

ERIE COUNTY WATER AUTHORITY
AUTHORIZATION FORM
For Approval/Execution of Documents
(check which apply)

Contract: _____ **Project No.:** 202100019
Project Description: Center Street Reconstruction and Improvement Project, City of Lackawanna Cooperative Agreement – Amendment No. 1

Item Description:



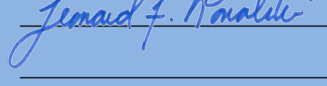
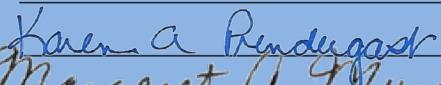
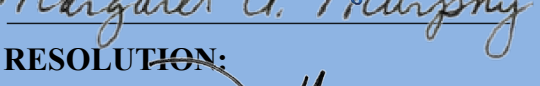
<input type="checkbox"/> Agreement	<input type="checkbox"/> Professional Service Contract	<input checked="" type="checkbox"/> Amendment	<input type="checkbox"/> Change Order
<input type="checkbox"/> BCD	<input type="checkbox"/> NYSDOT Agreement	<input type="checkbox"/> Contract Documents	<input type="checkbox"/> Addendum
<input type="checkbox"/> Recommendation for Award of Contract	<input type="checkbox"/> Recommendation to Reject Bids		
<input type="checkbox"/> Request for Proposals			
<input type="checkbox"/> Other _____			

Action Requested:


<input checked="" type="checkbox"/> Board Authorization to Execute	<input checked="" type="checkbox"/> Legal Approval
<input type="checkbox"/> Board Authorization to Award	<input checked="" type="checkbox"/> Execution by the Chairman
<input type="checkbox"/> Board Authorization to Advertise for Bids	<input type="checkbox"/> Execution by the Secretary to the Authority
<input type="checkbox"/> Board Authorization to Solicit Request for Proposals	
<input type="checkbox"/> Other _____	

Approvals Needed:

APPROVED AS TO CONTENT:

<input checked="" type="checkbox"/> Sr. Distribution Engineer	<u></u>	Date: <u>4/21/2020</u>
<input checked="" type="checkbox"/> Chief Operating Officer	<u></u>	Date: <u>4/21/2021</u>
<input checked="" type="checkbox"/> Executive Engineer	<u></u>	Date: <u>04-21-2021</u>
<input type="checkbox"/> Director of Administration	_____	Date: _____
<input type="checkbox"/> Risk Manager	_____	Date: _____
<input checked="" type="checkbox"/> Chief Financial Officer	<u></u>	Date: <u>04/21/2021</u>
<input checked="" type="checkbox"/> Legal	<u></u>	Date: <u>04/21/2021</u>

APPROVED FOR BOARD RESOLUTION:

<input checked="" type="checkbox"/> Secretary to the Authority	<u></u>	Date: <u>04/21/2021</u>
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Remarks: _____

Resolution Date: _____ **Item No:** _____



ERIE COUNTY WATER AUTHORITY

INTEROFFICE MEMORANDUM

April 21, 2021

To: Terrence D. McCracken, Secretary to the Authority

From: Leonard F. Kowalski, Executive Engineer *LFK*

Subject: Center Street Reconstruction and Improvement Project
City of Lackawanna
Cooperative Agreement – Amendment No. 1
ECWA Project No. 201900019

The Erie County Water Authority and the City of Lackawanna entered into a Cooperative Agreement on February 18, 2021 for the Center Street Reconstruction and Improvement Project.

In accordance with ¶ 4.04 of the Cooperative Agreement, the City has provided the Authority's Executive Engineer and its Chief Financial Officer the estimated fees and expenses for which the City will seek reimbursement for services provided by the Consulting Engineer relating to the Water Main Project. The Chief Financial Officer and the Executive Engineer has reviewed the estimated consulting fees and expenses submitted by the City and its Consulting Engineer relating to the Water Main Project and have determined these estimated fees and expenses to be reasonable based on the scope of the work to be performed relating to the Water Main Project.

Attached is the Amendment and letter proposal that was provided by the City. At this time, we are asking that the Agreement be processed appropriately and executed by the Chairman. An executed copy must be returned to the City.

This project is funded under Unit 2590 Eng/Const Distribution Mains - Capital Item 101188 Betterments.

Please feel free to contact me if you have any questions.

LFK:jmf
Attachments
cc: R.Stoll
M.Quinn
LACY-159-2101-X-10

**AMENDMENT NO. 1
TO COOPERATIVE AGREEMENT**

AMENDMENT, effective April 29, 2021, to the Cooperative Agreement, with the effective date of February 18, 2021, by and between

ERIE COUNTY WATER AUTHORITY
295 Main Street, Room 350
Buffalo, New York 14203

hereinafter referred to as the “Authority”, and

CITY OF LACKAWANNA
714 Ridge Road
Lackawanna, New York 14218

hereinafter referred to as the “City.”

WHEREAS, the City has initiated a capital improvement project, known as the Center Street Reconstruction and Improvement Project, for the reconstruction of the roadway, water mains, storm sewers, sidewalks, curbs, driveway approaches, and handicap accessible curb cuts on Center Street. (the “Project”); and

WHEREAS, the City has retained the services of CPL Architects, Engineers, Landscape Architect and Surveyor, D.P.C., as the consulting engineering firm to oversee the Project (the “Consulting Engineer”); and

WHEREAS, at a regular meeting held on February 18, 2021, the Authority’s Board of Commissioners (the “Board”) approved a resolution, directing the Board Chair to execute a Cooperative Agreement with the City; and

WHEREAS, under the terms of the Cooperative Agreement, the City will replace existing waterlines and install approximately 3,300 linear feet of new ductile iron water mains and appurtenances on Center Street between Kirby Avenue and Ridge Road for which the City is entitled to be reimbursed by the Authority for all costs associated with the design, bidding and reconstruction of such water mains and appurtenances (the “Water Main Project”); and

WHEREAS, in accordance with ¶ 4.04 of the Cooperative Agreement, the City has provided the Authority’s Executive Engineer and its Chief Financial Officer the estimated fees and expenses for which the City will seek reimbursement for services provided by the Consulting Engineer relating to the Water Main Project; and

WHEREAS, in accordance with ¶ 4.04, the Chief Financial Officer and the Executive Engineer has reviewed the estimated consulting fees and expenses submitted by the City and its Consulting Engineer relating to the Water Main Project, and have determined these estimated fees and expenses to be reasonable based on the scope of the work to be performed relating to the Water Main Project;

NOW, THEREFORE, in consideration of mutual promises herein set forth, the parties agree to the following:

(1) The Authority agrees to reimburse the City, on a lump sum basis, for costs associated with the following:

- | | |
|---|--------------|
| a. Design Services | \$ 45,055.00 |
| b. General Services/Construction Administration | \$ 14,960.00 |
| c. Record Drawings | \$ 5,115.00 |

TOTAL LUMP SUM \$ 65,130.00

(2) The Authority agrees to reimburse the City for residential inspection fees at a rate of \$90.00 per hour, in amount not to exceed \$72,000.00

(3) The parties agree other terms and conditions of the Cooperative Agreement shall remain in effect; and

(4) This Amendment may be executed in counterparts, each of which is deemed an original, but all of which together are deemed to be one and the same agreement.

IN WITNESS WHERETO, the parties hereto have caused this Amendment No. 1 to be signed by their respective duly constituted officers, attested and sealed pursuant to proper authority.

ERIE COUNTY WATER AUTHORITY

By _____
Jerome D. Schad, Chair.

CITY OF LACKAWANNA

By: _____
Annette Iafallo, Mayor

STATE OF NEW YORK)
) ss:
COUNTY OF ERIE)

On this ___ day of _____, 2021, before me personally came JEROME D. SCHAD, to me known, who being by me duly sworn did depose and say that he resides in Amherst, New York, that he is the Chairman of the ERIE COUNTY WATER AUTHORITY, the corporation named in the foregoing indenture; that he knows the seal of said corporation; that the seal affixed to said instrument is such corporate seal; that it was so affixed by a duly adopted resolution of the said Authority and that he signed his name thereto by like resolution.

Notary Public - State of New York

STATE OF NEW YORK)
) ss:
COUNTY OF ERIE)

On the ___ day of _____, in the year 2021, before me personally came ANNETTE IAFALLO, to me known, who being by me duly sworn did depose and say that she resides in Lackawanna, New York, that she is the Mayor of the City of Lackawanna, described in the above instrument, and she signed her name thereto by the authorization of the City Council of the City of Lackawanna pursuant to a duly enacted resolution.

Notary Public - State of New York



March 25, 2021

Mayor Annette Iafallo
City of Lackawanna
714 Ridge Road
Lackawanna, NY 14218

**RE: CENTER STREET RECONSTRUCTION AND IMPROVEMENTS
PROPOSAL FOR ENGINEERING SERVICES**

Dear Mayor Iafallo:

We are pleased to submit our proposal for engineering services related to design, bidding and construction administration services for the full depth road reconstruction of approximately 3,300 feet of roadway, associated water main replacement (associated with ECWA involvement with the project), new storm sewers and abandonment of applicable existing storm sewers, new sewer laterals and lateral abandonment, new curbs and handicap accessible ramps at road crossings. The following Scope of Services is included with our proposal.

Survey and Mapping

CPL will complete field topographical survey and base mapping suitable for the design of the proposed improvements. Utility information will be obtained from available utility records and field survey and plotted on the base mapping. All elevations will be based on USGS datum.

We will complete topographical and surface data survey along the proposed alignment and plot that information on available mapping that will show property lines and physical property along the front of the properties. Highway rights-of-way will be plotted based on record information available from the NYS DOT, Erie County, and the City. We have assumed that no permanent easements will be required. Temporary construction easements will be likely required and are included. We will coordinate our work with several utilities including National Fuel who has been notified of the project, the Erie County Water Authority who will replace the water mains as a betterment to this project as well as coordination of improvements that Erie County Sewer's will design and provide to be included with the bid documents.

Design

CPL will work closely with the City to ensure that all portions of the project meet the needs and expectations of the City, and that the project objectives are met. We will provide the required plans, technical specifications, and contract documents to the level of detail required for the construction of the recommended project improvements which includes:

- New ductile iron water mains and appurtenances and coordination with the ECWA to ensure the plans and specs meet their requirements.
- New storm sewer system construction including new underdrains, storm pipe, catch basins and tie into the existing storm system.



- Full depth road reconstruction, new curbs, driveway approaches and handicap accessible ramps. Sidewalks will only be replaced where the work requires removal of the existing sidewalk.

We anticipate that this work will begin design starting later this month, design completion by the end of February 2021 and the project going out to bid in early March of 2021. We anticipate construction to be complete within the 2021 construction season. We will coordinate and discuss the work with Erie County Sewers to understand what improvements they might like to consider while the road is being reconstructed. We often work on various New York State Funding Agency projects and know their requirements. We will include all required funding agency information with our design to ensure possible grant funding is not jeopardized.

We will guide the City through the State Environmental Quality Review (SEQR) process and prepare a SEQR Short Environmental Assessment Form.

We will prepare all necessary permit applications required by federal, state, and local regulations, including all required supporting documentation. We have assumed that the City would be responsible for any required permit fees. Necessary permits may include, but are not limited to, the following:

- NYSDEC and Army Corps joint permit
- NYSDOT and Erie County review/consultation
- Erie County DOH approval of Plans
- ECWA approval of plans
- Erie County Sewer permitting, if required.

Contract documents will conform to the Engineers Joint Contract Documents Committee Standard General Conditions of the Construction Contract. All drawings will be prepared electronically. Final drawings will be produced and will also be made available as PDF on electronic media in the form of a flash drive.

Bidding

CPL will administer the bidding phase. We will prepare the contract documents to be issued to prospective bidders. We will respond to bidders' questions as appropriate and issue any addenda required for the interpretation and clarification of bidding documents. We will review all bids for compliance with bid requirements and mathematical correctness, prepare bid tabulations, investigate the bidder's qualifications, and prepare written recommendations for the award of contracts. All contracts will be executed between Owner and contractors in triplicate (one original to Owner, one to contractor, and one to engineer).

Construction Administration

CPL will perform all tasks regarding the review and approval of shop drawings.

We will coordinate a public information meeting to outline the project scope, allow for question and answer, provide the anticipated construction schedule and ensure a reasonable expectation of what to expect is provided to the residents within and around the project limits. We will coordinate a preconstruction conference and prepare a detailed agenda for the conference. We will schedule and conduct biweekly progress meetings (not to exceed 12 total meetings) including preparation of agendas and meeting summaries.



We will review the contractor payment requests. Based on our onsite observations and detailed measurements, we will prepare a monthly recommendation for payment to the contractor. Our recommendation will serve as certification that the work has been completed in substantial conformance with the contract requirements.

CPL will prepare design clarifications and permit modifications which may become necessary. We will prepare and administer required modifications and change orders, including assistance to the City in the negotiation of costs related to any extra or additional work which may become necessary. A formal final inspection will be made with representatives from the City to determine conformance with the contract documents, and to ensure that all of the City's concerns have been addressed. We will then certify that all construction work has been completed in accordance with the contract documents, and that it is appropriate to make final payment on the contract.

Based on acceptable as-built drawings from the contractor, we will prepare a set of reproducible Record Drawings showing the as-built conditions of the project in PDF and on flash drive.

Construction Observation

The ECWA will require full time inspection during water main installation. We anticipate 800 hours of observation for the watermain installation but will only bill for actual hours spent doing inspection. Additionally, we suggest full time observation for the rest of the project as well, therefore at times, there will be two full time observers on the project.

Fee Summary

With over 350 professionals in 14 offices, including 40+ professionals in our Buffalo Office, we are well positioned to complete all aspects of this work. Given our previous experience with the City over the past several years, we feel we work well with the City to provide sound engineered projects that the City will be proud of for years to come.

Our proposed fees are split between the road reconstruction, including storm sewers with a separate fee for the work that ECWA would like to complete with this project:

<u>Task (City Portion)</u>	<u>Fee</u>
Survey, soil borings and Mapping	\$ 15,000
Design Services	\$ 90,000
Bidding	\$ 10,000
General Services/Construction Admin	\$ 25,000
Record Drawings	<u>\$ 10,000</u>
Total	\$150,000
Road Reconstruction Construction Observation (Hourly)	<u>\$90 per hour</u>
Anticipate the project to require 960 hours:	\$86,400
(Note: we will only bill based on actual hours used)	



Mayor Annette Iafallo
City of Lackawanna
March 25, 2021
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<u>Task (ECWA Watermain Portion)</u>	<u>Fee</u>
Design	\$ 45,055
General Services/Construction Admin	\$ 14,960
<u>Record Drawings</u>	<u>\$ 5,115</u>
Subtotal (Watermain Design)	\$ 65,130
Watermain Construction Observation (Hourly)	<u>\$90 per hour</u>
Anticipate the project to require 800 hours:	\$72,000
(Note: we will only bill based on actual hours used)	

We appreciate the opportunity to submit our proposal and look forward to assisting the City of Lackawanna with this endeavor. If you have any questions or require any additional information, please contact me at (716) 218-4741.

Very truly yours,

CPL

Jason L. Havens, P.E.
Associate

Enclosure

Proposal Agreed to By:

Signature: Annette Iafallo Date: March 6 2021