

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

Contract: W-030 **Project No.:** 201800074

Project Description: Water System Improvements Town of Amherst.

Item Description:

- | | | | |
|---|---|---|---------------------------------------|
| <input type="checkbox"/> Agreement | <input checked="" 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><i>Bill McE...</i></u> | Date: <u>3/15/2021</u> |
| <input checked="" type="checkbox"/> Chief Operating Officer | <u><i>Russell J. Felt</i></u> | Date: <u>3/15/2021</u> |
| <input checked="" type="checkbox"/> Executive Engineer | <u><i>Leonard F. Ronald</i></u> | Date: <u>03/15/2021</u> |
| <input checked="" type="checkbox"/> Director of Administration | <u><i>Reynolds Lester</i></u> | Date: <u>03/17/2021</u> |
| <input checked="" type="checkbox"/> Risk Manager | <u><i>Molly Op Musarra</i></u> | Date: <u>03/16/2021</u> |
| <input checked="" type="checkbox"/> Chief Financial Officer | <u><i>Karen A. Bendugask</i></u> | Date: <u>03/16/2021</u> |
| <input checked="" type="checkbox"/> Legal | <u><i>Margaret A. Murphy</i></u> | Date: <u>03/15/2021</u> |

APPROVED FOR BOARD RESOLUTION:

- | | | |
|--|-------------------|-----------------------|
| <input checked="" type="checkbox"/> Secretary to the Authority | <u><i>TCE</i></u> | Date: <u>03/17/21</u> |
|--|-------------------|-----------------------|

Remarks: Amendment #1

Resolution Date: _____

Item No: _____




ERIE COUNTY WATER AUTHORITY

INTEROFFICE MEMORANDUM

March 15, 2021

To: Terrence D. McCracken, Secretary to the Authority

From: Michael J. Quinn, Senior Distribution Engineer 

Subject: Contract W-030 Amendment #1
Water System Improvements
Town of Amherst
ECWA Project No. 201800074

Attached are the following documents:

1. ECWA Authorization Form for processing Professional Service Contract Amendment #1 with Wendel.
2. Three original copies of Professional Service Contract Amendment #1 for the above referenced project.

The Amendment is to increase the Survey and Design Services for the above referenced project.

July 19, 2018 the Authority and the Consultant entered into a professional services contract for engineering and consulting services relating to the replacement of approximately 4,200 linear feet of transmission waterline from the Ball Pump Station to the northern side of Millersport Highway, and the replacement of approximately 1,800 linear feet of new transmission waterline east of the I-290 highway near Park Forest Drive to south of the I-290 off ramp at Sheridan Drive, both in the Town of Amherst. The scope of services included replacement of the most deteriorated sections of the existing transmission main. The new alignment was to terminate at an interconnection approximately 250 linear feet south of the Ball Pumping Station. However, during the design phase of the W-030 project, a significant portion of the existing piping at the Ball Pumping Station was replaced under an emergency declaration. A portion of this work included constructing a new interconnection to the same main being replaced under Contract W-030. Recognizing that following construction of both Contract W-030 and the emergency work at Ball only a short section of original main would remain, it was decided to replace the entire length between Millersport Highway and the Ball site thus eliminating the final section of original pipe. This additional transmission main will result in extra cost for surveying and design.

The increased amount to design and survey the new areas is reflected in the following table and provides the original contract cost, proposed amendment cost and total contract cost.

	Original Contract	Amendment No.1	Original Contract + All Amendments
Survey	\$31,430	\$2,010	\$33,440
Design	\$59,990	\$5,790	\$65,780
General Services	\$53,740	\$0	\$53,740
Estimated Resident Inspection	\$109,000	\$0	\$109,000
Record Drawings	\$4,080	\$0	\$4,080
Estimated Special Services	\$40,000	\$0	\$40,000
TOTALS	\$298,240	\$7,800	\$306,040

This work is within the original scope of the Professional Services Contract dated July 19, 2018 and funds for the amendment are available in Unit 2595 Eng/Const Transmission Mains, Item 101362 W-030 Transmission Main Replacement.

MJQ:jmf
Attachments
cc: R.Stoll
L.Kowalski
L.Lester
CONT-W-030-1801-011

**AMENDMENT NO. 1
PROFESSIONAL SERVICES CONTRACT**

AMENDMENT, effective March 25, 2021 ("Amendment No. 1"), to the Professional Services Contract (Contract No. W-030), entered on the 19th day of July 2018, by and between:

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

hereinafter referred to as the "Authority," and

**WENDEL WD ARCHITECTURE, ENGINEERING, SURVEYING,
AND LANDSCAPE ARCHITECTURE, P.C.**
375 Essjay Road, Suite 200
Williamsville, New York 14221

hereinafter referred to as the "Consultant."

WHEREAS, on July 19, 2018 the Authority and the Consultant entered into a professional services contract for engineering and consulting services relating to the replacement of approximately 4,200 linear feet of transmission waterline from the Ball Pump Station to the northern side of Millersport Highway, and the replacement of approximately 1,800 linear feet of new transmission waterline east of the I-290 highway near Park Forest Drive to south of the I-290 off ramp at Sheridan Drive, both in the Town of Amherst (the "Contract"); and

WHEREAS, under the Contract' s scope of services, the existing transmission main was to be replaced to a point approximately 250 linear feet south of the Ball Pump Station site. The length of main to be replaced was selected to account for replacement of those sections where the majority of historical leaks have occurred; and

WHEREAS, during the design phase of the project, a significant amount of discharge piping at the Ball Pump Station was replaced under an emergency declaration to avoid a failure of that piping; and

WHEREAS, the Authority wishes to ensure that the entire length of the transmission main in the area of the pumping station is new of the same vintage as the balance of the main between the station and Millersport Highway; and

WHEREAS, the Authority desires to replace approximately 250 linear feet of transmission main not previously included in the contract; and

WHEREAS, based on the recommendation of the Authority's Chief Operating Officer and Executive Engineer, the Authority seeks to amend the Contract by expanding the scope of services allowing the Consultant to design the replacement of the remaining 250 linear feet of piping and two required interconnections thereto; and

WHEREAS, in accordance with Paragraph 5 of the Contract, no modification or variation from the terms of the Contract shall be effective unless it is in writing and 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 scope of services, in paragraph 2(A) of the Contract, is modified to include the following:
 - (a) Engineering design services as outlined in the supplement letter dated March 15, 2021 relative to the design of the replacement of an additional 250 linear feet of transmission main and associated interconnections, which is attached hereto as **Appendix A**.
- (2) The parties agree to amend paragraph 3, subparagraph D to increase the lump sum for survey by \$2,010, changing the current figure of \$31,430 to \$33,440.
- (3) The parties agree to amend paragraph 3, subparagraph D to increase the lump sum for design by \$5,790, changing the current figure of \$59,990 to \$65,780.
- (4) The parties agree all other terms and conditions of the Contract shall remain without change or amendment.
- (5) 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; and
- (6) The parties agree to accept electronic signature pages, signed in conformity with the Governor's Executive Order No. 202.7, allowing any notarial action to be performed utilizing audio-video technology.

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

**WENDEL WD ARCHITECTURE,
ENGINEERING, SURVEYING, AND
LANDSCAPE ARCHITECTURE, P.C.**

By _____
Stewart C. Haney, PE, President/CEO

STATE OF NEW YORK)
COUNTY OF ERIE) ss:

On the _____ day of _____, in the year 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 Chair of the Board of Commissioners for the Erie County Water Authority described in the above instrument; and that he signed his name thereto by order of the Board of Commissioners.

Notary Public

STATE OF NEW YORK)
COUNTY OF ERIE) ss:

On the _____ day of _____, in the year 2021, before me personally came Stewart C. Haney, PE, to me known, who, being by me duly sworn, did depose and say that he resides in _____, New York, that he is the President/CEO 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

March 15, 2021

Mr. Michael Quinn, PE
 Erie County Water Authority
 3030 Union Road
 Cheektowaga, New York 14227-1097

**SUBJECT: 36-INCH TRANSMISSION MAIN REPLACEMENT TOWN OF AMHERST, NY
 CONTRACT NO. W-030
 ECWA PROJECT NO. 2018000074
 REQUEST FOR ADDITIONAL ENGINEERING FEE
 WENDEL PROJECT NO. 2398-39**

Dear Mr. Quinn:

At the request of the Erie County Water Authority, Wendel WD Architecture, Engineering, Surveying and Landscape Architecture, PC (Wendel) is pleased to submit this proposal for professional services associated with the survey and design services for an additional 250 LF of transmission main and 2 interconnections related to the installation of the new transmission main for Contract W-030. This additional work will be completed on the northern end of the project limits adjacent to the Ball Pump Station and University at Buffalo sites.

Survey and Design services will be completed for the additional 250 LF of transmission main and two interconnections in accordance with the scope of the agreement for Contract W-030 previously executed between the Erie County Water Authority and Wendel dated July 19, 2018.

The deliverable will include the survey and design of the additional waterline length and 2 interconnections. These improvements will be added to the existing W-030 plan set currently in production. Wendel will commence work on this portion of the project upon a determination by the ECWA on the alignment and ownership of the existing transmission main.

Based upon the above additional scope of work, Wendel's design fee associated with these tasks outlined above are as follows:

Task 1: Survey			
Category	Hours	Rate	Total
Survey Manager	2	\$115	\$ 230
Project Surveyor- Prevailing Wage Rate	8	\$125	\$1,000
CADD- Survey	8	\$ 85	\$ 680
Expenses			\$ 100
Total			\$2,010



Task 2: Design			
Category	Hours	Rate	Total
Principal Engineer	4	\$210	\$ 840
Senior Designer	20	\$140	\$2,800
Project Engineer	6	\$125	\$ 750
CADD- Design	14	\$100	\$1,400
Total			\$5,790

Thank you for your consideration of this request. Please call if you have any questions or need any additional information.

Sincerely,

A handwritten signature in blue ink, appearing to read "Robert D. Klavoon".

Robert D. Klavoon, P.E.

xc: Steven Denzler, ECWA