



**ERIE COUNTY WATER AUTHORITY**  
**INTEROFFICE MEMORANDUM**

January 28, 2022

To: Terrence D. McCracken, Secretary to the Authority

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

Subject: Contract Extension (Contract No. 20-16-06)  
High Voltage, Service, Switchgear Inspection, and Emergency Electrical Work  
Within the Erie County Water Authority's Facilities  
ECWA Project No. 202000014

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The current High Voltage, Service, Switchgear Inspection and Emergency Electrical Work within the Erie County Water Authority's Facilities Contract was executed on June 1, 2020 and expires on May 31, 2022. This unit price contract was initially bid for two years with the provision for a one-year extension.

The Engineering Department and the Contractor, Ferguson Electric Service Co., Inc., agree that a one-year extension of the current contract at the same terms and conditions would be mutually beneficial for both parties. The Contractor's interest in extending the current contract is expressed in the attached letter dated January 12, 2022. Ferguson Electric Service Co., Inc. has proven to be a highly capable and reliable vendor.

Based on this information it is recommended that the Authority exercise the one-year extension.

This contract is utilized to support the Authority's maintenance efforts related to the water treatment plants, pumps stations and the Service Center.

**Budget Information:**

- Unit 1010 Sturgeon Point Plant, O&M Item 17 Payments to Contractors - Electrical
- Unit 1015 Van de Water Plant, O&M Item 17 Payments to Contractors - Electrical
- Unit 1020 Control Operations, O&M Item 17 Payments to Contractors - Electrical
- Unit 1025 Instrumentation, O&M Item 17 Payments to Contractors - Electrical
- Unit 3070 Facilities, O&M Item 17 Payments to Contractors - Electrical
- Unit 8525 Information Technology, O&M Item 19 Payments to Contractors - Other

LFK:jmf

Attachments

cc: R.Stoll

M.Wymer

S.Aiple

L.Lester

ECWA-256-2001-X-20

January 12, 2022

**Service Division**

Your exclusive TEGG® Service provider

- o Electrical preventive maintenance programs
- o 24-hour emergency service
- o Troubleshooting and repair

**Erie County Water Authority**  
3030 Union Road  
Buffalo, NY 14227

**Attn: Mr. Scott Aiple**  
Electrical Engineer

**RE: High Voltage, Service, Switchgear Inspection, and Emergency Electrical Work –  
Project No. 202000014**

Dear Mr. Aiple,

Ferguson Electric Service Company requests to extend the above referenced contract for one year through May 31, 2023, using the same contract terms and conditions. If you have any questions, please do not hesitate to contact me. We appreciate the opportunity to continue to work with Erie County Water Authority.

Respectfully Submitted,



Kevin T. Roland  
CEO, Ferguson Electric Construction Co. Inc.

agree that the Contract Documents shall be reformed to replace such stricken provision or part thereof with a valid and enforceable provision that comes as close as possible to expressing the intention of the stricken provision.

#### 10.05 Waiver

- A. The waiver by the OWNER of any breach or violation of any term, covenant, or condition of this Agreement or of any Law or Regulation shall not be deemed to be a waiver of any other term, covenant, condition, or Law or Regulation or of any subsequent breach or violation of the same or of any other term, covenant, condition, or Law or Regulation. The subsequent payment of any monies or fee by the OWNER which may become due hereunder shall not be deemed to be a waiver of any preceding breach or violation by CONTRACTOR of any term, covenant, condition of this Agreement or of any applicable Law or Regulation.

#### 11.0 Grounds for Renewal of Contract

- A. If the Erie County Water Authority and CONTRACTOR mutually agree to continue this Contract after the 31<sup>st</sup> day of May 2022, it shall be extended for the term of one (1) year on the same terms and conditions provided for herein. CONTRACTOR shall provide written notification to the Erie County Water Authority of the contract extension prior to the expiration of the initial term of this Contract.

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

**Contract:** 20-16-06 **Project No.:** 202000014  
**Project Description:** High Voltage, Service, Switchgear Inspection, and Emergency Electrical Work Within the Erie County Water Authority's Facilities.

**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:**

<input checked="" type="checkbox"/> Sr. Production Engineer	<u><i>Richard Aguirre</i></u>	Date: <u>01/31/2022</u>
<input checked="" type="checkbox"/> Chief Operating Officer	<u><i>Russell J. Stoll</i></u>	Date: <u>2/1/2022</u>
<input checked="" type="checkbox"/> Executive Engineer	<u><i>Leonard F. Ronalick</i></u>	Date: <u>01/31/2022</u>
<input checked="" type="checkbox"/> Director of Administration	<u><i>Sevanya L. White</i></u>	Date: <u>01/31/2022</u>
<input checked="" type="checkbox"/> Risk Manager	<u><i>Molly Op Musarra</i></u>	Date: <u>02/01/2022</u>
<input checked="" type="checkbox"/> Chief Financial Officer	<u><i>Karen A. Rendugast</i></u>	Date: <u>01/31/2022</u>
<input checked="" type="checkbox"/> Legal	<u><i>[Signature]</i></u>	Date: <u>1/31/2022</u>

**APPROVED FOR BOARD RESOLUTION:**

Secretary to the Authority *[Signature]* Date: 2/1/22

**Remarks:** One-year contract extension; unit price contract.

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

**AMENDMENT NO. 1 TO  
HIGH VOLTAGE, SERVICE, SWITCHGEAR INSPECTION  
AND EMERGENCY ELECTRICAL WORK WITHIN THE  
ERIE COUNTY WATER AUTHORITY'S FACILITIES**

AMENDMENT, effective February 10, 2022, to the High Voltage, Service, Switchgear Inspection and Emergency Electric Work within the Erie County Water Authority's Facilities, entered on the 1st day of June 2020, by and between

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

hereinafter referred to as the "Authority", and

**FERGUSON ELECTRIC SERVICE CO., INC.**  
321 Ellicott Street  
Buffalo, New York 14203

hereinafter referred to as "Contractor".

**WHEREAS**, on May 21, 2020, the Authority awarded the Contractor a contract for high voltage services, switchgear inspection, and emergency electrical work for Authority's facilities (the "Contract"); and

**WHEREAS**, the Contract, executed on June 1, 2020, provides services until May 31, 2022; and

**WHEREAS**, in accordance with Section 00500, Article 10, paragraph 11.0 (Grounds for Renewal) of the Contract, the Contractor has provided the Authority with written notification to extend the terms of the Contract for an additional one-year term; and

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

- (1) The terms and conditions of the Contract shall continue in effect until May 31, 2023;
- (2) 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

**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

**FERGUSON ELECTRIC SERVICE CO., INC.**

By \_\_\_\_\_  
Kevin T. Roland, President

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

On the \_\_\_ day of February, in the year 2022, 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 2022, before me personally came Kevin T. Roland 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.

\_\_\_\_\_  
Notary Public