



ERIE COUNTY WATER AUTHORITY

INTEROFFICE MEMORANDUM

September 8, 2023

To: Terrence D. McCracken, Secretary to the Authority

From: Michael J. Quinn, PE, Senior Distribution Engineer

A handwritten signature in black ink, appearing to read "MJQ".

Subject: Contract WSA-017
Water System Improvements
Town of Amherst and Village of Lancaster
ECWA Project No. 202100027

The following material is attached:

- Authorization Form requesting Board Authorization to execute the attached Amendment No. 1 to Professional Service Agreement with Wm Schutt Associates PC. (Wm Schutt)
- Amendment No. 1 to Professional Service Agreement for the above referenced project.

As part of the Design Services for the above-reference project, the Authority Engineering Department has requested several changes to the original design scope for the above-referenced contract. This Amendment will allow an increase of Design Services by \$15,000.00, which will provide necessary funds to implement the additional design as outlined in the attached Amendment No. 1.

	Original Contract	Amendment No.1	Original Contract + All Amendments
Lump Sum Survey	\$44,468	\$0	\$44,468
Lump Sum Design	\$57,137	\$15,000	\$72,137
Lump Sum General Services	\$50,545	\$0	\$50,545
Lump Sum Record Drawings	\$20,365	\$0	\$20,365
Estimated Resident Inspection (not to exceed amount)	\$148,876	\$0	\$148,876
Estimated Special Services (not to exceed amount)	\$50,000	\$0	\$50,000
TOTALS	\$371,391.00	\$15,000	\$386,391.00

2023 Budget Information (Engineering):

Unit: 2590 Eng/Const Distribution Mains
-Item 101593 WSA-017 Waterline Replacement

MJQ:WWW:jmf

Attachments

cc: L.Kowalski

W.Wheeler

CONT-WSA-017-2101-2001-X-01

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

Contract: WSA-017 **Project No.:** 202100027
Project Description: Water System Improvements, Town of Amherst and Village of Lancaster.

Item Description:


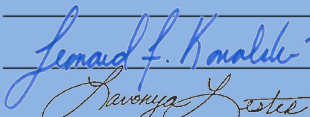




- Agreement Professional Service Contract Amendment Change Order
 BCD NYSDOT Agreement Contract Documents Addendum
 Recommendation for Award of Contract Recommendation to Reject Bids
 Request for Proposals
 Other _____

Action Requested:

- Board Authorization to Execute Legal Approval
 Board Authorization to Award Execution by the Chairman
 Board Authorization to Advertise for Bids Execution by the Secretary to the Authority
 Board Authorization to Solicit Request for Proposals
 Other _____

Approvals Needed:

APPROVED AS TO CONTENT:

- Sr. Distribution Engineer  Date: 9/8/2023
 Chief Operating Officer _____ Date: _____
 Executive Engineer  Date: 09/08/2023
 Director of Administration  Date: 09/08/2023
 Risk Manager  Date: 9/8/2023
 Chief Financial Officer  Date: 09/08/2023
 Legal  Date: 9/8/2023

APPROVED FOR BOARD RESOLUTION:

- Secretary to the Authority  Date: 9/8/2023

Remarks: Amendment No. 1

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

**AMENDMENT NO. 1 TO
PROFESSIONAL SERVICES AGREEMENT**

AMENDMENT, effective September 20, 2023, to the Professional Services Agreement, effective on March 4, 2021, by and between:

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

hereinafter referred to as the “Authority,” and

WM SCHUTT ASSOCIATES, P.C.
50 Fountain Plaza, Suite 600
Buffalo, New York 14202

hereinafter referred to as “Engineer.”

WHEREAS, on March 4, 2021, the Authority awarded the Engineer a professional service contract for engineering services for the replacement of distribution mains in the Town of Amherst and the Village of Lancaster (the “Contract”); and

WHEREAS, during the design phase of the project, several changes to the scope of work occurred as outlined in the Engineer’s letter to the Authority dated September 7, 2023, and attached to and incorporated in this Amendment No. 1 as Appendix A; and

WHEREAS, the Engineer has requested additional compensation of \$15,000.00 for the additional services it provided to the Authority as set forth in Appendix A; and

WHEREAS, the Authority’s Executive Engineer recommends that the Authority amend the Contract by increasing the compensation to the Engineer by \$15,000; and

WHEREAS, in accordance with Article 3, Paragraph 3.02 of the Contract, any modification or variation from the terms of the Contract must be in writing, authorized by a resolution of the Board of Commissioners of the Authority (the “Board”) and signed by all parties;

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

- (1) The parties agree to amend article 2, paragraph 2.04, subparagraph (A)(3) to increase the lump sum for design costs by \$15,000.00, changing the current figure of \$57,137.00 to \$72,137.00; and

- (2) The parties agree all other terms and conditions of the Contract shall remain unchanged and in effect; and
- (3) 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

WM SCHUTT ASSOCIATES, P.C.

By _____
William E. Schutt, P.E., President

STATE OF NEW YORK)
COUNTY OF ERIE) ss:

On the ___ day of September, in the year 2023, before me personally came Jerome D. Schad, to me known, who, being by me duly sworn, did depose and say that he resides in the Amherst, New York, that he is the Chair of the Board of Commissioners for the Erie County Water Authority described in the above instrument, and he signed his name thereto by the authorization of the Board of Commissioners for the Erie County Water Authority.

Notary Public

STATE OF NEW YORK)
COUNTY OF ERIE) ss:

On the ___ day of _____, in the year 2023, before me personally came William E. Schutt, P.E., to me known, who, being by me duly sworn, did depose and say that he resides in East Aurora, New York, that he is the Senior Vice President of the Corporation described in the above instrument; and that he signed his name thereto by order of the Board of Directors of said Corporation.

Notary Public

APPENDIX A

Letter dated September 7, 2023



September 7, 2023

William Wheeler PE
Distribution Engineer
Erie County Water Authority
3030 Union Road
Cheektowaga, NY 14227-1097

Re: Contract WSA-017
Water System Improvements
Town of Amherst and Village of Lancaster
Additional Services

Dear Mr. Wheeler,

As discussed, the following revisions are recommended.

- The 10-inch watermain along South Irwinwood Rd to 8-inch.
- The 6-inch and 8-inch watermain from DIP to PVC. This provides a cost and delivery advantage. In addition, the DIPRA Corrosion Index was 9 in one sample and ranged from 11 to 16 in all others. Results over 10 indicate relatively corrosive soils. The 12-inch and 16-inch watermain needed for two interconnections can remain as DIP.
- The 10-inch HDPE to 8-inch fusible PVC for the horizontal directional drilling (HDD) and the pipe bursting. The 10-inch HDPE was initially proposed to maintain an inside diameter comparable to DIP/PVC. The other rationale is the same as that for the PVC pipe.

This will in turn require revisions to the following documents.

- The Drawings.
- The Project Manual including the Bid Form, Summary of Work, Measurement and Payment, and other specification sections as needed.
- The construction cost estimate.
- The Engineering Report.
- ECDOH has previously provided their approval of the project. We will resubmit the revised drawings for their review and approval.

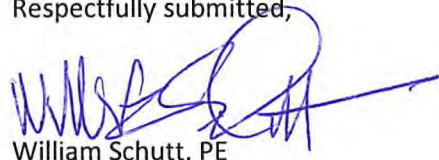
We propose to perform this additional work for a total of \$15,000.00 as an increase in the Design Cost in the Engineering Cost Schedule as follows.

	<u>Current</u>	<u>Additional</u>	<u>Revised</u>
Lump Sum Design Cost	\$57,137.00	\$15,000.00	\$72,137.00
TOTAL LUMP SUM COST	\$172,515.00	\$15,000.00	\$187,515.00

William Wheeler, PE
Erie County Water Authority
September 7, 2023
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Please do not hesitate to contact us should you require additional information.

Respectfully submitted,



William Schutt, PE

cc: Len Kowalski, PE
Mike Quinn, PE

23-08-30-21046-WSA-017-additional design services-wes