



ERIE COUNTY WATER AUTHORITY

INTEROFFICE MEMORANDUM

April 3, 2024

To: Terrence D. McCracken, Secretary to the Authority

From: Michael J. Quinn, PE, Senior Distribution Engineer

A handwritten signature in dark ink, appearing to read "MJQ", is written over the "From:" line.

Subject: Contract MP-084
Water System Improvements
Transmission Main Installation, Town of Tonawanda
ECWA Project No. 202000084

Attached is Change Order No.2 for the above-referenced project to allocate additional funds toward the project contingency allowance (Bid Item No. 19) and to extend the Substantial Completion and Final Completion dates of the contract. During installation of the transmission main, potentially contaminated soils and buried trash were encountered. These materials led to additional cost and schedule implications. In order to categorize and handle a portion of the soils, and segregate and dispose of the trash, a significant portion of the project contingency allowance was used. Additional contingency funds will be necessary to complete the soil sampling and material handling in 2024 as well as to account for additional costs associated with other unforeseen conditions that may arise during the remainder of the project. Funding for the additional contingency allocation is available as follows:

- Unit 2595 – Engineering/Construction, Transmission Mains
- Item 101521 – MP-084, Transmission Main Replacement

Due to the unforeseen soils contamination and trash encountered during the project, the Contractor, Concrete Applied Technologies Corp., d/b/a/ CATCO, continues to experience delays in the project schedule. These issues remain beyond the Contractor's control.

Under Amendment No. 1 ("Change Order No. 1") the Substantial and Final Completion dates were extended as follows:

- Substantial Completion: extended the existing date of Substantial Completion from August 15, 2023 until May 15, 2024.
- Final Completion: extended the existing date of Final Completion from December 30, 2023 until June 30, 2024.

Under this Change Order No. 2, the Consultant (Arcadis of New York, Inc.) is recommending the following extensions to the Substantial and Final Completion dates:

- Substantial Completion: extend the existing date of Substantial Completion from May 15, 2024 until November 1, 2024.
- Final Completion: extend the existing date of Final Completion from June 30, 2024 until December 31, 2024.

Attached please find the following documents:

1. ECWA Authorization Form.
2. Four (4) copies of Change Order No. 2.

MJQ:jmf

Attachments

cc: L.Kowalski

M.Jarmuz

CONT-MP-0084-2001-X-14

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

Contract: <u>MP-084</u>	Project No.: <u>202000084</u>
Project Description: <u>Water System Improvements, Transmission Main Installation, Town of Tonawanda</u>	

Item Description:




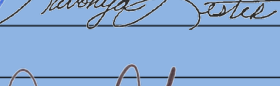


<input type="checkbox"/> Agreement	<input type="checkbox"/> Professional Service Contract	<input type="checkbox"/> Amendment	<input checked="" type="checkbox"/> Change Order
<input type="checkbox"/> BCD	<input type="checkbox"/> NYSDOT Agreement	<input type="checkbox"/> Contract Documents	<input type="checkbox"/>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

Action Requested:


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

Approvals Needed:

APPROVED AS TO CONTENT:

<input checked="" type="checkbox"/> Sr. Distribution Engineer		Date: <u>4/3/2024</u>
<input checked="" type="checkbox"/> Chief Operating Officer		Date: <u>04/04/2024</u>
<input checked="" type="checkbox"/> Executive Engineer		Date: <u>4/5/2024</u>
<input checked="" type="checkbox"/> Director of Administration		Date: <u>04/05/2024</u>
<input type="checkbox"/> Risk Manager	_____	Date: _____
<input checked="" type="checkbox"/> Chief Financial Officer		Date: <u>04/03/2024</u>
<input checked="" type="checkbox"/> Legal		Date: <u>04/03/2024</u>

APPROVED FOR BOARD RESOLUTION:

<input checked="" type="checkbox"/> Secretary to the Authority		Date: <u>4/5/2024</u>
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Remarks: _____

Resolution Date: _____	Item No: _____
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CHANGE ORDER NO. 2

Erie County Water Authority
295 Main Street, Room 350
Buffalo, New York 14203

Contract No. MP-084

Project No.: 202000084

Date: April 2, 2024

Project: Transmission Main Installation – Town of Tonawanda
Contract No. MP-084

Contractor: Concrete Applied Technologies Corp. **Engineer:** Arcadis
1126 Townline Road 50 Fountain Plaza, Suite 600
Alden, New York 14004 Buffalo, New York 14202

DESCRIPTION OF CHANGE:

1. Increase dollar value of Bid Item 19A – Contingency Allowance
2. Modify Substantial Completion Date and Final Completion Date.

REASON FOR CHANGE:

1. The change order is necessary to account for additional charges incurred to date for the classification and handling of hazardous materials identified during installation of the new transmission main as well as to accommodate future unanticipated costs due to unforeseen conditions.
2. Time extension is required to address schedule impacts due to delays caused by process of classifying and handling of the hazardous materials.

COMPENSATION:

1. An additional \$200,000.00 will be added to the not to exceed amount included in the contract.
2. No cost associated with time extension.

CHANGE IN CONTRACT PRICE:

CHANGE IN CONTRACT TIMES:

Original Contract Price

\$5,298,750.00

Net Changes from previous Change Orders No. 1 to 1

\$0.00

Contract Price prior to this Change Order

\$5,298,750.00

Net Increase of this Change Order

\$200,000.00

Contract Price with all approved Change Orders

\$5,498,750.00

Original Contract Times

Substantial Completion 08/15/2023

Final Completion 12/30/2023

Net changes from previous Change Orders No. 1 to 1

Substantial Completion 05/15/2024

Final Completion 06/30/2024

Contract Times prior to this Change Order

Latest Substantial Comp. 05/15/2024

Latest Final Completion 06/30/2024

Net Increase of this Change Order

Substantial Completion 11/01/2024

Final Completion 12/31/2024

Contract Times with all approved Change Orders

Final Completion: 11/01/2024

Final Completion: 12/31/2024

APPROVALS:

OWNER: _____
Erie County Water Authority

Date: _____

CONTRACTOR: _____
Concrete Applied Technology Corp.

Date: _____

ENGINEER: _____
ECWA Executive Engineer

Date: _____