



# ERIE COUNTY WATER AUTHORITY

## INTEROFFICE MEMORANDUM

July 10, 2025

To: Terrence D. McCracken, Secretary to the Authority

From: Michael J. Quinn, PE, Director of Distribution

A handwritten signature in dark ink, appearing to be "MJQ", is written over the name Michael J. Quinn.

Subject: Contract WSA-015

Water System Improvements – City of Lackawanna and Town of Hamburg  
ECWA Project No. 202000058

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The following material is attached:

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

On February 13, 2020, the Authority and Wm. Schutt & Associates (Schutt) entered into a professional services contract for design and construction phase services for the above-referenced project. This project, for which construction is nearing completion included the replacement of various watermain in the City of Lackawanna and the Town of Hamburg. A portion of the project required access across a Norfolk and Southern Railroad right-of-way including the construction of a temporary rail crossing constructed by the railroad. The project was scheduled to be completed on July 29, 2022. The project experienced significant delays during construction due to railroad access issues including the premature removal of the rail crossing.

As a result, Schutt has incurred additional engineering fees for construction administration services and will incur additional costs for record drawing preparation as follows:

Phase	Original Amount	Amendment #1	Total
Survey	\$53,300.00	\$0.00	\$53,300.00
Design	\$62,500.00	\$0.00	\$62,500.00
General Services	\$53,300.00	\$40,350.00	\$93,650.00
Record Drawings	\$23,500.00	\$3,330.00	\$26,830.00
Resident Inspection (not to exceed)	\$220,000.00	\$0.00	\$220,000.00
Special Services	\$50,000.00	(\$30,000.00)	\$20,000.00
TOTALS	\$462,600.00	\$13,680.00	\$476,280.00

The additional fee requested by Schutt to complete the work is \$43,680.00. However, since the project is nearing completion, there are remaining funds in the Special Services item available to offset some of the additional costs resulting in a total increase in the contract of \$13,680.00. ECWA and the Consultant discussed the level of services that were required and associated additional fees, the Engineering Department believes that additional fees being requested are reasonable based on the overall duration of construction.

To: Terrence D. McCracken  
Secretary to the Authority

July 10, 2025

**Budget Information:**

Funds for this amendment will be obtained from the following budget line for which a budget amendment is being requested under a separate item.

Unit 2590 - Eng/Const Distribution Mains  
Item – 101518 WSA-015 Waterline Replacement

MJQ:jmf  
Attachments  
cc: L.Kowalski  
L.Lester  
CONT-WSA-015-2001-X-01

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

**Document Name:** \_\_\_\_\_ **Project No.:** \_\_\_\_\_

**Description:** \_\_\_\_\_

**Item Description:**

Choose one:

Other: \_\_\_\_\_





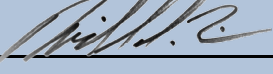


**Action Requested:**

Choose one:


Other: \_\_\_\_\_

**Approvals Required:**

**APPROVED AS TO CONTENT:**

Chief Financial Officer		Date: 07/20/2025
Chief Operating Officer		Date: 07/10/2025
Claims Rep. – Risk Manager		Date: 7/10/2025
Comptroller	_____	Date: _____
Director of Administration		Date: 07/10/2025
Director of Distribution		Date: 7/10/2025
Director of Human Resources	_____	Date: _____
Director of IT	_____	Date: _____
Director of Production	_____	Date: _____
Director of Water Quality	_____	Date: _____
Executive Engineer		Date: 7/10/2025
General Counsel (Legal)		Date: 7/10/2025
Other: _____	_____	Date: _____

**APPROVED FOR BOARD RESOLUTION:**

Secretary to the Authority		Date: 7/14/2025
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**Remarks:** \_\_\_\_\_

**Resolution Date:** \_\_\_\_\_ **Item No:** \_\_\_\_\_

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

AMENDMENT, effective July 23, 2025 (“Amendment No. 1”), to the Professional Services Agreement, effective on February 13, 2020, 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**  
37 Central Avenue  
Lancaster, New York 14086

hereinafter referred to as the “Consultant.”

**WHEREAS**, on February 13, 2020, the Authority awarded the Consultant a professional services contract to provide engineering and consulting services relating to upgrades to the distribution waterlines in the City of Lackawanna and Town of Hamburg (the “Contract”); and

**WHEREAS**, construction delays related to access issues caused by railroad lines have resulted in a need for additional general services and record drawings from the Consultant; and

**WHEREAS**, the Authority’s Chief Operating Officer and Executive Engineer recommend that the Authority amend the Contract to increase the Consultant’s fee by \$13,680.00; and

**WHEREAS**, in accordance with Article 5 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 to be effective;

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

- (1) The parties agree to amend Article 3, Paragraph (D)(1) to increase the lump sum for General Services by \$40,350.00, changing the current figure of \$53,300.00 to \$93,650.00; and
- (2) The parties agree to amend Article 3, Paragraph (D)(1) to increase the lump sum for Record Drawings by \$3,330.00, changing the current figure of \$23,500.00 to \$26,830.00; and

- (3) The parties agree to amend Article 3, Paragraph (B) to decrease the total not to exceed for Special Services by \$30,000.00, changing the current figure of \$50,000.00 to \$20,000.00; and
- (4) The parties agree all other terms and conditions of the Contract shall remain without change or amendment; and
- (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.

**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**

By \_\_\_\_\_  
William E. Schutt, P.E., President

On the \_\_\_\_\_ day of July, 2025, 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.

On the \_\_\_\_\_ day of \_\_\_\_\_, 2025, 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 \_\_\_\_\_, New York, that he is the 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.

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