

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

Contract: <u>20-21-08</u>	Project No.: <u>202000110</u>
Project Description: <u>Sturgeon Point WTP Sludge Removal, Disposal, and Relocation.</u>	

Item Description:






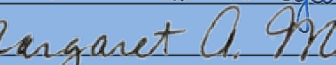

<input type="checkbox"/> Agreement	<input type="checkbox"/> Professional Service Contract	<input type="checkbox"/> Amendment	<input type="checkbox"/> Change Order
<input type="checkbox"/> BCD	<input type="checkbox"/> NYSDOT Agreement	<input type="checkbox"/> Contract Documents	<input type="checkbox"/> Addendum
<input type="checkbox"/> Recommendation for Award of Contract	<input type="checkbox"/> Recommendation to Reject Bids		
<input type="checkbox"/> Request for Proposals			
<input checked="" type="checkbox"/> Other <u>Final Pay Application and Closeout</u>			

Action Requested:


<input type="checkbox"/> Board Authorization to Execute	<input checked="" type="checkbox"/> Legal Approval
<input type="checkbox"/> Board Authorization to Award	<input 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 checked="" type="checkbox"/> Other <u>Board Approval</u>	

Approvals Needed:

APPROVED AS TO CONTENT:

<input checked="" type="checkbox"/> Sr. Production Engineer	<u></u>	Date: <u>12/29/2020</u>
<input checked="" type="checkbox"/> Chief Operating Officer	<u></u>	Date: <u>12/29/2020</u>
<input checked="" type="checkbox"/> Executive Engineer	<u></u>	Date: <u>12/29/2020</u>
<input checked="" type="checkbox"/> Director of Administration	<u></u>	Date: <u>12/29/2020</u>
<input checked="" type="checkbox"/> Risk Manager	<u></u>	Date: <u>12/29/2020</u>
<input checked="" type="checkbox"/> Chief Financial Officer	<u></u>	Date: <u>12/29/2020</u>
<input checked="" type="checkbox"/> Legal	<u></u>	Date: <u>12/29/20</u>

APPROVED FOR BOARD RESOLUTION:

<input checked="" type="checkbox"/> Secretary to the Authority	<u></u>	Date: <u>12/30/20</u>
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Remarks: Amount certified for Final Payment \$20,218.58

Resolution Date: _____	Item No: _____
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ERIE COUNTY WATER AUTHORITY
INTEROFFICE MEMORANDUM

December 28, 2020

To: Terrence D. McCracken, Secretary to the Authority

From: David M. Patton, Senior Production Engineer *DMP*

Subject: Sturgeon Point WTP
Sludge Removal, Disposal, and Relocation
ECWA Project No. 202000110
Pay Application No. 3- Final

Attached is the Final Payment Application for the above referenced project.

The following documents are attached:

- 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 check list is used to make sure that the contractor has provided all the proper documentation to close out the contract.

The Engineering Department is recommending Final Payment be made. The Aegis Security Insurance Company issued Certification of Surety for the Final Payment. The Contractor has submitted and signed General Release and AIA Forms G706, G706A, and G707. MWBE Utilization Report – Part D has been attached.

Lavonya Lester, Director of Administration has certified MWBE goals and approved final Certified Payrolls. 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 \$20,218.58 and includes all previous retainage. The project was billed to Unit 1010 O&M Item No. 35 – Refuse and Waste Disposal and retention was withheld from progress payments as per the contract requirements. Unit 1010 O&M Item Line No. 35 is funded to cover the costs.

DMP:jmf
Attachments
cc: R.Stoll
L.Kowalski
M.Wymer
L.Lester
SPWA-824-2001-X-16

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

AIA Type Document
Application and Certification for Payment

TO (OWNER): Erie County Water Authority
295 Main Street
Room 350
Buffalo, NY 14203-2494

PROJECT: ECWA Sturgeon Point Sludge Rem
Sturgeon Point Treatment Plant
722 Sturgeon Point Road
Derby, NY 14047

APPLICATION NO: 3
PERIOD TO: 9/30/2020

DISTRIBUTION
TO:
_ OWNER
_ ARCHITECT
_ CONTRACTOR

FROM (CONTRACTOR): Pinto Construction Services, Inc.
132 Dingers Street
Buffalo, NY 14206

VIA (ARCHITECT):

ARCHITECT'S
PROJECT NO: 202000110

CONTRACT FOR: Sludge Removal, Disposal and Relocation

CONTRACT DATE: 8/13/2020

CONTRACTOR'S APPLICATION FOR PAYMENT

Application is made for Payment, as shown below, in connection with the Contract.
Continuation Sheet, AIA Type Document is attached.

1. ORIGINAL CONTRACT SUM	\$	699,785.00
2. Net Change by Change Orders	\$	0.00
3. CONTRACT SUM TO DATE (Line 1 + 2).....	\$	699,785.00
4. TOTAL COMPLETED AND STORED TO DATE	\$	404,371.50
5. RETAINAGE:		
a. _____ .00 % of Completed Work	\$	0.00
b. _____ 0.00 % of Stored Material	\$	0.00
Total retainage (Line 5a + 5b)	\$	0.00
6. TOTAL EARNED LESS RETAINAGE	\$	404,371.50
(Line 4 less Line 5 Total)		
7. LESS PREVIOUS CERTIFICATES FOR PAYMENT (Line 6 from prior Certificate)	\$	\$384,152.92
8. CURRENT PAYMENT DUE	\$	\$20,218.58
9. BALANCE TO FINISH, INCLUDING RETAINAGE (Line 3 less Line 6)	\$	295,413.50

CHANGE ORDER SUMMARY	ADDITIONS	DEDUCTIONS
Total changes approved in previous months by Owner	0.00	0.00
Total approved this Month	0.00	0.00
TOTALS	0.00	0.00
NET CHANGES by Change Order	0.00	

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: Pinto Construction Services, Inc.
132 Dingers Street
Buffalo, NY 14206

By: *Dana Robinson*
Dana Robinson / Accountant

Date: 12-18-2020

State of: NY

County of: Erie

Subscribed and Sworn to before me this 18th Day of Dec. 20 20

Notary Public: *Allison K. Laurienzo*

My Commission Expires: 10/22/2024

Allison K. Laurienzo
Notary Public State of New York
Qualified in Erie County

ARCHITECT'S CERTIFICATE FOR PAYMENT

In Accordance with the Contract Documents, based on on-site observations and the data comprising the above application, the Architect certifies to 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..... \$ 20,218.58

(Attach explanation if amount certified differs from the amount applied. Initial all figures on this Application and on the Continuation Sheet that are changed to conform to the amount certified.)

ARCHITECT: *D J M Path*

By: _____ Date: 12/28/2020

This Certificate 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 under this Contract.

AIA Type Document
Application and Certification for Payment

TO (OWNER): Erie County Water Authority
 295 Main Street
 Room 350
 Buffalo, NY 14203-2494

PROJECT: ECWA Sturgeon Point Sludge Rem
 Sturgeon Point Treatment Plant
 722 Sturgeon Point Road
 Derby, NY 14047

APPLICATION NO: 3
PERIOD TO: 9/30/2020

DISTRIBUTION TO:
 _ OWNER
 _ ARCHITECT
 _ CONTRACTOR

FROM (CONTRACTOR): Pinto Construction Services, Inc.
 132 Dingens Street
 Buffalo, NY 14206

VIA (ARCHITECT):

ARCHITECT'S PROJECT NO: 202000110

CONTRACT FOR: Sludge Removal, Disposal and Relocation

CONTRACT DATE: 8/13/2020

ITEM	DESCRIPTION	PLAN QTY	UNIT PRICE	SCHEDULED VALUE	PREVIOUSLY COMP QTY/%	PREVIOUS APPL	COMP QTY/% THIS PERIOD	COMP AMT THIS PERIOD	STORED MATERIAL	COMPLETED AND STORED	%	BALANCE
1	Loading, Transportation, Testing and Disposal of Excavated Dried Sludge from WTP		.0000	274,615.00	100.000%	274,615.00	.000%	0.00	0.00	274,615.00	100.00	.00
Relocation of Sludge from Lagoons to Sludge Drying Area												
2A	Furnishing a Cleanout Crew & Equipment	12.000	23,315.0000	279,780.00	5.400	125,901.00	.000	0.00	0.00	125,901.00	45.00	153,879.00
2B	Furnishing a Cleanout Crew & Equipment	40.000	690.0000	27,600.00	.000	0.00	.000	0.00	0.00	0.00	.00	27,600.00
Miscellaneous Sludge Removal/Relocation												
3A	Furnishing a 30-Ton Excavator with Accessories	40.000	77.0000	3,080.00	.000	0.00	.000	0.00	0.00	0.00	.00	3,080.00
3B	Furnishing a 45,000 lb Wide Track or Low Ground Pressure Bulldozer	40.000	77.0000	3,080.00	20.000	1,540.00	.000	0.00	0.00	1,540.00	50.00	1,540.00
3C	Furnishing a 20,000 lb Wide Track or Low Ground Pressure Bulldozer w/Accessories	40.000	77.0000	3,080.00	14.000	1,078.00	.000	0.00	0.00	1,078.00	35.00	2,002.00
3D	Furnishing a Dump Truck	40.000	122.0000	4,880.00	.000	0.00	.000	0.00	0.00	0.00	.00	4,880.00
3E	Furnishing an Operator at an Hourly Rate	160.000	102.0000	16,320.00	.000	0.00	.000	0.00	0.00	0.00	.00	16,320.00
3F	Furnishing Diesel Driven Dewatering Pump w/ 4-inch Discharge w/Accessories	80.000	30.0000	2,400.00	.000	0.00	.000	0.00	0.00	0.00	.00	2,400.00
3G	Mobilization/Demobilization of Large, Heavy, Off Highway Equipment (Trailer)ed	8.000	618.7500	4,950.00	2.000	1,237.50	.000	0.00	0.00	1,237.50	25.00	3,712.50
4	Cash Allowance for Site Access Security Services		.0000	5,000.00		0.00	.000%	0.00	0.00	0.00	.00	5,000.00

**AIA Type Document
Application and Certification for Payment**

TO (OWNER): Erie County Water Authority
295 Main Street
Room 350
Buffalo, NY 14203-2494

PROJECT: ECWA Sturgeon Point Sludge Rem
Sturgeon Point Treatment Plant
722 Sturgeon Point Road
Derby, NY 14047

APPLICATION NO: 3
PERIOD TO: 9/30/2020

DISTRIBUTION TO:
_ OWNER
_ ARCHITECT
_ CONTRACTOR

FROM (CONTRACTOR): Pinto Construction Services, Inc.
132 Dingens Street
Buffalo, NY 14206

VIA (ARCHITECT):

ARCHITECT'S PROJECT NO: 202000110

CONTRACT FOR: Sludge Removal, Disposal and Relocation

CONTRACT DATE: 8/13/2020

ITEM	DESCRIPTION	PLAN QTY	UNIT PRICE	SCHEDULED VALUE	PREVIOUSLY COMP QTY/%	PREVIOUS APPL	COMP QTY/% THIS PERIOD	COMP AMT THIS PERIOD	STORED MATERIAL	COMPLETED AND STORED	%	BALANCE
5	Contingency Allowance		.0000	75,000.00		0.00	.000%	0.00	0.00	0.00	.00	75,000.00
REPORT TOTALS				\$699,785.00		\$404,371.50		\$0.00		\$404,371.50		
									\$0.00			\$295,413.50

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

Greeting: Know Ye, That

Pinto Construction Services, Inc.

132 Dingens Street

Buffalo, NY 14206

NAME AND ADDRESS OF CORPORATION

For and in consideration of the sum of Four hundred four thousand three hundred seventy-one dollars and fifty cents

dollars (\$ 404,371.50),

*lawful money of the United States of America to its duly authorized officer in hand paid by the
Erie 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 Erie 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:*

Pinto Construction Services, Inc., 132 Dingens Street, Buffalo, NY 14206

(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

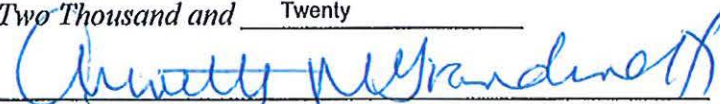
Pinto Construction Services, Inc. _____ *has caused its*

corporate seal to be hereunto affixed, and

these presents to be signed by its duly authorized

officer this 29th *day of* October, 2020 _____

Two Thousand and Twenty _____



By Annette M. Grandinetti, Corporate Secretary _____

State of New York)

County of Erie ss.

City _____ *Of* Buffalo _____)

On this 29th *day of* October _____, *Two Thousand*
and twenty _____, *before me personally came* Annette M. Grandinetti _____ *to*

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

_____ *that he/she is*
the Corporate Secretary *of* Pinto Construction Services, 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.

DANA R. ROBINSON
Notary Public State of New York
Qualified in Erie County
My Commission Expires July 3, 2023



Contractor's Affidavit of Payment of Debts and Claims

PROJECT: <i>(Name and address)</i> Sturgeon Point Water Treatment Plant Sludge Removal, Disposal, and Relocation Project No: 202000110	ARCHITECT'S PROJECT NUMBER: ECWA Project No. 202000110	OWNER <input type="checkbox"/>
	CONTRACT FOR: Sturgeon Point Water Treatment Plant Sludge Removal, Disposal, and Relocation	ARCHITECT <input type="checkbox"/>
		CONTRACTOR <input type="checkbox"/>
TO OWNER: <i>(Name and address)</i> Erie County Water Authority 295 Main Street - Room 350 Buffalo, NY 14203	CONTRACT DATED: 7/30/2020	SURETY <input type="checkbox"/>
		OTHER <input type="checkbox"/>

STATE OF: New York

COUNTY OF: Erie

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 to Final Payment, 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)*

 Pinto Construction Services, Inc.
132 Dingens Street
Buffalo, NY 14206

BY:

(Signature of authorized representative)

Annette M. Grandinetti, Corporate Secretary

(Printed name and title)

 Subscribed and sworn to before me on this date:
12/18/2020

Notary Public:

My Commission Expires:



 Qualified in Erie County
My Commission Expires July 3, 2023

CAUTION: You should sign an original AIA Contract Document, on which this text appears in RED. An original assures that changes will not be obscured.



AIA[®]

Document G706A™ – 1994

Contractor's Affidavit of Release of Liens

PROJECT: <i>(Name and address)</i> Sturgeon Point Water Treatment Plant Sludge Removal, Disposal, and Relocation Project No: 202000110	ARCHITECT'S PROJECT NUMBER: ECWA Project No. 202000110	OWNER <input type="checkbox"/>
	CONTRACT FOR: Sturgeon Point Water Treatment Plant Sludge Removal, Disposal, and Relocation	ARCHITECT <input type="checkbox"/>
		CONTRACTOR <input type="checkbox"/>
TO OWNER: <i>(Name and address)</i> Erie County Water Authority 295 Main Street - Room 350 Buffalo, NY 14203	CONTRACT DATED: 7/30/220	SURETY <input type="checkbox"/>
		OTHER <input type="checkbox"/>

STATE OF: New York

COUNTY OF: Erie

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

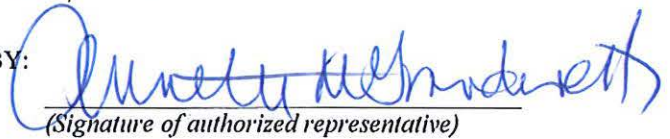
SUPPORTING DOCUMENTS ATTACHED HERETO:

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)*

Pinto Construction Services, Inc.
132 Dingens Street
Buffalo, NY 14203

BY:


(Signature of authorized representative)

Annette M. Grandinetti, Corporate Secretary

(Printed name and title)

Subscribed and sworn to before me on this date:

12/18/2020

Notary Public:

My Commission Expires:


Notary Public State of New York
Qualified in Erie County
July 3, 2023

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AIA® Document G706A™ - 1994

Contractor's Affidavit of Release of Liens

PROJECT: <i>(Name and address)</i> Sturgeon Point Water Treatment Plant Sludge Removal, Disposal, and Relocation Project No: 202000110	ARCHITECT'S PROJECT NUMBER: ECWA Project No. 202000110	OWNER <input type="checkbox"/>
	CONTRACT FOR: Sturgeon Point Water Treatment Plant Sludge Removal, Disposal, and Relocation	ARCHITECT <input type="checkbox"/>
		CONTRACTOR <input type="checkbox"/>
TO OWNER: <i>(Name and address)</i> Erie County Water Authority 295 Main Street - Room 350 Buffalo, NY 14203	CONTRACT DATED: 7/30/220	SURETY <input type="checkbox"/>
		OTHER <input type="checkbox"/>

STATE OF: New York

COUNTY OF: Erie

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

paid in full \$46,756.89

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)* Note: Subcontractor to
Iroquois Bar Pinto Construction Services, Inc.
155 Commerce Drive
Buffalo, NY 14218

BY:

[Handwritten Signature]
(Signature of authorized representative)

Thomas D. Sauer President
(Printed name and title)

Subscribed and sworn to before me on this date: *8/18/2022*
Notary Public: *[Signature]*
My Commission Expires: *8/18/2022*

DAVID J. LICHNER
NOTARY PUBLIC, STATE OF NEW YORK
QUALIFIED IN ERIE COUNTY
MY COMMISSION EXPIRES AUGUST 18, 20*22*

CAUTION: You should sign an original AIA Contract Document, on which this text appears in RED. An original assures that changes will not be obscured.

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AIA[®] Document G707[™] – 1994

Consent Of Surety to Final Payment

Bond No. B10 038 667

Executed in Triplicate

PROJECT: <i>(Name and address)</i> STURGEON POINT WATER TREATMENT PLANT SLUDGE REMOVAL, DISPOSAL, AND RELOCATION - Project No. 202000110	ARCHITECT'S PROJECT NUMBER: 202000110	OWNER: <input checked="" type="checkbox"/>
TO OWNER: <i>(Name and address)</i> Erie County Water Authority 295 Main Street, Room 350 Buffalo, NY 14215	CONTRACT FOR: STURGEON POINT WATER TREATMENT PLANT SLUDGE REMOVAL, DISPOSAL, AND RELOCATION - Project No. 202000110	ARCHITECT: <input checked="" type="checkbox"/>
	CONTRACT DATED: 7/30/2020	CONTRACTOR: <input checked="" type="checkbox"/>
		SURETY: <input checked="" type="checkbox"/>
		OTHER: <input checked="" type="checkbox"/>

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

Aegis Security Insurance Company
4507 North Front Street, Suite 200
Harrisburg, PA 17110

, SURETY,

on bond of
(Insert name and address of Contractor)

Pinto Construction Services, Inc.
132 Dingens Street
Buffalo, NY 14206

, 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 Street, Room 350
Buffalo, NY 14215

, OWNER,

as set forth in said Surety's bond.

IN WITNESS WHEREOF, the Surety has hereunto set its hand on this date: October 29, 2020
(Insert in writing the month followed by the numeric date and year.)

Aegis Security Insurance Company

(Surety)

(Signature of authorized representative)

Witness:

Attest: Victoria Rivera
(Seal):

Tracy Alessi, Attorney-in-Fact

(Printed name and title)

ACKNOWLEDGEMENT OF SURETY

STATE OF New York)
COUNTY OF Erie) ss
CITY OF BUFFALO)

On this 29th day of October in the year 2020, before me personally
came Tracy Alessi , to me known, who, being by me duly sworn, did depose
and say that he/she/they reside (s) Buffalo, NY , that he/she/they (is) (are) the
Attorney-in -Fact duly appointed of the Aegis Security Insurance Company
the corporation described in and which executed the above instrument; that he/she/they
know(s) 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.

VICTORIA RIVERA
NOTARY PUBLIC, STATE OF NEW YORK
QUALIFIED IN ERIE COUNTY
My Commission Expires Nov 29, 2021 *ec*

Valeria

NOTARY PUBLIC

THIS POWER NULL AND VOID IF NUMBER IS NOT IN RED
POWER CERTIFICATE NO. NY 195
AEGIS SECURITY INSURANCE COMPANY
POWER OF ATTORNEY

KNOW ALL MEN BY THESE PRESENTS, THAT AEGIS SECURITY INSURANCE COMPANY does hereby make, constitute and appoint: ALISSA J. WOLF, TIMOTHY TOOLE, VICTORIA RIVERA, BRADLEY J. HALL, TRACY ALESSI, VICKI BEUTEL its true and lawful Attorney-in-Fact, to make, execute and deliver on its behalf surety bonds, undertaking and other instruments of similar nature as follows: \$5 MILLION

This Power of Attorney is granted and sealed under and by the authority of the following Resolution adopted by the Board of Directors of the Company on the 4th day of February, 1993.

"Resolved, That the President, any Vice President, the Secretary and any Assistant Secretary appointed for that purpose by the officer in charge of surety operations shall each have authority to appoint individuals as Attorney-in-Fact or under other appropriate titles with authority to execute on behalf of the Company, fidelity and surety bonds and other documents of similar character issued by the Company in the course of its business. On any instrument making or evidencing such an appointment, the signatures may be affixed by facsimile. On any instrument conferring such authority or on any bond or undertaking of the Company, the seal or facsimile thereof may be imposed or fixed or in any other manner reproduced; provided, however, that the seal shall not be necessary to the validity of any such instrument or undertaking."

"Resolved, That the signature of each of the following officers; President, Vice President, any Assistant Vice President, any Secretary or Assistant Secretary and the seal of the Company may be affixed by facsimile to any Power of Attorney or to any Certificate relating thereto, appointing Resident Vice Presidents, Resident Assistant Secretaries or Attorneys-in-Fact for the purpose only of executing and attesting bonds and undertaking and other writings upon the Company and any such power required and certified by such facsimile signature and facsimile seal shall be valid and binding on the Company in the future with respect to any bond or undertaking to which it is attached."

IN WITNESS WHEREOF, AEGIS SECURITY INSURANCE COMPANY has caused its official seal to be hereunto affixed, and these presents to be signed by its President this 19th day of March, 2019.

AEGIS SECURITY INSURANCE COMPANY

By:

W. J. Wollyung III

W. J. WOLLYUNG, III
President



Commonwealth of Pennsylvania }
 } s.s.: Harrisburg
County of Dauphin }

On this 19th day of March, 2019, before me personally came William J. Wollyung, III to me known, who being by me duly sworn, did depose and say that he is President of AEGIS SECURITY INSURANCE COMPANY, the corporation described herein and which executed the above instrument; that he knows the seal of the said corporation, that the seal affixed to the said instrument is such corporate seal; that it was so affixed by order of the Board of Directors of said corporation and that he signed his name thereto by like order.

Jeanne LP Tennis

JEANNE LP TENNIS
Notary Public
My Commission Expires June 16, 2021



I, the undersigned, Secretary of AEGIS SECURITY INSURANCE COMPANY, a Pennsylvania corporation, DO HEREBY CERTIFY that the foregoing and attached Power of Attorney remains in full force and has not been revoked; and furthermore that the Resolution of the Board of Directors, set forth in the said Power of Attorney, is now in force.

Signed and sealed at the City of Harrisburg, in the Commonwealth of Pennsylvania, dated this 29th day of October, 2020

Rebecca J. Liddick

REBECCA J. LIDDICK
Secretary



Aegis Security Insurance Company

Statements of Admitted Assets, Liabilities and Capital and Surplus - Statutory Basis

	As of December 31,	
	2018	2017
Admitted Assets		
Bonds	\$ 87,336,929	\$ 59,413,126
Preferred stocks	423,205	559,219
Common stocks - unaffiliated	13,764,139	10,130,928
Common stocks - affiliate	-	17,834,418
Cash and short-term investments	32,694,624	16,847,253
Other invested assets	-	3,750,000
	134,218,897	108,534,944
Total cash and invested assets		
Accrued investment income	687,619	537,640
Premium receivable and agent balances due	29,481,656	27,517,072
Reinsurance recoverable on paid losses	5,929,670	4,649,361
Federal income tax receivable	1,783,345	1,184,982
Net admitted deferred tax asset	3,461,239	2,831,492
Receivable from parent, subsidiaries and affiliates	-	3,423,309
Total assets	\$ 175,562,426	\$ 148,678,800
Liabilities, Capital and Surplus		
Liabilities:		
Losses and LAE	\$ 32,258,347	\$ 25,724,886
Reinsurance payable on paid loss and LAE	85,053	88,380
Unearned premiums	63,849,110	50,735,681
Commissions payable	22,276	1,458,140
Accounts payable and accrued expenses	539,448	658,479
Taxes, licenses and fees payable	1,551,966	1,073,568
Ceded reinsurance premiums payable	12,189,420	10,838,092
Amounts withheld for account of others	2,388,287	3,493,569
Payable for securities	10,098	869,437
Total liabilities	112,894,005	94,940,232
Capital and surplus:		
Common stock, par value \$1.40 per share; 5,000,000 authorized; 3,000,000 issued and outstanding	4,200,000	4,200,000
Paid-in surplus	20,266,827	5,266,827
Unassigned funds	38,201,594	44,271,741
Total capital and surplus	62,668,421	53,738,568
Total liabilities, capital and surplus	\$ 175,562,426	\$ 148,678,800

See accompanying notes to the statutory basis financial statements

Rest Insured

Lawley

VERIFICATION CERTIFICATE

Bond Number: B10 038 667

THIS IS TO CERTIFY that the above referenced Performance and Payment Bond, issued by Aegis Security Insurance Company, dated 8/13/2020, in the amount of \$404,371.50 on behalf of Pinto Construction Services, Inc., and in favor of Erie County Water Authority, remains in effect for two years, subject to all agreements, conditions, and limitations.

Signed, sealed, and dated 10/30/2020

Aegis Security Insurance Company

By: Tracy Alessi

Tracy Alessi, Attorney-in-Fact

**THIS POWER NULL AND VOID IF NUMBER IS NOT IN RED
POWER CERTIFICATE NO. NY 195
AEGIS SECURITY INSURANCE COMPANY
POWER OF ATTORNEY**

KNOW ALL MEN BY THESE PRESENTS, THAT AEGIS SECURITY INSURANCE COMPANY does hereby make, constitute and appoint: ALISSA J. WOLF, TIMOTHY TOOLE, VICTORIA RIVERA, BRADLEY J. HALL, TRACY ALESSI, VICKI BEUTEL its true and lawful Attorney-in-Fact, to make, execute and deliver on its behalf surety bonds, undertaking and other instruments of similar nature as follows: \$5 MILLION

This Power of Attorney is granted and sealed under and by the authority of the following Resolution adopted by the Board of Directors of the Company on the 4th day of February, 1993.

“Resolved, That the President, any Vice President, the Secretary and any Assistant Secretary appointed for that purpose by the officer in charge of surety operations shall each have authority to appoint individuals as Attorney-in-Fact or under other appropriate titles with authority to execute on behalf of the Company, fidelity and surety bonds and other documents of similar character issued by the Company in the course of its business. On any instrument making or evidencing such an appointment, the signatures may be affixed by facsimile. On any instrument conferring such authority or on any bond or undertaking of the Company, the seal or facsimile thereof may be imposed or fixed or in any other manner reproduced; provided, however, that the seal shall not be necessary to the validity of any such instrument or undertaking.”

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IN WITNESS WHEREOF, AEGIS SECURITY INSURANCE COMPANY has caused its official seal to be hereunto affixed, and these presents to be signed by its President this 19th day of March, 2019.

AEGIS SECURITY INSURANCE COMPANY

By:

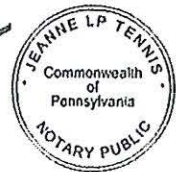
W. J. WOLLYUNG, III
President



Commonwealth of Pennsylvania }
 } s.s.: Harrisburg
County of Dauphin }

On this 19th day of March, 2019, before me personally came William J. Wollyung, III to me known, who being by me duly sworn, did depose and say that he is President of AEGIS SECURITY INSURANCE COMPANY, the corporation described herein and which executed the above instrument; that he knows the seal of the said corporation, that the seal affixed to the said instrument is such corporate seal; that it was so affixed by order of the Board of Directors of said corporation and that he signed his name thereto by like order.

JEANNE LP TENNIS
Notary Public
My Commission Expires June 16, 2021



I, the undersigned, Secretary of AEGIS SECURITY INSURANCE COMPANY, a Pennsylvania corporation, DO HEREBY CERTIFY that the foregoing and attached Power of Attorney remains in full force and has not been revoked: and furthermore that the Resolution of the Board of Directors, set forth in the said Power of Attorney, is now in force.

Signed and sealed at the City of Harrisburg, in the Commonwealth of Pennsylvania, dated this 30th day of October, 2020

REBECCA J. LIDDICK
Secretary



Aegis Security Insurance Company

Statements of Admitted Assets, Liabilities and Capital and Surplus - Statutory Basis

	As of December 31,	
	2018	2017
Admitted Assets		
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Total liabilities, capital and surplus	\$ 175,562,426	\$ 148,678,800

See accompanying notes to the statutory basis financial statements



CERTIFICATE OF LIABILITY INSURANCE

DATE (MM/DD/YYYY)
10/9/2020

THIS CERTIFICATE IS ISSUED AS A MATTER OF INFORMATION ONLY AND CONFERS NO RIGHTS UPON THE CERTIFICATE HOLDER. THIS CERTIFICATE DOES NOT AFFIRMATIVELY OR NEGATIVELY AMEND, EXTEND OR ALTER THE COVERAGE AFFORDED BY THE POLICIES BELOW. THIS CERTIFICATE OF INSURANCE DOES NOT CONSTITUTE A CONTRACT BETWEEN THE ISSUING INSURER(S), AUTHORIZED REPRESENTATIVE OR PRODUCER, AND THE CERTIFICATE HOLDER.

IMPORTANT: If the certificate holder is an ADDITIONAL INSURED, the policy(ies) must have ADDITIONAL INSURED provisions or be endorsed. If SUBROGATION IS WAIVED, subject to the terms and conditions of the policy, certain policies may require an endorsement. A statement on this certificate does not confer rights to the certificate holder in lieu of such endorsement(s).

PRODUCER License # BR-632443
Lawley Construction Solutions
11 Delaware Avenue
Buffalo, NY 14202

CONTACT NAME:
PHONE (A/C, No, Ext): (716) 849-8618 FAX (A/C, No): (716) 849-8291
E-MAIL ADDRESS:

INSURER(S) AFFORDING COVERAGE		NAIC #
INSURER A : Zurich American Insurance Co		16535
INSURER B : Zurich American Insurance Co of IL		27855
INSURER C : Merchants Mutual Ins Co		23329
INSURER D : Stratford Insurance Co		40436
INSURER E : The Charter Oak Fire Insurance		25615
INSURER F :		

INSURED
Pinto Construction Services Inc
132 Dingsen Street
Buffalo, NY 14210

COVERAGES CERTIFICATE NUMBER: REVISION NUMBER:

THIS IS TO CERTIFY THAT THE POLICIES OF INSURANCE LISTED BELOW HAVE BEEN ISSUED TO THE INSURED NAMED ABOVE FOR THE POLICY PERIOD INDICATED. NOTWITHSTANDING ANY REQUIREMENT, TERM OR CONDITION OF ANY CONTRACT OR OTHER DOCUMENT WITH RESPECT TO WHICH THIS CERTIFICATE MAY BE ISSUED OR MAY PERTAIN, THE INSURANCE AFFORDED BY THE POLICIES DESCRIBED HEREIN IS SUBJECT TO ALL THE TERMS, EXCLUSIONS AND CONDITIONS OF SUCH POLICIES. LIMITS SHOWN MAY HAVE BEEN REDUCED BY PAID CLAIMS.

SR	TYPE OF INSURANCE	ADDL INSD	SUBR WVD	POLICY NUMBER	POLICY EFF (MM/DD/YYYY)	POLICY EXP (MM/DD/YYYY)	LIMITS
A	<input checked="" type="checkbox"/> COMMERCIAL GENERAL LIABILITY <input type="checkbox"/> CLAIMS-MADE <input checked="" type="checkbox"/> OCCUR <input checked="" type="checkbox"/> Contractual GEN'L AGGREGATE LIMIT APPLIES PER: <input type="checkbox"/> POLICY <input checked="" type="checkbox"/> PROJECT <input type="checkbox"/> LOC OTHER:	X	X	GLO038192405	5/1/2020	5/1/2021	EACH OCCURRENCE \$ 1,000,000 DAMAGE TO RENTED PREMISES (Ea occurrence) \$ 100,000 MED EXP (Any one person) \$ 10,000 PERSONAL & ADV INJURY \$ 1,000,000 GENERAL AGGREGATE \$ 2,000,000 PRODUCTS - COMP/OP AGG \$ 2,000,000
B	<input checked="" type="checkbox"/> AUTOMOBILE LIABILITY <input checked="" type="checkbox"/> ANY AUTO OWNED AUTOS ONLY <input type="checkbox"/> SCHEDULED AUTOS <input checked="" type="checkbox"/> HIRED AUTOS ONLY <input checked="" type="checkbox"/> NON-OWNED AUTOS ONLY	X	X	BAP038192505	5/1/2020	5/1/2021	COMBINED SINGLE LIMIT (Ea accident) \$ 1,000,000 BODILY INJURY (Per person) \$ BODILY INJURY (Per accident) \$ PROPERTY DAMAGE (Per accident) \$
C	<input checked="" type="checkbox"/> UMBRELLA LIAB <input checked="" type="checkbox"/> OCCUR <input type="checkbox"/> EXCESS LIAB <input type="checkbox"/> CLAIMS-MADE <input checked="" type="checkbox"/> DED <input checked="" type="checkbox"/> RETENTION \$ 10,000	X	X	CUP0001631	5/1/2020	5/1/2021	EACH OCCURRENCE \$ 10,000,000 AGGREGATE \$ 10,000,000
D	<input checked="" type="checkbox"/> WORKERS COMPENSATION AND EMPLOYERS' LIABILITY <input type="checkbox"/> ANY PROPRIETOR/PARTNER/EXECUTIVE OFFICER/MEMBER EXCLUDED? (Mandatory in NH) If yes, describe under DESCRIPTION OF OPERATIONS below	N/A	X	WC038192205	5/1/2020	5/1/2021	<input checked="" type="checkbox"/> PER STATUTE <input type="checkbox"/> OTHER E.L. EACH ACCIDENT \$ 1,000,000 E.L. DISEASE - EA EMPLOYEE \$ 1,000,000 E.L. DISEASE - POLICY LIMIT \$ 1,000,000
E	<input checked="" type="checkbox"/> Pollution Liability <input checked="" type="checkbox"/> Blkt Builders Risk			EVP100098802 QT6608672R050COF20	5/1/2020 5/1/2020	5/1/2021 5/1/2021	\$5M Occ/\$5M Agg Limit 1,000,000

DESCRIPTION OF OPERATIONS / LOCATIONS / VEHICLES (ACORD 101, Additional Remarks Schedule, may be attached if more space is required)
Project: Sturgeon Point Water Treatment Plant, Angola, NY
Additional Insured and Waiver of Subrogation coverage shown above and marked with an X. Terms set forth as evidenced by the attached endorsement(s)
Printed on the ACORD 101

** Insurance Certificate will be automatically renewed*

CERTIFICATE HOLDER
Erie County Water Authority
3030 Union Road
Cheektowaga, NY 14227

CANCELLATION
SHOULD ANY OF THE ABOVE DESCRIBED POLICIES BE CANCELLED BEFORE THE EXPIRATION DATE THEREOF, NOTICE WILL BE DELIVERED IN ACCORDANCE WITH THE POLICY PROVISIONS.
AUTHORIZED REPRESENTATIVE



ADDITIONAL REMARKS SCHEDULE

AGENCY Wley Construction Solutions		License # BR-632443	NAMED INSURED Pinto Construction Services Inc 132 Dings Street Buffalo, NY 14210
POLICY NUMBER SEE PAGE 1			
CARRIER SEE PAGE 1	NAIC CODE SEE P 1	EFFECTIVE DATE: SEE PAGE 1	

ADDITIONAL REMARKS

THIS ADDITIONAL REMARKS FORM IS A SCHEDULE TO ACORD FORM,
 FORM NUMBER: ACORD 25 FORM TITLE: Certificate of Liability Insurance

When required by executed written contract the following endorsements apply:

General Liability:
 GL 2162A CW 02 19 Additional Insured - Automatic - Owners, Lessees Or Contractors
 GL 925B CW 12 01 Waiver of Subrogation (Blanket) Endorsement
 G 25 03 05 09 Designated Construction Project(s) General Aggregate Limit

Auto:
 -CA-424-F NY (02/16) Coverage Extension Endorsement

Worker's Compensation:
 IC 00 03 13 (4/84) Waiver of Our Right To Recover From Others Endorsement

Umbrella:
 IU 86 22 05 09 Primary and Non-contributing Insurance
 IU 79 28 07 03 Follow Form - Per Project Aggregate
 IU 82 70 08 06 General Liability Follow Form Endorsement
 U 24 03 09 00 Waiver of Transfer of Rights of Recovery Against Others to Us

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: Pinto Construction Services, Inc.

CONTRACT: ECWA Project No. 202000110

MBE	TOTAL AMOUNT EXPENDED
Iroquois Bar 155 Commerce Drive Buffalo, NY 14218 716-270-0433 Federal ID#16-1570355	\$46,756.89

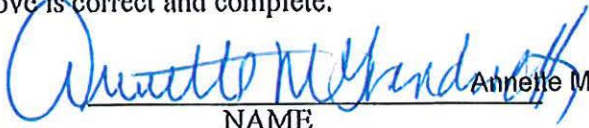
TOTAL OF ALL MBE
SUB-CONTRACTS \$46,756.89

AMOUNT OF
CONTRACT \$404,371.50

FINAL MBE
PERCENTAGE 11.5%

I, Annette M. Grandinetti, as an official
representative of Pinto Construction Services, Inc.,

do hereby certify that the information listed above is correct and complete.


Annette M. Grandinetti
NAME

Corporate Secretary

TITLE

10/29/2020

DATE



AIA Document G706A™ - 1994

Contractor's Affidavit of Release of Liens

PROJECT: <i>(Name and address)</i> Sturgeon Point Water Treatment Plant Sludge Removal, Disposal, and Relocation Project No: 202000110	ARCHITECT'S PROJECT NUMBER: ECWA Project No. 202000110	<input type="checkbox"/> OWNER
	CONTRACT FOR: Sturgeon Point Water Treatment Plant Sludge Removal, Disposal, and Relocation	<input type="checkbox"/> ARCHITECT
		<input type="checkbox"/> CONTRACTOR
TO OWNER: <i>(Name and address)</i> Erie County Water Authority 295 Main Street - Room 350 Buffalo, NY 14203	CONTRACT DATED: 7/30/220	<input type="checkbox"/> SURETY
		<input type="checkbox"/> OTHER

STATE OF: New York
COUNTY OF: Erie

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

paid in full \$46,756.89

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)* Note: Subcontractor to Pinto Construction Services, Inc.
Iroquois Bar
155 Commerce Drive
Buffalo, NY 14218

BY: 
(Signature of authorized representative)

Thomas D. Sawa President
(Printed name and title)

DAVID J. LICHNER
NOTARY PUBLIC, STATE OF NEW YORK
QUALIFIED IN ERIE COUNTY
MY COMMISSION EXPIRES AUGUST 18, 20*02*

Subscribed and sworn to before me on this date: *8/18/2002*
Notary Public: 
My Commission Expires: *8/18/2002*

CAUTION: You should sign an original AIA Contract Document, on which this text appears in RED. An original assures that changes will not be obscured.

AIA Document G706A™ - 1994. Copyright © 1970 and 1994 by The American Institute of Architects. All rights reserved. **WARNING: This AIA Document is protected by U.S. Copyright Law and International Treaties. Unauthorized reproduction or distribution of this AIA Document, or any portion of it, may result in severe civil and criminal penalties, and will be prosecuted to the maximum extent possible under the law.** Purchasers are permitted to reproduce ten (10) copies of this document when completed. To report copyright violations of AIA Contract Documents, e-mail The American Institute of Architects' legal counsel, copyright@ala.org.

David Patton

From: Lavonya Lester
Sent: Thursday, November 5, 2020 3:01 PM
To: David Patton
Subject: RE: PN202000110 STP Sludge Removal Project Contract Close out Documents-MWB & Certified Payroll Approval

Dave,
I have reviewed and approved both the MWBE Utilization Report Part D and the certified payrolls.
Thanks
Lavonya

From: David Patton <dpatton@ecwa.org>
Sent: Tuesday, November 3, 2020 1:45 PM
To: Lavonya Lester <llester@ecwa.org>
Subject: PN202000110 STP Sludge Removal Project Contract Close out Documents-MWB & Certified Payroll Approval
Importance: High

Lavonya,

Please see attached documentation submitted by Pinto Construction for the final payment application and contract close out. Please review the MWBE final docs along with the certified payrolls and let me know if you approve.

I have drafted my memo to Terry M. for board approval and need for your approval of the MWBE and final certified payrolls before sending.

Please let me know.

Thanks for your help.

Regards,

David M. Patton, PE

Sr. Production Engineer

Erie County Water Authority

3030 Union Road

Buffalo, New York 14227-1097

Phone: (716) 685.8229

mobile: (716) 984.8397

email: dpatton@ecwa.org

From: Dana Robinson <d robinson@pinto cs.com>
Sent: Friday, October 30, 2020 3:33 PM
To: David Patton <dpatton@ecwa.org>
Subject: RE: [EXTERNAL] RE: Contract Close out

Hi David,