

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

Contract: CH-010 **Project No.:** 201800075
Project Description: Water System Improvements, Town of Cheektowaga.

Item Description:


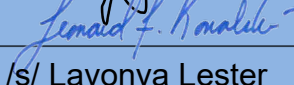

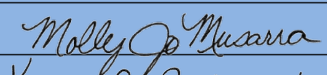
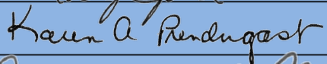

☐ Agreement ☒ Professional Service Contract ☒ Amendment ☐ Change Order
☐ BCD ☐ NYSDOT Agreement ☐ Contract Documents ☐ Addendum
☐ Recommendation for Award of Contract ☐ Recommendation to Reject Bids
☐ Request for Proposals
☐ Other _____

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 type="checkbox"/> Other (if Applicable)	_____	Date: _____
<input checked="" type="checkbox"/> Chief Operating Officer		Date: 3/3/2020
<input checked="" type="checkbox"/> Executive Engineer	 	Date: 03-03-2020
<input checked="" type="checkbox"/> Director of Administration	/s/ Lavonya Lester	Date: 3/4/20
<input checked="" type="checkbox"/> Risk Manager		Date: 3/4/20
<input checked="" type="checkbox"/> Chief Financial Officer		Date: 3/4/20
<input checked="" type="checkbox"/> Legal		Date: 3/4/20

APPROVED FOR BOARD RESOLUTION:

<input checked="" type="checkbox"/> Secretary to the Authority		Date: 03/04/20
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Remarks: Professional Services Contract Amendment #1

Resolution Date: _____

Item No: _____



ERIE COUNTY WATER AUTHORITY

INTEROFFICE MEMORANDUM

March 3, 2020

To: Terrence D. McCracken, Secretary to the Authority

From: Jeffrey R. Sylvester, Distribution Engineer

A handwritten signature in blue ink, appearing to read "JRS", is written over the name Jeffrey R. Sylvester.

Subject: Contract CH-010 Amendment #1
Water System Improvements
Town of Cheektowaga
ECWA Project No. 201800075

Attached are the following documents:

1. ECWA Authorization Form for processing Professional Service Contract Amendment #1 with CHA Consulting, Inc.
2. Three original copies of Professional Service Contract Amendment #1 for the above referenced project.

The Amendment is to increase the General Services, Resident Inspection and Resident Inspection Fixed Fee for the above referenced project.

During the course of construction, unforeseen issues arose that caused additional costs to be incurred by The Authority. While excavating in the vicinity for the easterly tie in of the 24-inch cast iron waterline, the contractor discovered the existing waterline to be prestressed cylinder concrete pipe (PCCP). The additional scope for design work and resident inspection included approximately 200 linear feet of 24-inch waterline, 50 linear feet of 12-inch waterline, the crossing of two culverts and connection to the PCCP waterline.

Consulting engineers must inspect the work site daily, accounting for material, supplies and equipment on the work site, as well as counting the number and type of laborers being employed on the site. These inspections must take place daily, even when no work is taking place on site. These inspections ensure and verify the accuracy of prevailing wage reports and invoices being submitted for payment and reimbursement. Delays in construction due to unexpected or unforeseen problems or weather-related delays will increase the hours for resident inspections. The Authority estimates these costs based on the size of the construction project and past experience with projects of similar size.

In this case, the hours estimated by the Authority were inadequate to properly provide inspection services for the duration of the construction project and therefore need to be increased to compensate the consultant for the services that were provided.

To: Terrence D. McCracken
Secretary to the Authority

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March 3, 2020

Construction work cannot continue without daily inspections. If we would have halted inspection services and told the contractor to stop working, the Authority would most likely be subjected to demobilization and remobilization costs associated with the contractor pulling off the job until the inspection services were reestablished. Having the contractor stop work would adversely affect their schedule.

The increased amount reflects the actual construction schedule and site conditions encountered during construction. The following table provides the original contract cost, proposed amendment cost and total contract cost.

	Original Contract + MPO Amendment(s)	Amendment No.1	Original Contract + All Amendments
Survey	\$10,310.00	\$0.00	\$10,310.00
Design	\$50,650.00	\$0.00	\$50,650.00
General Services	\$32,200.00	\$4,400.00	\$36,600.00
Estimated Resident Inspection	\$92,250.00	\$30,600.00	\$122,850.00
Resident Inspection Fixed Fee	\$10,250.00	\$3,400.00	\$13,650.00
Record Drawings	\$7,330.00	\$0.00	\$7,330.00
Estimated Special Services	\$10,000.00	\$0.00	\$10,000.00
TOTALS	\$212,990.00	\$38,400.00	\$251,390.00

This work is within the original scope of the Professional Services Contract dated June 25, 2018 and the project is adequately funded.

The cost for the contractor to perform the work associated with this project is \$2,399,415.00.

JRS:jmf
Attachments
cc: R.Stoll
L.Lester
L.Kowalski
CONT-CH-010-1801

ERIE COUNTY WATER AUTHORITY
PROFESSIONAL SERVICES CONTRACT
AMENDMENT No. 1

Project No. 201800075 Contract No. CH-010
Job No. _____ EC No. _____
OWIP No. _____ Entered by/Date jmf 02/26/2020
Title: Water System Improvements – Town of Cheektowaga.

Consultant: CHA Consulting, Inc.

Description of Change to Contract:

Revise Article 3.D.1 – Engineering Cost of Schedule.

Reason for Change:

See attached letters from CHA, both dated Januarys 31, 2020.

Compensation:

Amend Article 3.D.1 – Engineering Cost Schedule as follows:

	<i>Original</i>	<i>Amendment No. 1</i>	<i>Adjusted Amount</i>
Survey Services	\$10,310.00	\$0.00	\$10,310.00
Design Services	\$50,650.00	\$0.00	\$50,650.00
General Services	\$32,200.00	\$4,400.00	\$36,600.00
Estimated Resident Inspection	\$92,250.00	\$30,600.00	\$122,850.00
Resident Inspection Fixed Fee	\$10,250.00	\$3,400.00	\$13,650.00
Record Drawings	\$7,330.00	\$0.00	\$7,330.00
Special Services	\$10,000.00	\$0.00	\$10,000.00
TOTALS	\$212,990.00	\$38,400.00	\$251,390.00

APPROVED BY:

CHA Consulting, Inc.

ERIE COUNTY WATER AUTHORITY

Wesley S. Ecker _____ Date
Senior Vice President

Leonard F. Kowalski - 3-3-2020
Leonard F. Kowalski, PE _____ Date
Executive Engineer

Original Contract Amount \$212,990.00
Amendment No.1 \$38,400.00
TOTAL \$251,390.00

Jerome D. Schad, Esq. _____ Date
Chairman

Schedule "A"



January 31, 2020

Mr. Jeff Sylvester
Erie County Water Authority
3030 Union Road
Cheektowaga, New York 14227

**Re: CH-010 – Water System Improvements – Town of Cheektowaga
ECWA Project No. 201800075
Additional Engineering Services**

Dear Mr. Sylvester:

As you are aware, CHA is currently under contract to provide engineering services for the above project for the Erie County Water Authority (ECWA).

Included in the original scope of work are General Services and Resident Inspection during the construction phase of the project. As outlined in Change Order No. 1 (attached) for 716 Site Contracting, Inc., many unforeseen issues arose during construction that caused additional costs to be incurred by the contractor and extended the duration of construction. The project limits were also extended for this project due to unforeseen circumstances.

The unforeseen issues outlined in Change Order No. 1, extending the project limits and additional time added to the project will result in additional work for CHA. CHA is requesting to be compensated per our Contract with ECWA, as follows:

General Services	\$ 4,400.00
Estimated Resident Inspection	\$ 30,600.00
Fixed Fee	\$ 3,400.00
TOTAL.....	\$ 38,400.00

Please note that the cost for the Estimated Resident Inspection shown above is based on the Contractor's schedule to complete the project and is an hourly, not to exceed amount.

Should you have any comments or questions, please contact me at (716) 222-2519 or mjarmuz@chacompanies.com.

Sincerely,

A handwritten signature in black ink, appearing to read 'Mark D. Jarmuz', with a stylized flourish at the end.

Mark D. Jarmuz
Project Manager

Attachments: CH-010 Change Order No. 1



January 31, 2020

Mr. Jeff Sylvester
Erie County Water Authority
3030 Union Road
Buffalo, New York 14227-1097

Re: CH-010 – Water System Improvements – Town of Cheektowaga
ECWA Project No. 201800075
Change Order No. 1
CHA Project No. 34650

Dear Mr. Sylvester:

As you are aware, 716 Site Contracting Inc., is under contract for the construction of the above project for Erie County Water Authority (ECWA). The scope of this project was to install a 36-inch waterline and a 12-inch waterline along Cayuga Creek Road in the Town of Cheektowaga. The two proposed waterlines would replace the two existing 24-inch waterlines.

During the course of construction this year, many unforeseen issues arose that caused additional costs to be incurred and at the same time delaying 716 from progressing the work. Due to unforeseen site conditions, the project limits were expanded by approximately 200 feet which resulted in an increase in the project cost and added time to the project. Several of the unforeseen issues that delayed progress and increased costs were beyond the control of 716.

The unforeseen issues that caused additional costs and delay to the project are as follows:

- There was a 16-week lead time for the 24-inch and 36-inch butterfly valves from the suppliers.
- The proposed 36-inch waterline could not be installed as shown on the plans due to conflicts with the existing gas main. The existing gas main was not accurately shown on record plans. A redesign was required prior to 716 proceeding with the work.
- While excavating, the contractor discovered an undocumented 24-inch gas main in two locations along Cayuga Creek. National Fuel Gas investigated and notified the contractor that these gas mains were old, abandoned gas mains and could be removed.
- While excavating in the vicinity of the project limits, the existing 24-inch waterline was found to be prestressed cylinder concrete pipe instead of cast iron as originally shown. Due to this unforeseen condition, the project limits were expanded, therefore adding additional scope to the project. The additional scope included approximately 200 linear feet of 24-inch waterline, 50 linear feet of 12-inch waterline and appurtenances, the crossing of two culverts, connecting to a prestressed concrete cylinder waterline and the associated restoration.

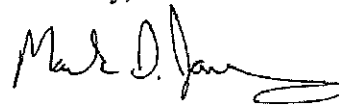
- An additional sample point was required due to the additional waterline being installed.
- A portion of the newly installed waterline was required to be reconfigured due to conflicts with unforeseen existing utilities.
- While excavating, 716 encountered adverse soil conditions. The adverse soil was an unforeseen condition. This soil was stockpiled and tested by a laboratory and was determined to be urban fill. 716 was required to handle this soil multiple times and dispose of the soil.
- Interconnection and test pit excavation requests were delayed or canceled due to unforeseen circumstances within the ECWA system.

Based on the above unforeseen circumstances, CHA recommends increasing the Contract amount for 716 Site Contracting, Inc., by \$215,002.00. A cost summary of the additional and projected work is attached to this letter. The revised not to exceed contract amount for 716 with this increase is \$2,614,417.00.

CHA also recommends revising the Substantial Completion date from October 31, 2019 to May 29, 2020 and the Final Completion date from November 30, 2019 to June 26, 2020.

Should you have any questions or require additional information, please feel free to contact me at (716) 222-2519.

Sincerely,



Mark D. Jarmuz
Project Manager

