



# ERIE COUNTY WATER AUTHORITY

## INTEROFFICE MEMORANDUM

December 9, 2024

To: Terrence D. McCracken, Secretary to the Authority

From: Michael W. Wymer, PE, Senior Production Engineer *MW*

Subject: Contract No. W-035-B  
Water Storage Tank Rehabilitation - Sandridge Tank  
ECWA Project No. 202300060  
Change Order No. 1

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Attached is Change Order No. 1 pertaining to the above referenced contract. The Change Order is for time extension only.

Modification 001, Extension of Substantial Completion Time, includes extending Substantial Completion time from 11/22/24 to 12/20/24 while Final Completion will remain at 6/7/25.

Additional time is requested regarding conflict between existing underground utilities and a new catch basin. The basin is required to comply with Ten State Recommended Standards for Water Works and State Department of Health requirements.

The new basin was part of the contract documents. During construction in late October 2024, it was discovered that existing underground utilities were located in an area where a new catch basin was to be installed. The catch basin could not be obtained from concrete manufacturer until utilities were exposed and determined if changes to design of catch basin were needed. After utilities were exposed, the Engineering Consultant revised catch basin design in early November 2024 for which the Contractor then ordered new catch basin. In late November 2024, the concrete manufacturer notified Contractor that the catch basin would not be ready until early December 2024.

The Contractor anticipates installing the catch basin mid-December and project completion soon thereafter.

SLK:WWW:jmf

Attachment

cc: L.Kowalski, PE

CONT-W-035-B-2301-X-16

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

**Contract:** W-035-B **Project No.:** 202300060  
**Project Description:** Water Storage Tank Rehabilitation – Sandridge Tank

**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></u> | Date: <u>12/9/2024</u>  |
| <input checked="" type="checkbox"/> Chief Operating Officer    | <u></u>  | Date: <u>12/09/2024</u> |
| <input checked="" type="checkbox"/> Executive Engineer         | <u></u>  | Date: <u>12/9/2024</u>  |
| <input checked="" type="checkbox"/> Director of Administration | <u></u>  | Date: <u>12/09/2024</u> |
| <input checked="" type="checkbox"/> Risk Manager               | <u></u>  | Date: <u>12/9/2024</u>  |
| <input checked="" type="checkbox"/> Chief Financial Officer    | <u></u>  | Date: <u>12/09/2024</u> |
| <input checked="" type="checkbox"/> Legal                      | <u></u>  | Date: <u>12/09/2024</u> |

**APPROVED FOR BOARD RESOLUTION:**

- |  |   |                        |
|--|---|------------------------|
| <input checked="" type="checkbox"/> Secretary to the Authority | <u></u> | Date: <u>12-9-2024</u> |
|--|---|------------------------|

**Remarks:** Change Order #1

**Resolution Date:** \_\_\_\_\_

**Item No:** \_\_\_\_\_

December 4, 2024

Seth Krull, PE  
Erie County Water Authority  
3030 Union Road  
Cheektowaga, NY 14227-1097

**SUBJECT: STORAGE TANK REFURBISHING – SANDRIDGE  
PROJECT NO. 202300060, CONTRACT NO. W-035B  
CHANGE ORDER NO. 01 REQUEST – SUBSTANTIAL COMPLETION TIME EXTENSION**

Dear Mr. Krull,

The Contractor, Amstar of Western New York (Amstar), for ECWA Project No. 202300060, Contract No. W-035B Storage Tank Refurbishing – Sandridge has submitted a request for a Substantial Completion Time Extension. The original Substantial Completion date per the contract was November 22, 2024. The Contractor has proposed a new Substantial Completion date of December 20, 2024. As defined by Section 01131 Schedule of Completion, 1.04 Substantial and Final Completion, A, Substantial Completion includes the following:

1. All Miscellaneous Modifications
2. All surface preparation and application of coating systems
3. Curing of coatings
4. Tank disinfection and filling
5. Testing and Health Department Approval
6. Tank ready for service

The Contractor has requested the time extension for the Substantial Completion Date for the following reason: When the Contractor began excavation for the overflow catch basin, the existing fill line and drain line alignments differed in the field versus the reference documents. The ECWA was on-site with the Contractor on October 31, 2024 to expose the fill line and drain line. A redesign was required to accommodate the drain line connection into the new catch basin. The finalized redesign was provided to the Contractor on November 6, 2024. On November 21, 2024, the Contractor was notified by the catch basin manufacturer that due to production issues, the redesigned catch basin would not be delivered until December 9, 2024. The Contractor's proposed schedule includes returning the tank to service by December 6, 2024 and completing all miscellaneous modifications except final restoration by December 20, 2024.

The following documentation has been provided and has been enclosed as pertinent backup

- Contractor Extension Request Letter
- Contractor Extension Schedule to 12-20-24
- 241125 Email Documentation of Sandridge Proposed In-Service Schedule (agreed to by Contractor)



We recommend that the ECWA grant the time extension request and not enforce liquidated damages for the following reasons.

- The time extension is related to an unanticipated field condition.
- The Contractor has maintained open communication with the Engineer and the Owner related to site conditions and delays related to this work.
- The Contractor has continued to push forward with the work to get the tank returned to service by December 6, 2024 and allow the ECWA to return to normal operations as soon as possible.
- The delay does not result in a direct capital cost to the ECWA.

Should you have any questions or concerns, please contact Lauren Glose at [lglose@wendelcompanies.com](mailto:lglose@wendelcompanies.com) or Tim Walck at [twalck@wendelcompanies.com](mailto:twalck@wendelcompanies.com) or by phone at 716.688.0766.

Thank you,  
Wendel

A handwritten signature in blue ink that reads "Timothy J. Walck".

Timothy Walck, PE  
Project Manager

Date of Issuance: December 3, 2024	Effective Date:
Owner: Erie County Water Authority (ECWA)	Owner's Contract No.: 202300060 – W-035B
Contractor: Amstar of Western New York	Contractor's Project No.:
Engineer: Wendel	Engineer's Project No.: 239844
Project: Storage Tank Refurbishing Sandridge	Contract Name: W-035B

The Contract is modified as follows upon execution of this Change Order:

**Description:**

The Contractor has requested an extension for the Substantial Completion date for the Sandridge Tank to December 20, 2024. When the Contractor began excavation for the overflow catch basin, the existing fill line and drain line alignments differed in the field versus the reference documents. The ECWA was on-site with the Contractor on October 31, 2024 to expose the fill line and drain line. A redesign was required to accommodate the drain line connection into the new catch basin. The finalized redesign was provided to the Contractor on November 6, 2024. On November 21, 2024, the Contractor was notified by the catch basin manufacturer that due to production issues, the redesigned catch basin would not be delivered until December 9, 2024. The Contractor's proposed schedule includes returning the tank to service by December 6, 2024 and completing all miscellaneous modifications except final restoration by December 20, 2024.

**Attachments:** *[List documents supporting change]*

- Contractor Extension Request Letter
- Contractor Extension Schedule to 12-20-24
- 241125 Email Documentation of Sandridge Proposed In-Service Schedule (agreed to by Contractor)

CHANGE IN CONTRACT PRICE	CHANGE IN CONTRACT TIMES <i>[note changes in Milestones if applicable]</i>
Original Contract Price: \$ <u>\$1,900,000.00</u>	Original Contract Times: Substantial Completion: <u>November 22, 2024</u> Ready for Final Payment: <u>June 7, 2025</u> days or dates
[Increase] [Decrease] from previously approved Change Orders No. <u>  </u> to No. <u>  </u> : \$ <u>NA</u>	[Increase] [Decrease] from previously approved Change Orders No. <u>  </u> to No. <u>  </u> : Substantial Completion: <u>NA</u> Ready for Final Payment: <u>NA</u> days
Contract Price prior to this Change Order: \$ <u>1,900,000.00</u>	Contract Times prior to this Change Order: Substantial Completion: <u>November 22, 2024</u> Ready for Final Payment: <u>June 7, 2025</u> days or dates
[Increase] [Decrease] of this Change Order: \$ <u>0.00</u>	<b>[Increase] [Decrease]</b> of this Change Order: Substantial Completion: <u>28 days</u> Ready for Final Payment: <u>0 days</u> days or dates
Contract Price incorporating this Change Order: \$ <u>1,900,000.00</u>	Contract Times with all approved Change Orders: Substantial Completion: <u>December 20, 2024</u> Ready for Final Payment: <u>June 7, 2025</u> days or dates

RECOMMENDED:	ACCEPTED:	ACCEPTED:
By: <u>Timothy Walck, PE</u> 	By: _____	By: <u>Bruce Good</u> 
Engineer (if required)	Owner (Authorized Signature)	Contractor (Authorized Signature)
Title: <u>Project Manager</u>	Title: _____	Title: <u>Project Manager</u> 
Date: <u>12/4/24</u>	Date: _____	Date: <u>12-4-24</u>

Approved by Funding Agency (if applicable)

By: \_\_\_\_\_

Date:

Title: \_\_\_\_\_





11-21-2024

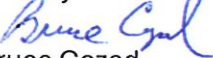
To: Wendel Engineering  
Attn: Lauren Glose, Tim Walck  
Re: W-035B Storage Tank Refurbishing - Sandridge  
Substantial Completion Extension Request

Lauren/Tim

As you know once Amstar began excavating to verify the exact location of the existing fill line and drain line for the installation of the overflow catch basin, we discovered that those existing lines were not exactly where the plans thought they should be. This meant the exact location of the catch basin had to be relocated and the catch basin itself redesigned to accept the drain line connection at an angle.

On 11-21-24, I received an email from Kistner Concrete explaining that due to production issues the catch basin that had to be redesigned may not be ready for pick up until December 9th. We need time for installation and to temporarily cold patch the blacktop until the spring when it can be properly repaired. Therefore, Amstar is requesting a substantial completion date extension to December 20, 2024.

Thank you

  
Bruce Cozad  
Project Manager  
Amstar of WNY, Inc.

ID	Task Name	Duration	Start	Finish	Predecessors	Resource Names	Gantt Chart (Nov 3, '24 - Dec 15, '24)													
1	Completion Schedule						[Gantt bars for tasks 2-10]													
2	Interior Wet Painting	13 days	Sat 11/9/24	Tue 11/26/24			[Gantt bar from Sat 11/9/24 to Tue 11/26/24]													
3	Clean disinfect Tank Interior	1 day	Thu 12/12/24	Thu 12/12/24		Mon, Dec 2	[Gantt bar on Thu 12/12/24]													
4	Fill Tank	3 days	Thu 12/12/24	Mon 12/16/24		Mon, Dec 2 to Tue, Dec 3	[Gantt bar from Thu 12/12/24 to Mon 12/16/24]													
5	Water Sample Testing	2 days	Mon 12/16/24	Tue 12/17/24		Tue, Dec 3 to Wed, Dec 4	[Gantt bar from Mon 12/16/24 to Tue 12/17/24]													
6	Tank on line	1 day	Fri 12/20/24	Fri 12/20/24		Fri, Dec 6	[Gantt bar on Fri 12/20/24]													
7	Interior Dry Painting	17 days	Fri 11/8/24	Mon 12/2/24			[Gantt bar from Fri 11/8/24 to Mon 12/2/24]													
8	Install overflow Catch Basin	5 days	Mon 12/9/24	Fri 12/13/24			[Gantt bar from Mon 12/9/24 to Fri 12/13/24]													
9	Site Work - Punch List	16 days	Fri 11/29/24	Fri 12/20/24			[Gantt bar from Fri 11/29/24 to Fri 12/20/24]													
10							[Empty Gantt bar]													

Project - Sandridge Tank Extension to 12-20-24	Task		Project Summary		Manual Task		Start-only		Deadline	
	Split		Inactive Task		Duration-only		Finish-only		Progress	
	Milestone		Inactive Milestone		Manual Summary Rollup		External Tasks		Manual Progress	
	Summary		Inactive Summary		Manual Summary		External Milestone			



## Lauren M. Glose

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**From:** Timothy G. Walck  
**Sent:** Monday, November 25, 2024 9:51 AM  
**To:** Seth L. Krull  
**Cc:** Lauren M. Glose; Catherine Knab; Bruce Cozad (bcozad@amstarwny.com)  
**Subject:** RE: [EXTERNAL] Sandridge - proposed in-service schedule

**OPMTransferOnSend:** Transfer

Good Morning Seth.

I just spoke with Cati and Bruce Cozad. Both are good with the schedule below if this works for ECWA. We could disinfect this week, but then the water will be sitting there longer waiting for testing with the Thanksgiving holiday, so I recommend we wait until next week.

1. Mon, Dec 2 – chlorinate first thing and start filling after that. ECWA feels they can fill the tank in 24 to 28 hours.
2. Tues, Dec 3 morning – take first sample once tank is confirmed to be full
3. Wed, Dec 4 morning – take second sample + VOC sample
4. Fri, Dec 6 – hopefully receive results and send to DOH for their review and verbal approval; put tank back on line in the afternoon.

For the overflow, the Duckbill check valve is being installed this week. Cati is going to work with the Amstar crew to install a temporary diversion of any overflow water so that it bridges the excavation. Likely some combination of plywood and bracing.

Let us know if above is acceptable to ECWA. Thanks.

Timothy G. Walck, PE (NY), LEED AP  
**Vice President, Infrastructure Engineering**  
**Principal**



**ARCHITECTURE | ENGINEERING | ENERGY EFFICIENCY | CONSTRUCTION MANAGEMENT**

Wendel, Centerpointe Corporate Park, 375 Essjay Road, Suite 200, Williamsville, NY 14221  
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