



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

September 6, 2018

To: Terrence D. McCracken, Secretary to the Authority

From: Russell J. Stoll, Executive Engineer

A handwritten signature in black ink, appearing to read "R. Stoll", is written over the printed name of the sender.

Subject: Emergency Condition Leading to E&R General Construction, Inc. Change Order No. 4  
Project No. 201600011 and Project No. 201800204 Emergency Declaration

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E&R General Construction, Inc. was under contract with ECWA for Excavated Material Removal and Disposal, April 1, 2016 through March 31, 2018. The proposed change order is in the amount of \$98,729.82. The change order is necessary to pay the cost of the Contractor's labor, tools, and equipment to perform emergency water main repairs at various locations for the period of December 30, 2017 through January 14, 2018.

During the period between December 30, 2017 and January 14, 2018, the ECWA service area experienced 156 leaks, 3 valve leak repairs, and 1 emergency valve replacement. All of these were emergency call-outs. It should be noted that the emergency call-outs during this period were twice the number of either of the previous two years. Normally ECWA crews can respond to the emergency call-outs for water main breaks and other related facility repairs. If ECWA crews are not available due to crew exhaustion from responding to a very high number of repair call-outs after normal work hours, then an emergency repair contractor substitutes for an ECWA crew. In some instances, including this one, the emergency repair contractor exhausted all their crews and were not available as a substitute for the ECWA crew; that is when the services of other contractors are sought. Since there is an immediate threat to public health and safety, e.g. people would be without water for an extended amount of time, fire protection would be unavailable and hazardous roadway conditions would exist from water freezing on roadways, these contractors are used on a temporary basis until the emergency subsides.

Because the emergency repairs need immediate attention, ECWA has directed an experienced contractor, currently under contract with ECWA that has appropriate insurances and bonding, to perform the emergency repairs. Due to these types of emergencies sufficient time is not available to procure a contractor through a competitive bid process.

RJS:jmf

cc: L.Kowalski

ECWA-840-1802

ECWA-840-1601-I-186



**CHANGE ORDER NO. 4**

**Erie County Water Authority  
295 Main Street, Room 350  
Buffalo, New York 14203**

**Project No.:** 201600011

**Date:** June 15, 2018

**Project:** Excavated Material Removal and Disposal  
April 1, 2016 through March 31, 2018  
Contract No. 16-06-03

**Contractor:** E&R General Construction, Inc.  
38 St. David's Drive  
West Seneca, New York 14224

**Engineer:** Erie County Water Authority  
295 Main Street, Room 350  
Buffalo, New York 14203

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**DESCRIPTION OF CHANGE:**

1. Provide labor, tools, equipment, and materials to perform emergency watermain repairs during the period of December 30, 2017 through January 14, 2018.

**REASON FOR CHANGE:**

1. The Authority experienced an abnormally large number of watermain breaks during this period necessitating the use of numerous crews. The existing contract does not have an item to provide emergency watermain repair.

**COMPENSATION:**

<u>Item</u>	<u>Description</u>	<u>Cost</u>
1.	Lump sum extra	\$98,729.82

**CHANGE IN CONTRACT PRICE:**

**CHANGE IN CONTRACT TIMES:**

**Original Contract Price**

\$455,000.00

**Original Contract Times**

Final Completion: 03/31/2018

**Net Changes from previous Change Orders**  
No. 1 to 3

371,623.46

**Net changes from previous Change Orders**  
No. 1 to 3

Final Completion 0 days

**Contract Price prior to this Change Order**

\$826,623.46

**Contract Times prior to this Change Order**

Final Completion: 03/31/2018

**Net Increase/Decrease of this Change Order**

\$98,729.82

**Net Increase/Decrease of this Change Order**

Final Completion: 0 days

**Contract Price with all approved Change Orders**

\$925,353.28

**Contract Times with all approved Change Orders**

Final Completion: 03/31/2018

Final Completion: \_\_\_\_\_

**APPROVALS:**

OWNER:

Erie County Water Authority

Date: \_\_\_\_\_

CONTRACTOR:

E&R General Construction, Inc.

Date: 7/16/18

ENGINEER:

ECWA Executive Engineer

Date: 7/17/18