

22-02-01

RESOLUTION TO ACCEPT AMENDMENT #3 TO THE HENNINGSON, DURHAM & RICHARDSON ARCHITECTURE AND ENGINEERING, P.C. (HDR) CONTRACT (C032018) CONKLINGVILLE DAM FOURTH PART 12D INDEPENDENT SAFETY INSPECTION

WHEREAS, in February 2019, via resolution 19-03-02, the Board of the Hudson River-Black River Regulating District authorized HDR to complete the 4th Part 12D Safety Inspection of Conklingville Dam; and

WHEREAS, pursuant to Contract C032018, executed by HDR and the Regulating District on July 1, 2019, HDR completed the necessary inspection and submitted the required report to the Federal Energy Regulatory Commission (FERC); and

WHEREAS, on May 27, 2019 FERC requested that the Regulating District have the 4th Part 12D Independent Consultant review two specific issues related to the previous evaluations and analysis. Specifically, FERC asked that the project discharge rating curve and the project Probable Maximum Precipitation analysis be verified. Additionally, FERC requested that a protocol for recognizing storm events that could impact the previous-approved Site Specific Probable Maximum Precipitation study also be developed; and

WHEREAS, pursuant to resolution 19-39-09, the Board authorized an amendment to Contract C032018 to complete the work necessary to respond to FERC's additional information request for an additional not-to-exceed fee of \$34,100.00 bringing the not-to-exceed contract value to \$69,050.00; and

WHEREAS, pursuant to resolution 21-05-03 the Board authorized a second amendment to Contract C032018 to complete additional work to include stability analyses of the embankment retaining wall and risk analysis of the embankment dam, for a not-to-exceed fee of \$79,790 bringing the not-to-exceed contract value to \$148,840; and

WHEREAS, in furtherance of the work authorized by resolution 19-39-09, HDR has now completed development of the protocol for recognizing storm events which could impact the previous approved Site Specific Probable Maximum Precipitation (SSPMP) study and summarized its recommendation in a Technical Memorandum dated April 27, 2020. HDR also completed verification of the project discharge rating curve and project Probable Maximum Precipitation analysis; submitting two additional Technical Memorandum reports on March 19, 2021; and

WHEREAS, on March 22, 2021, the Regulating District submitted all three Technical Memorandum to FERC for review; and

WHEREAS, FERC accepted HDR's protocol ("storm screening procedure") for recognizing storm events which could impact the previous-approved Site Specific Probable Maximum Precipitation study and concurred with HDR's findings and recommendation to perform further evaluation of at least two known storm events using the storm screening procedure; and

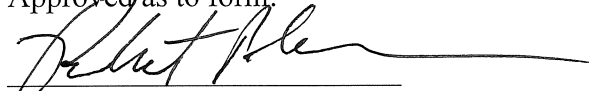
WHEREAS, FERC additionally recommended the consultant review recent storm events which have occurred within the storm search domain since the completion of HDR’s April 2020 evaluation, including consideration of Tropical Storm Ida (which impacted the region Aug 31 to Sept 2, 2021); and

WHEREAS, staff recommends the Board accept HDR's proposal to complete the work necessary to respond to the FERC's recommendations and seeks Board authorization to amend the scope and fee of Contract C032018 to increase Contract C032018 by \$14,000 to a not-to exceed amount of \$162,840.

NOW THEREFORE BE IT RESOLVED, the Hudson River – Black River Regulating District Board accepts HDR’s proposal to complete certain work in response to recommendations made in furtherance of the 4th Part 12D safety inspection report and authorizes the Executive Director to execute a third amendment to Contract C032018, in the amount of \$14,000.00, bringing the not-to-exceed contract value to \$162,840.00; 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 as to form:



Robert P. Leslie
General Counsel

Motion was made by Mr. Reagan and seconded by Mr. DeWitt 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>EXCUSED</u>
Mr. De Witt.....	<u>X</u>	_____	_____
Mr. Bird.....	<u>X</u>	_____	_____
Mr. Candido	<u>X</u>	_____	_____
Mr. Reagan.....	<u>X</u>	_____	_____