

SPECIAL SESSION-TUESDAY, MAY 3, 2022

The Yates County Legislature convened in special session Tuesday, May 3, 2022 at 4:38 p.m. with Chairwoman Church presiding.

RESOLUTION NO. 174-22

Mr. Holgate offered the following resolution and moved its adoption, seconded by Mr. Willson.

DISCUSSION

Ms. Chilson stated that considering the lead time, they should get all they need, the price is going to continue to go up.

Marian Walrath stated that they reviewed this with RUS (Rural Utility Service). Right now, they have an approved change of scope with RUS to order the material for our Phase 1A. They need to submit their change of scope 1B and get that approved to go further and order more materials. They do not have the approval from RUS to secure the materials for more than what has been authorized for Phase 1A. They are going to very actively get the next change of scope in and then go forward with the next materials.

Alex Cook, Outside Sales Representative, Broadband, Graybar Inc., stated that he has requested a soft reserve of 400,000 feet and they have 700,000 feet actively in stock. There is a hard reserve pending the outcome of this meeting on 221,000 feet. They still have the soft reserve on the additional for another week. If more material is needed, they can supply that gap of 220,400 feet to 179,000 feet roughly.

Ms. Chilson asked if it would be at the same cost.

Alex replied that it would be at the same costs. There are active price increases on this material and the lead time is over a year for other companies. From his experience, pricing in the last year has gone up roughly 14% and they are expecting another price increase in the middle of this year, around June or July. The timeliness of the orders will impact the amount of financial responsibility the County will have.

Marian stated that the way it was described at their meeting was that it is somewhat the County's risk. The risk is to order more materials before they've gotten approval. Marian thinks it is a low probability that they will not get the approval. Bart Bretsch, President, New York Engineering Services, is getting a figure from his project team as to what the additional quantity of 96 fiber that is required for Phase 1B, 2, & 3. She would guess that they are within the quantity that is on soft reserve. Marian suggested bringing another resolution forward Monday to purchase the additional quantity while the change of scope is still progressing.

Mr. Holgate stated that he doesn't think it is that big of a risk. They are buying an item that they know has a certain amount of value. They are pretty sure that these projects are going to continue to go forward. He doesn't think it seems like there is a big risk and that they should purchase all they can at this time.

Mr. Willson stated that he agrees with Mr. Holgate, it is a low risk and it has a long shelf life. He thinks they should move on it before anything else bad happens.

Alex stated that he views this in his eyes as a partnership. The most important thing is communication. If they were to purchase fiber, and they don't need it or something happens, then Graybar would take it right back and credit them back. He can sell it to other people. He has clients that have overbought with the intention of then selling.

Mr. Morris stated that he agrees.

Mr. Paddock questioned how the resolution needed to be modified in order to purchase what is available.

Marian's recommendation is to pass this resolution as it stands and then draft another resolution to bring to Monday's Legislative meeting, once they understand from Bart the additional quantity that they need.

Bart stated that he is ok with having them buy all 400,000 feet because it is a commodity and if they do resell it, perhaps they can make 10 cents a foot on it.

Ms. Flynn stated that the money used to buy this would be part of their 25% share and they already have it in the account.

Mr. Holgate stated that they should go ahead and buy it all.

Mr. Paddock stated that they should do as Marian said, buy this and then check with the County Attorney to see if they can buy the additional amount at the same price without further bidding.

Alex stated that based on this conversation, he is going to call his boss and hard reserve the 400,000 feet.

Mr. Paddock asked how many feet are in this \$386,225.10.

Alex stated there are 216,232 feet give or take.

Mr. Harper asked if these are all the same sizes that they are going to have enough of, they're not like a smaller version.

Alex stated that they all come on a master reel and that has 42,000 feet of fiber on it. That is a very large reel and there is a lot of weight to it. Depending on the contractor that they use, they would cut it, to what he considers a standard length, roughly 20,000 feet, which is very easy for contractors to use. They would cut that fiber and deliver it to the County whenever the County wanted it.

Mr. Harper stated there are different numbers of fibers in some of these cables.

Marian stated that right now, all they are talking about is 96 fiber, all of this is 96 fiber.

Mr. Killen asked about the storage, quantity, and location.

Alex stated that he is currently doing a similar project with the Town of Dryden and they have a fenced in yard with loose gravel and a forklift that has a 4,000 pound capacity. Alex asked what the County's equipment limitations were, they can adjust the reel size accordingly.

Ms. Chilson asked if the first portion would be expected to be stored at the County or would Graybar store that.

Alex stated that from his understanding that the County needs the material as soon as possible. They ship it whenever it is needed, typically when they receive a P.O. and they can hold the material at one of their warehouses for up to 30 days. He thinks they should have another in depth meeting about the partner perspective. It could change the costs, but it isn't going to increase it, it could decrease it. There was discussion about the Cooperative Purchasing Agreement.

Mr. Button stated that they need the price protection in writing.

Mr. Willson pointed out that the closest bidder for delivery is 24 weeks and the others were 52 plus weeks. He would close the deal.

Mrs. Percy asked if whoever is going to put the fiber up will be able to put it on their trucks if it is on a big wheel.

Alex stated that is what they will work with the County on. Constant communication, they have multiple reel sizes, so it is a simple switch.

Ms. Chilson stated that the drive is to get the kids the accessibility to the internet where they don't have to drive down to the library.

Mr. Holgate stated that he thinks they should pass this resolution and then write another resolution for Monday. That resolution would have the remaining footage spelled out and pricing spelled out.

Alex will provide a written quote for the remaining materials and new resolution will be drawn up with the help of the County Attorney to purchase the additional material at bid price.

**AUTHORIZE CHAIRWOMAN TO SIGN CONTRACT WITH GRAYBAR ELECTRIC
COMPANY FOR OUTSIDE PLANT MATERIALS FOR PHASE 1A OF THE
RECONNECT PROJECT**

WHEREAS, Yates County (hereinafter referred to as "County") is currently undertaking the design and construction of a fiber optic broadband network as part of its ReConnect grant project awarded by Rural Utility Service (hereinafter referred to as "RUS"); and

WHEREAS, the County divided the project into several phases to be more manageable and meaningful designated as Phase 1A, Phase 1B, Phase 2 and Phase 3; and

WHEREAS, RUS has reviewed and approved the required Change of Scope documentation for Phase 1A allowing the project to proceed with Outside Plant material procurement; and

WHEREAS, given that fiber availability is limited, the bid document was prepared specifically requesting estimated fiber delivery date along with price and calling out that the award would be made in accordance with the County's Best Value Law (price and delivery); and

WHEREAS, bids were requested and received and publically opened on April 27 at 10 am and 4 firms submitted a bid;

Company	Material Bid (14 items)*	Lead Time - Fiber
Graybar	\$386,225.10	Currently in stock and could ship ASAP if available at time of order.
FirstLight	\$381,223.60	24 weeks
Walker	\$340,720.15	52+ weeks
Price Right	\$233,697.81 (incomplete bid)	52 weeks

*Purchase order will be higher to allow for full multiple/reel quantities

WHEREAS, the submitted bid documents have been reviewed by the Core Team and New York Engineering Services and presented to the Finance Committee and a recommendation agreed upon;

NOW, THEREFORE, BE IT RESOLVED, that upon the approval of the County Attorney, the Chairwoman of the Legislature is authorized to sign the contract with Graybar Electric Company; and be it further

RESOLVED, that copies of this resolution be provided to Graybar Electric Company, the County Administrator, the County Planner, the Grant Specialist, and all the bidders.

VOTE: Unanimous

RESOLUTION NO. 175-22

Mr. Willson offered the following resolution and moved its adoption, seconded by Mr. Bronson.

RECOGNIZE NATIONAL CORRECTIONAL OFFICERS' AND EMPLOYEES' WEEK

WHEREAS, the first full week of May, the 1 - 7 is recognized as National Correctional Officers' and Employees' Week by President Reagan's proclamation commencing in 1984 to honor the work of correctional officers as peace officers, and correctional personnel working at jails and court houses nationwide guarding, transporting and supervising offenders in the facility, the community, and preparing offenders for their return to their communities are critical to protecting public safety, while related personnel prepare meals, laundry services, education, recreation and related inmate care and custody often working under demanding circumstances facing danger in their daily lives:

NOW, THEREFORE, BE IT RESOLVED, that this Legislature joins with the Sheriff and recognizes the contributions made by the men and women who work in our county jail in various capacities protecting and serving our community 24X7 during this national week and thank them for their essential public service; and be it further

RESOLVED, that a copy of this resolution be provided the Sheriff, and President of the Council 82 #086.

VOTE: Unanimous

Meeting adjourned at 4:44 p.m.