



COUNTY OF ERIE

MARK C. POLONCARZ

COUNTY EXECUTIVE
January 30, 2014

Erie County Legislature
92 Franklin Street – Fourth Floor
Buffalo, New York 14202

**RE: Erie County Sewer District No. 2
Big Sister Creek WWTP Energy Performance Project
Wendel Energy Services, LLC. - Change Order No. 1**

Honorable Members:

Enclosed please find a memorandum from the Department of Environment and Planning pertaining to Change Order No. 1 for the Erie County Sewer District No. 2/Big Sister Creek WWTP Energy Performance Project Agreement dated October 8, 2013.

Should your honorable body require further information, I encourage you to contact Joseph L. Fiegl, P.E. in the Division of Sewerage Management. Thank you for your consideration on this matter.

Sincerely,

Mark C. Poloncarz, Esq.
Erie County Executive

By

Richard Tobe
Deputy County Executive

MCP/mc
Enclosure

MEMORANDUM

To: Honorable Members of the Erie County Legislature
From: Department of Environment and Planning
Re: Erie County Sewer District No. 2
Big Sister Creek WWTP Energy Performance Project
Wendel Energy Services, LLC – Change Order No.1
Date: January 30, 2014

SUMMARY

Your Honorable Body is requested to receive and file this communication pertaining to the attached Change Order No. 1 to an agreement with Wendel Energy Services, LLC (Wendel) regarding the Erie County Sewer District No. 2/Big Sister WWTP Energy Performance Project. The Change Order updates required contract language as required by the funding agency.

FISCAL IMPLICATIONS

There are no fiscal implications. This is a “no cost” change order required to update contractual language.

REASONS FOR RECOMMENDATION

The New York State Environmental Facilities Corporation (EFC) updated the required language for the projects it funds effective October 1, 2013. The Agreement for the Big Sister Creek WWTP Energy Performance Project was executed with Wendel on October 8, 2013 and is thus subject to the updated language requirements.

BACKGROUND INFORMATION

This project is being predominantly funded by a \$750,000.00 grant through the Clean Water State Revolving Fund Green Innovation Grant Program (GIGP). The County executed a grant agreement with New York State EFC pursuant to Legislative Comm. 13E-22 (2011) to receive these funds. EFC recently updated the requirements for its M/WBE program and thus the County must modify its Contract with Wendel to reflect these changes.

CONSEQUENCES OF NEGATIVE ACTION

There will be no disbursement of money from the GIGP grant award.

STEPS FOLLOWING APPROVAL

This is a receive and file item.

COMPTROLLER'S OFFICE REVIEW

This is a no cost Change Order.


Maria R. Whyte
Commissioner

Encl.

cc: M. Whyte – Department of Environment and Planning
J. Fiegl/0.11.0 Leg Ltr.
J. Carr /G. Pecak / 2.3.3.90
S. Tirone