

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

Contract: CH-013 **Project No.:** 202000073
Project Description: Water System Improvements Town of Amherst.

Item Description:


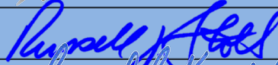

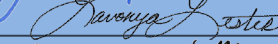


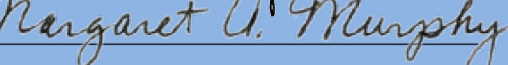
Agreement Professional Service Contract Amendment Change Order
 BCD NYSDOT Agreement Contract Documents Addendum
 Recommendation for Award of Contract Recommendation to Reject Bids
 Request for Proposals
 Other _____

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 checked="" type="checkbox"/> Sr. Distribution Engineer		Date: <u>11/9/2020</u>
<input checked="" type="checkbox"/> Chief Operating Officer		Date: <u>11/9/2020</u>
<input checked="" type="checkbox"/> Executive Engineer		Date: <u>11/10/2020</u>
<input checked="" type="checkbox"/> Director of Administration		Date: <u>11/10/2020</u>
<input checked="" type="checkbox"/> Risk Manager		Date: <u>11/10/2020</u>
<input checked="" type="checkbox"/> Chief Financial Officer		Date: <u>11/09/2020</u>
<input checked="" type="checkbox"/> Legal		Date: <u>11/9/2020</u>

APPROVED FOR BOARD RESOLUTION:

<input checked="" type="checkbox"/> Secretary to the Authority		Date: <u>11/10/20</u>
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Remarks: Amendment #1

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



ERIE COUNTY WATER AUTHORITY

INTEROFFICE MEMORANDUM

November 9, 2020

To: Terrence D. McCracken, Secretary to the Authority

From: Michael J. Quinn, Senior Distribution Engineer

A handwritten signature in black ink, appearing to read "MJQ", is written over the name Michael J. Quinn.

Subject: Contract CH-013 Amendment #1
Water System Improvements
Town of Amherst
ECWA Project No. 202000073

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 adjust the Survey and Design Services for the above referenced project.

On February 13, 2020 the Authority and the Engineer entered into a professional services contract for engineering and consulting services relating to the replacement of an existing 30-inch diameter transmission main from the south side of Main Street to the south side of Wehrle Drive (approximate length 4,100 linear feet) in the Town of Amherst. During the design phase of the project, it was determined that sections of the project corridor, owned by National Grid were unavailable to utilize since they have plans to install new electric utility lines within their corridor and would not yield right-of-way to the Authority. As such, the intent of this amendment is to revise the original scope of replacement of the entire waterline along a new alignment to include a phased replacement of only the most deteriorated section(s) of the existing transmission main and constructing a new crossing of the I-290. This approach would result in previously budgeted monies being available in the design budget. In lieu of the original scope of work, the engineering department has identified a similar project that can be completed using these funds. This project consists of abandoning the existing 6-inch water main in the northerly ROW of Old Maryvale Drive/NYS RTE 33 and installing approximately 700 feet of 8-inch DIP watermain and a new crossing of the NYS Route 33/I-90 ramp. The scope of this project and in particular the road crossing to be installed within a boring will make the addition of this work to the larger project much more efficient especially the boring had the project been completed independently.

The addition of this work to the existing project will result in increased cost for surveying and an equal decrease in the amount for design ultimately leading to a zero net cost increase or decrease

To: Terrence D. McCracken
Secretary to the Authority

November 9, 2020

the design cost. The following table provides the original contract cost, proposed amendment cost and total contract cost.

	Original Contract	Amendment No.1	Original Contract + All Amendments
Survey	\$15,320.00	\$9,300.00	\$24,620.00
Design	\$63,800.00	\$-9,300.00	\$54,500.00
General Services	\$44,480.00	\$0.00	\$44,480.00
Estimated Resident Inspection	\$165,000.00	\$0.00	\$165,000.00
Record Drawings	\$10,800.00	\$0.00	\$10,800.00
Estimated Special Services	\$50,000.00	\$0.00	\$50,000.00
TOTALS	\$349,400.00	\$0.00	\$349,400.00

This work is within the original scope of the Professional Services Contract dated February 13, 2020 and the project is adequately funded.

MJQ:jmf
Attachments
cc: R.Stoll
L.Kowalski
S.Denzler
L.Lester
CONT-CH-013-2001

**AMENDMENT NO. 1
PROFESSIONAL SERVICES CONTRACT**

AMENDMENT, effective November 19, 2020 ("Amendment No. 1"), to the Professional Services Contract (Contract No. CH-013), entered on the 13th day of February 2020, by and between:

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

hereinafter referred to as the "Authority," and

CHA CONSULTING, INC.
2200 Main Place Tower
Buffalo, New York 14202

hereinafter referred to as the "Engineer."

WHEREAS, on February 13, 2020 the Authority and the Engineer entered into a professional services contract for engineering and consulting services relating to the replacement of an existing transmission 30-inch diameter waterline from the south side of Main Street to the south side of Wehrle Drive (approximate length 4,100 linear feet) in the Town of Amherst (the "Contract"); and

WHEREAS, under the Contract's scope of services, the Authority sought to replace the entire length of an existing waterline within the National Grid property limits and underneath the I-290 highway within this corridor in the Town of Amherst; and

WHEREAS, during the design phase of the project, it was determined that National Grid has plans to install new electric utility lines within their corridor and would not yield right-of-way to the Authority on their property; and

WHEREAS, the Authority desires to replace as much pipe as possible under the terms of the Contract; and

WHEREAS, the Authority desires to maximize the current Contract by revising the scope of services to include the replacement of approximately 700 linear feet of waterline at the northwest interchange of the I-90 and NYS Route 33 on/off ramps in the Town of Cheektowaga which is currently out of service due to a watermain failure; and

WHEREAS, based on the recommendation of the Authority's Chief Operating Officer and Executive Engineer, the Authority seeks to amend the Contract by revising the scope of services to allow the Engineer to provide survey, design, and construction services relative to the replacement of the waterline at the northwest interchange of the I-90 and NYS Route 33 on/off ramps; and

WHEREAS, in accordance with Paragraph 5 of the Contract, no modification or variation from the terms of the Contract shall be effective unless it is in writing and authorized by a resolution of the Board of Commissioners of the Authority (the "Board") and signed by all parties;

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

- (1) The scope of services, in paragraph 2(A) of the Contract, is modified to remove the final design of the watermain from Main Street to a location approximately 150 feet east of the I-290 crossing and to remove the final design of the watermain from the Wehrle Tank to Wehrle Drive, and supplemented to include the following:
 - (a) Engineering design services as outlined in the supplement letter dated October 15, 2020 relative to the replacement of existing waterlines at the northwest interchange of I-90 and NYS Route 33 on/off ramps in the Town of Cheektowaga, which is attached hereto as **Appendix A**.
- (2) The Engineer will complete the design phase services within the schedule previously agreed to by the Authority's Engineering Department.
- (3) The parties agree to amend paragraph 3, subparagraph D to increase the lump sum for survey by \$9,300, changing the current figure of \$15,320 to \$24,620.
- (4) The parties agree to amend paragraph 3, subparagraph D to decrease the lump sum for design by \$9,300, changing the current figure of \$63,800 to \$54,500.
- (5) The parties agree all other terms and conditions of the Contract shall remain without change or amendment.
- (6) 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
- (7) The parties agree to accept electronic signature pages, signed in conformity with the Governor's Executive Order No. 202.7, 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

CHA CONSULTING, INC.

By _____
Wesley S. Ecker, Senior Vice President

STATE OF NEW YORK)
COUNTY OF ERIE) ss:

On the _____ day of _____, in the year 2020, before me personally came Jerome D. Schad, to me known, who, being by me duly sworn, did depose and say that he resides in 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 that he signed his name thereto by order of the Board of Commissioners.

Notary Public

STATE OF NEW YORK)
COUNTY OF ALBANY) ss:

On the _____ day of _____, in the year 2020, before me personally came Wesley S. Ecker, to me known, who, being by me duly sworn, did depose and say that he resides in Saratoga, 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



APPENDIX A

October 15, 2020

Mr. Steve Denzler, PE
Erie County Water Authority
3030 Union Road
Cheektowaga, New York 14227

**RE: CH-013 – Transmission Main – Town of Amherst
ECWA Project No. 202000073
Revised Scope of Services**

Dear Mr. Denzler:

As you are aware, CHA is currently under contract to provide engineering services for the above project with the Erie County Water Authority (ECWA). Recent discussions between ECWA and National Grid has resulted in revisions to the scope of services for CH-013.

PROJECT UNDERSTANDING

The revised scope of services between Wehrle Drive and Main Street has been reduced to include the survey, design and construction services associated with the replacement of approximately 1,100 linear feet of 30-inch waterline. The design will consist of crossing Interstate 290 and connecting the new 30-inch waterline to the existing waterline to the west and east of Interstate 290 within National Grid property. Coordination with National Grid, New York State Thruway Authority (NYSTA) and New York State Department of Transportation (NYSDOT) will be required throughout the duration of the work.

The revised scope of services will also include the survey, design and construction services associated with the replacement of approximately 700 linear feet of 6-inch waterline at the northwest interchange of Interstate 90 and Route 33 (Kensington Expressway). The existing 6-inch waterline will be replaced with an 8-inch ductile iron waterline. A majority of the new waterline will be installed via jack and bore or horizontal directional drilling. Coordination with NYSTA and NYSDOT will be required throughout the duration of the work.

SCOPE OF WORK

The scope of work for the waterline replacements in the above locations will follow the scope of work in the Contractual Agreement for CH-013. Work will include survey, design, general services, resident inspection, special services and record drawings.

ASSUMPTIONS

- 1) Geotechnical services are not required for the work in the vicinity of the Kensington Expressway. ECWA will provide soil borings that were previously completed.
- 2) The above work will be bid as one project.

PROFESSIONAL FEE

For the services outlined above, CHA proposes the following revisions to the Engineering Cost Schedule in the Professional Services Contract for CH-013:

Survey	\$	9,300.00
Design	\$	-9,300.00
General Services.....	\$	0.00
Resident Inspection	\$	0.00
Record Drawings.....	\$	0.00
Special Services.....	\$	0.00
TOTAL.....	\$	0.00

CHA is not requesting additional fees to complete the revised scope of work.

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

Sincerely,



Mark D. Jarmuz
Project Manager