



ERIE COUNTY WATER AUTHORITY

INTEROFFICE MEMORANDUM

January 13, 2023

To: Terrence D. McCracken, Secretary to the Authority

From: Michael W. Wymer, Senior Production Engineer *MW*

Subject: Miscellaneous Electrical Engineering Services – Contract Amendment 1
ECWA Project No. 202100024

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.
- Three (3) originals of Amendment No. 1 request for Board action and execution by the Authority.

This project provides electrical engineering services that may include field measurements and investigations, cost estimates, designs, drawings, specifications, field inspections, technical meetings, reports, and other related services as requested for routine electrical improvement projects at various sites throughout the Authority's service area; these sites include office type buildings like the Union Road Service Center, and production facilities including tank/pump stations and the Sturgeon Point and Van de Water Treatment Plants.

The above referenced contract to provide these services will expire on February 17, 2023. The Authority and the Consultant, Arcadis of New York, Inc., agree that a one-year extension of the current contract at the same terms and conditions would be mutually beneficial for both parties. The Contractor expressed interest in extending the current contract in the attached letter dated January 9, 2023.

Amendment No. 2 will extend the contract completion date to February 17, 2024.

Budget Information:

Unit: 1010 Sturgeon Point Plant – Item 17 Payments to Contractors Elect.

Unit: 1015 Van De Water Plant – Item 17 Payments to Contractors Elect.

Unit: 1020 Control Operations – Item 17 Payments to Contractors Elect.

MWW:jmf
Attachments
cc: R.Stoll
L.Kowalski
S. Aiple

Leonard F. Kowalski, PE
Executive Engineer
Erie County Water Authority
3030 Union Rd.
Cheektowaga, NY 14227

Arcadis of New York, Inc.
50 Fountain Plaza
Suite 600
Buffalo
New York 14202
Phone: 716 667 0900
Fax: 716 842 2612
www.arcadis.com

Date: January 9, 2023
Our Ref: 30067285
Subject: MP-087 Amendment No.1 – Extension of Contract
ECWA Project No: 202100024

Dear Mr. Kowalski,

In accordance with Article 5 of the existing Professional Services Contract dated February 18, 2021 (Contract), Arcadis of New York, Inc. (Arcadis) requests authorization by the Erie County Water Authority (ECWA) to extend the term of the Contract for one (1) year from the February 17, 2023, original termination date under the same terms and conditions provided therein and hourly rates in effect at that time.

We appreciate the opportunity to continue providing support to the ECWA on this Contract.

Sincerely,
Arcadis of New York, Inc.



Michael A. Chirico, PE
Project Manager

Email: michael.chirico@arcadis.com
Direct Line: 716.248.8874
Mobile: 716.474.3030

CC. Michael W. Wymer, PE (ECWA)
Scott A. Aiple (ECWA)
Mark Lenz, PE
Daniel Seider, PE

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

Contract: MP-087 **Project No.:** 202100024
Project Description: Miscellaneous Electrical Engineering Services

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 One Year Contract Extension

Action Requested:

Board Authorization to Execute Legal Approval
 Board Authorization to Award Execution by the Chairman
 Board Authorization to Advertise for Bids Execution by the Secretary to the Authority
 Board Authorization to Solicit Request for Proposals
 Other _____

Approvals Needed:

APPROVED AS TO CONTENT:

<input checked="" type="checkbox"/> Sr. Production Engineer	<u><i>Richard W. [Signature]</i></u>	Date: <u>1/20/2023</u>
<input checked="" type="checkbox"/> Chief Operating Officer	<u><i>Russell [Signature]</i></u>	Date: <u>1/20/2023</u>
<input checked="" type="checkbox"/> Executive Engineer	<u><i>Jeanette F. [Signature]</i></u>	Date: <u>01/20/2023</u>
<input checked="" type="checkbox"/> Director of Administration	<u><i>[Signature]</i></u>	Date: <u>01/26/2023</u>
<input checked="" type="checkbox"/> Risk Manager	<u><i>Molly [Signature]</i></u>	Date: <u>01/20/2023</u>
<input checked="" type="checkbox"/> Chief Financial Officer	<u><i>[Signature]</i></u>	Date: <u>02/03/2023</u>
<input checked="" type="checkbox"/> Legal	<u><i>[Signature]</i></u>	Date: <u>1/20/2023</u>

APPROVED FOR BOARD RESOLUTION:

<input checked="" type="checkbox"/> Secretary to the Authority	<u><i>[Signature]</i></u>	Date: <u>2/6/23</u>
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Remarks: Amendment 1

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

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

AMENDMENT, effective February 16, 2023, to the Professional Services Agreement, effective on February 18, 2021, by and between:

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

hereinafter referred to as the “Authority,” and

ARCADIS OF NEW YORK, INC.
50 Fountain Plaza, Suite 600
Buffalo, New York 14202

hereinafter referred to as “Consultant.”

WHEREAS, on February 18, 2021, the Authority awarded the Consultant a professional service contract for consulting services for miscellaneous electrical engineering services for a two-year term, beginning February 18, 2021 (the “Contract”); and

WHEREAS, the Contract provides for consulting engineering services related to miscellaneous design and construction related services for electrical improvements at Authority facilities from February 18, 2021 through February 17, 2023; and

WHEREAS, in accordance with Article 5, Paragraph 5.01 of the Contract, the parties may extend the term of the contract for one additional one (1) year term, at the sole discretion of the Authority, at mutually agreed upon terms; and

WHEREAS, in accordance with Article 3, Paragraph 3.02 of the Contract, any modification or variation from the terms of the Contract must be in writing, authorized by a resolution of the Board of Commissioners of the Authority (the “Board”) and signed by all parties; and

WHEREAS, the Consultant has agreed to extend the Contract until February 17, 2024, based on the same terms and conditions, including payment as set forth in Article 2 of the Contract;

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

- (1) The terms and conditions of the Contract shall continue in effect until February 17, 2024; and

- (2) The parties agree all other terms and conditions of the Contract shall remain unchanged and in effect; and
- (3) This Amendment may be executed in counterparts, each of which is deemed an original, but all of which together are deemed to be one and the same agreement.

IN WITNESS WHERETO, the parties hereto have caused this Amendment No. 1 to be signed by their respective duly constituted officers, attested and sealed pursuant to proper authority.

ERIE COUNTY WATER AUTHORITY

By _____
Jerome D. Schad, Chair

ARCADIS OF NEW YORK, INC.

By _____
Mark Lenz, P.E., Senior Vice President

STATE OF NEW YORK)
COUNTY OF ERIE) ss:

On the ___ day of February, in the year 2023, before me personally came Jerome D. Schad, to me known, who, being by me duly sworn, did depose and say that he resides in the Amherst, New York, that he is the Chair of the Board of Commissioners for the Erie County Water Authority described in the above instrument, and he signed his name thereto by the authorization of the Board of Commissioners for the Erie County Water Authority.

Notary Public

STATE OF NEW YORK)
COUNTY OF ERIE) ss:

On the ___ day of _____, in the year 2023, before me personally came Mark Lenz, P.E., to me known, who, being by me duly sworn, did depose and say that he resides in Amherst, New York, that he is the Senior Vice President of the Corporation described in the above instrument; and that he signed his name thereto by order of the Board of Directors of said Corporation.

Notary Public