




ERIE COUNTY WATER AUTHORITY

INTEROFFICE MEMORANDUM

September 8, 2025

To: Terrence D. McCracken, Secretary to the Authority

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

Subject: Contract MP-084 – Change Order No. 3
Transmission Main Installation, Town of Tonawanda
ECWA Project No. 202000084

Attached is Change Order No.3 for the above-referenced project to allocate additional funds toward the project contingency allowance (Bid Item No. 19A) and to extend the Substantial Completion and Final Completion dates of the contract.

During installation of the transmission main, contaminated soils were encountered. The assessment of these materials as well as required changes to material handling, disposal and site restoration requirements led to additional cost and schedule implications. In order to effectively and safely complete construction of the new transmission main, the contractor is required to complete the remaining work using specialized personal protective equipment (PPE) and air monitoring. These items will not only add direct costs to the project but will also decrease the contractor's production, therefore extending the duration of the work, which also adds additional costs. The estimated additional cost for these changes is \$750,000.00

In addition, following the identification of the contaminated soils, National Grid, the right-of-way owner, has established a number of additional requirements for materials handling and site restoration including offsite disposal of excavated materials and the placement of clean offsite fill material above the trench. Further, the timing for project completion will result in the need for the contractor to construct a temporary access road to allow the work to continue in the event of inclement weather. The estimated cost for these items is \$650,000.00.

Finally, based on the history of the project to date, this change order will include an additional \$200,000.00 in contingency to account for any future unforeseen conditions. The not to exceed total cost for the additional work is \$1,600,000.00. Funding for the additional contingency allocation is available as follows:

- Unit 2595 – Engineering/Construction, Transmission Mains
- Item 101521 – MP-084, Transmission Main Replacement

Due to the unforeseen soils contamination and the delays associated with the characterization and handling, the Contractor, Concrete Applied Technologies Corp., d/b/a/ CATCO, continues to experience delays in the project schedule. These issues remain beyond the Contractor's control.

Under Amendment No. 1 (Change Order No. 1) the Substantial and Final Completion dates were extended as follows:

- Substantial Completion: extended the existing date of Substantial Completion from August 15, 2023 until May 15, 2024.
- Final Completion: extended the existing date of Final Completion from December 30, 2023 until June 30, 2024.

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Secretary to the Authority

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Under Change Order No. 2, the Substantial and Final Completion dates were extended as follows:

- Substantial Completion: extend the existing date of Substantial Completion from May 15, 2024 until November 1, 2024.
- Final Completion: extend the existing date of Final Completion from June 30, 2024 until December 31, 2024.

Under Change Order No. 3, the Consultant (Arcadis of New York, Inc.) and the Engineering Department are recommending the following extensions to the Substantial and Final Completion dates:

- Substantial Completion: extend the existing date of Substantial Completion from November 1, 2024 until December 30, 2025.
- Final Completion: extend the existing date of Final Completion from December 31, 2024 until May 29, 2026.

Attached please find the following documents:

1. ECWA Authorization Form.
2. Four (4) copies of Change Order No. 3.

MJQ:jmf
Attachments
cc: L.Kowalski
M.Jarmuz
CONT-MP-0084-2001-X-14

**ERIE COUNTY WATER AUTHORITY
AUTHORIZATION FORM
For Approval/Execution of Board Meeting Documents**

Document Name: _____ **Project No.:** _____

Description: _____

Item Description:

Choose one:

Other: _____

Action Requested:

Choose one:

Other: _____

Approvals Required:

APPROVED AS TO CONTENT:

Chief Financial Officer _____ Date: 09/08/2025

Chief Operating Officer _____ Date: 09/08/2025

Claims Rep. – Risk Manager _____ Date: _____

Comptroller _____ Date: _____

Director of Administration _____ Date: 09/08/2025

Director of Distribution _____ Date: 9/8/2025

Director of Human Resources _____ Date: _____

Director of IT _____ Date: _____

Director of Production _____ Date: _____

Director of Water Quality _____ Date: _____

Executive Engineer _____ Date: 9/9/2025

General Counsel (Legal) _____ Date: 9/8/2025

Other: _____ Date: _____

APPROVED FOR BOARD RESOLUTION:

Secretary to the Authority _____ Date: 09/09/2025

Remarks: _____

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

CHANGE ORDER NO. 3

Erie County Water Authority
295 Main Street, Room 350
Buffalo, New York 14203

Contract No. MP-084

Project No.: 202000084

Date: September 18, 2025

Project: Transmission Main Installation – Town of Tonawanda
Contract No. MP-084

Contractor: Concrete Applied Technologies Corp. **Engineer:** Arcadis of New York, Inc.
d/b/a CATCO 50 Fountain Plaza, Suite 360
1126 Townline Road Buffalo, New York 14202
Alden, New York 14004

DESCRIPTION OF CHANGE:

1. Increase dollar value of Bid Item 19A – Contingency Allowance
2. Modify Substantial Completion Date and Final Completion Date.

REASON FOR CHANGE:

1. The change order is necessary to account for additional charges incurred to date and during installation of the new transmission main, to address anticipated additional construction costs associated with contaminated soils encountered during construction and to accommodate future unanticipated costs due to future unforeseen conditions.
2. Time extension is required to address schedule impacts due to delays caused by the discovery of contaminated soil which is an unforeseen condition.

COMPENSATION:

1. An additional \$1,600,000.00 will be added to the not to exceed amount included in the contract.
2. No cost associated with time extension.

CHANGE IN CONTRACT PRICE:**CHANGE IN CONTRACT TIMES:****Original Contract Price**\$5,298,750.00**Original Contract Times**Substantial Completion 08/15/2023Final Completion 12/30/2023**Net Changes from previous Change Orders
No. 1 to 2**\$200,000.00**Net changes from previous Change Orders
No. 1 to 2**Substantial Completion 11/01/2024 (+444 days)Final Completion 12/31/2024 (+367 days)**Contract Price prior to this Change Order**\$5,498,750.00**Contract Times prior to this Change Order**Latest Substantial Comp. 11/01/2024Latest Final Completion 12/31/2024**Net Increase of this Change Order**\$1,600,000.00**Net Increase of this Change Order**Substantial Completion 12/30/2025 (+424 days)Final Completion 5/29/2026 (+514 days)**Contract Price with all approved Change
Orders**\$7,098,750.00**Contract Times with all approved Change
Orders**Final Completion: 12/30/2025Final Completion: 5/29/2026**APPROVALS:**OWNER: _____
Erie County Water Authority

Date: _____

CONTRACTOR: _____
Concrete Applied Technology Corp.
d/b/a CATCO

Date: _____

ENGINEER: _____
Arcadis of New York, Inc.

Date: _____