



ERIE COUNTY WATER AUTHORITY

INTEROFFICE MEMORANDUM

May 9, 2022

To: Terrence D. McCracken, Secretary to the Authority

From: Clayton J. Johnson, Production Engineer *CJJ*

Subject: Second Contract Extension Request
Fencing and Guardrail Maintenance, Replacement, and Alteration
ECWA Project No. 202000004

The Erie County Water Authority utilizes labor, equipment, and materials provided by a private contractor to supplement our staff in the completion of routine maintenance, replacement, and/or alterations to fencing and guardrails at properties owned by or leased to the Authority. The work includes maintenance and repairs to fence and posts, guardrails, electrical and manually operated gates, barbed wire, and bollards. Labor provided by the contractor includes welders, electricians, equipment operators, and general laborers.

The above referenced contract to furnish labor, equipment, and materials related to the above described work expired on March 31, 2021. The contract was extended through March 31, 2022 through Amendment No. 1 This contract was initially bid for one year with the provision for a one-year extension. The original contract was executed on September 10, 2020, of which, \$84,345.14 (80.1%) of the \$105,300.00 contract value remains.

A new Fencing and Guardrail Maintenance, Replacement, and Alteration Contract was advertised in February 2022, but no bids were received. To maintain a Fencing and Guardrail contract ECWA asked CRM Contracting if they would agree to an extension of the existing contract that ended on March 31, 2022. The Authority and the contractor, CRM Contracting, Inc., agree that a one-year extension of the current contract to March 31, 2023 at the same terms and conditions would be mutually beneficial for both parties. The Contractor's interest in extending the current contract is expressed in the attached letter dated April 27, 2022.

CRM Contracting has proven to be a highly capable and reliable contractor whose services are valuable in the operation of Authority facilities. Based on this information it is recommended that the Authority exercise the one-year extension.

Budget Information:

- Unit 1010 Sturgeon Point Plant, O&M Item 19 Payments to Contractors, Other
- Unit 1015 Van de Water Plant, O&M Item 19 Payments to Contractors, Other
- Unit 1020 Control Operations, O&M Item 19 Payments to Contractors, Other
- Unit 3070 Facilities, O&M Item 19 Payments to Contractors, Other

MWW:jmf

Attachment

cc: R.Stoll

L.Kowalski

C.Johnson

L.Lester

ECWA-285-2001-X-16

CRM Contracting Inc.

7274 SOUTHWESTERN BLVD.
EDEN, N.Y. 14057
TEL (716) 627-5111
FAX (716) 627-6627

4-27-2022

ERIE COUNTY WATER AUTHORITY
3030 UNION ROAD
CHEEKTOWAGA, NEW YORK 14227

ATTN: CLAYTON JOHNSON

DEAR SIR,

I AM WRITING THIS LETTER TO INFORM YOU THAT CRM CONTRACTING INC. IS WILLING TO EXTEND OUR PROJECT # 202000004, FENCING & GUARDRAIL MAINTENANCE, REPLACEMENT & ALTERATION, WITH THE ECWA FOR AN ADDITIONAL ONE (1) YEAR TERM, ON THE SAME TERMS AND CONDITIONS PROVIDED IN THE ORIGINAL AGREEMENT.

IF YOU NEED FURTHER INFORMATION, PLEASE FEEL FREE TO CONTACT ME.

THANK YOU,



CRAIG MOSGELLER

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

Contract: 20-23-09 **Project No.:** 202000004
Project Description: Fencing and Guardrail Maintenance, Replacement, and Alteration Contract
April 1, 2020 to March 31, 2021.

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 Second 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		Date: <u>5/9/2022</u>
<input checked="" type="checkbox"/> Chief Operating Officer		Date: <u>5/9/2022</u>
<input checked="" type="checkbox"/> Executive Engineer		Date: <u>05/09/2022</u>
<input checked="" type="checkbox"/> Director of Administration		Date: <u>05/09/2022</u>
<input checked="" type="checkbox"/> Risk Manager		Date: <u>05/09/2022</u>
<input checked="" type="checkbox"/> Chief Financial Officer		Date: <u>05/09/2022</u>
<input checked="" type="checkbox"/> Legal		Date: <u>5/9/2022</u>

APPROVED FOR BOARD RESOLUTION:

☒ Secretary to the Authority  Date: 5/9/22

Remarks: Unit price contract.

Resolution Date: _____

Item No: _____

**AMENDMENT NO. 2 TO
FENCING AND GUARDRAIL MAINTENANCE,
REPLACEMENT, AND ALTERATION CONTRACT**

AMENDMENT, effective May 19, 2022, to the Fencing and Guardrail Maintenance, Replacement, and Alteration Contract (Contract No. 20-23-09), entered on September 10, 2020, by and between

ERIE COUNTY WATER AUTHORITY

295 Main Street, Room 350
Buffalo, New York 14203

hereinafter referred to as the “Authority,” and

CRM CONTRACTING, INC.

7274 Southwestern Boulevard
Eden, New York 14057

hereinafter referred to as “Contractor.”

WHEREAS, on August 27, 2020, the Authority awarded the Contractor the Fencing and Guardrail Maintenance, Replacement, and Alteration Contract (the “Contract”); and

WHEREAS, the Contract, executed on September 10, 2020, provided services until March 31, 2021; and

WHEREAS, on March 4, 2021, the Authority and the Contractor agreed to extend the term of the Contract for one year through March 31, 2022; and

WHEREAS, the Contractor has agreed to extend this Contract until March 31, 2023 based on the same terms and conditions, including but not limited to, labor billed at an hourly rate, at the service rates set forth in section 00410, paragraph 5.01, Item 1 of the Contract; and

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

- (1) The terms and conditions of the Contract shall continue in effect until March 31, 2023;
- (2) This Amendment may be executed in counterparts, each of which is deemed an original, but all of which together are deemed to be one and the same agreement; and

- (3) The parties agree to accept electronic signature pages, signed in conformity with the Governor's Executive Order No. 202.8, allowing any notarial action to be performed utilizing audio-video technology.

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

CRM CONTRACTING, INC.

By _____
Craig Mosgeller, President

STATE OF NEW YORK)
COUNTY OF ERIE) ss:

On the ____ day of May, in the year 2022, before me personally came Jerome D. Schad, to me known, who, being by me duly sworn, did depose and say that he resides in the Amherst, New York, that he is the Chair of the Board of Commissioners for the Erie County Water Authority described in the above instrument, and he signed his name thereto by the authorization of the Board of Commissioners for the Erie County Water Authority.

Notary Public

STATE OF NEW YORK)
COUNTY OF ERIE) ss:

On the ____ day of _____, in the year 2022, before me personally came Craig Mosgeller, to me known, who, being by me duly sworn, did depose and say that he resides in _____ that he is the President of the Corporation described in the above instrument; and that he signed his name thereto by order of the Board of Directors of said Corporation.

Notary Public