charges to this Grant Agreement, whether direct or indirect, will be determined in accordance with Subpart E of 2 CFR 200. These principles apply uniformly to state, local and tribal governments,

institutions of higher education, and nonprofit organizations. The principles contain certain general tests of allowability that apply to all types of costs charged to the Grant Agreement and a list of selected items of cost that represent types of cost that are typically encountered by recipients and subrecipients in the course of administering a federal award or types of cost that, by their nature, the federal government refuses to allow. The detailed text of the cost principles identifies which the costs are allowable, which are not allowable, and which are allowable under certain circumstances or allowable. The proposed budget of the award was reviewed by NBRC to determine that the costs that are included therein are allowable. However, if, during the performance of this award, a cost occurs that is not included in the budget, it may still be allowable, based on the language in the cost principles. The recipient should take special care to review the listing contained in 2 CFR 200.407 which identifies costs that require prior approval, under certain circumstances.

- XXVIII. **RECORDS RETENTION AND ACCESS**—The recipient shall retain all financial and programmatic records that are pertinent to the Grant Agreement. The records shall be retained for at least three years following submission of the final financial and performance reports for the Grant Agreement. If any audit, claim, or litigation started before the expiration of the retention period, the recipient shall retain the records until such matters are fully resolved. If the recipient is subject to any other more rigorous retention period for the records, the records must be retained to meet that requirement. During the period of retention, the records are accessible to the Comptroller General of the United States, the federal awarding agency, an inspector general, independent auditor performing audits under the Single Audit Act and any of their duly authorized representatives for the purpose of audit, examination, and copying. The rights of access do not expire with the designated retention period but shall last as long as the records are retained. Records in the hands of the recipient are not subject to disclosure to the general public under the federal Freedom of Information Act. However, any records transmitted to NBRC are subject to that statute. Methods for collection, transmission, and storage of the records shall be consistent with instructions contained in 2 CFR 200.336.
- XXIX. **AUDIT REQUIREMENTS**—The funds made available under this agreement are considered to be a federal award within the meaning of 2 CFR 200.502. Accordingly, the expenditures that the recipient makes from this Grant Agreement count toward meeting the threshold amount of expenditures necessary to trigger an audit pursuant to the Single Audit Act and 2 CFR 200, Subpart F. Thus, if the recipient organization expends more than \$750,000 in covered federal awards during its fiscal year, it will arrange for an independent audit conducted by a qualified auditor or firm. The resulting audit report along with a completed SF-SAC and additional documents identified in 2 CFR 200.511 must be submitted to the Federal Audit Clearinghouse not

later than nine (9) months after the end of the recipient's fiscal year. Information about how to accomplish single audit submissions is available at <http://harvester.census/facweb/Default.aspx>.

- XXX. CONTINUING ACCOUNTABILITY—The recipient must assume continuing accountability for several matters that extend beyond the performance period. These include custody and maintenance of property that has been retained, records retention and access for records, and the discretionary right of the federal government to conduct audits and investigations on an as needed basis.



**Grant Agreement
Between
Northern Border Regional Commission (NBRC)
And
City of Batavia, NY**

August 4, 2021

**NBRC Grant Agreement Number: NBRC21GNY08
Project Title: City of Batavia Water Infrastructure Improvement Project**

Recipient's Authorized Representative Name and Title (print)
Recipient's Authorized Representative (signature) <i>(By signing this document, you affirm that you have read this document and are prepared, and shall maintain the capacity, to carry out all the obligations that come with these Investment funds).</i>

Jonathan O'Rourke: _____ Date:
Program Specialist | Northern Border Regional Commission

Andrea K. Smith: _____ Date:
Program Director | Northern Border Regional Commission

Revised 20210825