

23-54-11

**RESOLUTION TO ACCEPT HENNINGSON, DURHAM AND RICHARDSON
ARCHITECTURE AND ENGINEERING, P.C., INC'S PROPOSAL TO COMPLETE 5TH
PART 12D INDEPENDENT CONSULTANT SAFETY INSPECTION OF THE
CONKLINGVILLE DAM**

WHEREAS, the Federal Energy Regulatory Commission ("FERC" or "the Commission") requires an Independent Consultant Safety Inspection of Conklingville Dam, and submission of an Independent Consultant inspection report (Part 12D Report), every five years; and

WHEREAS, FERC requires a 5th Part 12D Independent Consultant Safety Inspection for the Great Sacandaga Lake Project (FERC No. P-12252) be completed by February 3, 2025; and

WHEREAS, recent changes to the Federal Power Act, specifically FERC's dam safety inspection program (the Part 12D Program), establish a more thorough safety review process. The previous Part 12D Program required a single independent consultant to evaluate the safety of a dam. Current regulations require a multi-disciplinary team of engineers (Independent Consultant Team) to complete a Comprehensive Assessment of a dam every ten years; and

WHEREAS, a Comprehensive Assessment must include: a full Potential Failure Modes Analysis; a Level 2 Risk Analysis; and a Field Inspection. Previously, the inspection and report submission were completed in approximately 3 to 6 months; and

WHEREAS, the Commission's Comprehensive Assessment-based safety program requires: development of a Part 12D Inspection Plan; selection and approval of the Independent Consultant Team; development of a Pre-Inspection Preparation Report; in-field Safety Inspection; Potential Failure Modes Analysis; Risk Analysis; and a Comprehensive Assessment Report; and

WHEREAS, the 5th Part 12D Report for the Great Sacandaga Lake Project (FERC No. P-12252) must meet the Comprehensive Assessment-based safety program requirements; and

WHEREAS, pursuant to State Finance Law section 136a, staff requested and received Annual Statement of Qualifications and performance data from professional engineering firms for the purpose of evaluating qualifications to identify the firm most qualified to provide the services required; and

WHEREAS, following a review of Annual Statement of Qualifications submitted, and based upon corporate and personnel experience demonstrated as it pertains to the project needs and services required; specifically, review for experience completing Federal Energy Regulatory Commission Part 12D Safety Inspections and Comprehensive Assessments, a review team comprised of the Chief Engineer and the Operations Engineer determined that Henningson, Durham & Richardson Architecture and Engineering, P.C., Inc. ("HDR") is the most qualified firm to complete the work; and

WHEREAS, the Chief Engineer solicited a proposal to complete the work from HDR;

WHEREAS, HDR proposes to use Mr. Brian Chrisman, P.E., as the Independent Consultant. Mr. Chrisman has over 20 years of dam safety and geotechnical engineering experience specializing in earth dam stability evaluations and dam design. Mr. Chrisman has previously been approved by the Federal Energy Regulatory Commission (FERC) to conduct Part 12 Independent Consultant Safety Inspections; and

WHEREAS, HDR's attached proposal and scope of services appears to full encompass the effort needed to meet FERC expectations and to produce a Comprehensive Assessment Report; and

WHEREAS, HDR proposes to complete the work for a not-to-exceed fee of \$369,500.

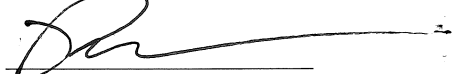
NOW THEREFORE BE IT RESOLVED, the Board of the Hudson River-Black River Regulating District does hereby accept the proposal submitted by HDR and authorizes the Executive Director to execute an agreement with Henningson, Durham & Richardson Architecture and Engineering, P.C., Inc. the amount of \$369,500.00; and

BE IT FURTHER RESOLVED, that the Board does hereby authorize the following transfer in the Fiscal Year 2023-24 budget:

Account Number	Account Name	Increase	Decrease
5695-0300	Engineering Consultant	\$71,400	
5010-0300	Salaries- Permanent		\$66,326
5100-0300	Social Security		\$4,112
5120-0300	Medicare		\$962

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. DeWitt and seconded by Mrs. Allen 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. DeWitt.....	<u> X </u>	_____	_____
Mr. Candido.....	<u> X </u>	_____	_____
Mr. Hayes.....	<u> X </u>	_____	_____
Mr. Bird.....	<u> X </u>	_____	_____
Mr. Reagan.....	<u> X </u>	_____	_____
Ms. Allen.....	<u> X </u>	_____	_____