



Tuesday, February 5, 2019
Innovation Zone Conference Room
GCEDC STAMP Committee Meeting
10:30 a.m.

MINUTES

ATTENDANCE

Committee Members: P. Battaglia (Video Conference), C. Yunker, P. Zeliff,
GCEDC / GGLDC Board Members:
Staff: M. Masse, E. Richardson, S. Hyde, J. Krencik, L. Ferrell
Guests:
Absent: A. Vanderhoof

1. Call to Order / Enter Public Session

P. Zeliff called the meeting to order at 10:29 a.m. in the Innovation Zone.

2. Executive Session

P. Battaglia made a motion to enter executive session under the Public Officers Law, Article 7, Open Meetings Law Section 105, at 10:29 a.m., for the following reasons:

1. The medical, financial, credit or employment history of a particular person or corporation, or matters leading to the appointment, employment, promotion, demotion, discipline, suspension, dismissal or removal of a particular person or corporation.
2. The proposed acquisition, sale or lease of real property or the proposed acquisition or securities, or sale or exchange of securities held by such public body, but only when publicity would substantially affect the value thereof.

The motion was seconded by C. Yunker and approved by all members present.

Re-Enter Public Session

P. Battaglia made a motion to enter back into public session at 10:56 a.m., seconded by C. Yunker and approved by all.

3. Chairman's Report & Activities

3a. Agenda Additions / Other Business – Nothing at this time.

3b. Minutes: December 4, 2018

P. Battaglia made a motion to approve the minutes from December 4, 2018; the motion was seconded by C. Yunker. Roll call resulted as follows:

P. Zeff - Yes
P. Battaglia - Yes (Video Conference)
C. Yunker - Yes
A. Vanderhoof- Absent

The item was approved as presented.

4. Discussions / Official Recommendations to the Board:

4a. \$33M STAMP Grant Draw Review YTD – L. Farrell reminded the Committee that the imprest account was set up and in January 2018 Empire State Development (ESD) deposited \$15.1M into the account. The first 11 Grant Utilization Request Forms (GURF) have been submitted and authorization has been received to release those funds. The requests have taken approx. 3-5 days to receive approval. GURF #12 has been submitted and is awaiting approval.

4b. Construction Update – M. Masse shared that two houses have currently been demolished. Dan's Hauling & Demo is continuing working on the remaining houses. In the spring, the road widening and turn lane project should begin.

4c. Phase II Water Easement Filing Fees – As part of the cost of construction of the Phase II water project, the GCEDC is responsible to reimburse the Town of Alabama for the costs related to the Genesee County Clerk's fees for filing the easements in the amount of \$1,782. This is the final costs related to the Phase II water easement filings.

C. Yunker made a motion to recommend approval of reimbursing the Town of Alabama \$1,782 for Phase II Water easement filing fees; the motion was seconded by P. Battaglia. Roll call resulted as follows:

P. Zeff - Yes
P. Battaglia - Yes (Video Conference)
C. Yunker - Yes
A. Vanderhoof- Absent

The item was approved as presented.

4d. Professional Services for 2019 – M. Masse shared that there has been some concern voiced in the past by Committee/Board members about our process for going out to bid for professional services. The staff is looking for some guidance on this matter. The procurement policy currently states that the Agency is not required to go out to bid for professional services.

P. Zeff shared that he has voiced concern in the past about not going out to bid for professional services because he feels that going out to bid keeps companies honest and competitive with their pricing.

C. Yunker shared that when a new service is being procured, usually there is no residual value from a previous relationship so the Agency should definitely go out to bid. With legal or engineering services for

our current projects, there is residual value and so it makes more sense not to go out to bid and to continue working with the same companies. Of course we want to make sure we are getting the best price out there, but the trade off is potentially losing the previous knowledge that companies have if we've worked with them in the past.

The Committee recommends that the staff try to solicit 2 or 3 bids when procuring new services for a project, unless a company has previous knowledge of the project and the staff finds it appropriate to continue working with them without going out to bid. All contracts over \$5,000 will continue coming before the Committee/Board for approval as required by the Agency's Procurement Policy.

4e. \$8M Incentive Proposal – The GCEDC received the Incentive Proposal (IP) that lists out the terms and conditions of the \$8 million recently awarded for Track II infrastructure design and engineering (water, sewer, and electric) for the STAMP project. Highlights of the IP are as follows:

1. This will be set up as an imprest account, or an extension of the current imprest account.
2. Must follow all of the same procedures and protocols that we have with Z337 (\$33M grant).
3. There is no set percentage of MWBE goals, just maximum feasible participation.
4. There is a "Good faith efforts" for a new 6% goal to use a NYS Certified Service-Disabled Veteran Owned Business Enterprises (SDVOB).
5. There is a 1% commitment fee (ESD is looking into waiving this fee).
6. Can start to incur expenses once the IP is signed.

5. Adjournment

As there was no further business, C. Yunker made a motion to adjourn at 11:23 a.m., seconded by P. Battaglia and passed unanimously.