



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

January 25, 2019

To: Terrence D. McCracken, Secretary to the Authority

From: Leonard F. Kowalski, Senior Distribution Engineer

Subject: Emergency Repair Contract  
August 1, 2015 to July 31, 2017  
ECWA Project No. 201500031

LFK

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The following documents are attached for processing of the Final Pay Application for the above referenced project.

- 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 Packet.

The checklist indicates that the contractor has provided all of the proper documentation to close out the contract, including the required WMBE Utilization Report – Part D and Final Certified Payrolls, which were already reviewed and approved by Director of EEO (ECWA). The entire Final Pay Application package has to be reviewed by Risk Manager and Legal Department prior to Board action. The amount certified for Final Payment is \$21,444.45.

LFK:jmf

Attachment

cc: R.Stoll

ECWA-736-1501-I-186

# 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. *Tony needs to verify. Kande Co has active contracts with ECWA.*
- ☒ 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 *Original given to Janey.*
- ☒ 11. Final Certified Payrolls *SEE ATTACHED EMAIL.*

### 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
- Certified Payrolls



## ERIE COUNTY WATER AUTHORITY

3030 Union Road • Buffalo, New York 14227  
716-684-1510 • FAX 716-684-3937

December 3, 2018

Mr. Joseph Kandefer  
Kandey Co.  
19 Ransier Drive  
West Seneca, New York 14224

Re: Emergency Watermain Repair Contract  
August 1, 2015 through July 31, 2017  
ECWA Project No. 201500031

Dear Mr. Kandefer:

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 \$3,529,690.29 of which \$3,508,245.84 in payments have been previously made to you. The balance due is \$21,444.45, which is return of retention monies previously withheld.

Enclosed please find three copies of Estimate No.34 and Final in the amount of \$21,444.45. Please sign and return two copies to our office for further processing. Please note that we also request the following:

1. Evidence the surety bond remains in effect throughout the warranty period. This shall be on the surety's or surety agent's letterhead. This is in accordance with Article 5.01 of the General Conditions, modified by 5.01A of the Supplementary Conditions, which states the payment bond shall remain in effect for one year and the performance bond shall remain in effect for two years after final payment becomes due. The bond shall be in the amount of \$3,529,690.29.

The surety or surety agent shall include the following statement in their letter:

*Be advised that, in accordance with Article 5.01 of the General Conditions, modified by 5.01A of the Supplementary Conditions, the performance bond for the above captioned project will remain in full force and effect for two (2) years after final acceptance and the payment bond will remain in effect for one (1) year after the date of final acceptance.*

2. As required per the Contract Documents, please furnish the following:
  - a. A general release (copy attached for your use, Form 507).
  - b. Evidence that all payrolls, amounts due to sub-contractors, etc. have been paid. Utilize AIA Form G706.

The following statement shall be included on the AIA Form G706:

*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.*

- c. A statement that all bills for labor and materials have been paid. Utilize AIA Form G706A.

The following statement shall be included on the AIA Form G706A:

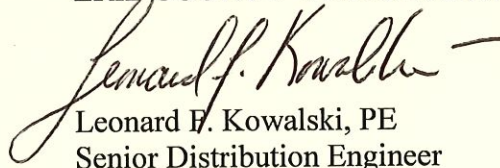
*The undersigned hereby certifies that to the best of the undersigned's knowledge, information and belief, except as listed below, the Releases or Waivers of Lien attached hereto include the Contractor, all Subcontractors, all suppliers of materials and equipment, and all performers of Work, labor or 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.*

- d. Consent of Surety to Final Payment. Utilize AIA Form G707.  
e. Copies of certified payrolls.  
f. Part D of the MWBE.

Upon receipt of all the above documentation, we will process the final payment application. If you have any questions, please do not hesitate to call.

Sincerely yours,

ERIE COUNTY WATER AUTHORITY



Leonard F. Kowalski, PE  
Senior Distribution Engineer

LFK:jmf  
Attachment  
cc: R.Stoll  
ECWA-736-1501-I-186

# MINORITY BUSINESS ENTERPRISE UTILIZATION REPORT - PART D

## FINAL CERTIFICATION OF EXPENDITURES TO MBE's

(to be completed by the prime CONTRACTOR and submitted with  
the request for final payment)

CONTRACTOR: KANDEY COMPANY INC.

CONTRACT: Emergency Watermain Repair  
ECWA PROJECT NO. 201500031

MBE	TOTAL AMOUNT EXPENDED
B Pariso	.00
Iroquois Bar Corp	.00

TOTAL OF ALL MBE  
SUB-CONTRACTS \$ .00

AMOUNT OF  
CONTRACT 3,529,690.29

FINAL MBE  
PERCENTAGE 0%

I, Marie A. Kandefer, as an official  
representative of Kandey Company Inc.,  
do hereby certify that the information listed above is correct and complete.

Marie A Kandefer  
NAME

President  
TITLE

12/7/18  
DATE

Job Description:  
Emergency Watermain Repair Contract  
August 1, 2015 through July 31, 2017

Estimate No. 34 and Final  
Contract No. 15-11-07  
Period Covered: April 15, 2018 to December 31, 2018

Project No. 201500031

Contractor: Kandy Company, Inc.  
19 Ransier Dr.  
West seneca, New York 14224-2245

V1121

Bid Item No.	Item Spec	Contract Break Down	Completed to Date		Completed Previous Estimate		Amount This Estimate
			%	Amount	%	Amount	
1A1	24 HR @	14.00	\$336.00	0.00	\$0.00	0.00	\$0.00
1A2	8 HR @	10.00	\$80.00	906.25	\$725.00	906.25	\$725.00
1A3	16 HR @	10.00	\$160.00	146.88	\$235.00	146.88	\$235.00
1A4	16 HR @	25.00	\$400.00	353.13	\$1,412.50	353.13	\$1,412.50
1A5	24 HR @	12.00	\$288.00	225.00	\$648.00	225.00	\$648.00
1A6	8 HR @	20.00	\$160.00	218.75	\$350.00	218.75	\$350.00
1A7	300 HR @	35.00	\$10,500.00	41.83	\$4,392.50	41.83	\$4,392.50
1A8	8 HR @	35.00	\$280.00	87.50	\$245.00	87.50	\$245.00
1A9	200 HR @	10.00	\$2,000.00	195.75	\$3,915.00	195.75	\$3,915.00
1B1	200 HR @	50.00	\$10,000.00	11.50	\$1,150.00	11.50	\$1,150.00
1B2	100 HR @	120.00	\$12,000.00	139.00	\$16,680.00	139.00	\$16,680.00
1B3	24 HR @	60.00	\$1,440.00	0.00	\$0.00	0.00	\$0.00
1B4	24 HR @	35.00	\$840.00	35.42	\$297.50	35.42	\$297.50
1B5	600 HR @	120.00	\$72,000.00	53.13	\$38,250.00	53.13	\$38,250.00
1B6	24 HR @	5.00	\$120.00	625.00	\$750.00	625.00	\$750.00
1B7	24 HR @	87.00	\$2,088.00	793.75	\$16,573.50	793.75	\$16,573.50
1B8	24 HR @	15.00	\$360.00	68.75	\$247.50	68.75	\$247.50
2A1	600 HR @	220.00	\$132,000.00	88.96	\$117,425.00	88.96	\$117,425.00
2A2	300 HR @	125.00	\$37,500.00	94.83	\$35,562.50	94.83	\$35,562.50
2A3	24 HR @	125.00	\$3,000.00	152.08	\$4,562.50	152.08	\$4,562.50
2B1	3000 HR @	445.00	\$1,335,000.00	110.27	\$1,472,104.50	110.27	\$1,472,104.50
2C1	200 HR @	350.00	\$70,000.00	0.00	\$0.00	0.00	\$0.00
3A	250 LF @	150.00	\$37,500.00	0.00	\$0.00	0.00	\$0.00
3B	100 LF @	200.00	\$20,000.00	0.00	\$0.00	0.00	\$0.00
4A	15 ea @	3,000.00	\$45,000.00	0.00	\$0.00	0.00	\$0.00
4B	2 ea @	3,500.00	\$7,000.00	0.00	\$0.00	0.00	\$0.00
4C	300 LF @	65.00	\$19,500.00	2.00	\$390.00	2.00	\$390.00
5A1	50 CY @	55.00	\$2,750.00	48.00	\$1,320.00	48.00	\$1,320.00
5B1	5 CY @	160.00	\$800.00	0.00	\$0.00	0.00	\$0.00
5C1	300 SF @	20.00	\$6,000.00	0.00	\$0.00	0.00	\$0.00
6	1 N/A		\$125,000.00	0.13	\$163.13	0.13	\$163.13
7	1 N/A		\$20,000.00	197.97	\$39,594.90	197.97	\$39,594.90
NA	Change Order #2	1.00	\$406,506.88	100.00	\$406,506.88	100.00	\$406,506.88
NA	Change Order #3	1.00	\$280,071.09	100.00	\$280,071.09	100.00	\$280,071.09
NA	Change Order #4	1.00	\$221,558.48	100.00	\$221,558.48	100.00	\$221,558.48
NA	Change Order #5	1.00	\$268,950.60	100.00	\$268,950.60	100.00	\$268,950.60
NA	Change Order #6	1.00	\$168,918.44	100.00	\$168,918.44	100.00	\$168,918.44
NA	Change Order #7	1.00	\$189,759.33	100.00	\$189,759.33	100.00	\$189,759.33
NA	Change Order #8	1.00	\$208,042.41	100.00	\$208,042.41	100.00	\$208,042.41
NA	Change Order #9	1.00	\$28,889.03	100.00	\$28,889.03	100.00	\$28,889.03
Sub-Total			\$3,746,798.26	94.21	\$3,529,690.29		\$3,529,690.29
net invoice							
Previously Returned Retention						\$134,714.72	
Return Retention						\$21,444.45	
Amount Due This Estimate							\$21,444.45

I hereby certify that according to the above mentioned Contract, this is a just estimate of the work done and materials furnished under the Contract between April 15, 2018 and December 1, 2018, both inclusive, and the value thereof, being \$21,444.45 as required by Article 6.03 of the said Contract.

Prepared By:

By:

Contractor

Senior Distribution Engineer

Executive Engineer

Date

Date

Date

Date