




ERIE COUNTY WATER AUTHORITY

INTEROFFICE MEMORANDUM

October 7, 2024

To: Terrence D. McCracken, Secretary to the Authority

From: Michael J. Quinn, PE, Sr. Distribution Engineer 

Subject: Contract GP-010
Transmission System Improvements,
Towns of Hamburg and West Seneca and City of Lackawanna
ECWA Project No. 202100035

Attached are the following documents:

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

The Amendment #2 is to adjust the fees for General Services and Resident Inspection for the above referenced project.

On March 4, 2021, the Authority and the Engineer entered into a professional services contract for engineering and consulting services relating to the installation of approximately 13,300 linear feet of new transmission waterline on multiple streets in the Towns of Hamburg and West Seneca and City of Lackawanna. During the design phase of the project, the Authority increased the scope of work to include additional main replacement. Due to the unknown duration of the construction at that time, it was decided to not increase the fee for Resident Inspection until the work was completed and all of the costs determined. In addition, to the increased scope of the project, the construction took longer than anticipated due to unforeseen site conditions and construction in the congested Abbott Road corridor. These same factors also necessitated the need for additional General Services efforts from the Consultant during construction. Including the additional scope of work and the longer than anticipated construction duration, the additional compensation to complete the work for General Services and for Resident Inspection \$46,388.70 and \$143,000.00 respectively.

Budget Information:

Unit: 2595 Eng/Const Transmission Mains
Item 101599 GP-010 Transmission Main Replacement

MJQ:jmf
Attachments
cc: C.Eaton
L.Kowalski
L.Lester
CONT-GP-010-2101-X-01

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

Contract: GP-010 **Project No.:** 202100035
Project Description: Water System Improvements Towns of Hamburg and West Seneca and City of Lackawanna

Item Description:



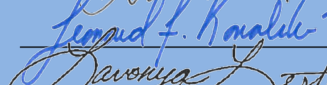




<input type="checkbox"/> Agreement	<input checked="" type="checkbox"/> Professional Service Contract	<input checked="" type="checkbox"/> Amendment	<input type="checkbox"/> Change Order
<input type="checkbox"/> BCD	<input type="checkbox"/> NYSDOT Agreement	<input type="checkbox"/> Contract Documents	<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 type="checkbox"/> Other _____			

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. Distribution Engineer		Date: <u>10/7/2024</u>
<input checked="" type="checkbox"/> Chief Operating Officer		Date: <u>10/07/2024</u>
<input checked="" type="checkbox"/> Executive Engineer		Date: <u>10/7/2024</u>
<input checked="" type="checkbox"/> Director of Administration		Date: <u>10/07/2024</u>
<input checked="" type="checkbox"/> Risk Manager		Date: <u>10/7/2024</u>
<input checked="" type="checkbox"/> Chief Financial Officer		Date: <u>10/07/2024</u>
<input checked="" type="checkbox"/> Legal		Date: <u>10/7/2024</u>

APPROVED FOR BOARD RESOLUTION:

<input checked="" type="checkbox"/> Secretary to the Authority		Date: <u>10/7/2024</u>
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Remarks: Amendment #2

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

**AMENDMENT NO. 2 TO
PROFESSIONAL SERVICES AGREEMENT**

AMENDMENT, effective June 10, 2021 (“Amendment No. 2”), to the Professional Services Agreement, effective on March 4, 2021, by and between

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

hereinafter referred to as the “Authority,” and

GREENMAN-PEDERSEN, INC.
4950 Genesee Street, Suite 100
Buffalo, New York 14225

hereinafter referred to as the “Engineer.”

WHEREAS, on March 4, 2021 the Authority awarded the Engineer a professional service contract to provide engineering and consulting services relating to the installation of new transmission and distribution mains, and the replacement of transmission and distribution mains in the Towns of Hamburg and West Seneca and the City of Lackawanna (the “Contract”); and

WHEREAS, on June 10, 2021, the Authority and the Engineer entered into Amendment No. 1 to the Contract which amended the scope of services performed pursuant to the Contract; and

WHEREAS, during the construction phase of the project, unforeseen conditions developed that resulted in an additional 2,500 feet of water main being added to the project which increased the Engineer’s efforts for General Services and Resident Inspection; and

WHEREAS, the Authority’s Chief Operating Officer and Executive Engineer recommend that the Authority amend the Contract to increase the Engineer’s fee by \$189,388.70; and

WHEREAS, in accordance with Article 3, paragraph 3.02 of the Contract, any modification or variation from the terms of the Contract, must be in writing, authorized by a resolution of the Board of Commissioners of the Authority (the “Board”), and signed by all parties to be effective;

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

- (1) The parties agree to amend Article 2, Paragraph 2.04 (A)(3) to increase the lump sum for General Services \$46,388.70, changing the current figure of \$73,611.30 to \$120,000.00; and
- (2) The parties agree to amend Article 2, Paragraph 2.04 (B)(2) to increase the Resident Inspection not to exceed amount by \$143,000.00, changing the current figure of \$282,000.00 to \$425,000.00; and
- (3) The parties agree all other terms and conditions, the Contract shall remain without change or amendment; and
- (4) 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. 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

GREENMAN-PEDERSEN, INC.

By _____
David F. Pratt, P.E., Vice President

STATE OF NEW YORK)
COUNTY OF ERIE) ss:

On the _____ day of October, in the year 2024, 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 2024, before me personally came David F. Pratt, P.E., Vice President, to me known, who, being by me duly sworn, did depose and say that he resides in Holland, New York, that he is the 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