




ERIE COUNTY WATER AUTHORITY

INTEROFFICE MEMORANDUM

August 21, 2018

To: Terrence D. McCracken, Secretary to the Authority

From: Russell J. Stoll, Executive Engineer 

Subject: Board Authorization to File Grant Application
ECWA Application for Grant for 36-inch Transmission Main - Amherst
ECWA Project No. 201800169

The project to replace 6,000 Linear Feet of 36-inch transmission main between Ball Station and Millersport Highway, including a section extending under Main street is currently in the design phase.

A New York State Environmental Quality Review Act environmental assessment was completed and posted for public review. It was determined that based on the information available and the associated analysis that the proposed action will not result in any significant adverse environmental impacts.

Preparation of a complete application for a grant from EFC, DOH 2018 NYS Water Grants requires a resolution from the ECWA Board of Commissioners supporting the planning, design and construction, and funding of the project along with filing the grant application.

The Authority's engineering staff has completed the grant application for New York State Environmental Facilities Corporation, Department of Health 2018 NYS Water Grants. Water Infrastructure Improvement Act (WIIA) grant. This application along with other supporting documentation for the application are included for information for the Board.

RJS:jmf

Attachments

cc: ECWA-345-1801-I-001



GRANT APPLICATION
NYS WATER INFRASTRUCTURE IMPROVEMENT ACT (WIIA)
&
NYS INTERMUNICIPAL WATER INFRASTRUCTURE GRANTS PROGRAM (IMG)
DRINKING WATER

A. APPLICANT

Name of Applicant: Erie County Water Authority County: Erie
Federal I.D. Number: 16-6000337 DUNS Number: 07-147-8119
Cooperating Municipality(ies) (IMG Only): N/A

Highest Elected Official: Jerome Schad Phone: 716-849-8430
Title: Chairman Email: jschad@ecwa.org
Mailing Address: 295 Main Street, Room 350
Buffalo, New York 14203

Authorized Representative: Russell J. Stoll, PE Phone: 716-885-8276
Title: Executive Engineer Email: rstoll@ecwa.org
Mailing Address: 3030 Union Road
Cheektowaga, New York 14227

Daily Contact Name: Steven W. Denzler, PE Phone: 716-885-8227
Title: Distribution Engineer Email: sdenzler@ecwa.org
Company: Erie County Water Authority

Engineering Consultant: Michael Wymer, PE Phone: 716-888-0766
Title: Senior Environmental Engineer Email: mwymer@wendelcompanies.com
Company: Wendel

B. GRANT CATEGORY

Identify the grant program(s) for which you are applying by checking the appropriate box or boxes below.

- [x] New York Water Infrastructure Improvement Act (WIIA) grant
[] Intermunicipal Water Infrastructure Grants Program (IMG) grant



C. GENERAL INFORMATION

Project Name: 36-Inch Transmission Main from Ball Pump Station east of I-290
 Project Location: Town of Amherst, New York
42.989187 Latitude -78.797451 Longitude
 Service Area: Towns of Amherst, Clarence, Newstead, Lancaster, and Cheektowaga
 Population of Project Service Area: 215,000
 Public Water Supply ID Number 1400443

Legislative Districts (include multiple districts if applicable)		
US Congress	NY Senate	NY Assembly
<u>26</u>	<u>61</u>	<u>146</u>

Estimated Total Project Cost: \$ 5,921,820 Design Start Date: August 2018 (T / A)
 Construction Start Date: May 2019 (T / A) Construction End Date: June 2020 (T / A)
 Check "T" for a target date and "A" for an actual date

D. PROJECT INFORMATION

1. Provide a brief description of your project and why it is the best solution to an identified water quality problem.

The transmission main leaving the Ball Pump Station in Amherst is a pre-stressed concrete pipe which typically operates above 105 psi. This main has been proven to include manufacturing defects, and has had a higher than normal leak history. In July 2016, a significant failure of a defective 36-inch diameter section of pipe occurred which impacted many customers within the ECWA service area. This break caused a significant loss of water pressure to many customers, and some customers lost water service completely. During this break, numerous storage tanks within the system dropped in elevation considerably, and providing adequate fire protection was a great concern.

It is estimated that the existing waterline in question serves about one fifth of all residents in ECWA's service area. During the July 2016 failure, approximately 215,000 residents were issued a boil water notice by the Erie County Health Department to protect public health. This waterline is a non-redundant, critical element of the ECWA's infrastructure, requiring that steps be taken to ensure its' long-term functionality. Replacement of this line was the only effective solution determined.

After the significant failure in July 2016, an analysis identified material defects and corrosion of the prestressing wires in the existing waterline which contributed to the historic breaks, and identified a higher than normal risk for failure for this waterline. It is essential for this waterline to be replaced to ensure safe potable water for the residents of Erie County.

2. If applying for an IMG Grant, describe how the joint project benefits the cooperating municipalities and is the best solution for an identified water quality problem.



3. Which of the following categories does the project scope address?

- Source
- Treatment
- Storage
- Distribution

4. Has any portion of your source, treatment, or distribution system been compromised or created a situation where the system users were without water?

- No
 - Yes
- If yes, please explain.

Yes, the last break on this line occurred in the summer of 2016 where an estimated 215,000 customers experienced lower than normal operating pressures, and some were without water. With the pressures in the system below safe operating levels, a 'boil-water' notice was issued by Erie County Health Department to ensure the health and safety of the public. During this break, numerous storage tanks within the system dropped in elevation considerably, and providing adequate fire protection was also a great concern.

5. Is the project required through an enforcement action, such as a DOH violation, DOH and/or EPA consent order, judicial order, compliance schedule?

- No
 - Yes
- If yes, indicate the type, date of execution and reason for the enforcement action as it relates to the project. Please submit a copy of the executed enforcement action or compliance order with the grant application.

6. Describe the project's community impacts, including but not limited to, public support for the project, critical community resources served by this project, or economic development impacts.

The waterline break of the defective 36-inch transmission main in July 2016 had significant community impacts. The Erie County Health Department issued a 'boil-water notice' for some customers, including those in the towns of Amherst, Clarence, Newstead, Cheektowaga and Lancaster in Erie County, and the towns of Pembroke and Darien in Genesee County. The Erie County Legislature held hearings regarding the incident, with a sample of the defective pipe displayed. Many businesses in the area, including restaurants, schools, hospitals, and various service industries, had to temporarily close due to insufficient water for customers, or because fire protection systems were not active or sufficient. Moreover, this break caused significant concerns for key community institutions such as SUNY Buffalo (Amherst Campus), Millard Fillmore Surburban Hospital, and municipal buildings in Amherst and Clarence. Many restaurants temporarily shut down or served reduced menus because of insufficient water. Bottled water sales greatly increased, due to concerns regarding the water quality. Additional biological sampling and testing occurred, to ensure public health. Public support for this project is strong due to these issues.



7. Is the project identified in any regional planning initiatives (e.g. a Comprehensive Plan, Regional Planning document, Waterfront Revitalization Plan, Watershed Plan or Estuary Plan)?

No Yes If yes, describe below and attach applicable documents:

[Empty text box for response to question 7]

8. Does the project require easements or land acquisition?

No Yes If yes, describe the status of obtaining the easement an/or land. If the process has been completed, attach the Title Certification and/or proof of easement acquisition.

The project corridor is owned by National Grid, and the ECWA currently has an access easement in place for the existing waterline. National Grid is receptive to a new waterline through this area, as long as all safety concerns are met. Because of the high voltage equipment in the area, proper grounding and other safety requirements need to be followed throughout construction, which the ECWA has agreed to without issue. No land needs to be acquired for this project.

9. Does the project require a debt exclusion approval from the Office of the State Comptroller (OSC)?

No Yes If yes, describe the status. If the debt exclusion has been approved, attach the OSC approval letter.

[Empty text box for response to question 9]

10. Describe the current status of the project and, as applicable, your ability to demonstrate community impacts or readiness to proceed forward including, but not limited to, an executed engineering agreement for design services, executed professional service agreements, detailed project schedule, plans and specifications.

Due to the severity of the situation, the Erie County Water Authority has begun this project. ECWA has already hired an engineering consultant to begin the design of this project, has an executed agreement for these design services, and a preliminary schedule has been developed. Copies of the agreement between ECWA and Wendel, and the project schedule have been included in the Grant Application report. Wendel is under contract to provide plans and specifications for public bidding. According to the preliminary schedule, plans will be available by the end of 2018 with construction expected in 2019.



11. Check the applicable box(es) below to indicate the financing plan for the balance of the project following a grant award.

Municipal Contributions Amount: \$ 5,921,820

Source: Erie County Water Authority

Municipal Interfund Borrowing Amount: \$ _____

DWSRF Financial Assistance Amount: \$ _____

The project is currently listed on 2018 Intended Use Plan (IUP)
DWSRF Project Number: _____

A project listing for the 2019 IUP will be submitted

Note: If awarded an IMG grant, the project will not be eligible for subsidized financing through EFC and will only be eligible to apply for market rate financing.

Non-EFC Debt

Type (BAN*, Bonds, other)	Amount	Issue Date	T/A** (<input type="checkbox"/> T / <input type="checkbox"/> A)	Call Date
_____	_____	_____	(<input type="checkbox"/> T / <input type="checkbox"/> A)	_____
_____	_____	_____	(<input type="checkbox"/> T / <input type="checkbox"/> A)	_____
_____	_____	_____	(<input type="checkbox"/> T / <input type="checkbox"/> A)	_____

*If a BAN is callable, please provide call date.

** Check "T" for a target date and "A" for an actual date

Non-EFC Grants

Grant Type	Amount	Status (provide dates)	
		Applied	Approved
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____

Other Funding, please describe:

12. Has the Applicant submitted timely annual financial reports to OSC for each of the last three years?

No Yes If no, please explain:



E. TOTAL PROJECT BUDGET

Please add line items to the budget as needed. If you have additional questions, please call EFC or refer to the Intended Use Plan.

Category	Estimated Costs
1. Construction Costs	
Contract 1	\$ 4,456,085
Contract 2	\$
Contract 3	\$
Contract 4	\$
2. Engineering Costs	
a. Planning	\$
b. Design	\$ 91,420
c. Construction	\$ 206,820
d. Other	\$ 499,082
3. Other Expenses	
a. Local Counsel	\$
b. Bond Counsel	\$
c. Work Force	
- Technical	\$
- Administrative	\$
d. Fiscal Services	\$
e. Net Interest	\$
f. Miscellaneous (please describe)	\$
	\$
	\$
	\$
4. Equipment	\$
5. Land Acquisition	\$
6. Contingencies	\$ 668,413 (15%)
7. Total Project Costs (sum lines 1-6)*	\$ 5,921,820
8. Less: Other Sources of Funding	\$
9. Total Financial Assistance Requested (line 7 minus line 8)	\$ 5,921,820

*This value should match the estimated project cost on Page 2.



F. REQUIRED DOCUMENTS

- For All Applications: The following documents are **required and must be submitted with the application** if not previously submitted to DOH/EFC. If any of these items are unavailable, do not continue with the application at this time.

Enclosed	Previously Submitted to EFC	
<input checked="" type="checkbox"/>	<input type="checkbox"/>	Engineering Report
<input checked="" type="checkbox"/>	<input type="checkbox"/>	Smart Growth Assessment Form
<input checked="" type="checkbox"/>	<input type="checkbox"/>	Environmental Review Determination
<input checked="" type="checkbox"/>	<input type="checkbox"/>	SHPO Project Review Determination Letter
<input checked="" type="checkbox"/>	<input type="checkbox"/>	Authorizing Resolution (Certified)

- The following documents are **required as indicated and must be submitted with the application** if not previously submitted to EFC. If any of these items apply to your project and are unavailable, do not continue with the application at this time.

Enclosed	Previously Submitted to EFC	Not Applicable	
<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	Intermunicipal Agreement (Valid and Binding) <i>(Required if applying for IMG)</i>
<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	DWSRF Financing Application <i>(Required if applying for WIIA or IMG grants with DWSRF Financing)</i>
<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	Water District, District Extension Formation or Other OSC Approvals <i>(Required if forming or extending a district)</i>



G. ACKNOWLEDGEMENTS

1. Upon submission of this application, you acknowledge your responsibility to comply with New York State Executive Law, Article 15-A with respect to Minority and Women’s Business Enterprise (MWBE) – Equal Employment Opportunity (EEO) requirements, and Service-Disabled Veteran-Owned Business (SDVOB). By checking this box, you acknowledge that you are aware of these obligations and that you are authorized to make this acknowledgement on behalf of the applicant.

MWBE Goals for IMG with DWSRF financial assistance - 24%

MWBE Goals for WIIA with DWSRF financial assistance - 26%

MWBE Goals for WIIA or IMG without DWSRF financial assistance - 30%

EEO goals for all applicants - % varies by County (<http://www.efc.ny.gov/mwbe>)

SDVOB goals without DWSRF financial assistance – 6%

SDVOB goals are not required, but encouraged, with DWSRF financial assistance

Acknowledged

2. To receive financing assistance through the DWSRF, you will need to meet various other New York State and federal requirements. These requirements include, but are not limited to, Davis-Bacon Federal Prevailing Wage and related acts, and American Iron and Steel. Recipients of financial assistance will be required to perform certain actions to verify compliance and ensure certain provisions are contained in all contracts and subcontracts. By checking this box, you acknowledge that you are aware of this requirement and that you are authorized to make this acknowledgement on behalf of the Applicant.

Acknowledged

Please refer to the current IUP for your additional detail regarding responsibilities under these programs.



H. SIGNATURE FOR GRANT APPLICATION

CERTIFICATION: On behalf of the Applicant, and in accordance with the board resolution by

Erie County Water Authority
(Governing Body of Municipal Applicant)

authorizing me to do so, I apply for a WIIA grant and/or IMG grant for the project described in this application. By signing this application, I certify and agree on behalf of the Applicant and its governing body that all of the information contained in this application, in other statements and exhibits attached hereto or referenced herein, and in all statements, data and supporting documents which have been made or furnished for the purpose of receiving a WIIA grant or IMG grant for the project described herein, are true, correct and complete to the best of my knowledge and belief.

I further agree on behalf of the Applicant that, if DWSRF assistance is provided for the project described in this application, the Applicant shall comply with all applicable provisions of the Federal Safe Drinking Water Act, 42 U.S.C. §§ 300f, et seq., and applicable provisions of state law, codified under Chapter 413 of the Laws of New York of 1996, 10 NYCRR Part 53, and 21 NYCRR Part 2604, as amended, regarding DWSRF assistance.

I further agree that the Applicant will comply with the provisions of the Minority and Women's Business Enterprise – Equal Employment Opportunity requirements of Article 15-A of the New York State Executive Law and will maintain such records and take such actions necessary to demonstrate such compliance throughout the construction of the project.

Further, I acknowledge that offering a written instrument knowing that the written instrument contains a false statement or false information, with the intent to defraud the State or any political subdivision, public authority or public benefit corporation of the State, with the knowledge or belief that it will be filed with or recorded by the State or any political subdivision, public authority or public benefit corporation of the State, constitutes a crime under New York State Law.

(Signature of Authorized Representative)

(Date)

(Name and Title)

Erie County Water Authority

(Municipal Applicant)