



# ERIE COUNTY WATER AUTHORITY

## INTEROFFICE MEMORANDUM

May 8, 2018

To: Terrence D. McCracken, Secretary to the Authority

From: Leonard F. Kowalski, Sr. Distribution Engineer *LAK*

Subject: Contract W-022-A  
Ball South Tank Replacement  
ECWA Project No. 201300266  
Pay App No. 11 & Final

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The Authority and Wendel entered into a Professional Service Contract (W-022) on December 19, 2013 for refurbishing water storage tanks per recommendations from contracts OBG-009 and OBG-011. Contract W-022 was further subdivided into three separate construction contracts. Contract W-022-A consisted of design and construction of the replacement of Ball South Tank with a new concrete tank. The Contractor, DN Tanks, Inc., completed construction work.

Attached is the Final Payment Application for the above referenced project.

The following documents are attached:

- Blue Authorization Form - this form provides the project name and project number, the action that is being requested of the Board, and it provides a list of approvals that are required prior to being acted on by the Board.
- ECWA Final Payment Application Checklist and document package - the check list is used to make sure that the contractor has provided all of the proper documentation to close out the contract.

LFK:jmf

Attachments

cc: R.Stoll

CONT-W-022-A-1301-I-186-B





April 12, 2018

Leonard Kowalski, PE  
Director of Engineering  
Erie County Water Authority  
3030 Union Road  
Cheektowaga, New York 14227

**SUBJECT: ERIE COUNTY WATER AUTHORITY  
CONTRACT W-22A  
ECWA CONTRACT NO. 201300266  
BALL SOUTH TANK REPLACEMENT  
CERTIFICATE OF CONSTRUCTION COMPLIANCE**

Dear Mr. Kowalski:

Please be advised that all work on the above referenced project has been completed in general conformance with the requirements of the Contract Documents. The final contract value is \$3,466,288.97 of which \$3,446,288.97 in payments have been previously made. The balance due is \$20,000, which is return of retention monies previously withheld and work not paid for in previous payment requests.

Erie County Water Authority's (ECWA's) Ball South Tank Replacement Project consisted of the removal and disposal of an existing 4.2 million gallon steel ground storage tank including foundation and all accessories and appurtenances; and the construction of a new 4.2 million gallon prestressed precast concrete wire-wound water storage tank, piping and appurtenances, and interconnections. Wendel provided on-site inspection of the work that was performed by DN Tanks, Inc.

Construction of the above project was under the supervision of a person or firm licensed to practice professional engineering, architecture, or land surveying with Exemption Certificate (Section 7209 provision 2 of NYS education Law) in the State of New York, as required under the State Education Law.

**Date of Start of Construction**

October 2015

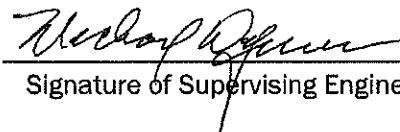
**Date of Completion**

November 2016

I hereby certify that the above project has been constructed in accordance with the Contract plans and specifications.

April 12, 2018

Date

  
Signature of Supervising Engineer

Name of Firm of Office

Wendel WD Architecture,  
Engineering, Surveying, and  
Landscape Architecture, P.C.

Address

375 Essjay Road, Suite 200  
Williamsville, NY 14221

New York State License #

073756



# Erie County Water Authority

## Final Payment Application

### CHECK LIST: Items to Accompany Final Payment Application

- 1. Blue Authorization Form
- 2. Statement by Consultant, if applicable, certifying that all work was performed in general conformance to plans and specifications and recommend that Final Payment be made. If no Consultant, ECWA Engineering should recommend the Final Payment be made.
- 3. Final Payment Application. The Amount Certified for Final Payment must be written on the Blue Authorization Form.

### Insurance & Bond Requirements

- 4. Evidence that Insurance is in effect for two years. This is usually evident on the Certificates of Insurance that are issued. *Certs included, Tony will verify.*
- 5. Certification that Performance Bond is in effect for two years and Payment Bond is in effect for one year.

### Release & AIA Forms

- 6. Form 507 Release by Corporation
- 7. AIA G706, Contractor's Affidavit of Payment of Debts and Claims
- 8. AIA G706A, Contractor's Affidavit of Release of Liens
- 9. AIA G707, Consent of Surety to Final Payment

### EEO Requirements

- 10. M/WBE Utilization Report – Part D
- 11. Final Certified Payrolls

### DISTRIBUTION:

#### To Accounts Payable

- After the Final Payment Application has been approved by the ECWA Board of Commissioners, a PDF copy can be emailed to [accountspayable@ECWA.org](mailto:accountspayable@ECWA.org)

#### To ECWA Engineering

- A hard copy of the entire Final Payment Application should be placed in the files.
- A PDF copy of the Final Payment Application should be saved to the appropriate project folder on the network.

#### EEO:

- M/WBE Part D *A copy was sent to Lavanya.*
- Certified Payrolls *Verified with Lavanya.*



# APPLICATION AND CERTIFICATE FOR PAYMENT

TO OWNER: AMHERST, NY

ERIC COUNTY WATER AUTHORITY  
295 MAIN STREET, ROOM 350  
BUFFALO, NY 14203

PROJECT: AMHERST, NY  
ECWA BALL SOUTH TANK REPLACEMENT  
4.2 MG GROUND STORAGE CONTRACT NO 22A  
AMHERST, NY

APPLICATION NO.: 11  
PERIOD TO : 31-JUL-2017  
PROJECT NOS.: 15C46  
INVOICE NO. 15C4611

Distribution to:  
 OWNER  
 ARCHITECT  
 CONTRACTOR

FROM CONTRACTOR: DN Tanks, Inc.  
PO BOX 670690  
DALLAS, TX, 75267-0690

ARCHITECT: WENDEL COMPANIES  
375 ESSJAY ROAD  
SUITE 200  
WILLIAMSVILLE, NY 14221

CONTRACT DATE : 01-FEB-16

CONTRACT FOR: AMHERST, NY

## CONTRACTOR'S APPLICATION FOR PAYMENT

Application is made for payment, as shown below, in connection with the Contract. Continuation sheet is attached.

1. ORIGINAL CONTRACT SUM ..... \$ 3,466,288.97
2. Net change by change orders ..... \$ 16,688.97
3. CONTRACT SUM TO DATE ( Line 1 +/- 2 ) ..... \$ 3,466,288.97
4. TOTAL COMPLETED & STORED TO DATE ..... \$ 3,466,288.97

(Column 1 on G703)

5. RETAINAGE:  
Total retainage Column K of G703) ..... \$ 0.00
6. TOTAL EARNED LESS RETAINAGE ..... \$ 3,466,288.97

(Line 4 less Line 5 Total)

7. LESS PREVIOUS CERTIFICATES FOR PAYMENT ..... \$ 3,446,288.97

(Line 6 from prior Certificate)

8. CURRENT PAYMENT DUE ..... \$ 20,000.00

9. BALANCE TO FINISH, INCLUDING RETAINAGE ..... \$ 0.00

(Line 3 less Line 6)

| CHANGE ORDER SUMMARY                              |               | ADDITIONS         | DEDUCTIONS  |
|---|---------------|-------------------|-------------|
| Change Order approved in previous months by Owner |               | 93,814.18         | 0.00        |
| APPROVED THIS MONTH                               |               |                   |             |
| Number  | Date Approved |                   |             |
| 1   | 6/2016        | \$25,919.86       |             |
| 2   | 8/29/16       | \$67,894.32       |             |
| 3   | 10/06/16      | \$22,874.79       |             |
| <b>CURRENT TOTAL</b>                              |               | <b>116,688.97</b> | <b>0.00</b> |
| <b>Net Change by Change Orders</b>                |               | <b>16,688.97</b>  |             |

The undersigned Contractor certifies that to the best of the Contractor's knowledge, information and belief the work covered by this Application for Payment has been completed in accordance with the Contract Documents, that all amounts have been paid by the Contractor for Work for which previous Certificates for payment were issued and payments received from the Owner, and that current payment shown herein is now due.

Contractor : DN Tanks, Inc.

By : \_\_\_\_\_ Date : 3/1/18

State of : MA

County of : Middlesex

Subscribed and sworn to before

me this 1st day of March

CHRISTINA M. GANEY

NOTARY PUBLIC

My commission expires Oct. 3, 2019

My Commission expires:

## ARCHITECT'S CERTIFICATE FOR PAYMENT

In accordance with the Contract Documents, based on on-site observations and the data comprising the above application, the Architect certifies to the Owner that to the best of the Architect's knowledge, information and belief the Work has progressed as indicated, the quality of Work is in accordance with the Contract Documents, and the Contractor is entitled to the payment of the AMOUNT CERTIFIED.

AMOUNT CERTIFIED.....\$ 20,000

(Attach explanation if amount certified differs from the amount applied for. Initial figures on this Application and on the Continuation Sheet that are changed to conform to the amount certified.)

ARCHITECT : WENDEL COMPANIES

By : \_\_\_\_\_ Date : 4/02/18

This Certificate is not negotiable. The AMOUNT CERTIFIED is payable only to the Contractor named herein. Issuance, payment and acceptance of payment are without prejudice to any rights of the Owner or Contractor under this Contract.





**CONTINUATION SHEET**

APPLICATION AND CERTIFICATE FOR PAYMENT, containing

Contractor's signed Certification is attached.

In tabulation below, amounts are stated to the nearest cent.

Use Column I on Contracts where variable retainage for line items may apply.

APPLICATION NUMBER : 11

APPLICATION DATE : 02/28/2018

PERIOD TO : 02/28/2018

PROJECT NO : 15C46

INVOICE NO  
15C4611

| A<br>ITEM<br>NO. | B<br>DESCRIPTION OF WORK   | C<br>ORIGINAL SOV   | D<br>SOV CHANGES | E<br>SCHEDULED<br>VALUE | F<br>WORK COMPLETED (F+G)       |                | H<br>MATERIAL<br>PRESENTLY<br>STORED | I<br>TOTAL<br>COMPLETED<br>AND STORED<br>TO DATE | J<br>BALANCE<br>TO FINISH | K<br>RETAINAGE |
|------------------|--|---------------------|------------------|-------------------------|---------------------------------|----------------|--------------------------------------|--|---------------------------|----------------|
|                  |  |                     |                  |                         | FROM<br>PREVIOUS<br>APPLICATION | THIS<br>PERIOD |                                      |  |                           |                |
| 9000             | <b>Demolition and Disposal of<br/>the Existing Steel Tank</b>            |                     |                  |                         |                                 |                |                                      |  |                           |                |
| 9001             | Demolition and Disposal of<br>the Existing Steel Tank                    | 43,000.00           | 0.00             | 43,000.00               | 43,000.00                       | 0.00           | 0.00                                 | 43,000.00  | 0.00                      | 0.00           |
|                  | <b>Demolition and Disposal of<br/>the Existing Steel Tank<br/>Total:</b> | <b>43,000.00</b>    | <b>0.00</b>      | <b>43,000.00</b>        | <b>43,000.00</b>                | <b>0.00</b>    | <b>0.00</b>                          | <b>43,000.00</b>                                 | <b>0.00</b>               | <b>0.00</b>    |
| 9050             | <b>Tank Site Work</b>  |                     |                  |                         |                                 |                |                                      |  |                           |                |
| 9051             | Clearing and Grubbing  | 34,378.00           | 0.00             | 34,378.00               | 34,378.00                       | 0.00           | 0.00                                 | 34,378.00  | 0.00                      | 0.00           |
| 9052             | Excavation   | 74,012.00           | 0.00             | 74,012.00               | 74,012.00                       | 0.00           | 0.00                                 | 74,012.00  | 0.00                      | 0.00           |
| 9053             | Leveling Base Material   | 48,588.00           | 0.00             | 48,588.00               | 48,588.00                       | 0.00           | 0.00                                 | 48,588.00  | 0.00                      | 0.00           |
| 9054             | Compacted Structural Fill  | 71,207.00           | 0.00             | 71,207.00               | 71,207.00                       | 0.00           | 0.00                                 | 71,207.00  | 0.00                      | 0.00           |
| 9055             | Stabilize Work Areas   | 55,605.00           | 0.00             | 55,605.00               | 55,605.00                       | 0.00           | 0.00                                 | 55,605.00  | 0.00                      | 0.00           |
| 9056             | Piping- Valves- and Fittings   | 726,457.00          | 0.00             | 726,457.00              | 726,457.00                      | 0.00           | 0.00                                 | 726,457.00                                       | 0.00                      | 0.00           |
| 9057             | Backfill and Site Restoration  | 98,286.00           | 0.00             | 98,286.00               | 98,286.00                       | 0.00           | 0.00                                 | 98,286.00  | 0.00                      | 0.00           |
| 9058             | Permanent Fencing and<br>Gates   | 47,547.00           | 0.00             | 47,547.00               | 47,547.00                       | 0.00           | 0.00                                 | 47,547.00  | 0.00                      | 0.00           |
|                  | <b>Tank Site Work Total:</b>   | <b>1,156,080.00</b> | <b>0.00</b>      | <b>1,156,080.00</b>     | <b>1,156,080.00</b>             | <b>0.00</b>    | <b>0.00</b>                          | <b>1,156,080.00</b>                              | <b>0.00</b>               | <b>0.00</b>    |
| 9100             | <b>4.20 MG Water Storage<br/>Tank</b>                                    |                     |                  |                         |                                 |                |                                      |  |                           |                |
| 9101             | Engineering Design<br>Drawings- Calculation- and<br>Insu                 | 83,872.00           | 0.00             | 83,872.00               | 83,872.00                       | 0.00           | 0.00                                 | 83,872.00  | 0.00                      | 0.00           |
| 9102             | Footing and Floor complete   | 258,062.00          | 0.00             | 258,062.00              | 258,062.00                      | 0.00           | 0.00                                 | 258,062.00                                       | 0.00                      | 0.00           |
| 9103             | Casting Wall Panels  | 236,557.00          | 0.00             | 236,557.00              | 236,557.00                      | 0.00           | 0.00                                 | 236,557.00                                       | 0.00                      | 0.00           |
| 9104             | Casting Dome Panels  | 225,805.00          | 0.00             | 225,805.00              | 225,805.00                      | 0.00           | 0.00                                 | 225,805.00                                       | 0.00                      | 0.00           |
| 9105             | Erect Dome Shoring and<br>Forms  | 161,289.00          | 0.00             | 161,289.00              | 161,289.00                      | 0.00           | 0.00                                 | 161,289.00                                       | 0.00                      | 0.00           |



DN Tanks, Inc.

CONTINUATION SHEET

PAGE: 3

APPLICATION AND CERTIFICATE FOR PAYMENT, containing Contractor's signed Certification is attached. In tabulation below, amounts are stated to the nearest cent. Use Column I on Contracts where variable retainage for line items may apply.

APPLICATION NUMBER : 11  
 APPLICATION DATE : 02/28/2018  
 PERIOD TO : 02/28/2018  
 PROJECT NO : 15C46

INVOICE NO  
 15C4611

| A<br>ITEM NO. | B<br>DESCRIPTION OF WORK                    | C<br>ORIGINAL SOV   | D<br>SOV CHANGES | E<br>SCHEDULED VALUE | F<br>WORK COMPLETED (F+G) |             | H<br>MATERIAL PRESENTLY STORED | I<br>TOTAL COMPLETED AND STORED TO DATE | J<br>BALANCE TO FINISH | K<br>RETAINAGE |
|---------------|---|---------------------|------------------|----------------------|---------------------------|-------------|--------------------------------|---|------------------------|----------------|
|               |   |                     |                  |                      | FROM PREVIOUS APPLICATION | THIS PERIOD |                                |   |                        |                |
| 9100          | 4.20 MG Water Storage Tank                  |                     |                  |                      |                           |             |                                |   |                        |                |
| 9106          | Erect Wall Panels                           | 204,299.00          | 0.00             | 204,299.00           | 204,299.00                | 0.00        | 0.00                           | 204,299.00                              | 0.00                   | 0.00           |
| 9107          | Erect Dome Panels                           | 172,042.00          | 0.00             | 172,042.00           | 172,042.00                | 0.00        | 0.00                           | 172,042.00                              | 0.00                   | 0.00           |
| 9108          | Form and Pour Wall Slots                    | 109,677.00          | 0.00             | 109,677.00           | 109,677.00                | 0.00        | 0.00                           | 109,677.00                              | 0.00                   | 0.00           |
| 9109          | Form Reinforce and Pour Dome Ring and Slots | 86,021.00           | 0.00             | 86,021.00            | 86,021.00                 | 0.00        | 0.00                           | 86,021.00                               | 0.00                   | 0.00           |
| 9110          | Core Wall Shotcrete                         | 105,375.00          | 0.00             | 105,375.00           | 105,375.00                | 0.00        | 0.00                           | 105,375.00                              | 0.00                   | 0.00           |
| 9111          | Prestressing                                | 150,536.00          | 0.00             | 150,536.00           | 150,536.00                | 0.00        | 0.00                           | 150,536.00                              | 0.00                   | 0.00           |
| 9112          | Covercoat                                   | 96,773.00           | 0.00             | 96,773.00            | 96,773.00                 | 0.00        | 0.00                           | 96,773.00                               | 0.00                   | 0.00           |
| 9113          | Coating system                              | 33,333.00           | 0.00             | 33,333.00            | 33,333.00                 | 0.00        | 0.00                           | 33,333.00                               | 0.00                   | 0.00           |
| 9114          | Strip and Remove Dome Shoring and Forms     | 88,171.00           | 0.00             | 88,171.00            | 88,171.00                 | 0.00        | 0.00                           | 88,171.00                               | 0.00                   | 0.00           |
| 9115          | Tank Appurtenances                          | 59,139.00           | 0.00             | 59,139.00            | 59,139.00                 | 0.00        | 0.00                           | 59,139.00                               | 0.00                   | 0.00           |
| 9116          | Tank Overflows                              | 79,569.00           | 0.00             | 79,569.00            | 79,569.00                 | 0.00        | 0.00                           | 79,569.00                               | 0.00                   | 0.00           |
|               | <b>4.20 MG Water Storage Tank Total:</b>    | <b>2,150,520.00</b> | <b>0.00</b>      | <b>2,150,520.00</b>  | <b>2,150,520.00</b>       | <b>0.00</b> | <b>0.00</b>                    | <b>2,150,520.00</b>                     | <b>0.00</b>            | <b>0.00</b>    |
| 9150          | Contingency                                 |                     |                  |                      |                           |             |                                |   |                        |                |
| 9151          | Contingency                                 | 100,000.00          | 0.00             | 100,000.00           | 0.00                      | 0.00        | 0.00                           | 0.00                                    | 100,000.00             | 0.00           |
|               | <b>Contingency Total:</b>                   | <b>100,000.00</b>   | <b>0.00</b>      | <b>100,000.00</b>    | <b>0.00</b>               | <b>0.00</b> | <b>0.00</b>                    | <b>0.00</b>                             | <b>100,000.00</b>      | <b>0.00</b>    |
| 9200          | CO#1 54" Joint Seals                        |                     |                  |                      |                           |             |                                |   |                        |                |
| 9201          | CO#1 54" Joint Seals                        | -25,919.86          | 25,919.86        | 0.00                 | 25,919.86                 | 0.00        | 0.00                           | 25,919.86                               | -25,919.86             | 0.00           |
|               | <b>CO#1 54" Joint Seals Total:</b>          | <b>-25,919.86</b>   | <b>25,919.86</b> | <b>0.00</b>          | <b>25,919.86</b>          | <b>0.00</b> | <b>0.00</b>                    | <b>25,919.86</b>                        | <b>-25,919.86</b>      | <b>0.00</b>    |
| 9250          | CO#2 54" Lateral Exploration                |                     |                  |                      |                           |             |                                |   |                        |                |
| 9251          | CO#2 54" Lateral Exploration                | -67,894.32          | 67,894.32        | 0.00                 | 67,894.32                 | 0.00        | 0.00                           | 67,894.32                               | -67,894.32             | 0.00           |



**CONTINUATION SHEET**

APPLICATION AND CERTIFICATE FOR PAYMENT, containing Contractor's signed Certification is attached. In tabulation below, amounts are stated to the nearest cent. Use Column I on Contracts where variable retainage for line items may apply.

APPLICATION NUMBER : 11  
 APPLICATION DATE : 02/28/2018  
 PERIOD TO : 02/28/2018  
 PROJECT NO : 15C46

INVOICE NO  
 15C4611

| A<br>ITEM NO.          | B<br>DESCRIPTION OF WORK                   | C<br>ORIGINAL SOV | D<br>SOV CHANGES | E<br>SCHEDULED VALUE | F<br>WORK COMPLETED (+G)  |              | H<br>MATERIAL PRESENTLY STORED | I<br>TOTAL COMPLETED AND STORED TO DATE | J<br>BALANCE TO FINISH | K<br>RETAINAGE |
|------------------------|--|-------------------|------------------|----------------------|---------------------------|--------------|--------------------------------|---|------------------------|----------------|
|                        |  |                   |                  |                      | FROM PREVIOUS APPLICATION | THIS PERIOD  |                                |   |                        |                |
| 9250                   | CO#2 54" Lateral Exploration               | -67,894.32        | 67,894.32        | 0.00                 | 0.00                      | 67,894.32    | 0.00                           | 67,894.32                               | -67,894.32             | 0.00           |
|                        | <b>CO#2 54" Lateral Exploration Total:</b> |                   |                  |                      |                           |              |                                |   |                        |                |
| 9300                   | Misc Revenue                               | 0.00              | 22,874.79        | 0.00                 | 0.00                      | 22,874.79    | 0.00                           | 22,874.79                               | -22,874.79             | 0.00           |
| 9301                   | Change Order #3 - Cont Allowance           | 0.00              | 6,185.82         | 16,688.97            | 0.00                      | 0.00         | 0.00                           | 0.00                                    | 16,688.97              | 0.00           |
| 9302                   | Change Order #3 - Addition                 | 0.00              | 16,688.97        | 16,688.97            | 0.00                      | 22,874.79    | 0.00                           | 22,874.79                               | -6,185.82              | 0.00           |
|                        | <b>Misc Revenue Total:</b>                 |                   |                  |                      |                           |              |                                |   |                        |                |
| <b>PROJECT TOTAL :</b> |  | 3,466,288.97      | 16,688.97        | 3,466,288.97         | 0.00                      | 3,466,288.97 | 0.00                           | 3,466,288.97                            | 0.00                   | -20,000.00     |

