

CHANGE ORDER NO. 3

**Erie County Water Authority
350 Ellicott Square Building
295 Main Street
Buffalo, New York 14203**

Contract No. 18-19-07 Project No. 201600238 Date: March 8, 2019

Project: Contract NC-35
 Ball Pump Station
 Electrical Substation

Contractor: Ferguson Electric Construction Co., Inc.
 333 Ellicott Street
 Buffalo, NY 14203

Engineer: Nussbaumer & Clarke, Inc.
 3556 Lake Shore Road
 Buffalo, New York 14219

DESCRIPTION OF CHANGE:

1. Additional rock excavation.
2. Concrete curing cold weather treatment (Heating).
3. Additional section of 48" transmission main pipe replacement.

REASON FOR CHANGE:

1. The contract included a unit price of \$258 per cubic yard of rock excavation, with an estimated amount of 200 cubic yards, for a total cost of \$51,600.00. Additional rock has been excavated which exceeded the 200 cubic yard estimate. Actual rock excavated was 251.56 cubic yards resulting in a necessary corresponding increase to the stipulated total cost for this item in the contract.
2. The time from the Bid Opening (April 17, 2018) until the Notice to Proceed (July 12, 2018) was issued was longer than anticipated. Change Orders No.1 and No.2 extended the original milestone and substantial completion dates because of this delay. This delay, along with seasonal weather changes, forced the Contractor to perform concrete work in lower temperatures than anticipated for November and December 2018. This required additional labor effort and rental expenses including using insulated blankets on top of the concrete duct banks, foundations, footers, and oil containment walls to prevent it from curing unevenly, as well as renting a mobile diesel heater to blow warm air beneath the blankets.

3. A section of 48" transmission main had to be relocated due to a conflict with the foundation for the new electrical substation. The transmission main relocation was part of the original scope of work. When the contractor uncovered the existing joint to perform the interconnection it was discovered that the joint was deteriorated and deemed not usable. The condition of the joint was unknown at the time of design and was an unforeseen condition. The Contractor was instructed to remove another section of pipe to find a joint that was acceptable to tie into. ECWA provided the pipe that was used for the additional work.

CHANGE IN CONTRACT PRICE:

1. Increase of \$13,302.48
2. Increase of \$42,466.46
3. Increase of \$17,685.72

CHANGE IN CONTRACT TIME:

1. Not Applicable
2. Not Applicable
3. Not Applicable

APPROVALS - CHANGE ORDER NO. 3

Owner: _____ Date: _____

Jerome D. Schad, Esq.
Erie County Water Authority

Contractor: _____ Date: _____

Angelo A. Veanes, President
Ferguson Electric Construction Co., Inc.

Engineer:  _____ Date: 3/8/19

Michael A. Chirico, P.E., Associate
Nussbaumer & Clarke, Inc.

SUMMARY

CHANGE IN CONTRACT PRICE:

Original Contract Price:
\$ 5,094,600.00

**Net changes from previous
Change Orders:**
No. 1 thru No. 2

\$ 0.00

**Contract Price prior to this
Change Order:**
\$ 5,094,600.00

**Net Increase of this
Change Order:**
\$ 73,454.66

**Contract Price with All Approved
Change Orders:**
\$ 5,168,054.66

CHANGE IN CONTRACT TIME:

Original Contract Time:
Milestone M1: Aug. 31, 2018
Substantial Completion: May 24, 2019
Final Completion: June 21, 2019

**Net changes from Previous
Change Orders:**
No. 1 thru No. 2

Milestone M1: 259 days
Substantial Completion: 217 days
Final Completion: 245 days

**Contract Times prior to this
Change Order:**
Milestone M1: May 17, 2019
Substantial Completion: Dec. 27, 2019
Final Completion: Feb. 21, 2020

**Net Increase of this
Change Order:**
Milestone M1: 0 days
Substantial Completion: 0 days
Final Completion: 0 days

**Contract Times with all Approved
Change Orders:**
Milestone M1: May 17, 2019
Substantial Completion: Dec. 27, 2019
Final Completion: Feb. 21, 2020