



ERIE COUNTY WATER AUTHORITY

INTEROFFICE MEMORANDUM

October 7, 2022

To: Terrence D. McCracken, Secretary to the Authority

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

Subject: Heating, Ventilating, and Air Conditioning Service and Preventive Maintenance Work
For a Two-Year Period from November 1, 2020 through October 31, 2022
ECWA Project No. 202000098

The current Heating, Ventilating, and Air Conditioning Service and Preventive Maintenance Work Contract was executed on December 17, 2020 and expires on October 31, 2022. This unit price contract was initially bid for two years with the provision for a one-year extension.

Due to inflation and price escalations, the current HVAC Contractor, Greater Niagara Mechanical, Inc., could not extend their contract for another year, holding the same terms and conditions. The contract is currently in the process of being re-bid and will have a duration of one year. Greater Niagara Mechanical, Inc. has agreed to provide HVAC services until November 30, 2022 on the same term and conditions to afford the Authority time to finish the bidding and award process for the new contract, without interruption in service.

Based on this information it is recommended that the Authority exercise the above-described extension.

This contract is utilized to support the Authority's maintenance efforts related to the water treatment plants, pumps stations and the Service Center.

Budget Information:

- Unit 1020 Control Operations, O&M Item 19 Payments to Contractors - Other

CJJ:jmf

Attachments

cc: R.Stoll

L.Kowalski

M.Wymer

L.Lester

ECWA-379-2001-X-20

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

Contract: 20-26-12 **Project No.:** 202000098
Project Description: Heating, Ventilating, and Air Conditioning Service and Preventive Maintenance Work for a Two Year Period from November 1, 2020 through October 31, 2022.

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. Production Engineer	<u><i>Jeanald F. Konalike</i></u> -for M. Wymer	Date: <u>10/10/2022</u>
<input checked="" type="checkbox"/> Chief Operating Officer	<u><i>Russell Steel</i></u>	Date: <u>10/10/2022</u>
<input checked="" type="checkbox"/> Executive Engineer	<u><i>Jeanald F. Konalike</i></u>	Date: <u>10/10/2022</u>
<input checked="" type="checkbox"/> Director of Administration	<u><i>Lewynia L. Lister</i></u>	Date: <u>10/10/2022</u>
<input checked="" type="checkbox"/> Risk Manager	<u><i>Molly Jo Musarra</i></u>	Date: <u>10/10/2022</u>
<input checked="" type="checkbox"/> Chief Financial Officer	<u><i>Karen A. Bendegast</i></u>	Date: <u>10/10/2022</u>
<input checked="" type="checkbox"/> Legal	<u><i>[Signature]</i></u>	Date: <u>10/10/2022</u>

APPROVED FOR BOARD RESOLUTION:

Secretary to the Authority *[Signature]* Date: 10/11/22

Remarks: Unit price contract.

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

**AMENDMENT NO. 1 TO
HEATING, VENTILATING, AND AIR CONDITIONING SERVICE
AND PREVENTATIVE MAINTENANCE WORK CONTRACT**

AMENDMENT, effective October 5, 2022, to the Heating, Ventilating, and Air Conditioning Service and Preventative Maintenance Contract (Contract No. 20-26-12), effective on December 17, 2020, by and between

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

hereinafter referred to as the “Authority,” and

GREATER NIAGARA MECHANICAL, INC.
7311 Ward Road
North Tonawanda, New York 14120

hereinafter referred to as “Contractor.”

WHEREAS, on November 19, 2020, the Authority awarded the Contractor the Heating, Ventilating, and Air Conditioning Service and Preventative Maintenance Contract (the “Contract”); and

WHEREAS, the Contract, executed on December 17, 2020, provides services until October 31, 2022; 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 up to one year; and

WHEREAS, the Contractor has agreed to extend this Contract until November 30, 2022 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 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 November 30, 2022; and
- (2) 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

GREATER NIAGARA MECHANICAL, INC.

By _____

STATE OF NEW YORK)
COUNTY OF ERIE) ss:

On the ___ day of October, in the year 2022, 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 ERIE) ss:

On the ___ day of _____, in the year 2022, before me personally came _____, to me known, who, being by me duly sworn, did depose and say that he/she resides in _____ 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