



**ERIE COUNTY WATER AUTHORITY**  
**INTEROFFICE MEMORANDUM**

August 9, 2018

To: Terrence D. McCracken, Secretary to the Authority

From: Michael T. Haendiges, Production Engineer *MTH*

Subject: High Voltage, Service, Switchgear Inspections, and Emergency Electrical Work  
within the ECWA's Facilities for a Period of Two Years  
June 1, 2014 through May 31, 2016  
ECWA Project No. 201400057

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Attached is the final payment – retention return 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.
- 1 Form 507 Release – General (by Corporation).
- 1 Invoice No. 66561802 from O'Connell Electric.
- 1 AIA Document G706 – 1994, Contractor's Affidavit of Payment of Debts and Claims.
- 1 AIA Document G706A – 1994, Contractor's Affidavit of Release of Liens.
- 1 AIA Document G707, Bond #837062295, Consent of Surety to Final Payment.

MTH:PDM:jmf

Attachments

cc: R.Stoll

ECWA-256-1401-I-186



**O'CONNELL ELECTRIC CO. INC.**  
 Electrical Contractors  
 Rochester • Buffalo • Syracuse  
 585-924-2176 • 716-675-9010 • 315-437-1453

INVOICE NO.  
**66561802**

*Please Remit to:*  
 O'CONNELL ELECTRIC CO.  
 P.O. BOX 8000  
 DEPARTMENT NO. 342  
 BUFFALO, NY 14267-0342

ERIE COUNTY WATER AUTHORITY  
 350 ELLICOTT SQUARE BLDG.  
 295 MAIN ST.  
 BUFFALO, NY 14203

CUSTOMER# 10273  
 PO# 201400057  
 Date: 1/28/2018  
 Job Name:  
 Job Number:

Page 1 of 1

SWO# RETAINAGE	Units	Unit Price	UOM	Amount
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BILLING FINAL RETAINAGE FOR ELECTRICAL CONTRACT/PROJECT NO. 201400057,

**Total 117,105.23**

**INVOICE SUBTOTAL 117,105.23**

**EXEMPT TAX 0.00**

**INVOICE TOTAL \$117,105.23**

*Our Specialties Include:*

Industrial & Commercial • Powerline & Substation • Security Integration • Design Development •  
 Signal & Street Lighting • Preventative Maintenance Service • Communications • Energy Solutions • Wind Power

***To all to Whom these Presents Shall Come,  
or may concern***

***Greeting: Know Ye, That*** O'Connell Electric Co. Inc.  
830 Phillips Rd.  
Victor NY 14564  
NAME AND ADDRESS OF CORPORATION

*For and in consideration of the sum of* One hundred Seventeen thousand  
one hundred five dollars +  $\frac{23}{100}$  *dollars (\$* 117,105.23 *),*

*lawful money of the United States of America to its duly authorized officer in hand paid by the*  
**Erie County Water Authority,**

*the receipt whereof is hereby acknowledged, has remised, released, and forever discharged, and by*  
*these presents does for itself, its successors and assigns, remise, release and forever discharge the*  
**said Erie County Water Authority,**

*heirs, executors, administrators, successors and assigns, of and from all, and all manner of action*  
*and actions cause and causes of action, suits, debts, dues, sums of money, accounts, reckoning,*  
*bonds, bills, specialties, covenants, contracts, controversies, agreements, promises, variances,*  
*trespasses, damages, judgments, extents, executions, claims and demands whatsoever, in law or in*  
*equity, which against the said:*

O'Connell Electric Co. Inc.  
(NAME OF CORPORATION)

*ever had, now has or which it or its successors or assigns, hereafter can, shall or may have for, upon*  
*or by reason of any matter, cause or thing whatsoever from the beginning of the world to the day of*  
*the date of these presents.*

*In Presence of*

*in witness Whereof, the*

Releasor has caused its

corporate seal to be hereunto affixed, and

these presents to be signed by its duly authorized

officer this 1<sup>st</sup> day of March

Two Thousand and Eighteen

O'Connell Electric Co. Inc.

By Jeffrey Gould

*State of New York )*

*County of Erie ss.*

           Of           )

On this 1<sup>st</sup> day of March, Two Thousand

and Eighteen, before me personally came Jeffrey Gould to

me personally known who, being by me duly sworn did depose and say that he/she resides in

Pittsford NY that he/she is

the CFO of O'Connell Electric Co. Inc., the corporation

described in and which executed the above Instrument, that he/she knows the seal of said

corporation; that it was so affixed to said Instrument is such corporate seal; that it was so affixed by

order of the Board of Directors of said corporation, and he/she signed his/her name thereto by like

order.

KIM J. FOLKINS  
Notary Public, State of New York  
Monroe County  
Commission Expires June 9, 2019

Kim J. Folkins  
Notary



# AIA Document G706 - 1994

OWNER  
 ARCHITECT  
 CONTRACTOR  
 SURETY  
 OTHER


## Contractor's Affidavit of Payment of Debts and Claims

**PROJECT:** *(Name and address)*  
 High Voltage, Service,  
 Switchgear, Inspections &  
 Emergency Electrical Work

**ARCHITECT'S PROJECT NUMBER:** N/A

**CONTRACT FOR:** 201400057

**TO OWNER:** *(Name and address)*  
 Erie County Water Authority  
 8030 Union Road  
 Buffalo NY 14227

**CONTRACT DATED:** June 12, 2014

**STATE OF:** NY  
**COUNTY OF:** Ontario

The undersigned hereby certifies that, except as listed below, payment has been made in full and all obligations have otherwise been satisfied for all materials and equipment furnished, for all work, labor, and services performed, and for all known indebtedness and claims against the Contractor for damages arising in any manner in connection with the performance of the Contract referenced above for which the Owner or Owner's property might in any way be held responsible or encumbered.

**EXCEPTIONS:** None

### SUPPORTING DOCUMENTS ATTACHED HERETO:

1 Consent of Surety to Final Payment. Whenever Surety is involved, Consent of Surety is required. AIA Document 6707, Consent of Surety, may be used for this purpose

Indicate Attachment  Yes  No

**CONTRACTOR:** *(Name and address)*  
 O'Connell Electric Company, Inc  
 830 Phillips Rd  
 Victor, NY 14564

The following supporting documents should be attached hereto if required by the Owner.

- Contractor's Release or Waiver of Liens, conditional upon receipt of final payment.
- Separate Releases or Waivers of Liens from Subcontractors and material and equipment suppliers, to the extent required by the Owner, accompanied by a list thereof.
- Contractor's Affidavit of release ( AIA Document G706A).
- 

BY: Jeffery Gould  
*(Signature of authorized representative)*

Jeffery Gould, CFO  
*(Printed name and title)*

Subscribed and sworn to before me on this date:  
 20th of February 2018

Notary Public: Kim J. Folkins  
 My Commission Expires:

**CAUTION:** You should sign an original AIA document that has this caution printed in red. An original assures that changes will not be obscured as may occur when documents are reproduced. See Instruction Sheet for Limited License for Reproduction of this document.

KIM J. FOLKINS  
 Notary Public, State of New York  
 Monroe County  
 Commission Expires June 9, 2019



**CONTRACTOR'S AFFIDAVIT OF  
RELEASE OF LIENS**

AIA Document G706A

(Instructions on reverse side)

OWNER  
ARCHITECT  
CONTRACTOR  
SURETY  
OTHER

TO OWNER: Erie County Water Authority  
(Name and address) 8030 Union Road  
Buffalo NY 14227

ARCHITECTS PROJECT NO: N/A

CONTRACT FOR: 201400057

PROJECT: High Voltage, Service, Switchgear  
NAME Inspections and Emergency  
Work With the ECWA'S Facilities  
for a Period of Two Years

CONTRACT DATED: June 12, 2014

STATE OF: New York  
COUNTY OF: Ontario

The undersigned hereby certifies that to the best of the undersigned's knowledge, information and belief, except as listed below, the Releases or Waivers of Lien attached hereto include the Contractor, all Subcontractors, all suppliers of materials and equipment, and all performers of Work, labor or services who have or may have liens or encumbrances or the right to assert liens or encumbrances; against any property of the Owner arising in any manner out of the performance of the Contract referenced above.

EXCEPTIONS: None

**SUPPORTING DOCUMENTS ATTACHED HERETO:**

1. Contractor's Release or Waiver of Liens, conditional upon receipt of final payment.
2. Separate Releases or Waivers of Liens from Subcontractors and material and equipment suppliers to the extent required by the Owner accompanied by list thereof.

CONTRACTOR: O'Connell Electric Co Inc.  
830 Phillips Road  
Victor NY 14564

By: [Signature]  
CFO

KIM J. FOLKINS  
Notary Public, State of New York  
Monroe County  
Commission Expires June 9, 2019

Subscribed and sworn to before me on this date: 28<sup>th</sup> of February 2018

Notary Public: [Signature]

My Commission Expires:



CAUTION: You should sign an original AIA document that has this caution printed in red. An original assures that changes will not be obscured as may occur when documents are reproduced. See Instruction Sheet for Limited License for Reproduction of this document.



**CONSENT OF  
SURETY COMPANY  
TO FINAL PAYMENT**

OWNER   
ARCHITECT   
CONTRACTOR   
SURETY   
OTHER

AIA DOCUMENT G707

Bond # 837062295

PROJECT: (name, address) ERIE COUNTY WATER AUTHORITY, HIGH VOLTAGE, SERVICE, SWITCHGEAR INSPECTION AND EMERGENCY ELECTRICAL WORK WITHIN THE ERIE COUNTY WATER AUTHORITY'S FACILITIES FOR A PERIOD OF TWO YEARS, FROM JUNE 1, 2014 THROUGH MAY 31, 2016, PROJECT NO. 201400057

TO (Owner)

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

ARCHITECT'S PROJECT NO:

CONTRACT FOR: ELECTRICAL

CONTRACT DATE: JUNE 1, 2014

CONTRACTOR: O'CONNELL ELECTRIC COMPANY, INC.

In accordance with the provisions of the Contract between the Owner and the Contractor as indicated above, the (here insert name and address of Surety Company)

LIBERTY MUTUAL INSURANCE COMPANY  
175 BERKELEY STREET  
BOSTON, MA 02116

, SURETY COMPANY,

on bond of (here insert name and address of Contractor)

O'CONNELL ELECTRIC COMPANY, INC.  
830 PHILLIPS ROAD  
VICTOR, NY 14564

CONTRACTOR,

hereby approves of the final payment to the Contractor, and agrees that final payment to the Contractor shall not relieve the Surety Company of any of its obligations to (here insert name and address of Owner)

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

, OWNERS,

as set forth in the said Surety Company's bond.

IN WITNESS WHEREOF,

the Surety Company has hereunto set its hand this 20<sup>TH</sup> day of February, 2018.

Surety Company  
LIBERTY MUTUAL INSURANCE COMPANY

BY: Leah E. Farnsworth  
Signature of Authorized Representative

Attest: SEE POWER OF ATTORNEY

(Seal):

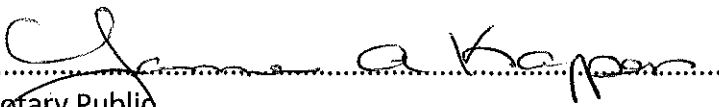
LEAH E. FARNSWORTH, ATTORNEY-IN-FACT  
Title

NOTE: This form is to be used as a companion document to AIA DOCUMENT G706, CONTRACTOR'S AFFIDAVIT OF PAYMENT OF DEBTS AND CLAIMS, Current Edition

**ACKNOWLEDGMENT OF SURETY COMPANY**

STATE OF NEW YORK  
COUNTY OF MONROE } ss

On this 20TH day of February, 2018 before me personally came LEAH E. FARNSWORTH me known, who, being by me duly sworn, did depose and say; that he/she resides in Rochester, NY; that he/she is the Attorney-in-Fact of LIBERTY MUTAL INSURANCE COMPANY the corporation described in and which executed the within instrument; and that he/she signed her/his name thereto by order of the Board of Directors of said corporation.

  
.....  
Notary Public

JANINE A. KAPPEN  
Notary Public, State of New York  
No. 01KA6230308  
Qualified in Monroe County  
Commission Expires Nov. 1, 2018



**THIS POWER OF ATTORNEY IS NOT VALID UNLESS IT IS PRINTED ON RED BACKGROUND.**

This Power of Attorney limits the acts of those named herein, and they have no authority to bind the Company except in the manner and to the extent herein stated.

Certificate No. 7854434

Liberty Mutual Insurance Company  
The Ohio Casualty Insurance Company West American Insurance Company

**POWER OF ATTORNEY**

KNOWN ALL PERSONS BY THESE PRESENTS: That The Ohio Casualty Insurance Company is a corporation duly organized under the laws of the State of New Hampshire, that Liberty Mutual Insurance Company is a corporation duly organized under the laws of the State of Massachusetts, and West American Insurance Company is a corporation duly organized under the laws of the State of Indiana (herein collectively called the "Companies"), pursuant to and by authority herein set forth, does hereby name, constitute and appoint, Janine A. Kappen; Leah E. Farnsworth; Matthew Riedinger

all of the city of Rochester state of NY each individually if there be more than one named, its true and lawful attorney-in-fact to make, execute, seal, acknowledge and deliver, for and on its behalf as surety and as its act and deed, any and all undertakings, bonds, recognizances and other surety obligations, in pursuance of these presents and shall be as binding upon the Companies as if they have been duly signed by the president and attested by the secretary of the Companies in their own proper persons.

IN WITNESS WHEREOF, this Power of Attorney has been subscribed by an authorized officer or official of the Companies and the corporate seals of the Companies have been affixed thereto this 2nd day of August 2017



The Ohio Casualty Insurance Company  
Liberty Mutual Insurance Company  
West American Insurance Company

By: David M. Carey  
David M. Carey, Assistant Secretary

STATE OF PENNSYLVANIA ss  
COUNTY OF MONTGOMERY

On this 2nd day of August, 2017, before me personally appeared David M. Carey, who acknowledged himself to be the Assistant Secretary of Liberty Mutual Insurance Company, The Ohio Casualty Company, and West American Insurance Company, and that he, as such, being authorized so to do, execute the foregoing instrument for the purposes therein contained by signing on behalf of the corporations by himself as a duly authorized officer.

IN WITNESS WHEREOF, I have hereunto subscribed my name and affixed my notarial seal at King of Prussia, Pennsylvania, on the day and year first above written.



COMMONWEALTH OF PENNSYLVANIA  
Notarial Seal  
Teresa Pastella, Notary Public  
Upper Merion Twp., Montgomery County  
My Commission Expires March 28, 2021  
Member, Pennsylvania Association of Notaries

By: Teresa Pastella  
Teresa Pastella, Notary Public

This Power of Attorney is made and executed pursuant to and by authority of the following By-laws and Authorizations of The Ohio Casualty Insurance Company, Liberty Mutual Insurance Company, and West American Insurance Company which resolutions are now in full force and effect reading as follows:

**ARTICLE IV – OFFICERS** – Section 12. Power of Attorney. Any officer or other official of the Corporation authorized for that purpose in writing by the Chairman or the President, and subject to such limitation as the Chairman or the President may prescribe, shall appoint such attorneys-in-fact, as may be necessary to act in behalf of the Corporation to make, execute, seal, acknowledge and deliver as surety any and all undertakings, bonds, recognizances and other surety obligations. Such attorneys-in-fact, subject to the limitations set forth in their respective powers of attorney, shall have full power to bind the Corporation by their signature and execution of any such instruments and to attach thereto the seal of the Corporation. When so executed, such instruments shall be as binding as if signed by the President and attested to by the Secretary. Any power or authority granted to any representative or attorney-in-fact under the provisions of this article may be revoked at any time by the Board, the Chairman, the President or by the officer or officers granting such power or authority.

**ARTICLE XIII – Execution of Contracts – SECTION 5. Surety Bonds and Undertakings.** Any officer of the Company authorized for that purpose in writing by the chairman or the president, and subject to such limitations as the chairman or the president may prescribe, shall appoint such attorneys-in-fact, as may be necessary to act in behalf of the Company to make, execute, seal, acknowledge and deliver as surety any and all undertakings, bonds, recognizances and other surety obligations. Such attorneys-in-fact subject to the limitations set forth in their respective powers of attorney, shall have full power to bind the Company by their signature and execution of any such instruments and to attach thereto the seal of the Company. When so executed such instruments shall be as binding as if signed by the president and attested by the secretary.

**Certificate of Designation** – The President of the Company, acting pursuant to the Bylaws of the Company, authorizes David M. Carey, Assistant Secretary to appoint such attorneys-in-fact as may be necessary to act on behalf of the Company to make, execute, seal, acknowledge and deliver as surety any and all undertakings, bonds, recognizances and other surety obligations.

**Authorization** – By unanimous consent of the Company's Board of Directors, the Company consents that facsimile or mechanically reproduced signature of any assistant secretary of the Company, wherever appearing upon a certified copy of any power of attorney issued by the Company in connection with surety bonds, shall be valid and binding upon the Company with the same force and effect as though manually affixed.

I, Renee C. Llewellyn, the undersigned, Assistant Secretary, The Ohio Casualty Insurance Company, Liberty Mutual Insurance Company, and West American Insurance Company do hereby certify that the original power of attorney of which the foregoing is a full, true and correct copy of the Power of Attorney executed by said Companies, is in full force and effect and has not been revoked.

IN TESTIMONY WHEREOF, I have hereunto set my hand and affixed the seals of said Companies this 20TH day of FEBRUARY, 2018



By: Renee C. Llewellyn  
Renee C. Llewellyn, Assistant Secretary

Not valid for mortgage, note, loan, letter of credit, currency rate, interest rate or residual value guarantees.

To confirm the validity of this Power of Attorney call 1-610-832-8240 between 9:00 am and 4:30 pm EST on any business day.



LIBERTY MUTUAL INSURANCE COMPANY  
FINANCIAL STATEMENT — DECEMBER 31, 2016

<b>Assets</b>	<b>Liabilities</b>
Cash and Bank Deposits..... \$1,092,914,837	Unearned Premiums..... \$6,929,723,299
*Bonds — U.S Government..... 1,406,763,970	Reserve for Claims and Claims Expense ..... 17,233,877,300
*Other Bonds..... 11,379,916,523	Funds Held Under Reinsurance Treaties..... 208,362,823
*Stocks ..... 10,349,761,988	Reserve for Dividends to Policyholders..... 944,909
Real Estate..... 290,265,760	Additional Statutory Reserve..... 39,649,905
Agents' Balances or Uncollected Premiums..... 4,709,977,463	Reserve for Commissions, Taxes and
Accrued Interest and Rents..... 112,757,395	Other Liabilities ..... <u>3,061,117,958</u>
Other Admitted Assets..... <u>14,659,523,751</u>	<b>Total..... \$27,473,676,194</b>
<b>Total Admitted Assets ..... <u>\$44,001,881,687</u></b>	Special Surplus Funds..... \$95,257,334
	Capital Stock..... 10,000,000
	Paid in Surplus ..... 9,229,250,104
	Unassigned Surplus..... 7,193,698,055
	<b>Surplus to Policyholders..... <u>16,528,205,493</u></b>
	<b>Total Liabilities and Surplus..... <u>\$44,001,881,687</u></b>



\* Bonds are stated at amortized or investment value; Stocks at Association Market Values.  
The foregoing financial information is taken from Liberty Mutual Insurance Company's financial statement filed with the state of Massachusetts Department of Insurance.

I, TIM MIKOLAJEWSKI, Assistant Secretary of Liberty Mutual Insurance Company, do hereby certify that the foregoing is a true, and correct statement of the Assets and Liabilities of said Corporation, as of December 31, 2016, to the best of my knowledge and belief.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the seal of said Corporation at Seattle, Washington, this 23<sup>rd</sup> day of March, 2017.

*TAMikolajewski*

\_\_\_\_\_  
Assistant Secretary