

**RESOLUTION  
BOARD OF MANAGERS  
ERIE COUNTY SEWER DISTRICT NO. 3**

WHEREAS, Erie County on behalf of Erie County Sewer District No. 3 entered into an agreement with URS Corporation on April 15, 2003 to provide design and construction phase services associated with the Rush Creek Interceptor project; and

WHEREAS, URS Corporation as part of the agreement is providing General Services and Resident Inspection during construction of the Rush Creek Interceptor project; and

WHEREAS, there have been numerous delays and concept changes during study and redesign of the Rush Creek Interceptor project; and

WHEREAS, a change order is necessary to fund the General Services and Resident Inspection services during the construction phase of the project; and

WHEREAS, Erie County Sewer District No. 3 has adequate monies in account C.00012 to fund a change order; and

WHEREAS, the Department of Environment and Planning, Division of Sewerage Management recommends the approval of Change Order No. 5 for the August 15, 2003 URS Corporation agreement to provide the budget necessary to complete the engineering services associated with the Rush Creek Interceptor project.

NOW, THEREFORE, BE IT

RESOLVED, that the Erie County Sewer District No. 3 Board of Managers approves Change Order No. 5 to the County of Erie/URS Corporation Agreement, dated April 15, 2013 in the amount of \$248,235.92; and be it further

RESOLVED, that the Department of Environment and Planning, Division of Sewerage Management is hereby directed to execute and process the necessary Change Order, and be it further

RESOLVED, that the Erie County Comptroller is directed to allocate \$248,235.92 from Erie County Sewer District No. 3 Account C.00012 for payment of this Change Order.

APPROVAL OF OCT. 11, 2013

EMAIL/PHONE POLL

Moved by: \_\_\_\_\_

Seconded by: \_\_\_\_\_

Approved/Disapproved: \_\_\_\_\_

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

Respectfully submitted,

\_\_\_\_\_  
David C. Millar, P.E.  
Secretary, Board of Managers  
Erie County Sewer District No. 3

APPROVED VIA POLL  
OCT. 11, 2013, 9-0

Item  
4(c)

**COUNTY OF ERIE  
DEPARTMENT OF ENVIRONMENT & PLANNING  
DIVISION OF SEWERAGE MANAGEMENT**

**\*\* MEMORANDUM \*\***

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**FROM:** David C. Millar, P.E., ASST. DEPUTY COMMISSIONER  
**TO:** BOARD OF MANAGERS ERIE COUNTY SEWER DISTRICT NO. 3  
**DATE:** October 11, 2013  
**RE:** Erie County Sewer District No. 3  
Engineering Agreement  
URS Corporation – Change Order No. 5

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Enclosed please find a resolution and an accompanying memorandum from the Department of Environment and Planning, Division of Sewerage Management (ECDSM) pertaining to Change Order No. 5 to the URS Corporation agreement dated April 15, 2003, as discussed at the Oct. 2, 2013 Erie County Sewer District No. 3, Board of Managers (ECSD No. 3 BOM) meeting. Change Order No. 5 will compensate the Engineer for completion of additional work items outside the scope of the original contract due to delays and changes beyond URS's control. Due to changes in the project, additional monies are necessary to fully fund general services and resident engineering during the Rush Creek Interceptor project.

The ECDSM entered into a consultant engineering services agreement with URS on April 15, 2003 for the Rusk Creek Interceptor project. Based upon the initial scope and the subsequent change orders to date, two (2) engineering reports were prepared titled *Southtowns Sewage Treatment Agency Advanced Wastewater Treatment Facility, Chlorine Contact Time and ORF Capacity Evaluation (URS Corporation, 2005)* and *Elimination of Pumping Stations and the Blasdell Wastewater Treatment Plant (URS Corporation, 2005)*. Both reports were submitted to the New York State Department of Environmental Conservation (NYSDEC) for approval; however, formal written comments were not received for several years. Additionally, as the project evolved, several items not contemplated during the original scope development became necessary.

To keep this very important project moving forward, the ECDSM authorized several reallocations of original project scope:

- \$58,181.41 from the General Services/Resident Engineering phases of the original project to study concept changes that resulted over time due to the delayed NYSDEC response. The project scope changed to include work tasks to evaluate the alteration of the gravity sewer route for the Rush Creek Interceptor and the design of a wet weather lift station, forcemain and diversion structures.
- \$10,815.41 from the General Services phase of the original project to include work tasks for additional stormwater management model (SWMM) simulations, analysis of the option to redirect the forcemain of the proposed wet weather relief pumping station to the Southtowns AWTF headworks, and the preparation of a letter addendum to the 2005 Engineers Report to provide

information on work completed since the time of the 2005 submittal.

- \$76,303.58 from the General Services/Resident Engineering phases of the original project for out of scope work items including: 1.) Design of the LaBelle Pump Station connection to eliminate a permitted Sanitary Sewer Overflow (SSO); 2.) Alteration of project drawings to reflect project changes at the Blasdel Milestrip Pump Station; 3.) Alteration of forcemain drawings to reflect project configuration changes at the Southtowns AWTF; 4.) Preparation of a joint application permit and State Environmental Quality Review (SEQR) update; and 5.) Response to regulatory review comments.
- \$29,162.00 from the Resident Engineering phase of the original project for additional scope work involving assistance with railroad easement agreements, additional survey, updated wetland delineation, preparation of Storm Water Pollution Prevention Plan, preparation of a floodplain permit, and coordination of review comments from the Village of Blasdel, Town of Hamburg, New York State Department of Transportation, United States Army Corps of Engineers, and the NYSDEC.

The above work was reallocated recognizing that the ECSD No. 3 BOM would be requested to consider authorizing a change order should the project proceed with construction. The ECDSM's persistence in pursuing this initiative was rewarded when the project received a \$5 million Water Quality Improvement Project (WQIP) grant from the NYSDEC. Also, key components of the scope reallocated allowed for the September 2012 approval of the Rush Creek Interceptor concept by the NYSDEC. Finally, several of the changes made have decreased the overall construction cost of the project. It is the opinion of the ECDSM that the Rush Creek Interceptor project would not have been in position to receive the WQIP grant or receive NYSDEC approval without completion of the necessary upfront engineering analyses.

Now that NYSDEC approval has been garnered, URS was asked by the ECDSM to re-analyze the budget for General Services/Resident Engineering for construction of the Rush Creek Interceptor project, as the concept has changed since it was originally conceived in 2003. The ECDSM has reviewed URS's proposed budget and concurs that it is commensurate with the level of effort required. Considering the reallocations listed above (along with the time value of the associated costs), an additional \$248,235.92 is necessary to properly fund the construction phase services. This change order would increase URS's total cost from \$1,113,682.26 to \$1,361,918.18.

The Rush Creek Interceptor project is a tremendously important initiative for Erie County Sewer District No. 3. It will allow for the elimination of four (4) pumping stations and the Blasdel Wastewater Treatment Facility. Most importantly, the project will eliminate three (3) SSOs and the associated environmental and public health benefits. This project is included in the County's Initiatives for a Smart Economy.

Should you require anything further on this matter, please contact me at 858-6499.

Enc.

cc: J. Fiegl/D. Millar/S. Tirone/3.3.2 URS 4/15/2003