

21-18-05

**RESOLUTION TO ACCEPT PAUL C. RIZZO ENGINEERING – NEW YORK, PLLC
AMENDMENT # 2 PROPOSAL TO PERFORM COMPLETION OF SEISMIC STABILITY AND
LIQUEFACTION & DEFORMATION ANALYSIS OF THE STILLWATER DAM**

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, in December of 2018, the Board passed Resolution 18-38-12, accepting the proposal submitted by Rizzo and authorizing the Interim Executive Director to execute agreement C022018 in the amount of \$84,926.00; and; and

WHEREAS, in August 2019 Rizzo indicated that it did not include a work task or budget to develop a FERC-mandated Drilling Program Plan (DPP) in its November 2018 proposal, the completion of which is required prior to completing subsurface drilling and exploration activities; and

WHEREAS, in September of 2019, the Board passed Resolution 19-38-09, accepting Rizzo's proposal to complete the FERC-mandated DPP and authorizing the Executive Director to execute an amendment to contract C022018 increasing the not-to-exceed amount by \$13,708.00; and

WHEREAS, in July 2018 FERC, in response to recommendations made in the 7th Part 12D Independent Consultant Safety Inspection Report (February 2016), requested an update of, and completion of, additional Seismic Stability Analyses for gravity structures (earth embankment dams, concrete dam, and spillway) at the Stillwater Dam; and

WHEREAS, Rizzo developed a subsurface investigation program and is currently completing the additional Seismic Stability Analyses of gravity structures; and

WHEREAS, in response to the Regulating District's request, Rizzo developed a proposal to address certain 8th Part 12D Independent Consultant recommendations which are closely related to its current scope of work in Contract C022018; and

WHEREAS, Rizzo has developed a proposal to complete:

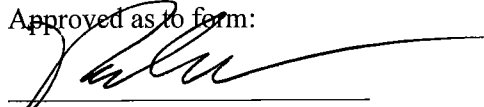
- Stability analyses of gravity structures (concrete dam, spillway, gatehouse) for load conditions other than seismic loading (normal water elevation condition, flood conditions, and ice loading conditions);
 - An evaluation of stability of the spillway along the concrete horizontal construction joint immediately above the top of the lowest inclined anchor; and an
 - Evaluation of filter compatibility of seepage berm material and embankment dam fill material;
- and

WHEREAS, Rizzo proposes to provide the engineering services required to complete the stability analyses and evaluate the filter compatibility of the seepage berm for a not-to-exceed fee of \$70,156.

NOW THEREFORE BE IT RESOLVED, the Board of the Hudson River-Black River Regulating District hereby authorizes the Executive Director to accept Rizzo's Contract Amendment # 2 Proposal and to execute a second amendment to contract C022018 to increase the amount of the contract by \$70,156 to a total contract price of \$168,790.

BE IT FURTHER RESOLVED, the agreement is 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. Reagan and seconded by Mr. Rosenthal 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. DeWitt..... | <u>X</u> | _____ | _____ |
| Mr. Bird..... | <u>X</u> | _____ | _____ |
| Mr. Candido | <u>X</u> | _____ | _____ |
| Mr. Reagan..... | <u>X</u> | _____ | _____ |