

**RESOLUTION TO AWARD MANAGED NETWORK SERVICES
AGREEMENT TO LOGICAL NET CORPORATION**

WHEREAS, TAG Solutions, LLC has provided managed network services to the District since 2006; and

WHEREAS, the Board passed resolution 16-35-11 (November 9, 2016), approving a formal network managed services agreement with TAG Solutions, LLC, which expires December 1, 2019; and

WHEREAS, the Board authorized the District to solicit proposals, under its discretionary authority, from TAG Solutions LLC, NY Office of ITS, and other IT companies in an effort to maximize service delivery and reduce cost; and

WHEREAS, the District received proposals from TAG Solutions LLC, Logical Net Corp., and two MWBE firms, CMIT, and Repeat Business; and

WHEREAS, the proposals covered three areas of service, Managed Network Services, Backup Services and migration to MS Office 365; and

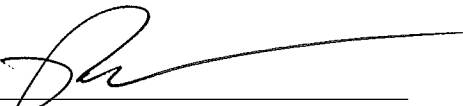
WHEREAS, the District reviewed the proposals for responsibility (value) and price; and

WHEREAS, the District has determined that Logical Net Corp., is the lowest responsible bidder; and

NOW THEREFORE BE IT RESOLVED, the Board of the Hudson River-Black River Regulating District hereby awards a three (3) year Managed Network Services agreement to Logical Net Corporation, for a not to exceed amount of \$43,237.00; and

BE IT FURTHER RESOLVED, this agreement is a "Discretionary" procurement and does not require further review or approval.

Approved as to form:



Robert P. Leslie
General Counsel

Motion was made by Mr. De Witt and seconded by Mr. Rosental that the Resolution be approved.

19-44-11

**RESOLUTION TO AWARD MANAGED NETWORK SERVICES
AGREEMENT TO LOGICAL NET CORPORATION**

Present and Voting:

<u>MEMBER</u>	<u>AYE</u>	<u>NOE</u>	<u>ABSTAIN</u>
Mr. Finkle	<u> X </u>	<u> </u>	<u> </u>
Mr. Hayes.....	<u> X </u>	<u> </u>	<u> </u>
Mr. Rosenthal.....	<u> X </u>	<u> </u>	<u> </u>
Mr. De Witt.....	<u> X </u>	<u> </u>	<u> </u>

19-45-11

RESOLUTION TO APPOINT AN INTERNAL CONTROL OFFICER

WHEREAS, pursuant to Public Authorities Law §2931 the Regulating District board shall establish and maintain a system of internal control and shall designate an internal control officer; and

WHEREAS, the internal control officer shall report to the Executive Director; and

WHEREAS, the internal control officer shall implement and review the internal control responsibilities established pursuant to the Public Authorities Law and shall implement education and training efforts to ensure that members, officers and employees of the Regulating District have achieved adequate awareness and understanding of internal control standards and, as appropriate, evaluation techniques; and

WHEREAS, Richard J. Ferrara served as the Regulating District’s Internal Control Officer before his retirement effective October 30, 2019;

NOW THEREFORE BE IT RESOLVED, the Board of the Hudson River-Black River Regulating District hereby appoints Timothy Maniccia to serve as the Regulating District’s Internal Control Officer as part of his duties as the Regulating District’s Chief Fiscal Officer.

Approved as to form:



Robert P. Leslie
General Counsel

Motion was made by Mr. Hayes and seconded by Mr.De Witt that the Resolution be approved.

Present and Voting:

<u>MEMBER</u>	<u>AYE</u>	<u>NOE</u>	<u>ABSTAIN</u>
Mr. Finkle	<u> X </u>	_____	_____
Mr. Hayes.....	<u> X </u>	_____	_____
Mr. Rosenthal.....	<u> X </u>	_____	_____
Mr. De Witt.....	<u> X </u>	_____	_____

19-46-11

RESOLUTION AUTHORIZING THE REGULATING DISTRICT TO RETAIN A CONSULTING FIRM FOR INSURANCE AND RISK MANAGEMENT SERVICES

WHEREAS, the Hudson River-Black River Regulating District has utilized the services of The Compass Company, Inc., to provide insurance and risk management services in order to properly manage potential loss exposures and reduce certain identified risks through the purchase of appropriate insurance at the least cost to the Regulating District; and

WHEREAS, the services described above are discretionary pursuant to NYS Procurement Bulletin "Discretionary Purchasing Guidelines", dated May 21, 2014;

WHEREAS, the District engaged The Compass Company, Inc., pursuant to resolution 17-05-03 for one (1) year to provide risk management services for fiscal year July 1, 2017; and

WHEREAS, the District informally reached out to The Compass Company, Inc. to determine their ongoing interest to provide said services; and

WHEREAS, the Compass Company, Inc. informed the district's CFO that they were no longer providing risk management services; and

WHEREAS, the District's CFO sent an informal request for services (RFP) to Marshall & Sterling Insurance, and several MWBE companies to assess their interest in providing said services; and

WHEREAS, Marshall & Sterling Insurance was the only company to respond to the RFP; and

NOW THEREFORE BE IT RESOLVED, the Board hereby authorizes the Regulating District to retain Marshall & Sterling Insurance, to provide insurance and risk management services by the terms and conditions set forth in the proposal attached hereto and made part of hereof, at a not to exceed amount of \$10,000.00; and

Approved as to form:



Robert P. Leslie
General Counsel

Motion was made by Mr. De Witt and seconded by Mr. Rosental that the Resolution be approved.

19-46-11

**RESOLUTION AUTHORIZING THE REGULATING DISTRICT TO RETAIN A
CONSULTING FIRM FOR INSURANCE AND RISK MANAGEMENT SERVICES**

Present and Voting:

<u>MEMBER</u>	<u>AYE</u>	<u>NOE</u>	<u>ABSTAIN</u>
Mr. Finkle	<u>X</u>	_____	_____
Mr. Hayes.....	<u>X</u>	_____	_____
Mr. Rosenthal.....	<u>X</u>	_____	_____
Mr. De Witt.....	<u>X</u>	_____	_____

19-47-11

RESOLUTION TO ACCEPT ATLANTIC TESTING LABORATORIES, LIMITED'S (ATL) PROPOSAL TO COMPLETE SUBSURFACE SOIL SAMPLING AT STILLWATER DAM IN SUPPORT OF SEISMIC STABILITY ANALYSES WORK BEING COMPLETED BY PAUL C. RIZZO ENGINEERING – NEW YORK , PLLC

WHEREAS, in August 2010, the Board of the Hudson River-Black River Regulating District authorized staff to hire Paul C. Rizzo Engineering – New York, PLLC (Rizzo) to complete a Federal Energy Regulatory Commission (FERC) required Liquefaction & Deformation Analysis of the Stillwater Dam; and

WHEREAS, on August 14, 2014, staff submitted the Rizzo report to FERC who agreed with the findings; and

WHEREAS, in response to recommendations made in the Seventh part 12D Independent Consultant Safety Inspection Report (February 2016) and in a letter dated July 30, 2018, FERC requested additional Seismic Stability Analysis for gravity structures at the Stillwater Dam; and

WHEREAS, in December 2018, pursuant to Resolution 18-38-12, the Board authorized staff to engage Rizzo to complete seismic stability and seismic deformation analyses and to submit a Geotechnical and Seismic Evaluation Report; and

WHEREAS, The Regulating District intends to conduct subsurface soil sampling at Stillwater Dam in support of seismic stability analyses work being completed by Paul C. Rizzo Engineering – New York, PLLC; and

WHEREAS, pursuant to State Finance Law section 163(6), which authorizes purchases without a formal competitive process in certain circumstances, including; purchases from New York State small businesses and from businesses certified pursuant to Article 15-A of the New York State Executive law, the Regulating District intends to award the contract to a certified minority or women-owned business enterprise (MBE or WBE); and

WHEREAS, Atlantic Testing Laboratories, Limited and two other firms were provided an Invitation for Bid. Atlantic Testing Laboratories, Limited submitted a bid by September 23, 2019 deadline, the Bid was publicly opened at 11:00 AM and a determination of the Low Bidder was made according to Section I-21 of the Information for Bidders of the Bid Documents; and

WHEREAS, Regulating District staff recommends conditionally awarding the work to Atlantic Testing Laboratories, Limited and seeks Board acceptance of the recommendation, authorization to form a contract to complete the work, and authorization for the Executive Director to execute an agreement in an amount not-to-exceed \$84,084.00.


NOW THEREFORE BE IT RESOLVED, the Board of the Hudson River-Black River Regulating District hereby accept the proposal submitted by ATL and authorizes the Executive Director to execute an agreement in the amount of \$84,084.00; and

BE IT FURTHER RESOLVED, that the agreement is subject to the review and approval of the NYS Attorney General and the NYS Office of the State Comptroller.

Approved at the November 13, Board Meeting

**RESOLUTION TO ACCEPT ATLANTIC TESTING LABORATORIES, LIMITED'S (ATL)
 PROPOSAL TO COMPLETE SUBSURFACE SOIL SAMPLING AT STILLWATER DAM IN
 SUPPORT OF SEISMIC STABILITY ANALYSES WORK BEING COMPLETED BY PAUL C.
 RIZZO ENGINEERING – NEW YORK , PLLC**

Approved as to form:



 Robert P. Leslie
 General Counsel

Motion was made by Mr. Rosenthal and seconded by Mr. De Witt that the Resolution be approved.

Present and Voting:

<u>MEMBER</u>	<u>AYE</u>	<u>NOE</u>	<u>ABSTAIN</u>
Mr. Finkle.....	<u>X</u>	_____	_____
Mr. Hayes	<u>X</u>	_____	_____
Mr. Rosenthal	<u>X</u>	_____	_____
Mr. De Witt	<u>X</u>	_____	_____

RESOLUTION TO AUTHORIZE A THREE-YEAR SUBSCRIPTION FOR ONLINE LEGAL RESEARCH THROUGH THOMSON REUTERS

WHEREAS, the West Publishing Company, a Thomson Reuters company, has for over 100 years operated the leading platform for legal research; Westlaw; and

WHEREAS, for over the last decade Regulating District Counsel has relied upon a Westlaw subscription for legal research, case strategy, citation checks and training; and

WHEREAS, the client manager for the West Publishing Company has indicated that the company will no longer offer the month to month service, but seeks to transition the Regulating District's subscription to a contract with a three-year term to be billed monthly; and

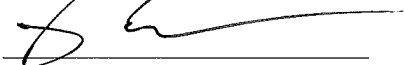
WHEREAS, the sum of the \$213 monthly subscription fee, aggregated over the 36-month term of the contract (\$7,668), exceeds the \$5,000 monetary threshold for procurement approval; and

WHEREAS, pursuant to the Regulating District's procurement guidelines, this discretionary purchase, totaling less than \$15,000, does not require competitive bid; and

NOW THEREFORE BE IT RESOLVED, the Board of the Hudson River-Black River Regulating District hereby authorize the Executive Director to execute an agreement with Thomson Reuters for a 36-month term at a monthly fee of \$213 with a year over year increase during the minimum term of 2%; and

BE IT FURTHER RESOLVED that the agreement is not subject to the review and approval of the NYS Attorney General and the NYS Office of the State Comptroller.

Approved as to form:



Robert P. Leslie
General Counsel

Motion was made by Mr. Rosenthal and seconded by Mr. De Witt that the Resolution be approved.

Present and Voting:

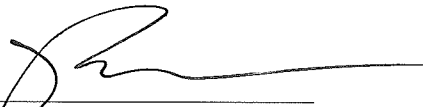
<u>MEMBER</u>	<u>AYE</u>	<u>NOE</u>	<u>ABSTAIN</u>
Mr. Finkle.....	<u> X </u>	_____	_____
Mr. Hayes.....	<u> X </u>	_____	_____
Mr. Rosenthal.....	<u> X </u>	_____	_____
Mr. De Witt.....	<u> X </u>	_____	_____

19-49-11

**RESOLUTION SCHEDULING DATE, TIME AND LOCATION OF THE
DECEMBER 10, 2019 REGULAR BOARD & AUDIT COMMITTEE MEETINGS**

BE IT RESOLVED, that the next Regular meeting and Audit Committee meeting of the Board of the Hudson River-Black River Regulating District will be held on December 10, 2019, at the Warren County Municipal Center, 1340 U.S. 9, Lake George, NY 12845, at 10:00 A.M.

Approved as to form:



Robert P. Leslie
General Counsel

Motion was made by Mr. Hayes and seconded by Mr. De Witt that the Resolution be approved.

Present and Voting:

<u>MEMBER</u>	<u>AYE</u>	<u>NOE</u>	<u>ABSTAIN</u>
Mr. Finkle	<u>X</u>	_____	_____
Mr. Hayes.....	<u>X</u>	_____	_____
Mr. Rosenthal.....	<u>X</u>	_____	_____
Mr. De Witt.....	<u>X</u>	_____	_____