



ERIE COUNTY WATER AUTHORITY

INTEROFFICE MEMORANDUM

January 8, 2024

To: Terrence D. McCracken, Secretary to the Authority

From: Michael Quinn, PE, Senior Distribution Engineer

A handwritten signature in black ink, appearing to read "MQ", is written over the name "Michael Quinn" in the "From:" line.

Subject: Contract MP-090-E
Sturgeon Point WTP Filtration Piping, Valve, and Underdrain System Improvements
(Electrical)
Change Order No. 1: Allowance Transfers
ECWA Project No. 202200014

Attached is Change Order No. 1 pertaining to the above referenced contract. The change order is the reallocation of funds within the existing contract related to allowances. This change order does not change the contract price or contract time.

As you may recall, in an effort to improve the schedule for construction of the project and reduce costs, the Authority chose to pre-procure a number of pieces of equipment to be included in the work. These pre-procurement contracts were then assigned to the construction contractors. Between the execution of the pre-procurement contracts and the execution of the contracts for the construction of the improvements the Authority made a number of payments to the individual equipment vendors. Any remaining costs were then included in the construction contracts as allowances.

During the bidding and award phase the Authority continued to make payments on the pre-procurement contracts, resulting in extra money in the allowances that will not be spent for those items. Recognizing this, the Engineering Department is proposing to reallocate these additional funds to the Miscellaneous Repair Work Allowance. The Miscellaneous Repair Work Allowance item was inadvertently established at \$75,000.00 which for a project of this size is inadequate. This reallocation will provide for flexibility in addressing the costs for changes in the work which are inevitable. The Miscellaneous Repair Work Allowance line item will be increased from \$75,000 to \$330,320.00. As mentioned earlier, the overall contract price will remain the same, \$4,719,000.00.

Budget Information:

No change to final contract amount.

MJQ:jmf

Attachments

cc: L.Kowalski, PE

CONT-MP-090-E-2201-X-14

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

Contract: MP-090-E **Project No.:** 202200014
Project Description: Sturgeon Point WTP Filtration Piping, Valve, and Underdrain System Improvements (Electrical)

Item Description:



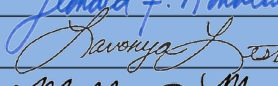



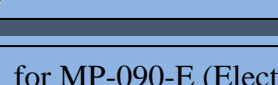
Agreement Professional Service Contract Amendment Change Order
 BCD NYSDOT Agreement Contract Documents Addendum
 Recommendation for Award of Contract Recommendation to Reject Bids
 Request for Proposals
 Other _____

Action Requested:

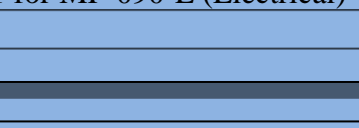
Board Authorization to Execute Legal Approval
 Board Authorization to Award Execution by the Chairman
 Board Authorization to Advertise for Bids Execution by the Secretary to the Authority
 Board Authorization to Solicit Request for Proposals
 Other _____

Approvals Needed:

APPROVED AS TO CONTENT:

<input checked="" type="checkbox"/> Sr Distribution Engineer		Date: <u>1/8/2024</u>
<input checked="" type="checkbox"/> Chief Operating Officer		Date: <u>01/09/2024</u>
<input checked="" type="checkbox"/> Executive Engineer		Date: <u>1/8/2024</u>
<input checked="" type="checkbox"/> Director of Administration		Date: <u>01/08/2024</u>
<input checked="" type="checkbox"/> Risk Manager		Date: <u>1/8/2024</u>
<input checked="" type="checkbox"/> Chief Financial Officer		Date: <u>01/08/2024</u>
<input checked="" type="checkbox"/> Legal		Date: <u>1/8/2024</u>

APPROVED FOR BOARD RESOLUTION:

<input checked="" type="checkbox"/> Secretary to the Authority		Date: <u>1-9-2024</u>
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Remarks: Change Order No. 1 for MP-090-E (Electrical)

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

CHANGE ORDER NO.: E-01

Owner: Erie County Water Authority Owner's Project No.: 202200014
Engineer: Arcadis of New York, Inc. Engineer's Project No.: 30164370
Contractor: O'Connell Electric Company, Inc. Contractor's Project No.: 87427
Project: Sturgeon Point Water Treatment Plant Filtration Piping, Valve, and Underdrain
System Improvements
Contract Name: MP-090-E-Electrical
Date Issued: 1/5/2024 Effective Date of Change Order: 1/18/2024

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

Description:

This Change Order results in a **net no cost change** in Contract Price by decreasing procurement contract allowances and increasing the contingency allowance as described below with additional information included in the attachments.

- **Modification ECP-002, Procurement P05 Allowance Decrease:** Decrease of \$255,320.00 to Bid Item No. B.2 Assigned Procurement Contract MP-090-P05, Unit Substations Lump Sum Cash Allowance.
- **Modification ECP-003, Contingency Allowance Increase:** Increase of \$255,320.00 to Bid Item No. C.3 – Miscellaneous Repair Work Lump Sum Contingency Allowance. This will be paid from the balance of Modification ECP-002, Procurement P05 Allowance Decrease.

Attachments:

- ECP-002 – Procurement P05 Allowance Decrease Modification Response Letter, dated 1/4/2024
- ECP-003 – Contingency Allowance Increase Modification Response Letter, dated 1/4/2024

CHANGE ORDER NO.: E-01

Change in Contract Price	Change in Contract Times
Original Contract Price: \$ <u>4,719,000.00</u>	Original Contract Times: Substantial Completion: <u>4/30/2027</u> Ready for final payment: <u>6/4/2027</u>
[Increase] [Decrease] from previously approved Change Orders No. N/A to No. N/A: \$ <u>N/A</u>	[Increase] [Decrease] from previously approved Change Orders No. N/A to No. N/A: Substantial Completion: <u>N/A</u> Ready for final payment: <u>N/A</u>
Contract Price prior to this Change Order: \$ <u>4,719,000.00</u>	Contract Times prior to this Change Order: Substantial Completion: <u>4/30/2027</u> Ready for final payment: <u>6/4/2027</u>
Increase this Change Order: \$ <u>0.00</u>	Increase this Change Order: Substantial Completion: <u>0 Calendar Days</u> Ready for final payment: <u>0 Calendar Days</u>
Contract Price incorporating this Change Order: \$ <u>4,719,000.00</u>	Contract Times with all approved Change Orders: Substantial Completion: <u>4/30/2027</u> Ready for final payment: <u>6/4/2027</u>

Recommended by Engineer (if required)		Accepted by Contractor	
By: _____	_____	_____	_____
Title: _____	_____	_____	_____
Date: _____	_____	_____	_____
Authorized by Owner		Approved by Funding Agency (if applicable)	
By: _____	_____	_____	_____
Title: _____	_____	_____	_____
Date: _____	_____	_____	_____

Mr. Eric Labiak
Project Manager
O'Connell Electric Company, Inc.
830 Phillips Road
Victor, NY 14564

Arcadis of New York, Inc.
50 Fountain Plaza
Suite 360
Buffalo, NY 14202
United States
Phone: 716 667 0900
www.arcadis.com

Date: January 04, 2024

Our Ref: 30164370

Subject: STP WTP Filtration Piping, Valve and Underdrain System

Improvements, ECWA Project No. 20220014

Contract No. MP-090-E-Electrical

Modification No. ECP-002, Procurement P05 Allowance Decrease

Dear Mr. Labiak,

Arcadis of New York, Inc. has reviewed the value of O'Connell Electric Company Inc. (O'Connell) assigned procurement contract for MP-090-P05, Unit Substations against Bid Item No. B.2, Assigned Procurement Contract MP-090-P05, Unit Substations Lump Sum Cash Allowance. A summary of our findings is included in Table 1. Note that a \$10,000 contingency is included for any future modifications required under this procurement contract.

Table 1. Procurement Contract vs Allowance Summary

Item	Amount
Bid Item No. B.2 Assigned Procurement Contract MP-090-P05, Unit Substations Lump Sum Cash Allowance	\$663,300.00
Remaining Procurement Contract Balance	-\$397,980.00
Contingency	-\$10,000.00
Balance	\$255,320.00

The difference between the lump sum cash allowance and the assigned procurement contract is due to additional payment(s) made by ECWA for the procurement contract prior to assignment to O'Connell. The original value of Procurement Contract MP-090-P05 was \$663,300.00 and ECWA paid \$265,320.00 prior to assignment of the contract to O'Connell resulting in a balance of \$397,980.00.

Based upon the information above, Bid Item No. B.2 will be adjusted in the next Change Order prepared for your contract, decreasing the Bid Item B.2 by \$255,320.00 with no change in Contract Time. This balance will be applied to the Contingency Allowance Increase.

Mr. Eric Labiak
O'Connell Electric Company, Inc.
January 4, 2024

Please contact me if you should have any questions concerning this modification or any other aspects of this project.

Sincerely,
Arcadis of New York, Inc.



Mr. Matthew J. Czora, PE
Principal Engineer

Email: matt.czora@arcadis.com
Direct Line: 585.662.4055
Mobile: 585.314.6388

CC. Mr. Michael Quinn, PE, BCEE, Erie County Water Authority
Mr. Michael Wymer, PE, Erie County Water Authority
Mr. Cameron Daley, Arcadis of New York, Inc.
Mr. Gregory Moran, Arcadis of New York, Inc.
Mr. Chris Wall, O'Connell

Mr. Eric Labiak
Project Manager
O'Connell Electric Company, Inc.
830 Phillips Road
Victor, NY 14564

Arcadis of New York, Inc.
50 Fountain Plaza
Suite 360
Buffalo, NY 14202
United States
Phone: 716 667 0900
www.arcadis.com

Date: January 04, 2024
Our Ref: 30164370
Subject: STP WTP Filtration Piping, Valve and Underdrain System
Improvements, ECWA Project No. 20220014
Contract No. MP-090-E-Electrical
Modification No. ECP-003, Contingency Allowance Increase

Dear Mr. Labiak,

The value of Bid Item No. C.3 – Miscellaneous Repair Work Lump Sum Contingency Allowance is \$75,000.00 as originally included in the Contract Documents. The ECWA has elected to increase this bid item by \$255,320.00, resulting in a total Miscellaneous Repair Work Lump Sum Contingency Allowance of \$330,320.00. Bid Item No. C.8 will be adjusted in the next Change Order prepared for your contract, increasing the Contract Price by \$255,320.00 with no change in Contract Time.

Please contact me if you should have any questions concerning this modification or any other aspects of this project.

Sincerely,
Arcadis of New York, Inc.



Mr. Matthew J. Czora, PE
Principal Engineer

Email: matt.czora@arcadis.com
Direct Line: 585.662.4055
Mobile: 585.314.6388

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