



ERIE COUNTY WATER AUTHORITY

INTEROFFICE MEMORANDUM

February 2, 2026

To: Jennifer Hibit, Secretary to the Authority

From: Michael J. Quinn, PE, Director of Distribution

Subject: Contract MP-090 Amendment #2 – Engineering Services
Sturgeon Point WTP Filtration Piping, Valves and Underdrain Improvements
ECWA Project No. 202200014

A handwritten signature in black ink, appearing to read "MJQ".

Attached are the following documents:

1. ECWA Authorization Form for processing Professional Service Agreement Amendment #2 with Arcadis of New York, Inc. (Arcadis).
2. Three original copies of Professional Service Agreement Amendment #2 for the above-referenced project.

The Amendment is to increase the lump sum fees for General Services as well as to add a project task for engineering support associated with the evaluation of construction claim and Contractor Surety involvement over and above what would normally be anticipated.

On December 22, 2021, the Authority and the Consultant entered into a professional services agreement for engineering and consulting services relating to the design and construction of improvements to Filters 1-10 at the Sturgeon Point Water Treatment Plant. The work included:

- Replacement of all filter valves including filter influent, effluent, drain, backwash supply, and filter-to waste valves, actuators, and rate-of-flow controllers.
- Modification of the existing filter-to-waste system improvements as requested by Erie County Department of Health.
- Replacement of the existing 42-inch diameter wash water supply header and valves and installation of a second rate-of-flow controller.
- Removal of the existing filter underdrains and replacement with a system that incorporates air-wash backwash capabilities.
- Construction of building improvements including an extension of the west end of the filter gallery, new electrical/blower building, and filter isolation/walkways at the operating level.
- Completion of site work including piping, interconnections, and vaults.
- Installation of new dehumidification equipment and improvements to the HVAC system.
- Installation of new electrical equipment and improvements to the existing system.
- Construction of related civil, structural, HVAC, electrical, and instrumentation improvements.

Throughout the construction process, the Consultant has provided General Services including shop drawing submittal and request for information review, schedule review and coordination, progress meeting preparation and documentation, documentation of defective work and other project related correspondence. Due to delays in the work as well as contractor claims and Authority engagement with the surety company,

the level of effort for these and other related services was much greater than anticipated and will continue to be for the foreseeable future. The additional compensation requested for General Services will compensate the consultant for effort in 2025. Discussions are ongoing with regard to the level of support anticipated for 2026 and beyond and will be addressed in a future contract amendment.

In addition, due to ongoing construction delays, contractor performance, and the number of contractor claims, the Authority has chosen to notify the Contractor's Surety. How this process will proceed is unknown at this time, however it is understood that specialized support will be required from Arcadis. This support is over and above that which was originally anticipated. Therefore, this amendment includes a new separate hourly rate task in a not to exceed amount of \$175,000. Including a separate task will allow for easier tracking of hours and fees moving forward. Fees for this effort will be invoiced based on the hourly rates identified for Special Services included in Appendix B of the Professional Services Agreement amended to include rates for 2026 and 2027.

The increased amount for General Services and the fee for Claims/Surety Support Services are reflected in the following table which provides the original contract cost, proposed amendment cost and total contract cost. The hourly rates being requested for 2026 and 2027 are presented in Appendix B attached to Amendment #2.

	Original Contract	Amendment No.1	Amendment No.2	Original Contract + All Amendments
Basis of Design and Design	\$1,807,750	\$185,000		\$1,992,750
Construction and General Services	\$459,000	\$297,000	\$235,000	\$991,000
Estimated Resident Inspection	\$879,000	\$820,000		\$1,699,000
Record Drawings	\$60,000	\$9,000		\$69,000
Authority Programs/Procedures Update	\$70,000	\$0		\$70,000
Special Services	\$100,000	\$0		\$100,000
Contingency	\$100,000	\$0		\$100,000
Claim/Surety Support			\$175,000	\$175,000
TOTALS	\$3,475,750	\$1,311,000	\$410,000	\$5,196,750

Budget Information:

Unit 2510 - Eng/Const Sturgeon Point
Item 101506 Filter Gallery Piping Design.

MJQ:jmf
Attachments
cc: L.Kowalski
L.Lester
CONT-MP-090-2201-011

ERIE COUNTY WATER AUTHORITY
AUTHORIZATION FORM
For Approval/Execution of Board Meeting Documents

Document Name: _____ Project No.: _____

Description: _____

Item Description:

Choose one: _____

Other: _____

Action Requested:

Choose one: _____

Other: _____

Approvals Required:

APPROVED AS TO CONTENT:

Chief Financial Officer

Date: 02/02/2026

Chief Operating Officer

Date: 02/02/2026

Claims Rep. – Risk Manager

Date: 2/2/2026

Comptroller

Date: _____

Director of Administration

Date: 02/02/2026

Director of Distribution

Date: 2/2/2026

Director of Human Resources

Date: _____

Director of IT

Date: _____

Director of Operations

Date: _____

Director of Planning & Water Supply

Date: _____

Director of Production

Date: _____

Director of Water Quality

Date: _____

Executive Engineer

Date: 2/2/2026

General Counsel (Legal)

Date: 2/2/2026

Other: _____

Date: _____

Opie Johnson
Mark Minkler
Molly Jo Musarra

Davanya Foster
Bill P. R.

Fernard F. Konaluk
Mark Carney

APPROVED FOR BOARD RESOLUTION:

Secretary to the Authority

Just His

Date: 2/2/26

Remarks: _____

Resolution Date: _____ Item No: _____

**AMENDMENT NO. 2
PROFESSIONAL SERVICES CONTRACT**

AMENDMENT, effective February 12, 2026 (“Amendment No. 2”) to the Professional Services Contract (Contract No. MP-090), entered on December 22, 2021, by and between:

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

hereinafter referred to as the “Authority,” and

ARCADIS OF NEW YORK, INC.
Key Center at Fountain Plaza
50 Fountain Plaza, Suite 360
Buffalo, New York 14202

hereinafter referred to as the “Engineer.”

WHEREAS, on December 22, 2021, the Authority and the Engineer entered into a professional services contract for engineering and consulting services relating to the construction of improvements to the filtration system at the Sturgeon Point Water Treatment Plant (the “Contract”); and

WHEREAS, on May 25, 2023, the Authority and the Engineer entered into Amendment No. 1 increasing the Engineer’s fee as a result of changes to the scope of work that occurred during the design phase of the project; and

WHEREAS, during the construction phase of the project, the Engineer performed additional services associated with project delays, contractor performance, processing additional requests for information, submittal reviews and involvement with project related claims and surety involvement; and

WHEREAS, the Engineer has requested additional compensation of \$410,000.00 for the additional services it provided to the Authority as set forth above; and

WHEREAS, the Authority’s Executive Engineer and Director of Distribution recommend that the Authority amend the Contract by increasing the compensation to the Engineer by \$410,000.00; and

WHEREAS, in accordance with article 5, paragraph 5.02 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 the mutual promises herein set forth, the parties agree to the following:

- (1) The parties agree to amend article 4, paragraph 4.04, subparagraph A(2) to increase the lump sum for construction and general services by \$235,000.00, changing the current figure of \$756,000.00 to \$991,000.00; and
- (2) The parties agree to amend article 4, paragraph 4.04, subparagraph A to increase the total lump sum by \$235,000.00, changing the current figure of \$2,887,750.00 to \$3,122,750.00; and
- (3) The parties agree to amend article 4 to insert paragraph 4.04, subparagraph F as follows:

F. *Claim and Surety Support Services*: The Authority agrees to pay the Engineer for services related to claim and surety support services and the Engineer agrees to bill the Authority for such services at the fixed rates included in Appendix B of this Agreement. The total services billed for Claim and Surety Support Services shall not exceed \$175,000.00; and

- (4) The parties agree to delete the chart in Appendix B (Fixed Rates Special Services) of the Contract in its entirety and replace it with the Appendix B attached to this Amendment; and
- (5) The parties agree all other terms and conditions of the Contract shall remain without change or amendment; and
- (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.

IN WITNESS WHERETO, the parties have caused this Amendment No. 2 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

ARCADIS OF NEW YORK, INC.

By _____

STATE OF NEW YORK)
COUNTY OF ERIE) ss:

On the _____ day of February, in the year 2026, 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 ERIE) ss:

On the _____ day of _____, in the year 2026, before me personally came _____, to me known, who, being by me duly sworn, did depose and say that he/she resides in _____, New York, that he/she is the _____ of the Corporation described in the above instrument; and that he/she signed his/her name thereto by order of the Board of Directors of said Corporation.

Notary Public

APPENDIX B AMENDMENT**FIXED RATES FOR SPECIAL SERVICES**

Job Title	Hourly Billing Rate		
	Through 12/31/2025	2026	2027
Engineer/Scientist Director	\$255.00	\$315.00	\$324.00
Principal Engineer/Scientist/Architect II	\$235.00	\$290.00	\$299.00
Principal Engineer/Scientist/Architect I	\$205.00	\$259.00	\$267.00
Senior Engineer/Scientist/Architect II	\$195.00	\$227.00	\$236.00
Senior Engineer/ Scientist/Architect I	\$175.00	\$205.00	\$213.00
Project Engineer/ Scientist/Architect	\$155.00	\$184.00	\$191.00
Staff Engineer/Scientist/Architect	\$140.00	\$167.00	\$174.00
Engineer/Scientist	\$130.00	\$151.00	\$157.00
Field Supervisor	\$155.00	\$211.00	\$219.00
CADD Designer / Project Controller	\$135.00	\$162.00	\$169.00
Drafter II/Field Tech & Admin V	\$130.00	\$151.00	\$157.00
Drafter I/Field Tech & Admin III&IV	\$95.00	\$108.00	\$112.00
Design Tech II/Field Tech II/Admin II	\$85.00	\$97.00	\$101.00
Project/Administrative Assistant I / Field Tech I	\$70.00	\$86.00	\$90.00