

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

**Contract:** 16-06-03 **Project No.:** 201600011  
**Project Description:** Excavated Material Removal and Disposal 4/1/16 – 3/3/18

**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>Pay Application #18 &amp; Final. Amount Certified: \$30,585.88</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"/> Department Head    | <u><i>James F. Kowalewski</i></u> | Date: <u>5-30-19</u>    |
| <input checked="" type="checkbox"/> Risk Manager       | <u><i>[Signature]</i></u>         | Date: <u>06/04/2019</u> |
| <input type="checkbox"/> Director of Administration    | _____                             | Date: _____             |
| <input checked="" type="checkbox"/> Executive Engineer | <u><i>Russell J. Foltz</i></u>    | Date: <u>5/31/19</u>    |

**APPROVED AS TO FORM:**

- |   |                                  |                     |
|---|----------------------------------|---------------------|
| <input checked="" type="checkbox"/> Legal | <u><i>Margaret A. Murphy</i></u> | Date: <u>6/4/19</u> |
|---|----------------------------------|---------------------|

**APPROVED FOR BOARD RESOLUTION:**

- |  |                           |                     |
|--|---------------------------|---------------------|
| <input checked="" type="checkbox"/> Secretary to the Authority | <u><i>[Signature]</i></u> | Date: <u>6/5/19</u> |
|--|---------------------------|---------------------|

**Remarks:** \_\_\_\_\_

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





# ERIE COUNTY WATER AUTHORITY

## INTEROFFICE MEMORANDUM

June 3, 2019

To: Terrence McCracken, Secretary to the Authority

From: Leonard F. Kowalski, Senior Distribution Engineer *LFK*

Subject: Excavated Material Removal & Disposal 04/01/2016 – 03/31/2018  
ECWA Project No. 201600011  
Pay Application No. 18 & Final

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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 has provided all of 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 Lavonya Lester, Director of Administration. 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 \$30,585.88

LFK:med  
Attachments  
cc: R.Stoll  
ECWA-840-1601-I-186

# 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 *Verified with Laronga via email 5/30/19*

### 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](mailto: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

## Job Description:

Excavated Material Removal & Disposal  
April 1, 2016 through March 31, 2018

Estimate No. 18 and Final

Contract No. 16-06-03

Period Covered: April 1, 2018 to December 7, 2018

Project No. 201600011

Contractor: E & R General Construction, Inc.  
38 Saint David's Drive  
West Seneca, New York 14224

V0700

Bid Item No.	Item Spec	Contract Break Down	Completed to Date		Completed Previous Estimate		Amount This Estimate
			%	Amount	%	Amount	
1A	3000 LD @ 19.00	\$57,000.00	108.37	\$61,772.61	108.37	\$61,772.61	\$0.00
1B	500 LD @ 19.00	\$9,500.00	105.62	\$10,034.28	105.62	\$10,034.28	\$0.00
2A	3000 LD @ 111.00	\$333,000.00	108.37	\$360,882.09	108.37	\$360,882.09	\$0.00
2B	500 LD @ 111.00	\$55,500.00	105.62	\$58,621.32	105.08	\$58,621.32	\$0.00
NA	Change Order #1 1.00	\$21,677.45	100.00	\$21,677.45	100.00	\$21,677.45	\$0.00
NA	Change Order #2* 1.00	\$126,174.93	100.00	\$126,174.93	100.00	\$126,174.93	\$0.00
NA	Change Order #3 1.00	\$223,771.08	100.00	\$223,771.08	100.00	\$223,771.08	\$0.00
NA	Change Order #4 1.00	\$98,729.82	100.00	\$98,729.82	100.00	\$98,729.82	\$0.00
Sub-Total		\$925,353.28	103.92	\$961,663.58		\$961,663.58	
net invoice							
Previously Returned Retention						\$0.00	
Return Retention						\$30,585.88	
Amount Due This Estimate							\$30,585.88

I hereby certify that according to the above mentioned Contract, this is a just estimate of the work done and materials furnished under the Contract between April 1, 2018 and December 7, 2018, both inclusive, and the value thereof, being \$30,585.88 as required by Article 6.03 of the said Contract.

Prepared  
By:

James E. Deering 12/7/18  
Date

By:

Anthony J. Deering 4/30/19  
Contractor Date

Donald P. Konobko 5-30-19  
Senior Distribution Engineer Date

Russell J. Stoll 5/31/19  
Executive Engineer Date

\*Contract price was changed by Change Order; invoice was paid under EC #6979.



## Job Description:

Excavated Material Removal &amp; Disposal

April 1, 2016 through March 31, 2018

Estimate No. 18 and Final

Contract No. 16-06-03

Period Covered: April 1, 2018 to December 7, 2018

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Prepared  
By:

Marie E. Denny 12/7/18  
Date

By:

Anthony P. Pappas 4/30/19  
Contractor Date

Samuel F. Kowalik 5-30-19  
Senior Distribution Engineer Date

Russell Stiles 5/31/19  
Executive Engineer Date

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Prepared  
By:

*James E. Deering* 12/7/18  
Date

By:

*William J. Deering* 4/30/19  
Contractor Date

*Lernard F. Knaack* 5-30-19  
Senior Distribution Engineer Date

*Russell J. Stots* 5/31/19  
Executive Engineer Date

\*Contract price was changed by Change Order; invoice was paid under EC #6979.



## APPLICATION AND CERTIFICATE FOR PAYMENT

AIA DOCUMENT G702

PAGE ONE OF TWO

OWNER: Erie County Water Authority  
295 Main Street, Room 350  
Buffalo, NY 14203

PROJECT: Excavated Material Removal and Disposal (4/1/16 through 3/31/18)

APPLICATION NO : 18 Final

DISTRIBUTION TO:  
OWNER  
ARCHITECT  
CONTRACTOR

PERIOD TO: 4/30/2019

FROM (CONTRACTOR):

E & R General Construction Inc.  
38 Saint David's Drive  
West Seneca, NY 14224

CONTRACT DATE: 3/24/16

PROJECT NO: 201600011

CONTRACT NO: 16-06-03

## CONTRACTORS APPLICATION FOR PAYMENT

CHANGE ORDER SUMMARY		ADDITIONS		DEDUCTIONS
Change Orders approved in previous months by Owner				
TOTAL				
Approved This Month				
Number	Date Approved	Change Order #1	\$ 21,677.45	
		Change Order #2	\$ 126,174.93	
		Change Order #3	\$ 223,771.08	
		ChangeOrder #4-	\$ 98,729.82	
		TOTALS	\$ 470,353.28	
Net Change by Change Orders				\$ 470,353.28

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:

By:



Angiolina Passucci

Date:

4/30/2019

Vice President

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

1. ORIGINAL CONTRACT SUM	\$	455,000.00
2. Net Change by Change Orders	\$	470,353.28
3. CONTRACT SUM TO DATE (Line 1-+2)	\$	925,353.28
4. TOTAL CONTRACT completed to date (Column G on G703)	\$	961,663.58
5. RETAINAGE A.) 0% of Completed work (Column D+E)		
Total Retainage (Line 5a + 5b or total in column I of G703)	\$	-
6. TOTAL EARNED (Line 4 less Line 5 Total)	\$	961,663.58
7. Less Previous Certificates for payment (Line 6 from prior certificate)	\$	931,077.70
8. CURRENT PAYMENT DUE	\$	30,585.88
9. Balance to finish plus retainage (Line 3 less Line 6)	\$	(36,310.30)

State of: New York

County of: Erie

Subscribed and sworn to me before this 30th day April of 2019

Notary Republic:



ROBERT BATTISTA  
Notary Public, State of New York  
Qualified in Erie County  
Reg. No. 02BA4829577  
My Commission Expires Jan. 31, 2022

My Commission Expires:

Jan 31, 2022

## 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 ..... \$ 30,585.88  
(Attached explanation if amount certified differs from the amount applied for.)  
ARCHITECT:

By:

Date:

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.

## APPLICATION AND CERTIFICATE FOR PAYMENT

AIA DOCUMENT G702

PAGE ONE OF TWO

OWNER: Erie County Water Authority  
295 Main Street, Room 350  
Buffalo, NY 14203

PROJECT: Excavated Material Removal and Disposal (4/1/16 through 3/31/18)

APPLICATION NO : 18 Final

DISTRIBUTION TO:  
OWNER  
ARCHITECT  
CONTRACTOR

PERIOD TO: 4/30/2019

FROM (CONTRACTOR):  
E & R General Construction Inc.  
38 Saint David's Drive  
West Seneca, NY 14224

CONTRACT DATE: 3/24/16

PROJECT NO: 201600011

CONTRACT NO: 16-06-03

## CONTRACTORS APPLICATION FOR PAYMENT

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Change Orders approved in previous months by Owner				
TOTAL		ADDITIONS		DEDUCTIONS
Approved This Month				
Number	Date Approved			
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(Column G on G703)

5. RETAINAGE  
A.) 0% of Completed work (Column D+E)

Total Retainage (Line 5a + 5b or total in column I of G703)

\$ -

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Vice President

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