

26-03-03

**RESOLUTION TO APPROVE AMENDMENT #9
INDIAN LAKE FIRST ENGINEERING ASSESSMENT
CONTRACT C032013**

WHEREAS, the Board of the Hudson River-Black River Regulating District adopted resolution 13-45-12 awarding work for the First Engineering Assessment at Indian Lake Dam to Bergmann Associates for a not to exceed amount of \$169,156.00; and

WHEREAS, the Board of the Hudson River-Black River Regulating District subsequently approved Amendment #1 for \$9,420.00, Amendment #2 for \$119,890.00, Amendment #3 for \$7,335.00, Amendment #4 extending the contract an additional three (3) years and Amendment #5 for \$1,332,116, and \$7,076, and extending the contract term through December 31, 2025; and

WHEREAS, the Board thereafter approved a 6th Amendment acknowledging Bergmann Associates' rebranding as Colliers Engineering & Design Architecture, Landscape Architecture & Surveying CT P.C. and authoring an amended scope of work outlined in Colliers' January 2, 2024 proposal for a not-to-exceed price contract of \$2,268,377 and Amendment #7 for an additional \$145,000 to address unanticipated site conditions have led to certain construction changes requiring additional engineering work as the construction of the Indian Lake Dam has progressed; and

WHEREAS, in August 2024 CD Perry and its subcontractor identified extensive deterioration of the gatehouse stone foundation during its attempt to complete repointing repair work on the gatehouse foundation and on adjoining project structures; and

WHEREAS, on May 13, 2025, the Board approved an 8th Amendment to Contract C032013 to include additional engineering design services and construction support related to the unanticipated gatehouse foundation construction work with said work to continue through December 31, 2025; and

WHEREAS, construction repair of the foundation continues to progress effectively and as rapidly as can be safely accomplished when completing underwater concrete construction work. However, completion of the gatehouse foundation repair is now anticipated to be completed by the end of September 2026; and

WHEREAS, Bergmann's scope and fee proposal letter, dated February 26, 2026, summarizes the additional engineering and construction support work necessary to complete review, analysis, design, and implementation of the gatehouse stone foundation repair solution, and to provide construction review and inspection services throughout the completion of the dam rehabilitation project; and

WHEREAS, Mr. Foltan recommends the Board authorize the Executive Director to enter into a ninth amendment to Contract C032013 to modify the scope of work as outlined in Bergmann's February 26, 2026 proposal and increase the contract's NTE amount by \$422,000 to \$3,410,378.

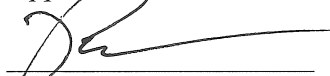
NOW THEREFORE BE IT RESOLVED that the Board authorizes the Executive Director to amend Contract C032013, with Bergmann Architects Engineers Planners d/b/a Colliers Engineering & Design Architecture, Landscape Architecture & Surveying CT P.C., to perform the amended scope

Approved at the March 10, 2026 Board Meeting

of work outlined in the February 26, 2026 proposal for a not-to-exceed price contract of \$3,410,378 and to extend the termination date of the contract to December 31, 2026.

BE IT FURTHER RESOLVED that the contract is subject to the review and approval of the Office of the New York State Attorney General and the New York State Office of the State Comptroller.

Approved as to form:



Robert P. Leslie
General Counsel

Motion was made by Mr. Hayes and seconded by Mrs. Allen that the Resolution be approved.

Present and Voting:

<u>MEMBER</u>	<u>AYE</u>	<u>NOE</u>	<u>ABSTAIN</u>
Mr. Finkle	<u> X </u>	_____	_____
Mr. Candido	<u> X </u>	_____	_____
Mr. Hayes	<u> X </u>	_____	_____
Mr. De Witt	<u> X </u>	_____	_____
Mr. Bird	_____	_____	_____
Mr. Reagan	<u> X </u>	_____	_____
Mrs. Allen	<u> X </u>	_____	_____