



# ERIE COUNTY WATER AUTHORITY

## INTEROFFICE MEMORANDUM

January 9, 2023

To: Terrence D. McCracken, Secretary to the Authority

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

Subject: One Year Contract Extension – Amendment No. 1  
Industrial Blasting, Painting, and Associated Maintenance  
Contract ECWA Project No. 202200036

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The work in this contract consists of industrial blasting and painting maintenance, alterations, and/or repairs at the properties owned by or leased to Erie County Water Authority, including: Sturgeon Point WTP, Van de Water WTP, Van de water Raw Water Pump Station, Ellicott Square Building, Service Center, and various pump stations and water storage tanks.

This above referenced contract is a one-year contract with one potential one-year extension. The original contract was executed on April 28, 2022 and runs through March 31, 2023. The Authority and the contractor, Niagara Coating Services, Inc., agree that a one-year extension of the current contract to March 31, 2024 under 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 email dated January 6, 2023.

Niagara Coating Services, Inc. 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.

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.
- Niagara Coating Services, Inc. email agreeing to a one-year extension

### **Budget Information:**

Unit: 1010 Sturgeon Point Plant, 1015 Van De Water Plant, and 1020 Control Operations  
O&M Budget Item No. 19 Payments to Contractors - Other

CJJ:jmf

Attachments

cc: R.Stoll

L.Kowalski

D.Patton

ECWA-423-2201-X-20

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

**Contract:** 22-19-04 **Project No.:** 202200036  
**Project Description:** Industrial Blasting, Painting, and Associated Maintenance.

**Item Description:**

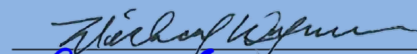






<input type="checkbox"/> Agreement	<input type="checkbox"/> Professional Service Contract	<input checked="" type="checkbox"/> Amendment	<input type="checkbox"/> Change Order
<input type="checkbox"/> BCD	<input type="checkbox"/> NYSDOT Agreement	<input type="checkbox"/> Contract Documents	<input type="checkbox"/>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

**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. Production Engineer	<u></u>	Date: <u>1/9/2023</u>
<input checked="" type="checkbox"/> Chief Operating Officer	<u></u>	Date: <u>1/9/2023</u>
<input checked="" type="checkbox"/> Executive Engineer	<u></u>	Date: <u>01/09/2023</u>
<input checked="" type="checkbox"/> Director of Administration	<u></u>	Date: <u>01/09/2023</u>
<input checked="" type="checkbox"/> Risk Manager	<u></u>	Date: <u>01/09/2023</u>
<input checked="" type="checkbox"/> Chief Financial Officer	<u></u>	Date: <u>01/09/2023</u>
<input checked="" type="checkbox"/> Legal	<u></u>	Date: <u>1/9/2023</u>

**APPROVED FOR BOARD RESOLUTION:**

<input checked="" type="checkbox"/> Secretary to the Authority	<u></u>	Date: <u>1/9/2023</u>
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**Remarks:** Amendment No. 1 - first for contract time extension.

**Resolution Date:** \_\_\_\_\_ **Item No:** \_\_\_\_\_

**AMENDMENT NO. 1 TO  
INDUSTRIAL BLASTING, PAINTING, AND  
ASSOCIATED MAINTENANCE CONTRACT**

AMENDMENT, effective January 19, 2023, to the Industrial Blasting, Painting, and Associated Maintenance Contract (Contract No. 22-19-04), entered on April 28, 2022, by and between

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

hereinafter referred to as the “Authority,” and

**NIAGARA COATINGS SERVICES, INC.**  
8025 Quarry Road  
Niagara Falls, New York 14304

hereinafter referred to as “Contractor.”

**WHEREAS**, on April 7, 2022, the Authority awarded the Contractor the Industrial Blasting, Painting, and Associated Maintenance Contract (the “Contract”); and

**WHEREAS**, the Contract, executed on April 28, 2022, provides services until March 31, 2023; and

**WHEREAS**, in accordance with section 00500, paragraph 11.00, subparagraph A of the Contract, the parties may agree to extend the Contract on the same terms and conditions for one year; and

**WHEREAS**, the Contractor has agreed to extend this Contract until March 31, 2024 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, 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

**NIAGARA COATINGS SERVICES, INC.**

By \_\_\_\_\_  
Allen Richards, President

**STATE OF NEW YORK    )**  
**COUNTY OF ERIE        ) ss:**

On the \_\_\_ day of January, 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 \_\_\_\_\_ ) ss:**

On the \_\_\_ day of \_\_\_\_\_, in the year 2023, before me personally came Allen Richards, 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