




ERIE COUNTY WATER AUTHORITY

INTEROFFICE MEMORANDUM

August 4, 2023

To: Terrence D. McCracken, Secretary to the Authority

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

Subject: Union Road/Rte 277 Waterline Replacement/NYSDOT Betterment
Towns of Cheektowaga and West Seneca, Erie County
PIN 5131.41
ECWA Project No.: 202200057

On February 10, 2022, the Authority Board awarded a Professional Services Agreement to Greenman-Pedersen for the design of improvements to the water distribution system along the Union Road Corridor in the Towns of West Seneca and Cheektowaga. The design is nearing completion with the construction schedule yet to be determined based on budget considerations. This project was developed in large part to correspond with the reconstruction of Union Road by the New York State Department of Transportation (NYSDOT). During final design, the Authority Engineering Department identified a section of the project that would be well suited to be completed by the NYSDOT as a Betterment. This option will result in a lower project cost to the Authority as well as less disturbance to traffic on Union Road. Under this Betterment, the NYSDOT will be upgrading the waterline as a part of this project. Attached find reference documents prepared by the NYSDOT. The NYSDOT will complete the identified work at a cost of \$381,500.00. The Project Plans, Betterment Request, Schedule A, and Certified Resolution will confirm the process, and the correspondence dated July 14, 2023, contains the instructions for making the payments.

Attached are four (4) copies of the NYSDOT Betterment Request form and Schedule A for the above project. A Certified Resolution (5 copies) by the Board and the signature of the appropriate Authority Official are required. The executed NYSDOT Betterment Request form, Schedule A, and Certified Resolution with original signatures and seals affixed are to be returned to the NYSDOT per the cover letter. Note that the NYSDOT initially requested return of the documents and payment by August 4, 2023, however the Engineering Department has discussed this date relative to the Board meeting schedule and the NYSDOT is in concurrence with the schedule.

The sample Resolution details the items that must be included in the ECWA Board Resolution.

Budget information:

Funds are available for this Betterment as follows:

- Unit 2590 – Engineering/Construction Distribution Mains
- Item 101675 – Distribution System Upgrades – Union Road Corridor.

If there are any questions, please contact me.

MJQ:jmf

Attachments

cc: W.Wheeler

CONT-GP-011-2201

**NEW YORK STATE DEPARTMENT OF TRANSPORTATION
BETTERMENT REQUEST:
Betterment Worksheet and Design Deposit Estimate**

6/27/23

**5131.41 ROUTE 277, UNION ROAD (WOODWARD DRIVE TO WALDEN AVENUE)
TOWNS OF CHEEKTOWAGA & WEST SENECA
ERIE COUNTY
PIN 5131.41, D265088**

The purpose of this document is to verify the betterment work and betterment share cost estimate agreed to by Erie County Water Authority and the New York State Department of Transportation.

Stakeholder: Erie County Water Authority (ECWA)

Stakeholder Contact Information:

Bill Wheeler, Distribution Engineer
3030 Union Road, Cheektowaga, NY 14227
716-685-8251
wwheeler@ecwa.org

Federal Tax ID number: 16-6000337

Designer: NYSDOT, Mohammad A. Haque, P.E.

Type of DOT Project: Highway Project

Brief description of the DOT capital project:

Mill and pave existing road on NY 277 Union Rd, clean and repair drainage structures, spot repair culvert C530073 near Holland Ave, curb widening on Indian Church Rd, lane addition on Race St at intersection with Union Rd, replacing non-ADA compliant curb ramps, replacing signs, and traffic signal work at various intersections.

The reason for the betterment request:

NYSDOT informed ECWA that Union Road was scheduled to be resurfaced 2024/25. ECWA, to not interfere with NYSDOT project and to limit future disturbance of the roadway is developing a waterline replacement project. ECWA's project extents are Union Road (between East and West Road and Woodward Drive), Union Road (between Willowdale Drive and Seneca Street), Union Road (between NYS RT 400 and 1801 Union Rd), Union Road (between 2163 Old Union Road and 2449 Union Road), and Union Road (between William Street and Bennett Road). As part of a design review meeting with the North Residency, the NYSDOT suggested that due to traffic

**NEW YORK STATE DEPARTMENT OF TRANSPORTATION
BETTERMENT REQUEST:
Betterment Worksheet and Design Deposit Estimate**

congestion between William Street and Bennett Road ECWA should consider a betterment.

Brief description of the betterment work to be included in this project:

Between William Street and Bennett Road there are two existing waterlines (16" and 20"). ECWA plans to retire the existing 16" main and transfer all existing services to the 20" main. A total of 8 small services (2" and smaller), 1 large service (6" diameter), and 1 hydrant will be transferred. The existing main will be retired in place by cutting, dewatering, filling with flowable fill, and capping. The existing pipeline along Bennett Road and Union South of William Street will be interconnected with the existing 20" main as part of the retirement process.

For each of the service transfers 2" and smaller the new service lines will be pushed (trenchless installation) from the right-of-way to an open receiving pit (5'x10') near the existing 20" main to complete the service installation. Services larger than 2" and hydrant branches will be open cut from the right-of-way to the 20" main. All retirement and interconnections will be completed utilizing open-cut construction methods. The roadway will be restored to NYSDOT standards.

The work limits (stations) of the betterment are:

Between reference marker 277 5301 1148 and reference marker 277 5301 1151

The work length of the betterment is:

The segment of roadway between William Street and Bennett Road is approximately 1,200 feet in length.

The responsibilities of the various stakeholders:

The betterment design work is to be done by: GPI

The standards being used are: NYSDOT details, ECWA will supply supplemental notes on the drawings as required for supplemental information to bidders.

The items are being supplied by: The NYSDOT by items in the contract.

The inspection will be done by: ECWA inspector working with NYSDOT EIC.

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The betterment is to be processed as: Items and Labor in the contract
 Fixed Price Lump Sum

Betterment Share Design Deposit Estimate

1. Engineer's Estimate (See attached. Includes 619.01, 697.03)**	*	\$350,000.00
2. Work Zone Traffic Control Cost, Item 619.01		\$0.00
3. Field Change Payment, Item 697.03		\$0.00
4. Total of Items 1 to 3		\$350,000.00
5. Mobilization (contractor's startup costs), Item 699.040001 (4% of Item 1)	*	\$14,000.00
6. DOT Design Engineering Services Cost ECWA provided the design.		\$0.00
7. DOT Construction Supervision (5% of Item 1)		\$17,500.00
8. Total (Items 1 through 4)		\$381,500.00
9. Less amount paid		\$0.00
Balance Due		\$381,500.00

* Include these costs in the betterment share in the Estimator.

** Consultant included these items in the Engineer's Estimate.

Stakeholder, Please Complete

Betterment Resolution dated _____, Resolution # _____

The betterment work and deposit estimate information provided by the New York State Department of Transportation in this document has been verified by the Erie County Water Authority. The Erie County Water Authority requests the New York State Department of Transportation include this betterment in their capital project.

(Print/Type Name) Owner or Agent (Signature) Title Date

To be Filled Out When Deposit is Made by the Stakeholder

Date sent to the Office of the State Comptroller:

Check Number:

Total:

NEW YORK STATE DEPARTMENT OF TRANSPORTATION BETTERMENT REQUEST: Betterment Worksheet and Design Deposit Estimate

Item and Labor Cost Estimate

ITEM NO.	DESCRIPTION	UNIT	ESTIMATED QUANTITY	UNIT PRICE	TOTAL COST
203.07	Select Granular Fill	CY	250	\$59.00	\$14,750.00
204.01	Furnish and Install Controlled Low Strength Material (CLSM)	CY	60	\$600.00	\$36,000.00
206.0201	Trench and Culvert Excavation	CY	500	\$40.00	\$20,000.00
206.05	Test Pit Excavation	EA	10	\$1,000.00	\$10,000.00
304.1520005	Subbase Course, Optional Type (Rap Exception)	CY	75	\$50.00	\$3,750.00
404.198901	19 F9 Binder Course Asphalt, 80 Series Compaction	TON	100	\$120.00	\$12,000.00
404.378901	37.5 F9 Base Course Asphalt, 80 Series Compaction	TON	130	\$120.00	\$15,600.00
407.0102	Diluted Tack Coat	GAL	33	\$6.00	\$198.00
608.0101	Concrete Sidewalks and Driveways	CY	15	\$750.00	\$11,250.00
608.020102	Asphalt Sidewalks, Driveways, Bicycle Paths, and Vegetation Control Strips	TON	14	\$500.00	\$7,000.00
609.0401	Cast-in-Place Concrete Curb Type VF6	LF	10	\$75.00	\$750.00
610.1402	Topsail - Roadside	CY	10	\$120.00	\$1,200.00
610.1601	Turf Establishment - Roadside	SY	70	\$10.00	\$700.00
619.01	Basic Work Zone Traffic Control	LS	1	\$10,000.00	\$10,000.00
623.11	Crushed Gravel (In-Place Measure)	CY	150	\$70.00	\$10,500.00
627.50140008	Cutting Payment	LF	1500	\$3.00	\$4,500.00
663.0106	Ductile Iron Cement Lined Water Pipe (6")	LF	100	\$75.00	\$7,500.00
663.0108	Ductile Iron Cement Lined Water Pipe (8")	LF	20	\$100.00	\$2,000.00
663.0116	Ductile Iron Cement Lined Water Pipe (16")	LF	20	\$250.00	\$5,000.00
663.0603	Copper Water Service Pipe (3/4")	LF	200	\$30.00	\$6,000.00
663.0604	Copper Water Service Pipe (1")	LF	150	\$40.00	\$6,000.00
663.0606	Copper Water Service Pipe (1-1/2")	LF	200	\$75.00	\$15,000.00
663.1006	Resilient Wedge Valve & Valve Box (6")	EA	1	\$2,500.00	\$2,500.00
663.1301	Hydrant	EA	1	\$6,500.00	\$6,500.00
663.162006	Tapping Sleeve, Valve & Valve Box Assembly (20"x6")	EA	2	\$20,000.00	\$40,000.00
663.2001	Iron Water Main Fittings (3-8 inch diameter)	LB	550	\$14.00	\$7,700.00
663.2002	Iron Water Main Fittings (10-16 inch diameter)	LB	1600	\$18.00	\$28,800.00
663.2106	Wedge Type Mechanical Restrain Glands (6" diameter)	EA	20	\$100.00	\$2,000.00
663.2108	Wedge Type Mechanical Restrain Glands (8" diameter)	EA	1	\$120.00	\$120.00
663.2116	Wedge Type Mechanical Restrain Glands (16" diameter)	EA	7	\$225.00	\$1,575.00
663.2306	Polyethylene Encasement for Water Pipe (6")	LF	100	\$5.00	\$500.00
663.2308	Polyethylene Encasement for Water Pipe (8")	LF	20	\$7.00	\$140.00
663.2316	Polyethylene Encasement for Water Pipe (16")	LF	30	\$10.00	\$300.00
663.2320	Polyethylene Encasement for Water Pipe (20")	LF	20	\$10.00	\$200.00
663.2503	Water Service Connection (3/4")	EA	3	\$1,500.00	\$4,500.00
663.2504	Water Service Connection (1")	EA	2	\$1,750.00	\$3,500.00
663.2506	Water Service Connection (1-1/2")	EA	3	\$2,500.00	\$7,500.00
663.40	Disconnect and Cap Existing Water Main	EA	4	\$1,500.00	\$6,000.00
663.4106	Remove and Dispose of Existing Water Main (6")	LF	10	\$55.00	\$550.00
663.4108	Remove and Dispose of Existing Water Main (8")	LF	10	\$55.00	\$550.00
663.4116	Remove and Dispose of Existing Water Main (16")	LF	40	\$100.00	\$4,000.00
663.42	Remove and Dispose of Existing Water Valve and Valve Box	EA	4	\$300.00	\$1,200.00
663.46	Remove and Store Existing Hydrant	EA	1	\$1,500.00	\$1,500.00
697.03	Field Change Payment (FVP)	DC	16150	\$1.00	\$16,150.00
698.04	Asphalt Price Adjustments	DC	500	\$1.00	\$500.00
698.05	Fuel Price Adjustment	DC	500	\$1.00	\$500.00
TOTAL OF NON ALTERNATE ITEMS =					\$336,483.00
CONTINGENCY (4%) =					\$13,459.32
TOTAL WITH 4% CONTINGENCY =					\$349,942.32
TOTAL ENGINEERING SHARE 0004 - BETTERMENT ECWA =					\$350,000.00

ESTIMATE BASED ON NYS DOT-ECWA BETTERMENT PLANS - 7/7/2023

**SCHEDULE A
DESCRIPTION OF PROJECT, FUNDING AND DEPOSIT REQUIREMENTS.**

**NY ROUTE 277 (Union Rd) (S.H. 9215, S.H. 1733, S.H. 1733A, S.H. 1965, S.H. 1626)
Towns of Cheektowaga & West Seneca,
Erie County
PIN 5131.41, D 265088; AGREEMENT No. _____**

Is the project linked to a State project in the area? YES

If linked to a State project, describe the State project:

The State-let project is for the construction of Mill and pave on NY 277 Union Rd from Woodward Dr to Walden Ave, Lane addition at Race St & widening curb radius on Indian Church Rd, Spot repair culvert C530073 near Holland Ave, Clean and repair drainage structures as needed, Replacing non-ADA compliant curb ramps, Traffic signal work.

Description of the work to be performed on local facilities:

Erie County Water Authority by Resolution No. _____ adopted on the _____ day of _____, 20____, requested and authorized Erie County Water Authority to proceed with the necessary arrangements to incorporate the construction of a betterment of retire-in-place the existing 16” water main and transfer all existing services to the 20” water main. A total of 8 small services (2” and smaller), 1 large service (6” diameter), and 1 hydrant, Between William Street and Bennett Road (work length=1200’) with the work of PIN 5131.41 as set forth in the plans and specifications for said project.

Engineer’s Estimate*	\$ <u>0.00</u>
Federal Aid Eligible	No
State Share (in dollars)	\$ <u>0.00</u> , <u>0.0</u> %
Federal Share (in dollars)	\$ <u>0.00</u> , <u>0.0</u> %
Local Share (in dollars)	\$ <u>381,500.00</u> , <u>100.00</u> %

* Estimate from the “Betterment Share Design Deposit Estimate”

**RESOLUTION TO SHARE COSTS AND RESPONSIBILITIES OF LOCAL FEATURES
(BETTERMENT)**

RESOLUTION #XXXXXXX

Note: **Red** are prompts to be filled in, keep the **bold**, **Blue** are choices, **Green** are instructions. Delete unwanted choices and the instructions. Turn the rest Black.

See the "Betterment Worksheet and Share Cost Design Estimate" for information needed to fill out prompts.

Resolution of the **Board OR Council OR Legislature of the OR on the behalf of the Municipality in County County** (do not repeat county if this resolution is by a county) agreeing to pay the costs and responsibilities of **betterment work** on or along **Route US AND/OR NY number (Local Highway Name)** (betterment location(s) only) within the geographical jurisdiction of the **Municipality**;

WHEREAS, the New York State Department of Transportation under the project identified as: (See cover letter)

PROJECT DESCRIPTION – LINE 1
PROJECT DESCRIPTION – LINE 2
PROJECT DESCRIPTION – LINE 3
PROJECT DESCRIPTION – LINE 4
PIN 5XXX.XX, D26XXX

located on Route **NY/US XX**, (**Local Highway Name**) in the municipality of **Municipality**;

WHEREAS, the **Board OR Council OR Legislature of the OR on the behalf of the Municipality has developed and OR concurred** with the design of **betterment work to be done** (don't get too specific) and the plans and specifications have been prepared and are hereby referred to as betterment work;

WHEREAS, the **Board OR Council OR Legislature** of the **Municipality** approves the plans of this betterment work and desires to have this work included with the State project; and

WHEREAS, the State of New York has estimated the cost of the betterment work and has agreed to include this betterment work with the State project identified above and described in **Schedule A** provided the **Board OR Council OR Legislature of the OR on the behalf of the Municipality** agrees to pay the cost of such Betterment(s);

NOW, THEREFORE the **Board OR Council OR Legislature of the OR on the behalf of the Municipality** duly convened and does hereby:

1. RESOLVE that the **Board OR Council OR Legislature** does approve the cost estimate of its project to be performed by the State; and it is hereby
2. RESOLVED that the **Board OR Council OR Legislature of the OR on the behalf of the Municipality** shall maintain or cause to be maintained such highway betterment(s); and it is hereby further

3. RESOLVED that the **Entity responsible for sending the check** will deposit with the State Comptroller in a project escrow account the full amount of the estimate for the cost of the betterment as described in **Schedule A** for payments by the State Comptroller for the betterment work prior to contract letting. The **Entity responsible for sending the check** will also deposit with the State Comptroller in a project escrow account the full amount of the contract bid price for the cost of the betterment (less any amounts already deposited for purposes thereof) for payments by the Comptroller on account of project costs within 10 days after the lowest-bidder or best-value proposer eligible for award has been identified; and it is
4. RESOLVED that in the event the betterment cost exceeds the amount of the deposit the **Entity responsible for sending the check** shall within 90 days of the receipt of notice from the Commissioner pay the amount of such deficiency to the State Comptroller; and any excess of the deposit shall be paid to the Municipality on the warrant of the State Comptroller on vouchers approved by the Commissioner after project close out; and
5. RESOLVED that the **Board OR Council OR Legislature of the OR on the behalf of the Municipality** hereby authorizes **the Name, Title (just a title is acceptable)** to enter into an agreement with the State of New York and through the Commissioner of Transportation to commit the **Board OR Council OR Legislature of the OR on the behalf of the Municipality** to maintain at its own expense the betterment(s) on the above-identified project; and that such agreement provides that maintenance shall include the repair and replacement of equipments and the operation of such betterment(s); and
6. BE IT FURTHER RESOLVED: that **Name, Title, (just a title is acceptable)** has the authority to sign, with the concurrence of the **Board OR Council OR Legislature**, any and all documentation that may become necessary as a result of this betterment as it relates to the **Municipality**, and
7. BE IT FURTHER RESOLVED that the Clerk of this **Board OR Council OR Legislature** is hereby directed to transmit five (5) certified copies of the foregoing resolution to the State Department of Transportation addressed through:

Regional Utility Unit
 NYSDOT – Region 5
 100 Seneca Street
 Buffalo, New York 14203.

Moved By:
 Seconded By:
 Vote:

I, _____, duly appointed and qualified _____, do hereby CERTIFY that the foregoing resolution was adopted at a meeting duly called and held in the office of _____, a quorum being present on the _____ day of _____, and that said copy is a true, correct and compared copy of the original resolution so adopted and that the same has not been revoked or rescinded.

WITNESSETH, my hand and seal this _____ day of _____

 Name, Title

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

Contract: GP-011 **Project No.:** 202200057
Project Description: Union Road/Rte 277 Waterline Replacement/NYS DOT Betterment
Towns of Cheektowaga and West Seneca, Erie County, PIN 5131.41

Item Description:

Agreement Professional Service Contract Amendment Change Order
 BCD NYSDOT Betterment 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:

Sr. Distribution Engineer  Date: 8/7/2023
 Chief Operating Officer _____ Date: _____
 Executive Engineer  Date: 08/07/2023
 Director of Administration _____ Date: _____
 Risk Manager _____ Date: _____
 Chief Financial Officer  Date: 08/07/2023
 Legal  Date: 8/7/2023

APPROVED FOR BOARD RESOLUTION:

Secretary to the Authority  Date: 8/7/2023

Remarks: Betterment of ECWA facilities under contract items

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