

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

Contract: GP-007 **Project No.:** 201800080
Project Description: Water System Improvements
Town of West Seneca and Village of Depew

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 Final Pay Application

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 Board Approval

Approvals Needed:

APPROVED AS TO CONTENT:

<input checked="" type="checkbox"/> Sr. Distribution Engineer	<u></u>	Date: <u>6/10/2020</u>
<input checked="" type="checkbox"/> Chief Operating Officer	<u></u>	Date: <u>6/10/2020</u>
<input checked="" type="checkbox"/> Executive Engineer	<u></u>	Date: <u>6/10/2020</u>
<input checked="" type="checkbox"/> Director of Administration	<u></u>	Date: <u>6/10/2020</u>
<input checked="" type="checkbox"/> Risk Manager	<u></u>	Date: <u>06/10/2020</u>
<input checked="" type="checkbox"/> Chief Financial Officer	<u></u>	Date: <u>06/10/2020</u>
<input checked="" type="checkbox"/> Legal	<u></u>	Date: <u>06/10/2020</u>

APPROVED FOR BOARD RESOLUTION:

<input checked="" type="checkbox"/> Secretary to the Authority	<u></u>	Date: <u>06/10/20</u>
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Remarks: Amount certified for Final Payment \$84,440.94

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



ERIE COUNTY WATER AUTHORITY

INTEROFFICE MEMORANDUM

June 9, 2020

To: Terrence D. McCracken, Secretary to the Authority

From: Jeffrey R. Sylvester, Distribution Engineer

A handwritten signature in blue ink, appearing to be "JRS", is written over the name Jeffrey R. Sylvester.

Subject: Contract GP-007
Water System Improvements
Town of West Seneca and Village of Depew
ECWA Project No. 201800080

The following documents are attached for processing of the Final Pay Application for the above referenced project.

- Blue Authorization Form - this form provides the project name and project number, the action that is being requested of the Board, and it provides a list of approvals that are required prior to being acted on by the Board.
- ECWA Final Payment Application Checklist and Packet.

The checklist indicates that the contractor, CMH Company, Inc., has provided all the proper documentation to close out the contract, including the required WMBE Utilization Report – Part D and Final Certified Payrolls, which were already reviewed and approved by Director of EEO (ECWA). The entire Final Pay Application package has to be reviewed by Risk Manager and Legal Department prior to Board action. The amount certified for Final Payment is \$84,440.94.

JRS:jmf

Attachment

cc: R.Stoll

L.Kowalski

M.Quinn

L.Lester

CONT-GP-007-1801-I-186-B

Erie County Water Authority

Final Payment Application

CHECK LIST: Items to Accompany Final Payment Application

- 1. Blue Authorization Form
- 2. Statement by Consultant, if applicable, certifying that all work was performed in general conformance to plans and specifications and recommend that Final Payment be made. If no Consultant, ECWA Engineering should recommend the Final Payment be made.
- 3. Final Payment Application. The Amount Certified for Final Payment must be written on the Blue Authorization Form.

Insurance & Bond Requirements

- 4. Evidence that Insurance is in effect for two years. This is usually evident on the Certificates of Insurance that are issued.
- 5. Certification that Performance Bond is in effect for two years and Payment Bond is in effect for one year.

Release & AIA Forms

- 6. Form 507 Release by Corporation
- 7. AIA G706, Contractor's Affidavit of Payment of Debts and Claims
- 8. AIA G706A, Contractor's Affidavit of Release of Liens
- 9. AIA G707, Consent of Surety to Final Payment

EEO Requirements

- 10. M/WBE Utilization Report – Part D
- 11. Final Certified Payrolls

DISTRIBUTION:

To Accounts Payable

- After the Final Payment Application has been approved by the ECWA Board of Commissioners, a PDF copy can be emailed to accountspayable@ECWA.org

To ECWA Engineering

- A hard copy of the entire Final Payment Application should be placed in the files.
- A PDF copy of the Final Payment Application should be saved to the appropriate project folder on the network.

EEO:

- M/WBE Part D
- Certified Payrolls

April 30, 2020

Erie County Water Authority
3030 Union Road
Cheektowaga, NY 14227

Attn: Mr. Jeffrey Sylvester, Distribution Engineer

**RE: Erie County Water Authority
Contract No. GP-007, Project No. 201800080
Water System Improvements – Village of Depew and Town of West Seneca
CMH Company, Inc.–Final Payment Request (GP-007 Pay App#10 and Final)
for the Period To: April 13, 2020**

Dear Mr. Sylvester:

Please be advised that as of April 13, 2020 CMH Company, Inc. (Contractor) has completed construction work for the above referenced project. As such, please find enclosed three (3) packages, each containing one copy of the following documents submitted by CMH Company, Inc. in consideration of Final Payment.

1. Application for Payment – Pay App#10 & Final
2. Forms 507 – General Release
3. AIA G706 – Contractor's Affidavit of Payment of Debts and Claims
4. AIA G706A – Contractor's Affidavit of Release of Liens
5. AIA G707 – Consent of Surety to Final Payment (with Maintenance Bond attached).
6. Surety Letter for Performance Bond and Payment Bond

GPI has reviewed the Final Payment Application and supporting documentation and find it accurate as to the amount of work performed in accordance with the contract documents. GPI hereby certifies that all work has been performed in general conformance with the plans and specifications. We therefore recommend that final payment (i.e., Release of Retainage) in the amount of \$84,440.94 be made to CMH Company, Inc.

Please note by copy of this letter the following documents are being submitted to Lavonya Lester, ECWA:

- Minority Business Enterprise Utilization Report – Part D, Final Certification of Expenditures To MBE's; and
- Certified payrolls (from January 6, 2020 to April 5, 2020 period of no work performed on the project by CMH Company Inc.). Note all certified payrolls for periods of work performed on the project were submitted previously with payment applications #1 - #9.

Sincerely,
GPI/Greenman-Pedersen, Inc.



Paul C. Case, P.E., LEED AP
Senior Civil Engineer

Enclosures

cc: Michael Quinn, P.E., BCEE, Sr. Distribution Engineer (ECWA)
Lavonya Lester, Director of Administration (ECWA)
Mark Metz, President (CMH Company, Inc.)
GPI File: BUF-2018074.00

APPLICATION AND CERTIFICATE FOR PAYMENT

AIA DOCUMENT G702

PAGE ONE OF THREE

OWNER: Erie County Water Authority
350 Ellicott Square Building
295 Main Street
Buffalo, NY 14203

PROJECT: Contract GP-007
Water System Improvements
Village of Depew and Town of West Seneca

APPLICATION NO : 10 & Final
PERIOD TO: April 13, 2020

DISTRIBUTION TO:
OWNER
ARCHITECT
CONTRACTOR

FROM (CONTRACTOR):
C.M.H. COMPANY INC.
12704 NORTH ROAD
ALDEN, NEW YORK 14004

VIA (ARCHITECT): GREENMAN-PEDERSEN, INC.
4950 GENESEE STREET
SUITE 100
BUFFALO, NEW YORK 14225

ECWA PROJECT NO: 201800080
CONTRACT DATE: April 10, 2019

CONTRACTORS APPLICATION FOR PAYMENT

Application is made for payment, as shown below, in connection with the Contract.

Approved This Month		ADDITIONS	DEDUCTIONS
Number	Date Approved		
1			
2			
3			
4			
TOTALS		\$ -	\$ -

- 1. ORIGINAL CONTRACT SUM \$ 2,487,490.00
- 2. Net Change by Change Orders \$ -
- 3. CONTRACT SUM TO DATE (Line 1-+2) \$ 2,487,490.00
- 4. TOTAL CONTRACT completed to date \$ 1,688,818.78
(Column G on G703)
- 5. RETAINAGE \$ 84,440.94
A. 5 % of Completed work (Column D+E)

Total Retainage (Line 5a + 5b or total in column I of G703) \$ 84,440.94

TOTAL EARNED LESS RETAINAGE (Line 4 less Line 5 Total) \$ 1,604,377.84

Less Previous Certificates for payment (Line 6 from prior certificate) \$ 1,604,377.84

CURRENT PAYMENT DUE \$ 84,440.94

Balance to finish plus retainage (Line 3 less Line 6) \$ 798,671.22

The undersigned Contractor certifies that to the best of the Contractor's knowledge, information and belief the Work covered by this Application for Payment has been completed in accordance with the Contract Documents, that all amounts have been paid by the Contractor for Work for which previous Certificates for payment were issued and payments received from the Owner, and that current payment shown herein is now due.

CONTRACTOR: C.M.H. COMPANY INC.

By: *[Signature]* Date: 4/13/20

ARCHITECTS CERTIFICATE FOR PAYMENT

In accordance with the Contract Document, based on on-site observations and the data comprising the above application, the architect certifies to the Owner that to the best of the Architect's knowledge, information and belief the work has progressed as indicated, the quality of the work is in accordance with the Contract Documents, and the Contractor is entitled to payment of the AMOUNT CERTIFIED.

AMOUNT CERTIFIED \$ 84,440.94
(Attached explanation if amount certified differs from the amount applied for.)

ARCHITECT: Greenman-Pedersen, Inc.

By: *[Signature]* Date: 4/16/2020

This Contract is not negotiable. The AMOUNT CERTIFIED is payable only to the Contractor named herein. Issuance, payment and acceptance of payment are without prejudice to any rights of the Owner or Contractor.

CONTINUATION SHEET

AIA Document G702, APPLICATION AND CERTIFICATE FOR PAYMENT, containing
Contractor's signed certificate is attached.
In calculations below, amounts are to be stated to the nearest dollar.

C.M.H. Company Inc

APPLICATION NO :
APPLICATION DATE:
PERIOD TO:

10 & Final
4/13/2020
4/13/2020

PROJECT: Contract GP-007 WATER SYSTEM IMPROVEMENTS

A ITEM NO.	B DESCRIPTION OF WORK		C SCHEDULED VALUE		D WORK COMPLETED PREVIOUS APPLIC QTY		E THIS PERIOD TOTAL S		F MATERIALS STORED (NOT IN E OR D)	G TOTAL COMPLETED AND STORED TO DATE (D+E+F)	H QUANTITIES TO DATE	I % G/C	J RETAINAGE 5%
	QTY	UM	UNIT PRICE	TOTAL \$ VALUE	PREVIOUS APPLIC QTY	TOTAL S	THIS PERIOD QTY	TOTAL S					
I A2	180	LF	72.00	12,960.00	221.69	15,961.68	0.00	0.00		15,961.68	221.69	123.2%	798.08
I A3	3,860	LF	95.00	366,700.00	3,642.07	345,996.65	0.00	0.00		345,996.65	3,642.07	94.4%	17,299.83
I A4	1,060	LF	98.00	103,880.00	900.70	88,268.60	0.00	0.00		88,268.60	900.70	85.0%	4,413.43
I A5	900	LF	102.00	91,800.00	852.50	86,955.00	0.00	0.00		86,955.00	852.50	94.7%	4,347.75
2 A1	2	EA	1,400.00	2,800.00	2.00	2,800.00	0.00	0.00		2,800.00	2.00	100.0%	140.00
2 A2	24	EA	1,700.00	40,800.00	24.00	40,800.00	0.00	0.00		40,800.00	24.00	100.0%	2,040.00
2 A3	7	EA	2,000.00	14,000.00	7.00	14,000.00	0.00	0.00		14,000.00	7.00	100.0%	700.00
2 B1	5	EA	2,400.00	12,000.00	5.00	12,000.00	0.00	0.00		12,000.00	5.00	100.0%	600.00
2 E1	1	EA	900.00	900.00	1.00	900.00	0.00	0.00		900.00	1.00	100.0%	45.00
3 A	8	EA	4,200.00	33,600.00	8.00	33,600.00	0.00	0.00		33,600.00	8.00	100.0%	1,680.00
3 C	7	EA	900.00	6,300.00	7.00	6,300.00	0.00	0.00		6,300.00	7.00	100.0%	315.00
4 A	40	EA	400.00	16,000.00	-	-	0.00	0.00		-	-	0.0%	-
5 A	150	CY	250.00	37,500.00	-	-	0.00	0.00		-	-	0.0%	-
6 A	3,600	CY	40.00	144,000.00	2,656.34	106,253.60	0.00	0.00		106,253.60	2,656.34	73.8%	5,312.68
7 A	1	LS	9,000.00	9,000.00	1.00	9,000.00	0.00	0.00		9,000.00	1.00	100.0%	450.00
7 B	1	LS	4,500.00	4,500.00	1.00	4,500.00	0.00	0.00		4,500.00	1.00	100.0%	225.00
7 C	1	LS	5,500.00	5,500.00	1.00	5,500.00	0.00	0.00		5,500.00	1.00	100.0%	275.00
7 D	1	LS	5,000.00	5,000.00	1.00	5,000.00	0.00	0.00		5,000.00	1.00	100.0%	250.00
7 E	1	LS	5,000.00	5,000.00	1.00	5,000.00	0.00	0.00		5,000.00	1.00	100.0%	250.00
7 F	1	LS	5,500.00	5,500.00	1.00	5,500.00	0.00	0.00		5,500.00	1.00	100.0%	275.00
7 G	1	LS	5,500.00	5,500.00	1.00	5,500.00	0.00	0.00		5,500.00	1.00	100.0%	275.00
7 H	1	LS	5,500.00	5,500.00	1.00	5,500.00	0.00	0.00		5,500.00	1.00	100.0%	275.00
7 I	1	LS	5,500.00	5,500.00	1.00	5,500.00	0.00	0.00		5,500.00	1.00	100.0%	275.00
7 J	1	LS	9,500.00	9,500.00	1.00	9,500.00	0.00	0.00		9,500.00	1.00	100.0%	475.00
7 K	1	LS	9,500.00	9,500.00	1.00	9,500.00	0.00	0.00		9,500.00	1.00	100.0%	475.00
7 L	1	LS	8,000.00	8,000.00	1.00	8,000.00	0.00	0.00		8,000.00	1.00	100.0%	400.00
7 M	1	LS	6,000.00	6,000.00	1.00	6,000.00	0.00	0.00		6,000.00	1.00	100.0%	300.00
7 N	1	LS	6,000.00	6,000.00	1.00	6,000.00	0.00	0.00		6,000.00	1.00	100.0%	300.00
8 A1	58	EA	1,200.00	69,600.00	52.00	62,400.00	0.00	0.00		62,400.00	52.00	89.7%	3,120.00
8 A2	3	EA	1,600.00	4,800.00	4.00	6,400.00	0.00	0.00		6,400.00	4.00	133.3%	320.00
8 B1	57	EA	1,900.00	108,300.00	55.00	104,500.00	0.00	0.00		104,500.00	55.00	96.5%	5,225.00
8 C1	2,550	LF	20.00	51,000.00	3,046.68	60,933.60	0.00	0.00		60,933.60	3,046.68	119.5%	3,046.68
8 C1	100	LF	25.00	2,500.00	107.40	2,685.00	0.00	0.00		2,685.00	107.40	107.4%	134.25
9 A	20	LF	175.00	3,500.00	14.00	2,450.00	0.00	0.00		2,450.00	14.00	70.0%	122.50
10 A	1	LS	6,000.00	6,000.00	1.00	6,000.00	0.00	0.00		6,000.00	1.00	100.0%	300.00
10 B	1	LS	6,000.00	6,000.00	1.00	6,000.00	0.00	0.00		6,000.00	1.00	100.0%	300.00

CONTINUATION SHEET

APPLICATION NO : 10 & Final
 APPLICATION DATE: 4/13/2020
 PERIOD TO: 4/13/2020

ALIA Document G-92, APPLICATION AND CERTIFICATE FOR PAYMENT, containing
 Contractors signed certificate is attached.
 In tabulations below, amounts are to be stated to the nearest dollar.

C.M.H. Company Inc

PROJECT: Contract GP-007 WATER SYSTEM IMPROVEMENTS

A ITEM NO.	B DESCRIPTION OF WORK	C SCHEDULED VALUE			D WORK COMPLETED		E MATERIALS STORED (NOT IN E OR D)	F QUANTITIES TO DATE	G TOTAL COMPLETED AND STORED TO DATE (D+E+F)	I RETAINAGE 5%			
		QTY	U/M	UNIT PRICE	TOTAL \$ VALUE	PREVIOUS APPLIC QTY					PREVIOUS APPLIC TOTALS	THIS PERIOD QTY	TOTALS
10C	Abandonment No. 3 near 25 Winegar	1	LS	6,000.00	6,000.00	1.00	6,000.00	0.00	6,000.00	100.0%	300.00		
10D	Abandonment No. 4 near 1251 Union	1	LS	6,000.00	6,000.00	1.00	6,000.00	0.00	6,000.00	100.0%	300.00		
11A1	Concrete Sidewalk	800	SY	72.00	57,600.00	65.70	4,730.40	0.00	4,730.40	8.2%	236.52		
11A2	Concrete Driveway	300	SY	80.00	24,000.00	134.76	10,780.80	0.00	10,780.80	44.9%	539.04		
11A3	Concrete Base Course	1,300	SY	300.00	390,000.00	203.20	60,960.00	0.00	60,960.00	15.6%	3,048.00		
11A4	Concrete Curb/Gutter	450	LF	75.00	33,750.00	23.00	1,725.00	0.00	1,725.00	5.1%	86.25		
11B2	Asphalt Driveway	300	SY	75.00	22,500.00	76.86	5,764.50	0.00	5,764.50	25.6%	288.23		
11B3	Top Course	9,500	SY	25.00	237,500.00	10,401.67	260,041.75	0.00	260,041.75	109.5%	13,002.09		
11B4	Binder Course	4,400	SY	25.00	110,000.00	1,677.59	41,939.75	0.00	41,939.75	38.1%	2,096.99		
11B5	Base Course	5,300	SY	50.00	265,000.00	2,323.22	116,161.00	0.00	116,161.00	43.8%	5,808.05		
11B6	Cold Milling to 1 1/2 inch Depth	9,500	SY	5.00	47,500.00	10,401.67	52,008.35	0.00	52,008.35	109.5%	2,600.42		
11C1	Landscaping	600	LF	9.00	5,400.00	560.50	5,044.50	0.00	5,044.50	93.4%	252.23		
11C2	Tree Planting	4	EA	700.00	2,800.00	-	-	0.00	-	0.0%	-		
11C3	Removal of Trees of 12-inch or less	3	EA	1,000.00	3,000.00	-	-	0.00	-	0.0%	-		
11C4	Removal of Trees greater than 12-inch	1	EA	2,000.00	2,000.00	-	-	0.00	-	0.0%	-		
12A	Testing & Disinfection	6,000	LF	4.00	24,000.00	5,213.40	20,853.60	0.00	20,853.60	86.9%	-		
13A	Extra Excavation (8 to 10 Feet Deep)	200	LF	20.00	4,000.00	24.00	480.00	0.00	480.00	12.0%	-		
13B	Extra Excavation (10 to 12 Feet Deep)	100	LF	25.00	2,500.00	24.00	600.00	0.00	600.00	24.0%	-		
13C	Extra Concrete	60	CY	200.00	12,000.00	-	-	0.00	-	0.0%	-		
14A	Repair Crew Labor and Equipment	20	HRS	350.00	7,000.00	1.50	525.00	0.00	525.00	7.5%	-		
TOTAL					2,487,490.00		1,688,818.78		1,688,818.78	67.9%	84,440.94		



April 23, 2020

Erie County Water Authority
295 Main St, Room 350
Buffalo, NY 14203

Re; CMH Company Inc
12704 North Road
Alden NY 14004
Bond Number 1204641
Contract No. GP-007 Water System Improvements
Village of Depew and Town of West Seneca, Project No. 201800080

To Whom It May Concern:

On 4/9/2019, a Performance and Payment Bond was issued for the above client for Contract No. GP-007 Water System Improvements. Village of Depew and Town of West Seneca, Project No. 201800080. It is our understanding that this project is complete and the contract can be closed out.

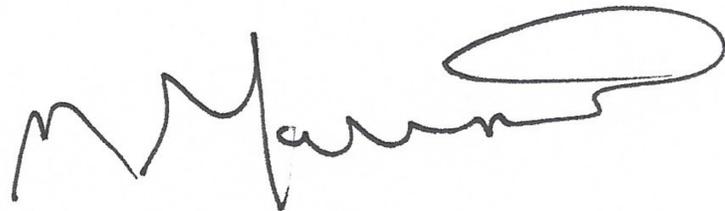
Be advised that, in accordance with Article 5.01 of the General Conditions, modified by 5.01A of the Supplementary Conditions, the performance bond for the above captioned project will remain in full force and effect for two (2) years after final acceptance date and the payment bond will remain in effect for one (1) year after the final payment becomes due.

Please contact the undersigned should you have any questions or require anything additional.

Sincerely,


Dina M. Marinaro Attorney-in-Fact

Old Republic Insurance Company



Managing Risk. Maximizing Results.

11 Pinchot Court, Suite 100 Amherst, NY 14228
Phone: 716.636.2271 Fax: 716.929.1120
www.vannerinsurance.com

To all to Whom these Presents Shall Come,
or may concern

Greeting: Know Ye, That CMH Co Inc
12750 Worth Rd
Alden, NY 14004
NAME AND ADDRESS OF CORPORATION

For and in consideration of the sum of One million, six hundred + eighty eight
thousand, eight hundred + eighteen, ~~thousand~~ 1,688,818.38

lawful money of the United States of America to its duly authorized officer in hand paid by the
Eric County Water Authority,

the receipt whereof is hereby acknowledged, has remised, released, and forever discharged, and by
these presents does for itself, its successors and assigns, remise, release and forever discharge the
said Eric County Water Authority,

heirs, executors, administrators, successors and assigns, of and from all, and all manner of action
and actions cause and causes of action, suits, debts, dues, sums of money, accounts, reckoning,
bonds, bills, specialties, covenants, contracts, controversies, agreements, promises, variances,
trespasses, damages, judgments, extents, executions, claims and demands whatsoever, in law or in
equity, which against the said:

CMH Co Inc
(NAME OF CORPORATION)

ever had, now has or which it or its successors or assigns, hereafter can, shall or may have for, upon
or by reason of any matter, cause or thing whatsoever from the beginning of the world to the day of
the date of these presents.

In Presence of

in witness Whereof, the

CMH Co Inc has caused its corporate seal to be hereunto affixed, and these presents to be signed by its duly authorized officer this 13 day April

Two Thousand and 20

[Signature]

DANIEL P MCNAMARA
Notary Public-State of New York
Qualified in Erie County
My Commission Expires 05/04/2021

State of New York)

County of Erie ss.

 of)

On this 13 day of April, Two Thousand and 20, before me personally came Mark Metz to

me personally known who, being by me duly sworn did depose and say that he/she resides in

12750 North Rd Alden NY 14004 that he/she is

the Pres of CMH Co Inc, the corporation

described in and which executed the above Instrument, that he/she knows the seal of said

corporation; that it was so affixed to said Instrument is such corporate seal; that it was so affixed by

order of the Board of Directors of said corporation, and he/she signed his/her name thereto by like

order.

[Signature]
Pres



AIA[®]

Document G706™ – 1994

Contractor's Affidavit of Payment of Debts and Claims

PROJECT: (Name and address)

Water System Imp
Village of Dewey & West Seneca

TO OWNER: (Name and address)

ERIE County Water Authority
Buffalo N.Y 14203

ARCHITECT'S PROJECT NUMBER: GP-007

CONTRACT FOR:

CONTRACT DATED:

4/5/19

OWNER:

ARCHITECT:

CONTRACTOR:

SURETY:

OTHER:

STATE OF:

COUNTY OF:

The undersigned hereby certifies that, except as listed below, payment has been made in full and all obligations have otherwise been satisfied for all materials and equipment furnished, for all work, labor, and services performed, and for all known indebtedness and claims against the Contractor for damages arising in any manner in connection with the performance of the Contract referenced above for which the Owner or Owner's property might in any way be held responsible or encumbered.

EXCEPTIONS: NONE

SUPPORTING DOCUMENTS ATTACHED HERETO:

- Consent of Surety to Final Payment. Whenever Surety is involved, Consent of Surety is required. AIA Document G707, Consent of Surety, may be used for this purpose

Indicate Attachment Yes No

The following supporting documents should be attached hereto if required by the Owner:

- Contractor's Release or Waiver of Liens, conditional upon receipt of final payment.
- Separate Releases or Waivers of Liens from Subcontractors and material and equipment suppliers, to the extent required by the Owner, accompanied by a list thereof.
- Contractor's Affidavit of Release of Liens (AIA Document G706A).

CONTRACTOR: (Name and address)

C.M.H. Company Inc.
12750 North Rd
Alden, N.Y. 14004

BY:

Mark Metz

(Signature of authorized representative)

MARK METZ PRES

(Printed name and title)

Subscribed and sworn to before me on this date:

Notary Public:

My Commission Expires:

Daniel P. McNamara
5/4/2021

DANIEL P MCNAMARA
Notary Public-State of New York
Qualified in Erie County

My Commission Expires 05/04/2021

CONTRACTOR'S AFFIDAVIT OF RELEASE OF LIENS

AIA Document G706A

(Instructions on reverse side)

OWNER	<input type="checkbox"/>
ARCHITECT	<input type="checkbox"/>
CONTRACTOR	<input type="checkbox"/>
SURETY	<input type="checkbox"/>
OTHER	<input type="checkbox"/>

TO OWNER:

(Name and address)

ERIE County Water Authority
Buffalo, NY 14203

ARCHITECT'S PROJECT NO.: GP-007

CONTRACT FOR: ECWA

PROJECT:

(Name and address)

Water System Improvement
Village of Depew And
Town of West Seneca

CONTRACT DATED: 4/5/19

STATE OF:
COUNTY OF:

The undersigned hereby certifies that to the best of the undersigned's knowledge, information and belief, except as listed below, the Releases or Waivers of Lien attached hereto include the Contractor, all Subcontractors, all suppliers of materials and equipment, and all performers of Work, labor or services who have or may have liens or encumbrances or the right to assert liens or encumbrances against any property of the Owner arising in any manner out of the performance of the Contract referenced above

EXCEPTIONS:

NONE

SUPPORTING DOCUMENTS ATTACHED HERETO:

1. Contractor's Release or Waiver of Liens, conditional upon receipt of final payment.
2. Separate Releases or Waivers of Liens from Subcontractors and material and equipment suppliers, to the extent required by the Owner, accompanied by a list thereof.

CONTRACTOR:
(Name and address)

C.M.H. COMPANY Inc
12750 NORTH ROAD
ALDEN NY 14004

BY:

(Signature of authorized representative)

Mark Metz

MARK METZ PRES
(Printed name and title)

DANIEL P MCNAMARA
Notary Public-State of New York
Qualified in Erie County
My Commission Expires 05/04/2021

Subscribed and sworn to before me on this date:

Notary Public

Daniel P McNamara

My Commission Expires: 5/4/2021



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**CONSENT OF SURETY
TO FINAL PAYMENT** #1204641

AIA Document G707

(Instructions on reverse side)

OWNER
ARCHITECT
CONTRACTOR
SURETY
OTHER

TO OWNER:
(Name and address)
Erie County Water Authority
295 Main St, Buffalo NY 14203

ARCHITECT'S PROJECT NO.:
201800080

CONTRACT FOR:
Water System Improvements

PROJECT:
(Name and address)

CONTRACT DATED: 4/4/2019

Water System Improvements Village of Depew and Town of West Seneca Contract GP-007

In accordance with the provisions of the Contract between the Owner and the Contractor as indicated above, the
(Insert name and address of Surety)

Old Republic Insurance Company
681 Andersen Dr., Foster VPittsburgh, PA 15220

, SURETY,

on bond of
(Insert name and address of Contractor)

CMH Company, Inc.
12704 North Road
Alden, NY 14004

, CONTRACTOR,

hereby approves of the final payment to the Contractor, and agrees that final payment to the Contractor shall not relieve the Surety of
any of its obligations to
(Insert name and address of Owner)

Erie County Water Authority
295 Main St, Buffalo NY 14203

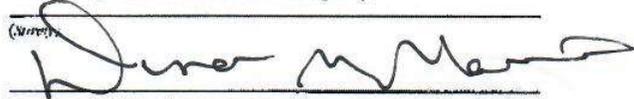
, OWNER,

as set forth in said Surety's bond.

IN WITNESS WHEREOF, the Surety has hereunto set its hand on this date: 4/13/2020
(Insert in writing the month followed by the numeric date and year.)

Old Republic Insurance Company

(Surety)



(Signature of authorized representative)

Dina M Marinaro Attorney-in-Fact

(Printed name and title)

Attent:
(Seal): Daniel P Mcnamara



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G707—1994

BOND NO. 1204641M

Maintenance Bond

KNOW ALL MEN BY THESE PRESENTS, THAT WE, CMH Company, Inc.
12704 North Road, Alden, NY 14004, herein call the PRINCIPAL and
Old Republic Insurance Company, herein called the SURETY, are held and
firmly bound unto Erie County Water Authority 295 Main St, Buffalo NY 14203 herein called the
OBLIGEE, in the penal sum of One Million Six Hundred Eighty Eight Thousand Eight Hundred Eighteen and 78/100
---(\$1,688,818.78) lawful money of the United States of America to be
paid to the said OBLIGEE, its successors or assigns for which payment well and truly to be made,
we bind ourselves, our heirs, executors, administrators, successors and assigns, jointly and severally,
firmly by these presents.

WHEREAS, the PRINCIPAL is required by the OBLIGEE to guarantee Water System Improvements
Contract# GP-007 for the period from 4/13/2020 to 4/13/2022
against defective workmanship or defective materials.

NOW THEREFORE, THE CONDITION OF THIS OBLIGATION IS SUCH, that if the
PRINCIPAL shall faithfully comply with the guarantee on its part by replacing defective
workmanship or defective materials and hold harmless the OBLIGEE against any cost, then this
obligation shall be void, otherwise to remain in full force and effect.

PROVIDED, HOWEVER, that no suit shall be brought against this bond after Two (2)
year (-s) from the termination date herein stated.

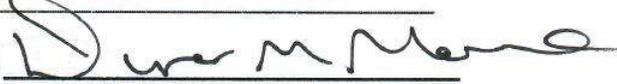
SIGNED, SEALED AND DATED this 13th day of April, 2020.

CMH Company, Inc.

BY: 

Title: Mark Metz, President

Old Republic Insurance Company

BY: 

Dina M Marinaro Attorney-in-Fact

ACKNOWLEDGEMENT OF PRINCIPAL

STATE OF NEW YORK
COUNTY OF Erie

On the 13th of April in the year 2020, before me personally came Mark Metz to me known, who, being by me duly sworn, did depose and say that he/she/they reside(s) in Erie Co NY that he/she/they (is) (are) the President of CMH Company Inc the corporation described in and which executed the above instrument; that he/she/they know the seal of said corporation; that the seal affixed to said instrument is such corporate seal; that it was so affixed by authority of the board of directors of said corporation, and that he/she/they signed his/her/their name(s) thereto by like authority.



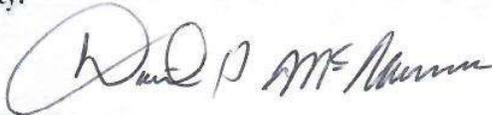
Notary Public

DANIEL P MCNAMARA
Notary Public-State of New York
Qualified in Erie County
My Commission Expires 05/04/ 2021

ACKNOWLEDGEMENT OF SURETY

STATE OF NEW YORK
COUNTY OF Erie

On the 13th day of April in the year 2020, before me personally came Dina M Marinaro all who, being by me duly sworn, did depose and say that he/she/they reside(s) Erie Co NY, that he/she/they (is) (are) the Attorney-in-Fact duly appointed of Old Republic Insurance Company the corporation described in and which executed the above instrument; that he/she/they know the seal of said corporation; that the seal affixed to said instrument is such corporate seal; that it was affixed by authority of the board of directors of said corporation, and that he/she/they signed his/her/their names(s) thereto by like authority.



Notary Public

DANIEL P MCNAMARA
Notary Public-State of New York
Qualified in Erie County
My Commission Expires 05/04/ 2021



OLD REPUBLIC INSURANCE COMPANY

POWER OF ATTORNEY

KNOW ALL MEN BY THESE PRESENTS: That OLD REPUBLIC INSURANCE COMPANY, a Pennsylvania stock insurance corporation, does make, constitute and appoint:
RALPH J VANNER JR, DINA MARINARO, JASON REID, OF AMHERST, NY

its true and lawful Attorney(s)-in-Fact, with unlimited power and authority for and on behalf of the Company as surety, to execute and deliver and affix the seal of the Company thereto (if a seal is required), bonds, undertakings, recognizances or other written obligations in the nature thereof, (other than self-insurance workers compensation bonds guaranteeing payment of benefits, asbestos abatement contract bonds, waste management bonds, hazardous waste remediation bonds or black lung bonds) , as follows:

ALL WRITTEN INSTRUMENTS

and to bind OLD REPUBLIC INSURANCE COMPANY thereby, and all of the acts of said Attorneys-in-Fact, pursuant to these presents, are ratified and confirmed. This appointment is made under and by authority of the board of directors at a meeting on December 10, 2019. This Power of Attorney is signed and sealed by facsimile under and by the authority of the following resolutions adopted by the board of directors of the OLD REPUBLIC INSURANCE COMPANY on December 10, 2019.

RESOLVED FURTHER, that the chairman, president or any vice president of the Company's surety division, in conjunction with the secretary or any assistant secretary of the Company, be and hereby are authorized and directed to execute and deliver, to such persons as such officers of the Company may deem appropriate, Powers of Attorney in the form presented to and attached to the minutes of this meeting, authorizing such persons to execute and deliver and affix the seal of the Company to bonds, undertakings, recognizances, and suretyship obligations of all kinds, other than bail bonds, bank depository bonds, mortgage deficiency bonds, mortgage guaranty bonds, guarantees of installment paper and note guaranty bonds. The said officers may revoke any Power of Attorney previously granted to any such person.

RESOLVED FURTHER, that any bond, undertaking, recognizance, or suretyship obligation shall be valid and binding upon the Company (i) when signed by the chairman, president or any vice president of the Company's surety division and attested and sealed (if a seal be required) by any secretary or assistant secretary; or (ii) when signed by a duly authorized Attorney-in-Fact and sealed with the seal of the Company (if a seal be required).

RESOLVED FURTHER, that the signature of any officer designated above, and the seal of the Company, may be affixed by facsimile to any Power of Attorney or certification thereof authorizing the execution and delivery of any bond, undertaking, recognizance, or other suretyship obligations of the Company, and such signature and seal when so used shall have the same force and effect as though manually affixed.

IN WITNESS WHEREOF, OLD REPUBLIC INSURANCE COMPANY has caused these presents to be signed by its proper officer, and its corporate seal to be affixed this 5TH day of FEBRUARY, 2020.

Sheila M. Applegate
Assistant Secretary



OLD REPUBLIC INSURANCE COMPANY

Alan Pavlic
Vice President

STATE OF WISCONSIN, COUNTY OF WAUKESHA - SS

On this 5TH day of FEBRUARY, 2020, personally came before me, ALAN PAVLIC and SHEILA M. APPLIGATE to me known to be the individuals and officers of the OLD REPUBLIC INSURANCE COMPANY who executed the above instrument, and they each acknowledged the execution of the same, and being by me duly sworn, did severally depose and say; that they are said officers of the corporation aforesaid, and that the seal affixed to the above instrument is the seal of the corporation, and that said corporate seal and their signatures as such officers were duly affixed and subscribed to the said instrument by the authority of the board of directors of said organization.



Kathryn R. Pearson
Notary Public

My commission expires: 9/28/22

(Expiration of notary commission does not invalidate this instrument)

CERTIFICATE

I, the undersigned, assistant secretary of the OLD REPUBLIC INSURANCE COMPANY, a Pennsylvania corporation, CERTIFY that the foregoing and attached Power of Attorney remains in full force and has not been revoked; and furthermore, that the Resolutions of the board of directors set forth in the Power of Attorney, are now in force.

72-5001



Signed and sealed at the City of Brookfield, WI this 13th day of April

[Signature]

Sheila M. Applegate
Assistant Secretary

VANNER INSURANCE AGENCY

**OLD REPUBLIC INSURANCE COMPANY
OF GREENSBURG, PENNSYLVANIA**

STATUTORY FINANCIAL STATEMENT AS OF DECEMBER 31, 2018

ADMITTED ASSETS

Bonds	\$1,825,149,966
Common stocks	558,615,791
Cash, cash equivalents and short-term investments	100,588,569
Bonds, short-term investments and cash held under retrospective rating agreements	36,050,373
Premiums and considerations – uncollected premiums and agents' balances in the course of collection	289,346,952
Deferred premiums, agents' balances and installments booked but deferred and not yet due	13,003,483
Accrued retrospective premiums	731,255
Funds held by or deposited with reinsured companies	15,378
Amounts recoverable from reinsurers	47,313,557
Current federal and foreign income tax recoverable and interest thereon	3,233,461
Net deferred tax asset	4,286,832
Electronic data processing equipment and software	525,720
Investment income due and accrued	18,268,705
Receivables from parent, subsidiaries and affiliates	4,491,294
Other assets	8,770,783
TOTAL ADMITTED ASSETS	<u>\$2,910,392,120</u>

LIABILITIES AND SURPLUS

Losses	\$869,332,599
Reinsurance payable on paid losses and loss adjustment expenses	7,495,428
Loss adjustment expenses	173,323,503
Commissions payable, contingent commissions and other similar charges	5,118,409
Other expenses (excluding taxes, licenses and fees)	18,833,511
Taxes, licenses and fees (excluding federal income taxes)	68,383,787
Unearned premiums	278,792,196
Dividends declared and unpaid - policyholders	260,924
Ceded reinsurance premiums payable (net of ceding commissions)	175,618,468
Funds held by company under reinsurance treaties	103,051,018
Amounts withheld or retained by company for account of others	47,584,537
Remittances and items not allocated	39,842,189
Provision for reinsurance	10,154,445
Payable to parent, subsidiaries and affiliates	3,745,701
Other liabilities	950,993
TOTAL LIABILITIES	<u>\$1,802,487,709</u>
Common capital stock	3,800,004
Surplus notes	155,000,000
Gross paid in and contributed surplus	103,869,422
Unassigned funds (surplus)	845,234,985
SURPLUS AS REGARDS POLICYHOLDERS	<u>\$1,107,904,411</u>
TOTAL LIABILITIES AND SURPLUS	<u>\$2,910,392,120</u>

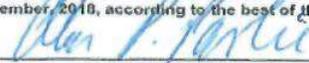
Securities carried at \$367,030,477 are deposited with States or Other Authorities as required by law.

STATE OF WISCONSIN)

)SS

COUNTY OF WAUKESHA)

Alan P. Pavlic, Vice President, and Rick A. Johnson, Vice President of Old Republic Insurance Company of Greensburg, Pennsylvania being duly sworn, each for himself, deposes and says that they are the above described officers of the said company, and that on the 31st day of December, 2018, the company was actually possessed of the assets set forth in the foregoing statement and that such assets were available for the payment of losses and claims and held for the protection of its policyholders and creditors, except as here-in-before indicated, and that the foregoing statement is a correct exhibit of such assets and liabilities of the said company on the 31st day of December, 2018, according to the best of their information, knowledge and belief, respectively.

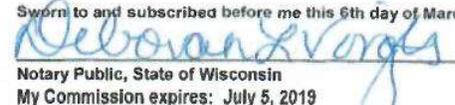


Alan P. Pavlic, Vice President



Rick A. Johnson, Vice President

Sworn to and subscribed before me this 6th day of March, 2019.



Notary Public, State of Wisconsin
My Commission expires: July 5, 2019

MINORITY BUSINESS ENTERPRISE UTILIZATION REPORT - PART D

FINAL CERTIFICATION OF EXPENDITURES TO MBE's

(to be completed by the prime CONTRACTOR and submitted with the request for final payment)

CONTRACTOR: C.M.H.

CONTRACT: 6P-007
PN201800080 - 007

MBE	TOTAL AMOUNT EXPENDED
STROCK ENTERPRISE	233,464.39

TOTAL OF ALL MBE SUB-CONTRACTS \$ 233,464.39

AMOUNT OF CONTRACT 1,688,818.73

FINAL MBE PERCENTAGE 13.8

I, Mark Metz, as an official representative of CMH Co. INC, do hereby certify that the information listed above is correct and complete.

MARK METZ
NAME
PRES
TITLE
4/10/20
DATE

Justyna M. Falkowski

From: Lavonya Lester
Sent: Tuesday, June 9, 2020 10:19 AM
To: Jeff Sylvester
Cc: Michael J. Quinn
Subject: RE: GP-007 PN 201800080 Final Pay App #10 Approval

Reviewed and approved. please proceed with final payment.

From: Jeff Sylvester <jsylvester@ecwa.org>
Sent: Tuesday, June 9, 2020 10:14 AM
To: Lavonya Lester <llester@ecwa.org>
Cc: Michael J. Quinn <mquinn@ecwa.org>
Subject: GP-007 PN 201800080 Final Pay App #10 Approval

Lavonya,

We are looking to close out the above referenced project and return the retainage to the contractor.

There was no work performed since Pay App #009.

Please review the attached and approve at your convenience.

Thank you.

Stay safe.

JEFFREY R SYLVESTER
DISTRIBUTION ENGINEER

Erie County Water Authority
3030 Union Road
Cheektowaga, NY 14227-1097
T: 716.685.8266
M: 716.440.0703
F: 716.684.3937
jsylvester@ecwa.org

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