

WESTERN REGIONAL OFF-TRACK BETTING CORPORATION

Minutes of the regular meeting of Board of Directors of the Western Regional Off-Track Betting Corporation, held on the 26th day of September 2019, and commencing at 10:00 a.m. in the *Robert J. Kane Board Room*, Corporate Headquarters at 8315 Park Road Batavia, New York.

Participating were:

Absent:

Buffalo	Michelle Parmer-Garner	R. Siebert
Cattaraugus	Richard E. Haberer	P. Barnes
Cayuga	Paul W. Lattimore	D. Bassett
Chautauqua	Allan Hendrickson	
Erie	Beverly A. Mazur	
Livingston	Thomas P. Wamp	
Monroe	Richard D. Bianchi	
Niagara	Elliott Winter	
Orleans	Edward Morgan	
Oswego	Ronald B. Darrow	
Seneca	Richard L. Ricci	
Steuben	Vacant	
Wayne	Ken Lauderdale	
Wyoming	Susan May	

constituting the Directors of all participating municipalities.

Also participating were: Henry F. Wojtaszek, President & CEO; Michael P. Nolan, Chief Operating Officer; Scott Kiedrowski, Vice President Operations; William R. White, Vice President -- Administration; Jacquelyne Leach, Chief Financial Officer; Mark Gabriele, Associate General Counsel; Steven Haigh, Internal Auditor; Ryan Hasenauer, Director of Marketing-WROTB & Video Gaming; Mark Wolf, General Manager of Gaming; Todd Haight, Director/GM Live Racing/Branch Ops Specialist; Sean Schiano, Director of Branch Operations; Jake Rak, Controller WROTB Operations; Megan Glor, Director of Purchasing/Real Estate.

A roll of the membership of the Board having been called, Mr. Kiedrowski declared a quorum present.

Chairman Bianchi proceeded to conduct the meeting following the published Agenda for this regular meeting.

Chairman Bianchi then asked Director May to lead the assemblage in the Pledge of Allegiance.

1. Approval of Previous Minutes:

1. **Approval of Previous Minutes:**

Chairman Bianchi called for amendments, additions, deletions, or corrections to the minutes of the previous meeting of August 29, 2019. There being none, a motion was made by Director May and seconded by Director Hendrickson to approve the August minutes as submitted. The minutes were approved unanimously by a voice vote.

2. **Communications:**

Mr. Scott Kiedrowski, Vice-President Operations informed the Board of the following thank you notes:

A thank you note for the generous support and sponsorship from Rob Walker, Chief Executive Officer, GLOW YMCA.

A thank you note for the generous donation from the President of Western New York Corvette Club/West Herr Chevrolet Corvette successful car cruise.

A thank you note for the Thurman Thomas autographed football and sponsorship from Michele Ladd on behalf of the National Veterans Resources Team.

A thank you note from Tracey Jagla, Director of Journey Home for the support and generous gift donation for the 24<sup>th</sup> Annual Journey Home Golf Classic held on August 5, 2019.

3. **Officers' Reports:**

There were no Officers reports.

4. **Personnel Committee Report:**

Committee Chairman Winter called the meeting to order at 1:00 p.m. and made a motion to enter into Executive Session to discuss an item of Attorney/Client Privilege with Mr. Terrance Connors. The motion was seconded by Director Haberer. A motion was made by Director Haberer to exit the Executive Session at 2:04 p.m., seconded by Director Mazur.

4. **Personnel Committee Report continued:**

The following items were discussed after Executive Session:

Mr. Henry Wojtaszek, President & CEO discussed the problem fielding a Drop team and the importance of the role of this team three times a week. Mr. Mark Wolf, General Manager-Video Gaming explained the difficulty of the job and the possibility of losing Members of this team if the rate of pay did not increase. Mr. William R. White, Vice President - Administration explained that there are 3 to 5 Drop Team members for each shift working four hour shifts. The proposed raise is \$1.69 an hour more for the Drop Supervisor to \$19.00 an hour and \$4.14 for each team member raising the rate to \$18.00 an hour. Mr. Wojtaszek added that he would like these rates to be retroactive to September 1, 2019.

Upon motion by Director May and seconded by Director Morgan, a roll call vote was taken. The motion passed to approve the Drop Team pay rate of Drop Supervisor to \$19.00 per hour and \$18.00 per hour for Drop Team Members. Ayes: 13; Nays: 0; Absent: 3; Siebert, Barnes, Bassett.

Mr. White discussed the proposal to add six (6) full-time Security Guard positions. Mr. Joseph Vacanti, Director of Security added that this would save 34 hours a week, and thusly over \$27,000.00 annually. Mr. White added that the cost to the Corporation yearly would be \$34,000.00 a year due to the added benefit packages if all six (6) employees took the entire package.

Upon motion by Director Winter and seconded by Director Ricci, a roll call vote was taken. The motion passed to approve the six (6) Security Full Time positions. Ayes: 13; Nays: 0; Absent: 3; Siebert, Barnes, Bassett.

Mr. White informed the Committee that an already approved Administrative Assistant – Communications/Receptionist position needed an amendment of adding Host duties so that this position would still require a Gaming License and remain in the Compendium.

The Personnel Committee meeting adjourned at 2:33 p.m.

5. **Finance Committee Report:**

Committee Chairman Lauderdale, called the Finance Committee meeting to order at 2:35 p.m. on Wednesday, September 25, 2019 and the following business was discussed.

Mr. Wojtaszek discussed Resolution #89-2019 for Watts Architecture & Engineering, DPC, which requests funds in regards to potential use of the K-Mart property. The Corporation has entered into an agreement for consulting services regarding the potential use of the K-Mart property for sale in Batavia, New York. Mr. Wojtaszek is requesting approval for payment of services rendered.

Upon motion by Director Lauderdale and seconded by Director Hendrickson, a roll call vote was taken. The motion passed to approval of payment of services rendered to Watts Architecture & Engineering, DPC in the amount not to exceed \$20,672.60. Ayes: 13; Nays: 0; Absent: 3; Siebert, Barnes, Bassett. (**See Resolution #89-2019**).

Mrs. Megan Glor, Director of Purchasing advised the Committee that the current truck being used by Western's Simulcast Technician has reached the threshold for miles driven in accordance with the Corporation's Vehicle Replacement Policy and requires replacement through Resolution #93-2019 for the purchase of a 2020 Chevy Silverado 2500 from Joe Basil Chevrolet, Inc.

Upon motion by Director Lauderdale and seconded by Director May, a roll call vote was taken. The motion passed to purchase the 2020 Chevy Silverado 2500 from Joe Basil Chevrolet, Inc. in the amount of \$30,466.63. Ayes: 13; Nays: 0; Absent: 2; Siebert, Barnes, Bassett. (**See Resolution #93-2019**).

Mrs. Glor advised the Committee that bids for snowplowing services were opened on September 19, 2019 for snowplowing services at four (4) branches in Erie County, two (2) branches (See Resolution #97-2019 and Resolution #94-2019), in Monroe County, (See Resolution #95-2019) and three (3) branches in Niagara County, (See Resolution #96-2019) for the 2019-2020 winter season. After review by staff, the following is recommended:

**5. Finance Committee Report Continued:**

**Erie County:**

<u>Branch</u>	<u>Low Bidder</u>	<u>Per Plow Price</u>	<u>Plow</u>	<u>Salt</u>
McKinley	Brothers in Lawn		\$215.00	\$160.00
Clinton	Brothers in Lawn		\$160.00	\$150.00
Delaware	Brothers in Lawn		\$ 85.00	\$100.00
Wehrle	Landscaping & Snowplowing			
	Maintenance of Buffalo		\$200.00	\$210.00

Upon motion by Director Lauderdale and seconded by Director Winter, a roll call vote was taken. The motion passed to award the Erie Snowplowing to Brothers In Lawn for McKinley, Clinton and Delaware properties in the amount not to exceed \$32,000.00. Ayes: 13; Nays: 0; Absent: 2; Siebert, Barnes, Bassett. (See Resolution #97-2019).

Upon motion by Director Lauderdale and seconded by Director May, a roll call vote was taken. The motion passed to award the Erie snowplowing to Landscaping & Snowplowing Maintenance of Buffalo for the Wehrle property in the amount not to exceed \$13,000.00. Ayes: 13; Nays: 0; Absent: Siebert, Barnes, Bassett. (See Resolution #94-2019).

**Monroe County:**

<u>Branch</u>	<u>Low Bidder</u>	<u>Per Plow Price</u>	<u>Plow</u>	<u>Salt</u>
Lyell	CPM Property		\$147.99	\$129.99
West Ridge	CPM Property		\$149.99	\$129.99

5. **Finance Committee Report Continued:**

Upon motion by Director Lauderdale and seconded by Director Winter, a roll call vote was taken. The motion passed to award the Monroe County snowplowing to CPM Property Services for the Lyell and West Ridge properties in the amount not to exceed \$20,000.00. Ayes: 13; Nays: 0; Absent: Siebert, Barnes, Bassett. (See Resolution #95-2019).

**Niagara County:**

<b><u>Branch</u></b>	<b><u>Low Bidder Per Plow Price</u></b>	<b><u>Plow</u></b>	<b><u>Salt</u></b>
Military	Bill's Automotive	\$76.95	\$80.00
River	Bill's Automotive	\$65.50	\$72.00
Transit	Bill's Automotive	\$84.50	

Upon motion by Director Lauderdale and seconded by Director May, a roll call vote was taken. The motion passed to award the Niagara County snowplowing to Bill's Automotive in the amount not to exceed \$15,000.00. Ayes: 13; Nays: 0; Absent: Siebert, Barnes, Bassett. (See Resolution #96-2019).

Mrs. Jacquelyne A. Leach, Chief Financial Officer reviewed the August 2019 Chief Financial Officer Reports with Committee members. Mrs. Leach discussed the results of operations for branches and Batavia Downs. The Corporation will distribute \$93,358.00 in surcharge to member municipalities for August. The Corporation also generated operational earnings of \$223,742.00.

Mrs. Leach also reviewed the August 2019 Batavia Downs results of operations, and provided information on credits played, net win and free play, food and beverage, and other statistics.

The Finance Committee meeting adjourned at 3:00 p.m.

6. **Advertising Committee Report:**

Committee Chairperson May reported the Advertising Committee meeting was held on Wednesday, September 25, 2019 at 3:06 p.m. and the following business was discussed.

Mr. Todd Haight, Director/GM Live Racing/Branch Ops Specialist delivered a presentation handle surrounding past OTB and Live Racing events. OTB had increased wagering on the Saratoga Meet. The Night of Champions was a large success. Upcoming Live Racing Events were previewed.

Mr. Ryan Hasenauer, Director of Marketing-WROTBC & Video Gaming showed pictures from recent events including the Vodka Fest and Thurman's Tailgate Party. Ms. Kim Tomasik, Social Media Manager, spoke about the importance of Social Media as part of Marketing moving forward. Mr. Hasenauer discussed new roles regarding event management.

Mr. Hasenauer presented the Resolution needed for the approval of the purchase of additional comped hotel rooms from Hart Hotel in the amount not to exceed \$50,000.00.

Upon motion by Director May and seconded by Director Haberer, a roll call vote was taken. The motion passed to approve the purchase of additional comped hotel rooms from Hart Hotel in the amount not to exceed \$50,000.00. Ayes: 12; Nays: 1; Lattimore; Absent: Siebert, Barnes, Bassett. **(See Resolution #88-2019).**

Mr. Hasenauer presented the Resolution needed for approval of additional valet and coat room attendant services at Batavia Downs location with Mass Park Inc. for an additional period to expire on February 28, 2021 in the amount not to exceed \$156,000.00.

Upon motion by Director May and seconded by Director Parmer-Garner, a roll call vote was taken. The motion passed to approve the purchase of additional valet and coat room attendant services at Batavia Downs location with Mass Park Inc. for an additional period to expire on February 28, 2021 in the amount not to exceed \$156,000.00. Ayes: 13; Nays: 0; Absent: Siebert, Barnes, Bassett. **(See Resolution #92-2019).**

Mr. Hasenauer presented the Resolution needed for the approval of promotional items from the lowest responsible bidder Mark It Smart Inc. in the amounts not to exceed for the following items.

6. **Advertising Committee Report continued:**

Flannel Throws in the amount of \$10,392.00;  
Quilt Sets in the amount of \$19,120.00;  
Sheet Sets in the amount of \$12,720.00;  
Pillow Sets in the amount of \$10,392.00;  
Frying Pans in the amount of \$11,880.00;  
Sauce Pots in the amount of \$11,400.00; and  
Stock Pots with Lid in the amount of \$16,200.00  
Frying Pans 11" in the amount of \$15,712.00;

Upon motion by Director May and seconded by Director Parmer-Garner, a roll call vote was taken. The motion passed to approve the purchase of promotional items from the lowest responsible bidder Mark It Smart Inc. in the amounts not to exceed as listed above. Ayes: 12; Nays: 0; Absent: Lauderdale, Siebert, Barnes, Bassett. (**See Resolution #91-2019**).

The Advertising Committee meeting adjourned at around 3:25 p.m.

7. **Legislative Committee Report:**

Committee Chairman Hendrickson reported that the Legislative Committee meeting was held on Wednesday, September 25, 2019 at 4:05 p.m. and the following business was discussed.

Mr. Wojtaszek discussed the onsite meeting with Senator Addabbo from the Wagering Committee, as well as the tour of our facility. Mr. Wojtaszek discussed the Gaming Commission RFP on the future of the entire Gaming industry in New York State and our input in that RFP. Also, Mrs. Leach discussed the racing pari-mutuel wagering statutes and how they affect payments Western makes to the industry.

There was also a discussion on the Sports Betting Topic in New York State.

A motion was made to enter into Executive Session at 4:13 P.M.



7. **Legislative Committee Report continued:**

The Committee came out of Executive Session and the Legislative Committee meeting was adjourned at 4:22 P.M.

8. **Insurance Committee Report:**

The Insurance Committee did not meet.

9. **Audit Committee Report:**

The Audit Committee did not meet.

10. **Batavia Downs Operations Committee Report:**

Committee Chairman Morgan reported the Batavia Downs Operations Committee meeting was held on Wednesday, September 25, 2019 at 3:27 p.m. and the following business was discussed.

Mr. Wolf provided gaming statistics. He informed the Committee that the gaming floor now has a total of 869 games.

Mr. Haight provided a live racing update. Committee Chairman Morgan thanked Mr. Haight for his driving force behind the very successful September 14, 2019 NY Sires Stakes Night at Batavia Downs.

Mr. Haight reported that the total handle for the Sire Stakes evening was \$339,893.00. The on track handle for the Sire Stakes night was \$93,000.00.

Mr. Wojtaszek updated the Committee regarding the crosswalk Capital Project and that the speed humps have been added before and after the main crosswalk. He will provide a crosswalk lighting update next month.

A discussion was led by Mr. Wojtaszek regarding the 2019 concert series. He stated that a meeting will be held at 11am on Thursday, October 3<sup>rd</sup> for input regarding the 2020 concert series.

10. **Batavia Downs Operations Committee Report continued:**

Mr. Wojtaszek informed the Committee that he met with Disability Consultant Dave Whalen. Mr. Whalen walked through the facility to be sure we are in compliance.

Mr. Wojtaszek informed the Committee that he met with Safety Consultant Evan Casey to coincide with our workman's comp. He walked through the facility and Mr. Wojtaszek is awaiting a proposal.

Mr. Wojtaszek presented the Resolution needed for EI Team Inc. for the warehouse storage /loading dock in the amount of \$20,000.00 plus out of pocket expenses with the Board of Directors consent to allow Mr. Mark J. Gabriele, General Counsel to negotiate the out of pocket expenses.

Upon motion by Director Morgan and seconded by Director Hendrickson, a roll call vote was taken. The motion passed to award the bid for the warehouse storage/loading dock to EI Team Inc. in the amount not to exceed \$20,000.00. Ayes: 12; Nays: 0; Abstain: Mazur; Absent: Siebert, Barnes, Bassett. **(See Resolution #84-2019).**

Mr. Kiedrowski presented to the Committee a Resolution needed for a supplemental blanket purchase order for the remainder of 2019 for the Latina Boulevard Foods, LLC in the amount not to exceed \$40,000.00.

Upon motion by Director Morgan and seconded by Director Winter, a roll call vote was taken. The motion passed to approve the supplemental blanket purchase order from Latina Boulevard Foods, LLC. for the remainder of 2019 in the amount not to exceed \$40,000.00. Ayes: 13; Nays: 0; Absent: Siebert, Barnes, Bassett. **(See Resolution #85-2019).**

Mr. Nolan presented the Resolution needed for the three (3) year Elevator and Escalator service agreement for the Batavia Downs Location DCB Elevator Co. Inc. the lowest responsible bidder in an amount of \$13,800.00.

Upon motion by Director Morgan and seconded by Director Lauderdale, a roll call vote was taken. The motion passed to approve the supplemental blanket purchase order DCB Elevator Co. Inc. the lowest responsible bidder in an annual amount of \$13,800.00. Ayes: 13; Nays: 0; Absent: Siebert, Barnes, Bassett. **(See Resolution #86-2019).**

10. **Batavia Downs Operations Committee Report continued:**

Mr. Nolan presented a Resolution request for an additional \$6,000.00 from Dobmeier Janitor Supply, Inc. for various janitorial supplies.

Upon motion by Director Morgan and seconded by Director May, a roll call vote was taken. The motion passed to approve the request for an additional \$6,000.00 from Dobmeier Janitor Supply, Inc. Ayes: 13; Nays: 0; Absent: Siebert, Barnes, Bassett. (See Resolution #90-2019).

Upon motion by Director Morgan and seconded by Director Lauderdale to waive the rules pertaining to the Town of Batavia sewer lines located on WROTBC property. A voice vote was taken; Ayes: 12; Nays: 0; Absent: Siebert, Barnes, Bassett.

Mr. Wojtaszek informed the Board of the certain dedicated sewer line located on WROTBC property as stated in the Town of Batavia Resolution #152 adopted August 17, 2016.

BE IT RESOLVED that Western consents to the town's abandonment of the dedicated improvement and agrees to accept a quitclaim deed to extinguish the town's right and title of interest and agrees to procure a sewer agreement with the Hotel.

Upon motion by Director Morgan and seconded by Director Winter a voice vote was taken; Ayes: 12; Nays: 0; Absent: Siebert, Barnes, Bassett.

A motion by Director Haberer and seconded by Director Winter the Batavia Downs Committee meeting adjourned at 4:04p.m.

11. **Branch Operations Committee Report:**

Committee Chairperson Mazur reported the Branch Committee meeting was held on September 26, 2019 at 9:30 a.m. and the following business was discussed.

Mr. Edward J. Merriman, Manager of Branch Operations presented a Branch update showing the shed built by Batavia Maintenance at the Military Road Branch as well as the plan for the new T.V.'s at the Clinton Street Branch. He also mentioned the plan for updating T.V.'s in a number of other Branches. Lastly he mentioned that the Auburn concessionaire requested and was approved for an extension.

11. **Branch Operations Committee Report continued:**

Mr. Sean Schiano, Director of Branch Operations reported that Batavia Bets was up \$129,000.00 in August or 10% and is up \$13,000.00 month to date in September, and year to date is up over \$535,000.00 or 6%.

Mr. Schiano informed the Committee that the two new E-Z Bets are up and running in Monroe County and are both doing well. Robbie's Grand Opening is set for Breeders' Cup on Friday, November 1<sup>st</sup>. Kim's is yet to be determined.

Mr. Schiano presented the Resolution needed for Daikin Applied Americas Inc. as part of the National Purchasing Alliance, to provide and install two (2) HVAC units as in the attached proposal, at the Wehrle Drive branch location in the amount of \$102,000.00.

Upon motion by Director Mazur and seconded by Director Morgan, a roll call vote was taken. The motion passed for Daikin Applied Americas Inc. as part of the National Purchasing Alliance, to provide and install two (2) HVAC units as in the attached proposal, at the Wehrle Drive branch location in the amount of \$102,000.00. Ayes: 13; Nays: 0; Absent: Siebert, Barnes, Bassett. (**See Resolution #87-2019**).

A motion was made by Director Morgan, seconded by Director Parmer-Garner to enter into Executive Session at 9:40 a.m. A motion was made by Director Morgan, seconded by Director Bianchi to exit Executive Session and adjourn the Branch Committee meeting at 10:05 a.m.

12. **Resolutions:**

**Resolution #84-2019 El Team Inc.**

**Resolution #85-2019 Latina Boulevard Food Inc.**

**Resolution #86-2019 DCB Elevator Co. Inc.**

**Resolution #87-2019 Daikin Applied, America's Inc.**

**Resolution #88-2019 Hart Hotel**

**Resolution #89-2019 Watts Architecture & Engineering, DPC**

**Resolution #90-2019 Dobmeier Janitorial Supply Inc.**

**Resolution #91-2019 Mark It Smart**

**Resolution #92-2019 Mass Park Inc.**

**Resolution #93-2019 Joe Basil Chevrolet, Inc.**

**Resolution #94-2019 Erie Co. Snowplowing Landscaping & Snowplowing of Buffalo LLC**

12. **Resolutions continued:**

**Resolution #95-2019 Monroe Co. Snowplowing CPM property Services**  
**Resolution #96-2019 Niagara Co. Snowplowing Bill's Automotive**  
**Resolution #97-2019 Erie Co. Snowplowing Brother's In Lawn Inc.**

13. **Unfinished Business:**

There was no unfinished business.

14. **New Business:**

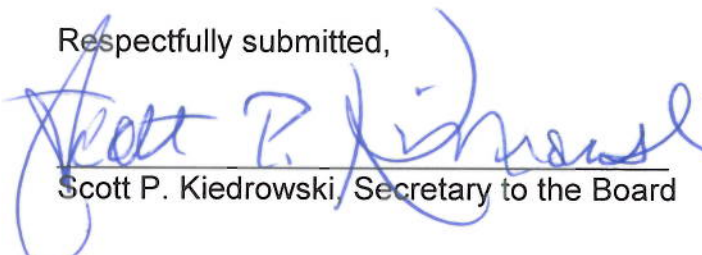
Mr. Wojtaszek informed the Board that Alvin Clark will be on site shining shoes two days a week in the lobby.

The next Committee and Board meetings are scheduled for October 23 and 24 respectively.

15. **Adjournment:**

Director Lauderdale made a motion to adjourn which Director Winter seconded. The meeting was adjourned at 10:44 a.m.

Respectfully submitted,



Scott P. Kiedrowski, Secretary to the Board

/pma

## RESOLUTION #84-2019

WHEREAS, Western has received responses to a request for proposal;  
and

WHEREAS, upon a review of the bids received, staff is recommending to the Board of Directors to accept the bid for the warehouse storage/loading dock from the lowest responsible bidder EI Team Inc., in the amount of \$20,000.00 plus out of pocket expenses; and

WHEREAS, that the Board of Directors of the Western wishes to accept the bid from EI Team Inc., for Architectural and Engineering Design services and repair for the warehouse storage/loading dock; and be it

RESOLVED, that Western hereby accepts the bid warehouse storage/loading dock from the lowest responsible bidder, EI Team Inc., in the amount of \$20,000.00 plus out of pocket expenses. and further

RESOLVED, that an officer of Western is authorized to execute such documentation in furtherance of the Board's approval of this resolution.

Respectfully submitted,



Edward Morgan, Chairman  
Batavia Downs Operations Committee

Dated: September 26, 2019  
Batavia, New York

## RESOLUTION - #85-2019

WHEREAS, it is the corporate responsibility of the Western Regional Off-Track Betting Corporation ("Western") to provide the best dining experience to its patrons at Western's Batavia Downs restaurants; and

WHEREAS, Western had previously approved a blanket purchase order for food and related items from Latina Boulevard Foods, LLC ("Latina") in the amount of \$45,000.00; and

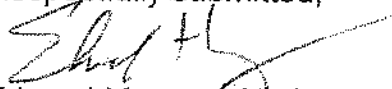
WHEREAS, Western requires a supplemental blanket purchase order in the amount of \$40,000.00 for use by the Food and Beverage Department through the end of 2019; and

WHEREAS, staff requests that the Board of Directors of Western approve a supplemental blanket purchase order in an amount not to exceed \$40,000.00 with Latina for pre-portioned meats services through the end of 2019; now therefore

BE IT RESOLVED, that the Western's Board of Directors hereby approves a supplemental blanket purchase order in an amount not to exceed \$40,000.00 from Latina through the end of 2019; and

BE IT FURTHER RESOLVED, that an officer of Western is hereby authorized to execute an agreement that reflects the Board's actions.

Respectfully submitted,

  
Edward Morgan, Chairman  
Batavia Downs Operations Committee

Dated: September 26, 2019  
Batavia, New York

## RESOLUTION #86-2019

WHEREAS, it is the Corporate responsibility of the Western Regional Off-Track Betting Corporation ("Western") to provide the patrons of Batavia Downs Gaming with the best experience available; and

WHEREAS, Western has received responses to an RFP for a three (3) year Elevator and Escalator service agreement; and

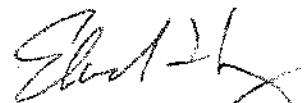
WHEREAS, a DCB Elevator Co. Inc., was the lowest responsible bidder with a bid of \$13,800.00 annually to service the elevators and escalator at the Batavia Downs location; and

WHEREAS, the staff recommends that the Board of Directors accept the proposal from DCB Elevator Co. Inc.; and therefore

BE IT RESOLVED, that the Board of Directors of Western accepts the proposal of DCB Elevator Co. Inc. for a three (3) year service agreement for the elevators and escalator at its Batavia Gaming location in an annual amount of \$13,800.00; and

BE IT FURTHER RESOLVED, that an officer of the Western is hereby authorized to execute an agreement that reflects the Board's approval of this resolution.

Respectfully submitted,



Edward Morgan, Chairman  
Batavia Downs Operations Committee

Dated: September 26, 2019  
Batavia, New York



## RESOLUTION #87-2019

**WHEREAS**, it is the corporate responsibility of the Western Regional Off-Track Betting Corporation ("Western") to operate its various branch locations in the most efficient manner possible, while providing a comfortable experience to our patrons; and

**WHEREAS**, Western requires that existing HVAC units be replaced at its Wehrle Drive branch location; and


**WHEREAS**, as part of the National Purchasing Alliance, Daikin Applied Americas Inc. ("Daikin") has provided Western with a proposal to provide and install two (2) HVAC units as more particularly described in the attached proposal, for the total amount of \$102,000.00; and

**WHEREAS**, Staff recommends that the Board of Western approve the purchase and installation of the HVAC units from Daikin as set forth herein; now therefore

**BE IT RESOLVED**, that the Western's Board of Directors hereby approves the purchase and installation of the two (2) HVAC units, from Daikin for the amount of \$102,000.00; and

**BE IT FURTHER RESOLVED**, that an officer of Western is hereby authorized to execute an agreement that reflects the Board's actions.

Respectfully submitted,

  
Beverly Mazur, Chairperson  
Branch Operations Committee

Dated: September 26, 2019  
Batavia, New York

**DAIKIN**



September 20, 2019

Prepared for: Megan Glor  
Batavia Downs Gaming & Hotel  
8315 Park Rd.  
Batavia NY, 14020



Prepared by: Randy Reichert  
Service Sales Representative

Phone: (315)584-3665  
Email: [randy.reichert@daikinapplied.com](mailto:randy.reichert@daikinapplied.com)



## Scope of Services

Daikin Applied is pleased to offer the following budget proposal for your consideration.

## Scope of Work

National IPA/Omnja Partners Equipment Replacement Contract – as follows:

### Price includes the following:

- Demo and Dispose (2) Old 35Ton RTUs
- Provide and Install (2) New RTUs as listed (1) 15Ton (1) 20Ton – Reconnect existing line voltage electric and gas
- Remove, Reconfigure and Reinstall new outside duct work to match the New Units.
- Install New Main trunk for one of the units either upstairs or downstairs – Upstairs may require roof work – Downstairs may require ceiling work but one or the other will need to be done to provide a “new” configuration of upstairs and downstairs separation.
- Insulate all new duct work including outside
- Isolate and/or abandon all existing VAV dampers
- Install new simplified unitary control system broken down as follows: (2) New WiFi Thermostats w/ (2) Remote sensors each equaling a total of (4) zones – Zone 1- Teller area – Zone 2- Open area downstairs – Zone 3 -Bar Area – Zone 4 – Open Area Upstairs
- Start up, test and balance each system

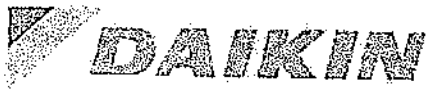
Each of our sub-contractors will be maintaining a consistent project manager who will be represented when appropriate during our project time frame.

Staff and resource planning will be maintained throughout the project through our project communication efforts.

## Proposal Clarifications, Exclusions, and Exceptions:

### Clarifications:

1. This proposal takes precedence over any other written, verbal, or other statements of scope, schedule, and pricing.
2. Acceptance of a Notice to Proceed is not an acceptance of terms and conditions. Any Notice to Proceed will be based upon the terms and conditions contained in this proposal.
3. All working hours are estimated at regular or straight time rates. Accelerated or expedited project execution schedules and associated costs are subject to additional quotation.
4. Daikin Applied is not responsible for any delays or cost as a result of delays incurred due to limited or no access to roads, buildings or equipment required to complete the scope of work provided for in this proposal.
5. Sales taxes are not included within our pricing.
6. Costs associated with Owner directed programs or software required to fulfill project reporting, execution, safety management, and or Owner or Owner's Representative invoicing are not covered and will be invoiced in addition to the agreed proposal price.
7. Signage will not be provided or installed by Daikin Applied.



8. Staffing of onsite Safety or Security personnel during project execution or after working hours will not be provided and Daikin Applied understand this is the responsibility of the Owner or Owner's Representative.
9. Site drainage, pollution prevention plan and execution, temporary bathrooms, emergency eye-wash stations, barricades, ramps, splash-blocks, fire protection plans and systems required during construction, flagman, access controls features, trash repositories and pick services are not included. Daikin Applied understands the Owner or Owners Representative is responsible for these measures.
10. Daikin Applied understands temporary HVAC, temporary power, work site lighting, and temporary water required to perform the scope of work provided is the Owner or Owner's Representative responsibility.
11. Daikin Applied will only provide supervision for itself and its sub-contractors when we or they are on-site.
12. Daikin Applied Material or Labor warranty is excluded on Owner or Owner's Representative provided equipment.

#### Exclusions:

1. Identification and remediation of existing code violations.
2. Authority Having Jurisdiction required changes are not included and will be quoted as additional work scope.
3. Painting, repair work to buildings, and/or equipment which is not specifically identified in the description or scope of work.
4. Costs associated with hazardous materials identification, removal, and/or abatement.
5. The creation of new Building Automation Systems graphics, monitoring, trending, analysis or any other software or labor required for implementation of these items.
6. Commissioning plan development and execution.
7. Sound testing or acoustical treatments for any elements inside or external to the work site or equipment.
8. Seismic analysis and certification for all materials and equipment.
9. Permits, insurance coverages other than indicated in the attached Evidence of Insurance, and performance and payment bonds.
10. Professional services including Architectural, Mechanical, Electrical, Structural and other Engineering Disciplines beyond what will be provide by Daikin Applied necessary to complete this project.
11. Fire, Smoke and/or Security controls, equipment, repair, graphics, programming, replacement or upgrades.
12. Work in relationship to the smoking lounge
13. Does not include any new diffusers or duct beyond discussed.
14. Does not include ceiling or roof work if needed.



## Pricing and Payments

### Investment Amount and Billing Terms:

Investment required to implement the proposed Turn Key solution

\$102,000.00 One Hundred Two Thousand dollars and No Cents.

\*Price does not include applicable sales tax

Pricing and acceptance are based on the execution of a Contractor Agreement in the form attached hereto and subject to final credit approval.

Billing/Payment Terms\*: Billed in full upon completion

\*All billings are due immediately upon Receipt

This budget proposal will be honored by Daikin Applied for 30 days from the date on the front of the proposal. After 30 days, Daikin Applied reserves the right to evaluate cost changes (both increases and decreases) from the proposal.  
Note: This Agreement is subject to final approval by Daikin Applied.

Feel free to contact me if you have any questions or concerns regarding the information contained in this Turn Key proposal. If you would like us to proceed with the solution presented above, contact me with an email preliminary approval prior to signing the contractor agreement acceptance line because there are some design options that Batavia Downs and Daikin will still need to define. That way we can begin to mobilize our efforts to complete services as quickly as possible. We appreciate the opportunity to provide you with this solution and look forward to working with you on this project and servicing your needs in the future.

## RESOLUTION #88-2019

WHEREAS, it is the responsibility of the Western Regional Off Track Betting Corporation ("Western") to provide patrons of Batavia Downs Gaming with the best experience when visiting the facility; and

WHEREAS, the Batavia Downs Gaming and Hotel is a first class lodging facility that provides a great amenity to our visiting patrons; and

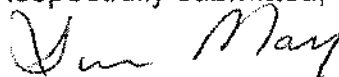
WHEREAS, staff believes it is in the best interest of Western to purchase additional comped rooms from Hart Hotel in the amount not to exceed \$50,000.00; and

WHEREAS, the Board of Directors of Western wishes to purchase additional comped rooms per an existing contractual agreement with Hart Hotels in an amount not to exceed \$50,000.00; and therefore

BE IT RESOLVED, that the Board of Directors of Western approve the purchase of additional comped hotel rooms from Hart Hotel in an amount not to exceed \$50,000.00; and further

RESOLVED, that an officer of Western is authorized to execute such documentation in furtherance of the Board's approval of this resolution.

Respectfully submitted,



Susan May, Chairperson  
Advertising and Promotions Committee

Dated: September 26, 2019  
Batavia, New York

## RESOLUTION #89-2019


**WHEREAS**, Western Regional Off-Track Betting Corporation ("Western") has entered into an agreement with Watts Architecture & Engineering, DPC ("Watts") to provide Western certain consulting services relating to the potential use of the K-Mart property in Batavia, New York; and

**WHEREAS**, staff requests that the Board approve the request for consulting services by Watts in the amount of \$20,672.60; and therefore, be it

**RESOLVED**, that the Board of Directors of Western approve the request for consulting services in the amount of \$20,672.60 provided by Watts regarding the use of the K-Mart property in Batavia, New York; and be it further

**RESOLVED**, that an officer of Western is directed to execute such documents as to further this resolution.

Respectfully Submitted,

  
Ken Lauderdale, Chairman  
Finance Committee

Dated: September 26, 2019  
Batavia, New York

## RESOLUTION #90-2019

**WHEREAS**, Western Regional Off-Track Betting Corporation ("Western") has previously approved a blanket purchase order with Dobmeier Janitor Supply, Inc. ("Dobmeier") to provide Western with various janitorial supplies; and

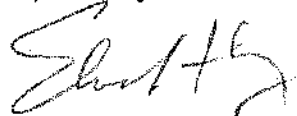
**WHEREAS**, Western's previous approved purchase order with Dobmeier was limited to the amount of \$15,000.00; and

**WHEREAS**, staff requests that the Board approve an additional amount of \$6,000.00 for janitorial supplies through the end of 2019; and therefore, be it

**RESOLVED**, that the Board of Directors of Western approve the request for an additional \$6,000.00 for the purchase of various janitorial supplies from Dobmeier; and be it further

**RESOLVED**, that an officer of Western is directed to execute such documents as to further this resolution.

Respectfully Submitted,



Edward Morgan, Chairman  
Batavia Downs Committee

Dated: September 26, 2019  
Batavia, New York



## RESOLUTION #91-2019

**WHEREAS**, as part of its ongoing patron attraction and retention program, Western Regional Off-Track Betting Corporation ("Western") purchases various promotional items that are given away to patrons of Batavia Gaming; and

**WHEREAS**, Western has sent out an RFP to six (6) vendors requesting pricing for various items; and

**WHEREAS**, Mark-It-Smart Inc. ("Smart") was the lowest responsible bidder to purchase the following items for patron promotions:

Flannel Throws in the amount of \$10,392.00;

Quilt Sets in the amount of \$19,120.00;

Sheet Sets in the amount of \$12,720.00;

Pillow Sets in the amount of \$10,392.00;

Frying Pans in the amount of \$11,880.00;

Sauce Pots in the amount of \$11,400.00; and

Stock Pots with Lid in the amount of \$16,200.00

Frying Pans 11" in the amount of \$15,712.00; and

**WHEREAS**, Staff requests that the Board approve the above referenced purchases to be used as promotional items from Smart to be given away to various patrons of Batavia Gaming in an amount not to exceed each of the specific amounts above; and therefore

**BE IT RESOLVED**, that the Board of Directors of Western hereby acknowledges and approves that Western enter into a series of purchase agreements with Smart for the purchase of the various promotional items set forth above to be given away to various patrons of Batavia Gaming in an amount not to exceed each of the specific amounts set forth above; and further

## RESOLUTION #92-2019

**WHEREAS**, it is the Corporate responsibility of the Western Regional Off-Track Betting Corporation ("Western") to operate its Batavia Downs Gaming location in an efficient manner, while providing the best experience available to our patrons; and

**WHEREAS**, Western had previously entered into a series of agreements with Mass Park Inc. ("Mass Park") to provide valet services and coat room attendant services at its Batavia Gaming location; and

**WHEREAS**, Western has the option to renew the existing agreement with Mass Park for an additional period to expire on February 28, 2021 for the total amount of \$156,000.00 annually; and

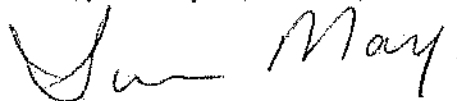
**WHEREAS**, staff is recommending that the Board authorize and approve the extension of the valet and coat attendant services agreement with Mass Park; and

**WHEREAS**, the Board of Directors of Western wish to approve the extension of the agreement with Mass Park in the amount of \$156,000.00 per year; and therefore

**BE IT RESOLVED**, that Western's Board of Directors authorizes and approves the extension of the valet and coat attendant services agreement with Mass Park through February 28, 2021 in the amount of \$156,000.00 per year; and

**BE IT FURTHER RESOLVED**, that an officer of Western is hereby authorized to execute an agreement that reflects the Board's actions.

Respectfully submitted,

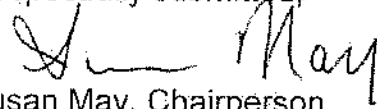


Susan May, Chairperson  
Advertising & Promotions Committee

Dated: September 26, 2019  
Batavia, New York

RESOLVED, that the Board of Directors of Western hereby authorizes an officer of Western to execute any such agreements in furtherance of this resolution.

Respectfully submitted,

A handwritten signature in cursive script, appearing to read "Susan May".

Susan May, Chairperson  
Advertising & Promotions Committee

Dated: September 23, 2019  
Batavia, New York

## RESOLUTION #93-2019

**WHEREAS**, the continued operation of Western Regional Off-Track Betting Corporation ("Western") Batavia Downs facility, OTB Branches and EZ-Bet locations are important to Western's lasting success and public image; and

**WHEREAS**, the use of a pickup truck is required for the performance of Western's simulcast technician; and

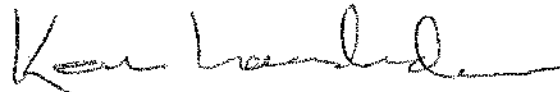
**WHEREAS**, the 2015 Ford F-250 pickup truck currently being used by Western's simulcast technician has over 130,000 miles and requires replacement; and

**WHEREAS**, staff recommends to the Board of Directors of Western that the Company purchase a 2020 Chevy Silverado 2500 (as more fully described in the attached product quotation) from Joe Basil Chevrolet, Inc. as part of the NYS Contract pricing bid list for \$30,466.63.

**NOW THEREFORE BE IT RESOLVED**, that the Board of Directors of the Western authorize the purchase of a 2020 Chevy Silverado from Joe Basil Chevrolet, Inc. for the amount of \$30,466.63; and

**BE IT FURTHER RESOLVED**, that an officer of Western is hereby authorized to execute an agreement that reflects the Board's actions.

Respectfully submitted,



Ken Lauderdale, Chairman  
Finance Committee

Dated: September 26, 2019  
Batavia, New York

Group 40500-22904, VEHICLES, Class 3-8

Form B (Class 3-8): Mini-Bid Response (Response Summary)

See the "Instructions and Charts" worksheet for general form instructions. Delivery Region Chart and Delivery Allowance Schedule. Cells in each item row will be black-colored until a number of items is indicated in Question 1.1 above. After a number of items is selected, the corresponding items will be unblacked. If "Enter Pricing" appears in a row for an item, that indicates that the pricing for that Vehicle (Chassis, Body, and/or Delivery Chassis) on the applicable "Item" worksheet has not been completed by the Contractor. In order to submit a responsive Mini-Bid response, all requested information for all items included in the Mini-Bid should be entered on the applicable "Item" worksheet.

CURRY  
2015  
Ford F-250  
130 000 Miles  
0001051

Part A: Mini-Bid and Contractor Information

1.0	Mini-Bid Request Number from Form A (Class 3-8): Mini-Bid Request (e.g. T15960091)	Contractor Response	T15960097
1.1	Number of Items Included in this Mini-Bid (see Form A (Class 3-8))		1
1.1	Mini-Bid Request for multiple items, click on yellow row and use drop-down menu.		
2.0	Business Information		
2.1	Full Legal Business Name, including DBA if applicable		JOE BASIL CHEVROLET, INC
2.1	State Contact Number (e.g., TC12345)		PC8282
2.2	Federal Employer Identification Number (FEIN) (e.g., 14-1234567)		15-1008991
2.3	NYS Vendor ID Number (e.g., 1000012345)		110003932
3.0	Primary Contact Information		
3.1	Contact Name		MICHAEL HOPKINS
3.2	Contact Email		michaelh@joebasilchevrolet.com
3.3	Contact Phone (1)		718-208-1749
3.4	Contact Phone (2)		718-882-8600 x2146
4.0	Secondary Contact Information		
4.1	Contact Name		BILL O'ROSCIA
4.2	Contact Email		bill@joebasilchevrolet.com
4.3	Contact Phone (1)		718-208-1749
4.4	Contact Phone (2)		718-882-8600 x2146

Part B: Mini-Bid Response Summary

Part B: Mini-Bid Response Summary shall be automatically populated, based on Contractor input on the "Item" worksheets. Cells in each item row will be black-colored until a number of items is indicated in Question 1.1 above. After a number of items is selected, the corresponding items will be unblacked. If "Enter Pricing" appears in a row for an item, that indicates that the pricing for that Vehicle (Chassis, Body, and/or Delivery Chassis) on the applicable "Item" worksheet has not been completed by the Contractor. In order to submit a responsive Mini-Bid response, all requested information for all items included in the Mini-Bid should be entered on the applicable "Item" worksheet.

If "Enter Pricing" appears in the "Grand Total Evaluation Price for Mini-Bid" cell (cell C219), that indicates that all required pricing information has not been entered by the Contractor on the applicable "Item" worksheet. Failure to enter all required pricing information for an item shall deem the Mini-Bid response for that item non-responsive and shall result in the rejection of the Mini-Bid response for the Mini-Bid.

Item	Chassis Model Year	Chassis Make	Chassis Model Code	Chassis Year	Total # of Chassis	NYS Chassis Discount	NYS Price (Chassis)	Total NYS Contract Price (Chassis)	Body Model Year	Body Make	Body Model Code	Total # of Bodies	NYS Contract Price (Body)	Total NYS Contract Price (Bodies)	Total Delivery Charge for Vehicles	Total Evaluation Price for Item
Item 1	2020	CHEVROLET	SILVERADO 2500	GM0953	1	28.10	\$30,791.63	\$30,991.63					\$0.00	\$0.00	\$73.00	\$30,468.63
Item 2																
Item 3																
Item 4																
Item 5																
Item 6																

## Group 40500-22904, VEHICLES, Class 3-8

### Form B (Class 3-8): Mini-Bid Response (Item 1)

See the "Instructions and Charts" worksheet for general form instructions, Delivery Region chart and Delivery Allowance Schedule. The Contractor business name in Row 3 and Mini-Bid Request Number in Row 6 will automatically populate based on responses on the "Response Summary" worksheet. Use the drop-down menu to complete Question 2.0 in Row 8, and then complete the yellow-colored cells that appear in Parts A through D below. Failure to enter a response in a yellow-colored cell may result in rejection of your Mini-Bid response.

JOE BASIL CHEVROLET, INC

#### Part A: Mini-Bid Information

Q#	Question	Contractor Response
1.0	Mini-Bid Request Number from Form A (Class 3-8): <i>Mini-Bid Request</i> (e.g. T15060001)	T19080007
1.1	Item Number for this Mini-Bid	Item 1
2.0	What type of Vehicles were requested in the Mini-Bid, and are being offered in this Mini-Bid Response? (click on yellow cell and use drop-down menu) <i>[Note: Contractor input cells below will be black until this question is answered. The Contractor answer to this question will result in corresponding cells on this worksheet turning to yellow for Contractor input. A Complete Vehicle is defined as the Product that is the result of the Chassis and Body being joined together to form a Vehicle that is ready for use and requires no further manufacturing operations to perform its intended function.]</i>	Chassis Only (there is no Body associated with the Mini-Bid)
3.0	Is the Chassis, Body, or Complete Vehicle offered in this Mini-Bid Response to be Built to Specifications, Pre-Existing Inventory (i.e., off the lot), or a combination? (click on yellow cell and use drop-down menu)	Built to Specifications
4.0	Can the Vehicles offered for the Mini-Bid be delivered by the delivery date specified? <i>[Note: A Mini-Bid response may be deemed non-responsive and be rejected if the Vehicles cannot be delivered by the delivery date specified.]</i>	YES
5.0	Enter the estimated number of days after receipt of a Purchase Order (After Receipt of Order ("ARO")) that the delivery shall be made.	APPROX 120-150 DAYS FROM DATE OF ORDER
6.0	Enter the Final Order Date for the Vehicles offered for the Mini-Bid, "TBA" if the date has not been announced by the manufacturer, or "N/A" if there is no Final Order Date. <i>[Note: "Final Order Due Date" shall mean the last calendar date that an Authorized User may issue a Purchase Order to the Contractor for a Chassis, Body or Complete Vehicle, in order to have the Chassis, Body or Complete Vehicle built before Model Year Build-Out Date.]</i>	TBA

#### Part B: Vehicle(s) Offered for Mini-Bid

Enter the requested information for the Chassis and/or Body offered for the Mini-Bid in the yellow-colored cells below. If the Mini-Bid is for either a Complete Vehicle in which the Chassis and Body are produced by the same manufacturer (e.g. a pickup truck), or a Complete Vehicle that is marketed and sold under one manufacturer brand name, enter all Vehicle Information in the Chassis section (i.e., questions 1.1 through 1.6).

The Contractor and third party business(es) used to satisfy Mini-Bid Requests under the Contract shall be a Dealer for the OEM(s) offered. Upon request by OGS or an Authorized User, the Contractor shall provide proof of that status in a format that is acceptable to the entity that made the request. The Chassis and/or Body OEM(s) that the Contractor is a Dealer of shall be identified in Appendix C: Class 3-8 Vehicles Contract Documents: Number 1: Contractor Information.

A Contractor may submit a Mini-Bid response for a Vehicle OEM that is not set forth in Appendix C: Class 3-8 Vehicles Contract Documents: Number 1: Contractor Information, provided that the Contractor submits a request to add the OEM to the Contract, in the form and format contained in Appendix C: Number 4: Contract Modification Procedure prior to, or upon, tentative award of the Mini-Bid.

Failure to either submit a request to add the OEM to the Contract, or to provide proof of Dealer status if requested by OGS or the Authorized User, shall result in the Mini-Bid response being deemed non-responsive and in the rejection of the Mini-Bid response.

An Authorized User may request verification that the Vehicle(s) offered meet the Authorized User Specifications. The Contractor shall, upon request by the Authorized User, provide a copy of the Build Sheet for each Vehicle offered.

Q#	Question	Contractor Response
1.1	Chassis Model Year	2020

1.2	Chassis Make (e.g., Ford, International, Freightliner)	CHEVROLET
1.3	Chassis Model (e.g., F450, DuraStar, M2-106)	SILVERADO 2500
1.4	Chassis Model Code (the OEM code used to identify a particular subset of a Model)	CK20953
1.5	Chassis provider business name (i.e., Contractor or third-party).	JOE BASIL CHEVROLET
1.6	Chassis Aftermarket Components Provider(s), if applicable <i>(Note: Unless otherwise specified by an Authorized User on Form A (Class 3-8): Mini-Bid Request, Aftermarket Components may be installed by any Aftermarket Component Provider utilized in the Contractor's normal course of business. A Mini-Bid response that includes an Aftermarket Component Provider other than that specified by the authorized user on Form A (Class 3-8): Mini-Bid Request shall be deemed non-responsive and shall be rejected)</i>	
2.1	Body Model Year	
2.2	Body Make (e.g., Viking, Galion)	
2.3	Body Model (e.g., Proline, 450U)	
2.4	Body Model Code (the OEM code used to identify a particular subset of a Model)	
2.5	Body provider business name (i.e., Contractor or third-party).	
2.6	Body Aftermarket Components Provider(s), if applicable <i>(Note: Unless otherwise specified by an Authorized User on Form A (Class 3-8): Mini-Bid Request, Aftermarket Components may be installed by any Aftermarket Component Provider utilized in the Contractor's normal course of business. A Mini-Bid response that includes an Aftermarket Component Provider other than that specified by the authorized user on Form A (Class 3-8): Mini-Bid Request shall be deemed non-responsive and shall be rejected)</i>	

**Part C: Additional Information**

1.0	Additional Mini-Bid Information: If applicable, enter bid deviations or other additional information applicable to this Mini-Bid.
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**Part D: Vehicle Request Price Worksheets**

Enter the requested pricing information for the Chassis and/or Body offered for the Mini-Bid in the yellow-colored cells below in the "Chassis Price Worksheet," "Body Price Worksheet" and "Delivery Charge Worksheet." An Authorized User may request verification of pricing information. The Contractor shall, upon request by the Authorized User, provide supporting documentation that verifies the pricing entered on the "Vehicle Request Price Worksheets." Complete the pricing worksheets for each type of Vehicle request as follows:

**Complete Vehicle (1):** If the Mini-Bid is for a Complete Vehicle in which the Chassis and Body are sold and marketed by different OEMs, complete both the "Chassis Price Worksheet" and "Body Price Worksheet" for the Vehicles offered, and the "Delivery Charge Worksheet."

**Complete Vehicle (2):** If the Mini-Bid is for either a Complete Vehicle in which the Chassis and Body are produced by the same OEM (e.g., a pickup truck), or a Complete Vehicle that is marketed and sold under one OEM brand name, enter all Vehicle pricing information in the "Chassis Price Worksheet" and complete the "Delivery Charge Worksheet." A Complete Vehicle is defined as the Product that is the result of the Chassis and Body being joined together to form a Vehicle that is ready for use and requires no further manufacturing operations to perform its intended function.

**Chassis Only:** If the Mini-Bid is for a Chassis only, with no Body, complete the "Chassis Price Worksheet" and "Delivery Charge Worksheet" for the Chassis offered. If the Authorized User is supplying the Body for a Complete Vehicle, then enter the NYS Contract Price for installation of the Body in the "NYS Aftermarket Component Price (Body)" field in the "Body Price Worksheet."

**Body Only:** If the Mini-Bid is for a Body only, with no Chassis, complete the "Body Price Worksheet" and "Delivery Charge Worksheet" for the Body offered. If the Authorized User is supplying the Chassis for a Complete Vehicle, then include the NYS Contract Price for installation of the Body in the "NYS Aftermarket Component Price (Chassis)" field in the "Chassis Price Worksheet."

Chassis Price Worksheet		
Q#	Definitions and Instructions	Price
1.0	Chassis Base MSRP (The total of the MSRP for the Chassis Model offered, including all standard equipment provided with the Chassis, all Options necessary to meet the Authorized User Specifications, and all applicable OEM fees; (e.g., destination charges). The Chassis Base MSRP does not include Aftermarket Components, the Body or the Delivery Charge.)	\$42,625.00

2.0	NYS Chassis Discount (The actual percentage amount by which the Chassis Base MSRP is reduced for NYS Contract purchases). [Type a number only (e.g., 5.5); Do not type a percentage sign (%) after the number; For 5.5% type 5.5; not 0.055]. Note: The percentage discount shall be either equal to the NYS Minimum Chassis Discount(s) set forth in Appendix C: Class 3-8 Vehicles Contract Documents: Number 1: Contractor Information that is applicable to the Model offered in the Mini-Bid, or a greater discount. A Mini-Bid response that includes a percentage discount that is less than the NYS Minimum Chassis Discount listed in the Contract shall be deemed non-responsive and shall be rejected.	28.70
3.2	NYS Chassis Base Price (The per unit NYS Contract Price for a Chassis, and includes any OEM fees, all customs duties and charges, all Vehicle preparation and clean-up charges, NYS DMV inspection, installation charges, and all other incidentals included with providing the Chassis to the Authorized User. The NYS Chassis Base Price does not include Aftermarket Components or the Delivery Charge). [Automatically calculated: Chassis Base MSRP minus NYS Chassis Discount].	\$30,391.63
4.0	NYS Aftermarket Component Price (Chassis) (The total dollar amount charged to the Authorized User for Aftermarket Components added to a Chassis, inclusive of installation fees at the Contractor's normal, published labor rates, which shall not be more than what is charged to the public at large). [Enter "0.00" if there are no Aftermarket Components included in the Chassis (the default entry is "0.00")].	\$0.00
5.0	NYS Contract Price (Chassis) (The dollar amount charged to the Authorized User for each Chassis, inclusive of Aftermarket Components. The NYS Contract Price (Chassis) does not include the Delivery Charge). [Automatically calculated: NYS Base Price (Chassis) plus the NYS Aftermarket Components Price (Chassis)].	\$30,391.63
6.0	Total number of Chassis (The number of Chassis specified by the Authorized User, and to be provided at the NYS Contract Price (Chassis)). [The quantity entered should match the number of Chassis specified by the Authorized User in the Mini-Bid Request]. Note: The number of Chassis specified by the Authorized User is the estimated quantity of Chassis that the Authorized User shall purchase from the Mini-Bid in the event of an award. The Authorized User reserves the right to partially award a Mini-Bid for a number of Chassis that is less than number of Chassis specified. In the event of an award, the Contractor must supply the actual number of Chassis ordered by the Authorized User at the NYS Contract Price (Chassis).	1
7.0	Total NYS Contract Price (Chassis) [Automatically calculated: the NYS Contract Price (Chassis) multiplied by the Total number of Chassis].	\$30,391.63

**Body Price Worksheet**

Q#	Definitions and Instructions	Price
1.0	NYS Body Base Price (The per unit NYS Contract Price for a Body offered, including all standard equipment provided with the Body, all Options necessary to meet the Authorized User Specifications, and all applicable OEM fees, (e.g., destination charges), all customs duties and charges, all Vehicle preparation and clean-up charges, installation charges, and all other incidentals included with providing the Body to the Authorized User. The NYS Body Base Price does not include Aftermarket Components or the Delivery Charge). [Automatically calculated: Base MSRP (Body) minus NYS Discount (Body)].	
2.0	NYS Aftermarket Component Price (Body) (The total dollar amount charged to the Authorized User for Aftermarket Components added to a Body, inclusive of installation fees at the Contractor's normal, published labor rates, which shall not be more than what is charged to the public at large). [Enter "0.00" if there are no Aftermarket Components included in the Body (the default entry is "0.00")].	
3.0	NYS Contract Price (Body) (The dollar amount charged to the Authorized User for each Body, inclusive of Aftermarket Components. The NYS Contract Price (Body) does not include the Delivery Charge). [Automatically calculated: NYS Body Base Price plus the NYS Aftermarket Components Price (Body)].	
4.0	Total number of Bodies (The number of Bodies specified by the Authorized User, and to be provided at the NYS Contract Price (Body)). [The quantity entered should match the number of Bodies specified by the Authorized User in the Mini-Bid Request]. Note: The number of Bodies specified by the Authorized User is the estimated quantity of Bodies that the Authorized User shall purchase from the Mini-Bid in the event of an award. The Authorized User reserves the right to partially award a Mini-Bid for a number of Bodies that is less than number of Bodies specified. In the event of an award, the Contractor must supply the actual number of Bodies ordered by the Authorized User at the NYS Contract Price (Body).	
5.0	Total NYS Contract Price (Bodies) [Automatically calculated: the NYS Contract Price (Body) multiplied by the Total number of Bodies].	

**Delivery Charge Worksheet**

Q#	Definitions and Instructions	Price
1.0	Delivery Charge (the total dollar amount charged to the Authorized User for shipment of the Vehicles from the Delivery Origin to the location(s) designated by the Authorized User on Form A (Class 3-8): Mini-Bid Request, and on the Purchase Order). Note: Delivery Origin shall mean the location from which the Contractor delivers a Vehicle to the Authorized User (i.e., Contractor's place of business or other location specified by the Contractor in the Mini-Bid).	



For each Region that the number of Vehicles requested by the Authorized User are to be delivered to, enter (1) the number of Vehicles delivered to Region, (2) Delivery Origin NYS County, (3) Region delivered to, and (4) Delivery Charge for each Vehicle. Multiple yellow-colored rows of cells have been provided for Mini-Bids that require delivery to more than one Region.

Total Delivery Charge for Region shall be automatically calculated (Number of Vehicles multiplied by Delivery Charge for Each Vehicle). The Total Number of Vehicles and Total Delivery Charge for Vehicles shall also be automatically calculated.

Refer to the Delivery Region Chart on the "Instructions and Charts" worksheet for the applicable Region for a NYS County. Refer to the Delivery Allowance Schedule (DAS) on the "Instructions and Charts" worksheet for the maximum dollar amount that shall be paid for delivery of a Vehicle from the Delivery Origin to the applicable Region delivered to. A Contractor may include a Delivery Charge that is less than the Delivery Allowance in the bid submitted for the Mini-Bid. A bid that includes a Delivery Charge that exceeds the Delivery Allowance shall be rejected.

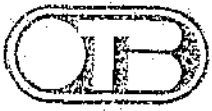
# of Vehicles Delivered to Region	Delivery Origin NYS County (Drop-down list)	Region Delivered to (drop-down list)	Delivery Charge for Each Vehicle	Total Delivery Charge for Region
1.1	Erie	1	\$75.00	\$75.00
1.2	No Additional Counties	No Additional Regions		
1.3	No Additional Counties	No Additional Regions		
1.4	No Additional Counties	No Additional Regions		
1.5	No Additional Counties	No Additional Regions		
1.6	No Additional Counties	No Additional Regions		
1.7	No Additional Counties	No Additional Regions		
1.8	No Additional Counties	No Additional Regions		
1.9	No Additional Counties	No Additional Regions		

Total Number of Vehicles (This quantity should match the quantity specified by the Authorized User on the Mini-Bid Request)

Total Delivery Charge for Vehicles

2.0

Total Evaluation Price for Item		
Q#	Definitions and Instructions	Price
1.0	Total Evaluation Price for Item (the dollar amount used in this Mini-Bid for evaluation of this Item cost). (Automatically calculated as the sum of the following): 1) Total NYS Contract Price (Chassis), if applicable; 2) Total NYS Contract Price (Bodies), if applicable; and 3) Total Delivery Charge for Vehicles	\$30,465.63



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WESTERN REGIONAL OFF-TRACK  
 BETTING CORPORATION

September 19, 2019

TO: Ken Lauderdale, Chairman Finance  
 Members, Board of Directors

FROM: Megan Glor, Director of Purchasing & Real Estate

SUBJECT: Public Bid – Erie County  
 Snowplowing and Shoveling Services

A public bid was held on Thursday, September 19, 2019 for snowplowing and shoveling services at four (4) branches in Erie County. Attached is a complete breakdown of all bids received.

After review of all bids, staff requests the Board's awarding of the contract to Landscaping & Snowplowing Maintenance of Buffalo, LLC for Wehrle Drive and Brothers-In-Lawn, Inc. for McKinley Parkway; Clinton Street and Delaware Avenue.

<u>Landscaping &amp; Snowplowing Maintenance of Buffalo LLC.</u>	<u>Per Call Plowing</u>	<u>Per Call Salting</u>
969 McKinley Parkway, Buffalo	\$245.00	\$230.00
2310 Clinton Street, Buffalo	\$185.00	\$170.00
1042 Wehrle Drive, Williamsville	\$200.00	\$210.00
2228 Delaware Avenue, Buffalo	\$125.00	\$110.00

<u>Brothers In Lawn Inc.</u>	<u>Per Call Plowing</u>	<u>Per Call Salting</u>
969 McKinley Parkway, Buffalo	\$215.00	\$160.00
2310 Clinton Street, Buffalo	\$160.00	\$150.00
1042 Wehrle Drive, Williamsville	\$190.00	\$250.00
2228 Delaware Avenue, Buffalo	\$ 85.00	\$100.00

/mmg  
 Attachment

WROTB CORPORATION  
 SNOWPLOWING COST COMPARISON 2019/2018

Location	2019-2020 Brothers In Lawn Inc. Per call plowing/per call salting	2019-2020 Landscape & Snowplowing Maintenance of Buffalo - per call plowing/per call salting	2018-2019 Brothers In Lawn Inc.- per call plowing/per call salting
969 McKinley Parkway, Buffalo	\$215.00/\$160.00		\$220.00/\$160.00
2310 Clinton St., Buffalo	\$160.00/\$150.00		\$165.00/\$150.00
1042 Wehrle Drive, Williamsville		\$200.00/\$210.00	\$195.00/\$250.00
2229 Delaware Avenue, Buffalo	\$85.00/\$100.00		\$85.00/\$100.00

## RESOLUTION #94-2019

**WHEREAS**, it is the responsibility of the Western Regional Off-Track Betting Corporation ("Western") to maintain the physical condition and aesthetic appearance of its branch facilities; and

**WHEREAS**, the Board of Directors of Western and staff see as a fundamental duty the safety and well-being of its patrons and branch employees who visit and use these branch facilities; and

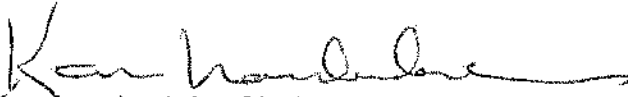
**WHEREAS**, a public bid opening was held on September 19, 2019 for snow plowing and salting services at each of four branch facilities in Erie County for the upcoming 2019-2020 winter season; and

**WHEREAS**, staff has determined that Landscaping & Snowplowing Maintenance of Buffalo, LLC was the lowest responsible bidder for Wehrle Drive; now

**THEREFORE, BE IT RESOLVED**, that the Board of Directors of Western award the contract for snow plowing and salting to Landscaping & Snowplowing Maintenance of Buffalo, LLC for Wehrle Drive, as per the schedule attached, total amount not to exceed \$13,000.00; and

**BE IT FURTHER, RESOLVED** that an officer of Western is directed to facilitate the performance of the contracts by taking such actions as are required to do so.

Respectfully submitted,

  
Ken Lauderdale, Chairman  
Finance Committee

Dated: September 26, 2019  
Batavia, New York

## RESOLUTION #97-2019

**WHEREAS**, it is the responsibility of the Western Regional Off-Track Betting Corporation ("Western") to maintain the physical condition and aesthetic appearance of its branch facilities; and

**WHEREAS**, the Board of Directors of Western and staff see as a fundamental duty the safety and well-being of its patrons and branch employees who visit and use these branch facilities; and

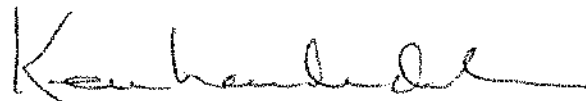
**WHEREAS**, a public bid opening was held on September 19, 2019 for snow plowing and salting services at each of four branch facilities in Erie County for the upcoming 2019-2020 winter season; and

**WHEREAS**, staff has determined that Brothers In Lawn, Inc. was the lowest responsible bidder for McKinley Parkway, Clinton Street and Delaware Avenue locations; now

**THEREFORE, BE IT RESOLVED**, that the Board of Directors of Western award the contract for snow plowing and salting to, Brothers In Lawn, Inc. as per the schedule attach and that Brothers-In-Lawn Inc. was the lowest responsible bidder for McKinley Parkway, Clinton Street and Delaware Avenue, total amount not to exceed \$32,000.00; and

**BE IT FURTHER, RESOLVED** that an officer of Western is directed to facilitate the performance of the contracts by taking such actions as are required to do so.

Respectfully submitted,



Ken Lauderdale, Chairman  
Finance Committee

Dated: September 26, 2019  
Batavia, New York



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WESTERN REGIONAL OFF-TRACK  
 BETTING CORPORATION

September 19, 2019

TO: Ken Lauderdale, Chairman Finance  
 Members, Board of Directors

FROM: Megan Glor, Director of Purchasing & Real Estate

SUBJECT: Public Bid – Monroe County  
 Snowplowing and Shoveling Services

A public bid was held on Thursday, September 19, 2019 for snowplowing and shoveling services at two (2) branches in Monroe County. Attached is a complete breakdown of all bids received.

After review of all bids, staff requests the Board's awarding of the contract to CPM Property Services.

<u>CPM Property Services</u>	<u>Per Call Plowing</u>	<u>Per Call Salting</u>
940 West Broad, Rochester	\$147.99	\$129.99
714 West Ridge Rd., Rochester	\$149.99	\$129.99

/mmg

Attachment

SNOWPLOWING COST COMPARISON 2019/2018

Location	2019-2020 CPM Property Services per call plowing/per call salting	2018-2019 CPM Property Services- per call plowing/per call salting
940 W Broad, Rochester	\$147.99/\$129.99	\$147.99/\$99.99
714 West Ridge Rd, Rochester	\$149.99/\$129.99	\$148.99/\$99.99

## RESOLUTION #95-2019

WHEREAS, it is the responsibility of the Western Regional Off-Track Betting Corporation ("Western") to maintain the physical condition and aesthetic appearance of its branch facilities; and

WHEREAS, the Board of Directors of Western and staff see as a fundamental duty the safety and well-being of its patrons and branch employees who visit and use these branch facilities; and

WHEREAS, a public bid opening was held on September 19, 2019 for snow plowing and salting services at each of two branch facilities in Monroe County for the upcoming 2019-2020 winter season; and

WHEREAS, staff has determined that CPM Property Services was the lowest responsible bidder on a branch-by-branch basis; now

THEREFORE, BE IT RESOLVED, that the Board of Directors of Western award the contract for snow plowing and salting to CPM Property Services as per the schedule attached, total amount not to exceed \$20,000.00; and

BE IT FURTHER, RESOLVED that an officer of Western is directed to facilitate the performance of the contracts by taking such actions as are required to do so.

Respectfully submitted,



Ken Lauderdale, Chairman  
Finance Committee

Dated: September 26, 2019  
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WESTERN REGIONAL OFF-TRACK  
 BETTING CORPORATION

September 19, 2019

TO: Ken Lauderdale, Chairman Finance  
 Members, Board of Directors

FROM: Megan Glor, Director of Purchasing & Real Estate

SUBJECT: Public Bid – Niagara County  
 Snowplowing and Shoveling Services

A public bid was held on Thursday, September 19, 2019 for snowplowing and shoveling services at three (3) branches in Niagara County. Attached is a complete breakdown of all bids received.

After review of all bids, staff requests the Board's awarding of the contract to Bill's Automotive.

<u>Bill's Automotive</u>	<u>Per Call Plowing</u>	<u>Per Call Salting</u>
2500 Military Road, Niagara Falls	\$76.50	\$80.00
550 River Road, North Tonawanda	\$65.00	\$72.00
5810 S. Transit Road, Lockport	\$84.50	

<u>Angelo's Snowplowing</u>	<u>Per Call Plowing</u>	<u>Per Call Salting</u>
5810 S. Transit Road, Lockport	\$110.00	

/mmg

Attachment

WROTE CORPORATION  
 SNOWPLOWING COST COMPARISON 2019/2018

Location	2019-2020 Bills Automotive Per call plowing/per call salting	2018-2019 Angelo's Snowplowing per call plowing/per call salting	2018-2019 Bills Automotive per call plowing/per call salting
2500 Military Rd, Niagara Falls	\$76.50/\$80.00		\$76.95/\$72.00
550 River Rd, Niagara Falls	\$65.00/\$72.00		\$65.50/\$72.00
5810 S. Transit Rd. Lockport	\$84.50	\$110.00	

## RESOLUTION #96-2019

**WHEREAS**, it is the responsibility of the Western Regional Off-Track Betting Corporation ("Western") to maintain the physical condition and aesthetic appearance of its branch facilities; and

**WHEREAS**, the Board of Directors of Western and staff see as a fundamental duty the safety and well-being of its patrons and branch employees who visit and use these branch facilities; and

**WHEREAS**, a public bid opening was held on September 19, 2019 for snow plowing and salting services at each of three branch facilities in Niagara County for the upcoming 2019-2020 winter season; and

**WHEREAS**, staff has determined that Bill's Automotive was the lowest responsible bidder on a branch-by-branch basis; now

**THEREFORE, BE IT RESOLVED**, that the Board of Directors of Western award the contract for snow plowing and salting to Bill's Automotive as per the schedule attached, total amount not to exceed \$15,000.00; and

**BE IT FURTHER, RESOLVED** that an officer of Western is directed to facilitate the performance of the contracts by taking such actions as are required to do so.

Respectfully submitted,



Ken Lauderdale, Chairman  
Finance Committee

Dated: September 26, 2019  
Batavia, New York