



EC LEG SEP 1 '21 PM12:46

COUNTY OF ERIE

MARK C. POLONCARZ

COUNTY EXECUTIVE

August 31, 2021

Erie County Legislature
92 Franklin Street – 4th Floor
Buffalo, NY 14202

**RE: Erie County Sewer District Nos. 1 & 4
Engineering Agreement Dated January 21, 2021
Arcadis of New York, Inc.
Change Order No. 1**

Dear Honorable Members:

Enclosed please find a memorandum from the Department of Environment and Planning, Division of Sewerage Management pertaining to Change Order No. 1 to the Arcadis of New York, Inc. agreement dated January 21, 2021.

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

Sincerely yours,

Mark C. Poloncarz, Esq.

Erie County Executive

MCP:ms
Enclosure

cc: J. Fiegl – Deputy Commissioner, Division of Sewerage Management

MEMORANDUM

To: Honorable Members of the Erie County Legislature
From: Department of Environment and Planning
Re: Erie County Sewer District No. 1 & 4
Engineer Agreement Dated January 21, 2021
Arcadis of New York, Inc.
Change Order No. 1
Date: August 31, 2021

SUMMARY

Your Honorable Body is requested to receive and file this communication pertaining to Change Order No. 1 to the Arcadis of New York, Inc. (Arcadis) engineering agreement dated January 21, 2021. The change order is for a modification of the scope of services for the "Flow Monitoring and Infiltration/Inflow (I/I) Quantification" project to implement New York State Environmental Facilities Corporation (NYSEFC) program requirements.

FISCAL IMPLICATIONS

There will be no impact to the County's General Fund. The modification of scope will be paid from available contingent monies and hence no change to the overall cost of the agreement will be incurred.

REASONS FOR RECOMMENDATION

Erie County Sewer District (ECSD) No. 4 received a \$100,000.00 Engineering Planning Grant (EPG) through the NYSEFC. To implement certain grant requirements, the Division of Sewerage Management needs to issue a change order modifying the scope of services of its agreement with Arcadis.

BACKGROUND INFORMATION

On January 21, 2021, the Erie County Legislature passed a resolution [Legislative Comm. 1E-12 (2021)] authorizing an engineering agreement with Arcadis to provide "Flow Monitoring and I/I Quantification" reports for ECSD Nos. 1 & 4. After the award of the agreement and the commencement of the work, ECSD No. 4 received word it was awarded an EPG. As a condition of the grant, the engineer (Arcadis) must comply with NYSEFC program requirements for non-construction contracts. This constitutes a modification of the original scope of services, since the efforts associated with the NYSEFC program requirements were not contemplated at the time of award.

Included in the agreement with Arcadis were contingency monies to extend the flow monitoring period and/or install additional meters. The cost associated with the additional scope is within the remaining contingency amount and hence no change to the overall cost of the agreement is required.

CONSEQUENCES OF NEGATIVE ACTION

This is a receive and file item.

STEPS TO FOLLOW APPROVAL

This is a receive and file item.

ERIE COUNTY DEPARTMENT ENVIRONMENT & PLANNING
DIVISION OF SEWERAGE MANAGEMENT
CHANGE ORDER

CHANGE ORDER NO. 1
CONTRACT NO. A/E Agreement

DATE: July 20, 2021

SHEET 1 OF 1
FILE NO. 0.3.2.Flow Monitoring

PROJECT: Erie County Sewer District No. 1 & 4 Engineering Agreement (Flow Monitoring and I/I Quantification Reports).

ENGINEER'S NAME: Arcadis of New York, Inc. (Arcadis)

ENGINEER'S ADDRESS: 50 Fountain Plaza, Suite 600, Buffalo, New York 14202

DESCRIPTION OF CHANGE TO CONTRACT:

Arcadis will provide additional Engineering Services to the ECSD #4 portion of the work to comply with the New York State Revolving Fund (NYSRF) Program Requirements and Guidance Materials as described in the attached program requirements. In addition, Arcadis agrees to complete and provide all the necessary forms included at the end of attachment 1.

PAYMENT:

Arcadis will be compensated pursuant to the terms of the 1/21/2021 Agreement and as amended in this change order. The not to exceed amount to comply with the NYSRF program of \$7,526.75 will be utilized from the available contingencies amount of \$50,658.57. The revised total amount for the agreement is as follows:

Original Contract Amount	\$189,341.43
Contingent Amount \$50,658.57	
Contingent Amount used/Change Order 1	<u>\$15,151.75*</u>
Revised Total Amount	\$204,493.18

(* Consist of \$7,625.00 for additional meter and \$7,526.75 for NYSRF program)

TIME EXTENSION

None

ATTACHMENTS

1. Program Requirements and Bid Packet for contracts Funded with New York State Financial Assistance: Non-Construction
2. Original Resolution Comm. 1E-12 (2021) As Amended

AUTHORIZATION

ENGINEER _____ DATE _____

ENGINEER _____ DATE _____

David Millar, P.E.
Asst. Deputy Commissioner

COUNTY OF ERIE _____ DATE _____

Joseph L. Fiegl, P.E.
Deputy Commissioner

ORIGINAL LEGISLATURE APPROVAL January 21, 2021, Comm. 1E-12(2021)

Cc: J. Fiegl/M. Salah/0.3.2 Flow
D. Millar/4.5.1.Grant # 105121