

CHANGE ORDER NO.: 1

Owner: Erie County Sewer District (ECSD) No. 2 Owner's Project No.: Contract No. 101
 Engineer: Wendel

Contractor: Frey Electric Construction Co., Inc.
 Project Name: Big Sister Creek WRRF Secondary Aeration Blowers Replacement Project
 Contract Name: Electrical 101-D

Date Issued: 1/23/2024 Effective Date of Change Order: 1/23/2024

The Contract is modified as follows upon execution of this Change Order:

Description:

Additional time is needed to complete this Contract due to manufacturer equipment and material delays. The manufacturer of the switchgears specified for this project has experienced delays due to the continuation of world-wide supply chain issues. This project requires two switchgears – one temporary and one permanent. The temporary switchgear will be used to power electrical loads at the facility while the work is being done to remove and replace the existing switchboard with the new permanent equipment. This work is an essential component of the Contract, and the project cannot be completed without these components.

The additional time also has an associated cost which is attributed to the extension of the insurance costs required by the contract, as well as labor agreement increases scheduled for 6/1/2024, which impacts the labor costs of the switchgear installation. These additional costs total \$3,695.00; however, they will be covered under the project contingency allowance and therefore will not increase the cost encumbrance for this contract.


Time is extended 120 days, resulting in a completion date of July 21, 2024, and a total of 485 days in the Contract.

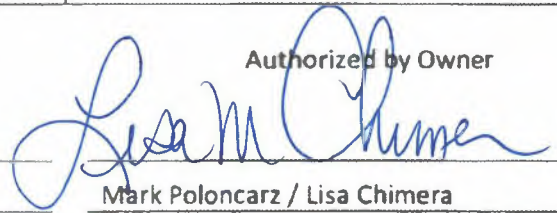
Attachments: Letter from Frey Electric Construction Co., Inc. dated 1/4/2024 with supporting invoice.

Change in Contract Price	Change in Contract Times
Original Contract Price: \$ 609,000.00	Original Contract Times: Substantial Completion: March 23, 2024
Contract Price incorporating this Change Order: \$ 609,000.00	Contract Times with all approved Change Orders: Substantial Completion: July 21, 2024

Contractor: Frey Electric Construction Co., Inc.

Authorized by Owner

By: 
 Name: FRANK R. FOGEL
 Title: PROJECT MANAGER
 Date: 1/24/24

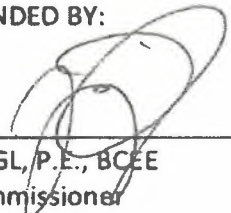

 Mark Poloncarz / Lisa Chimera
 County Executive/Deputy County Executive
1/31/24

23-139-EP

Reviewed by Owner
By: Nadine Wetzel
Name: Nadine Wetzel
Title: Sanitary Engineer
Date: 1/24/2024

Approved by Funding Agency (if applicable)
N/A

RECOMMENDED BY:



JOSEPH FIEGL, P.E., BCEE
Deputy Commissioner
Division of Sewerage Management
Erie County, New York
DATE: 1/24/24

APPROVED AS TO CONTENT:

(Electronically Signed)

DANIEL CASTLE, AICP
Commissioner, Department of
Environment & Planning
Erie County, New York
DATE: 1/29/24

APPROVED AS TO FORM

(Electronically Signed)

RICHARD STANTON
Assistant County Attorney
Erie County, New York
DOCUMENT NO.: 23-139-EP
DATE: 1/30/24



January 4, 2024

Erie County Div. of Sewerage Management
95 Franklin Street, Suite 1032B
Buffalo, NY 14202

Attention: **Ms. Nadine Wetzel, P.E., Sanitary Engineer**
Regarding: **Big Sister Creek WRRF - Secondary Aeration Blowers Replacement**
Electrical Contact 101-D
Contract Extension Proposal

Dear Ms. Wetzel:

It has been discussed and understood from the start of this project that a time extension would need to be granted to our contract. This extension is necessitated by the electrical switchgear that was specified for this project and the extremely long lead time from the gear manufactures of this equipment.

Per our Time Extension Letter dated 10/31/23 we requested an additional 120 days to be able to receive, install, test and commission this equipment. This naturally is predicated on the switchgear being shipped by the manufacturer on 4/19/24.

Our labor agreement increases on 6/1/24 putting a substantial amount of our labor to install the switchgear at a higher rate. In addition, to extend our OCP insurance for this duration there also is an added cost (refer to attachment), both of these increased costs are represented below.

Total Cost of Time Extension \$3,695.00

Following your review please advise how we are to proceed.

Respectfully,
Frey Electric Construction Company

Frank R. Pagel
Project Manager

(1) attachment



100 Pearce Avenue, Tonawanda, New York 14150
Phone: (716) 874-1710 Fax: (716) 874-0203
www.Frey-Electric.com



USI Insurance Services, LLC
 PO Box 62937 * Virginia Beach, VA 23466

-----INVOICE-----

Frey Electric Construction Co., Inc.
 Mr. Jeff Avolio-Farr
 100 Pearce Avenue
 Tonawanda, NY 14150

Invoice Date 11/14/23
Invoice No. 4830420
Bill-To Code FREYELE1
Client Code FREYELE1
Inv Order No. 819*7486914

Named Insured: Frey Electric Construction Co., Inc.

Amount Remitted: \$
 Pay via Credit Card or EFT Draft: usi.com/paymybill

Make checks payable to: USI Insurance Services, LLC

Effective Date	Policy Period	Coverage Description	Transaction Amount
11/13/23	11/13/23 to 07/01/24	Zurich American Insurance Company Policy No. OCP2927092 *Renewal - Owners/Contract Prot Liab Terrorism Surcharge - Owners/Contract Invoice Number: 4830420 Amount Due:	2,000.00 20.00 2,020.00

***Premiums Due and Payable on Effective Date**

FRAUD PREVENTION NOTICE: USI will never provide unsolicited payment instructions. You should only change payment instructions if confirmed by calling your USI Account Manager or contacting your local USI office.

<u>SEWER DISTRICT NO. 3</u>	
Appropriations	\$27,705,960
Estimated Revenues	<u>(19,607,543)</u>
Tax Levy	\$ 8,098,417

<u>SEWER DISTRICT NO. 8</u>	
Appropriations	\$2,623,209
Estimated Revenues	<u>(1,453,417)</u>
Tax Levy	\$1,169,792

<u>SEWER DISTRICT NO. 6</u>	
Appropriations	\$7,393,352
Estimated Revenues	<u>(4,398,684)</u>
Tax Levy	\$2,994,668

106. WHEREAS, the Division of Sewerage Management budgets for unanticipated replacement items in their 561410 - Lab & Technical Equipment general ledger account for replacement of asset items not yet known at the time the budget was developed; and

WHEREAS, these items also exist in the following general ledger accounts:

- 561420 – Office Furniture & Fixtures
- 561430 – Building Grounds & Heavy Equipment
- 561440 – Motor Vehicles.

NOW, THEREFORE, BE IT

RESOLVED, authorization is hereby given to the Division of Sewerage Management and the Division of Budget and Management to execute budget transfers exceeding \$10,000 from general ledger account 561410 – Lab & Technical Equipment to general ledger accounts 561420 – Office Furniture & Fixtures, 561430 – Building Grounds & Heavy Equipment, and 561440 – Motor Vehicles.

107. RESOLVED, that authorization is hereby given to the County Executive to amend contracts as necessary to implement any no-cost contract extension on behalf of the Division of Sewerage Management.

108. WHEREAS, the Erie County Sewer District capital and debt service budgets are brought before the Board of Managers, the County Executive and your Honorable Body for formal approval; and

WHEREAS, said debt service budgets are prepared and submitted with an estimate of principal and interest expense that include payment on bonded debt which has not occurred by the time of budget submission; and

WHEREAS, during the fiscal year, 2024 budgeted debt service principal and interest payments may have to be adjusted to enable payment of debt service; and

WHEREAS, the following resolution provides a more efficient method of transferring funds for required payments.