

ITEM 1 - AUTHORIZATION TO EXECUTE A REVOCABLE PERMIT FOR NON-COMMERCIAL USE OF UNIVERSITY FACILITIES WITH THE STATE UNIVERSITY OF NEW YORK AT BUFFALO RELATING TO WATER SYSTEM IMPROVEMENTS, 36-INCH & 42-INCH TRANSMISSION MAIN REPLACEMENT PROJECT, TOWN OF AMHERST, IDENTIFIED AS CONTRACT NO. W-030, PROJECT NO. 201800074

Motion by seconded by

WHEREAS, on December 19, 2024, the Board of Commissioners of the Erie County Water Authority (the “Authority”) awarded a contract for Water System Improvements 36 & 42-inch Transmission Main Replacement, Town of Amherst, identified as Contract No. W-030 (the “Project”); and

WHEREAS, a portion of the Project will cross property owned by the State University of New York at Buffalo (“UB”); and

WHEREAS, in order to perform the transmission main work on UB property, the Authority must execute a Revocable Permit for Non-Commercial Use of University Facilities (the “Permit”); and

WHEREAS, the Permit was developed by the State of New York and reviewed by both the Authority’s Engineering and Legal Departments and meets the needs of the Authority in terms of the Project; and

WHEREAS, there is no fee associated with the Permit; and

WHEREAS, Michael J. Quinn, Director of Distribution and Leonard F. Kowalski, Executive Engineer recommend the execution of the Permit;

NOW, THEREFORE, BE IT RESOLVED:

That the Board of Commissioners approves the execution of the Permit relative to Water System Improvements 36 & 42-inch Transmission Main Replacement, Town of Amherst, identified as Contract No. W-030; and be it further

RESOLVED: That the Chair is authorized to execute said Permit on behalf of the Authority.

Ayes:

Noes:

04/17/25-alh

ITEM 2 - AUTHORIZATION TO APPOINT DANIEL SEIDER, DIRECTOR OF PRODUCTION (WATER SYSTEM), PAUL MIKLOS, WATER TREATMENT PLANT OPERATOR CREW CHIEF, AND NICHOLAS ROMAN, SENIOR WATER TREATMENT PLANT OPERATOR, AS SIGNATORIES RELATIVE TO AN INDUSTRIAL SEWER CONNECTION PERMIT WITH THE TOWN OF TONAWANDA, PROJECT NO. 202500071

Motion by seconded by

WHEREAS, the Town of Tonawanda (the “Town”) has issued an Industrial Sewer Connection Permit (“Permit”) to the Erie County Water Authority (the “Authority”) for the discharge of dilute water treatment residuals from the Authority’s Van de Water Water Treatment Plant into the Town’s sanitary sewer system for subsequent treatment at the Town’s wastewater treatment plant; and

WHEREAS, the Permit stipulates that the Authority is required to appoint representatives with the authorization to sign the required monthly self-monitoring reports; and

WHEREAS, the Authority is required to provide the Town with the names of the appointed signatories by means of written notice; and

WHEREAS, the Engineering Department recommends the Board appoint Daniel Seider, Director of Production (Water System), Paul Miklos, Water Treatment Plant Operator Crew Chief, and Nicholas Roman, Senior Water Treatment Plant Operator, as signatories for the required monthly self-monitoring reports;

NOW, THEREFORE, BE IT RESOLVED:

That the Board of Commissioners approves appointing Daniel Seider, Director of Production (Water System), Paul Miklos, Water Treatment Plant Operator Crew Chief, and Nicholas Roman, Senior Water Treatment Plant Operator, as signatories for the required monthly self-monitoring reports relative to the Industrial Sewer Connection Permit with the Town of Tonawanda; and be it further

RESOLVED: That the Secretary to the Authority is authorized to forward a certified copy of this resolution to the Town of Tonawanda.

Ayes:

Noes:

04/17/25-alh

**ITEM 3 - AUTHORIZATION TO APPROVE SETTLEMENT OF THE CLAIM
RELATING TO ECWA V LORICH, IDENTIFIED AS OWIP NO. 061956 -
\$12,500.00**

Motion by seconded by

WHEREAS, on January 27, 2024, a hydrant belonging to the Erie County Water Authority (the “Authority”) was struck by a motor vehicle resulting in \$28,176.68 in damage, identified as OWIP No. 061956; and

WHEREAS, the driver of the motor vehicle (“Mr. Lorich”) is a young individual with no assets and no gainful employment; and

WHEREAS, the Authority’s Legal Department, with the assistance of Mr. Lorich’s private counsel, obtained the full coverage of \$10,000.00 from the insurance policy and after much negotiation, an offer was made to settle the remaining balance of the claim for an additional \$2,500.00; and

WHEREAS, the Legal Department recommends the Board approve settling the claim relating to OWIP No. 061956 in the amount of \$12,500.00;

NOW, THEREFORE, BE IT RESOLVED:

That the Board of Commissioners approves settling the claim relating to OWIP No. 061956 in the amount of \$12,500.00.

Ayes:

Noes:

04/17/25-alh

ITEM 4 - AUTHORIZATION TO ENTER INTO A PROFESSIONAL SERVICES AGREEMENT WITH GREENMAN-PEDERSEN, INC. TO PROVIDE PROFESSIONAL ENGINEERING SERVICES RELATING TO CONSTRUCTION PHASE SERVICES FOR WATER SERVICE INVESTIGATIONS AND LEAD SERVICE REPLACEMENTS, CONTRACT B, VILLAGE OF DEPEW, IDENTIFIED AS CONTRACT NO. GP-012, PROJECT NO. 202500109

Motion by seconded by

WHEREAS, the Erie County Water Authority (the "Authority") recently issued a Request for Proposals (the "RFP") to qualified firms to provide professional engineering services relating to Construction Phase Services for Water Service Investigations and Lead Service Replacements, Contract B, Village of Depew, identified as Contract No. GP-012; and

WHEREAS, a copy of the RFP was sent to the following firms:

Arcadis
Barton and Loguidice
CHA Consulting, Inc.
DiDonato Associates
Greenman-Pedersen, Inc.
Hazen and Sawyer
J.M. Davidson Engineering
LaBella PC
Nussbaumer & Clarke, Inc.
Wendel Companies
WM Schutt Associates; and

WHEREAS, Arcadis, Barton and Loguidice, CHA Consulting, Inc., Greenman-Pedersen, Inc., Hazen and Sawyer, Nussbaumer & Clarke, and WM Schutt Associates responded to the RFP; and

WHEREAS, the RFP was also posted on the Authority's website which did not result in any additional responses; and

WHEREAS, the RFP process was conducted pursuant to the enacted state legislation (New York State Finance Law §§139-j and 139-k) and the Authority's Purchasing Guidelines, Policies and Procedures; and

WHEREAS, after proposals were reviewed and discussed among the review committee, it was determined that Greenman-Pedersen, Inc. was the best firm for this project; and

WHEREAS, the review committee recommends that the Authority enter into a Professional Services Agreement with Greenman-Pedersen, Inc. to provide professional engineering services relating to Construction Phase Services for Water Service Investigations and

Lead Service Replacements, Contract B, Village of Depew, identified as Contract No. GP-012;
and

WHEREAS, the Authority's 2025 Capital Budget includes funds for this project under Unit 2590 Eng/Const Distribution Mains, Item No. 101804 Lead Service Line Replacement;

NOW, THEREFORE, BE IT RESOLVED:

That the Authority accepts the proposal of Greenman-Pedersen, Inc. to provide professional engineering services relating to Water Service Investigations and Lead Service Replacements, Contract B, Village of Depew, identified as Contract No. GP-012; and be it further

RESOLVED: That the Chair is authorized to execute said Agreement on behalf of the Authority.

Ayes:

Noes:

04/17/25-alh

ITEM 5 - AUTHORIZATION TO ENTER INTO A PROFESSIONAL SERVICES AGREEMENT WITH NUSSBAUMER & CLARKE, INC. TO PROVIDE PROFESSIONAL ENGINEERING SERVICES RELATING TO CONSTRUCTION PHASE SERVICES FOR WATER SERVICE INVESTIGATIONS AND LEAD SERVICE REPLACEMENTS, CONTRACT A, CITY OF TONAWANDA, IDENTIFIED AS CONTRACT NO. NC-045, PROJECT NO. 202500108

Motion by seconded by

WHEREAS, the Erie County Water Authority (the "Authority") recently issued a Request for Proposals (the "RFP") to qualified firms to provide professional engineering services relating to Construction Phase Services for Water Service Investigations and Lead Service Replacements, Contract A, City of Tonawanda, identified as Contract No. NC-045; and

WHEREAS, a copy of the RFP was sent to the following firms:

Arcadis
Barton and Loguidice
CHA Consulting, Inc.
DiDonato Associates
Greenman-Pedersen, Inc.
Hazen and Sawyer
J.M. Davidson Engineering
LaBella PC
Nussbaumer & Clarke, Inc.
Wendel Companies
WM Schutt Associates; and

WHEREAS, Arcadis, Barton and Loguidice, CHA Consulting, Inc., Greenman-Pedersen, Inc., Hazen and Sawyer, Nussbaumer & Clarke, and WM Schutt Associates responded to the RFP; and

WHEREAS, the RFP was also posted on the Authority's website which did not result in any additional responses; and

WHEREAS, the RFP process was conducted pursuant to the enacted state legislation (New York State Finance Law §§139-j and 139-k) and the Authority's Purchasing Guidelines, Policies and Procedures; and

WHEREAS, after proposals were reviewed and discussed among the review committee, it was determined that Nussbaumer & Clarke, Inc. was the best firm for this project; and

WHEREAS, the review committee recommends that the Authority enter into a Professional Services Agreement with Nussbaumer & Clarke, Inc. to provide professional engineering services relating to Construction Phase Services for Water Service Investigations and

Lead Service Replacements, Contract A, City of Tonawanda, identified as Contract No. NC-045;
and

WHEREAS, the Authority's 2025 Capital Budget includes funds for this project under Unit 2590 Eng/Const Distribution Mains, Item No. 101804 Lead Service Line Replacement;

NOW, THEREFORE, BE IT RESOLVED:

That the Authority accepts the proposal of Nussbaumer & Clarke, Inc. to provide professional engineering services relating to Water Service Investigations and Lead Service Replacements, Contract A, City of Tonawanda, identified as Contract No. NC-045; and be it further

RESOLVED: That the Chair is authorized to execute said Agreement on behalf of the Authority.

Ayes:

Noes:

04/17/25-alh

ITEM 6 - AUTHORIZATION TO ENTER INTO A PROFESSIONAL SERVICES AGREEMENT WITH WM SCHUTT ASSOCIATES TO PROVIDE PROFESSIONAL ENGINEERING SERVICES RELATING TO CONSTRUCTION PHASE SERVICES FOR WATER SERVICE INVESTIGATIONS, CONTRACT 1, IDENTIFIED AS CONTRACT NO. WSA-019, PROJECT NO. 202500157

Motion by seconded by

WHEREAS, the Erie County Water Authority (the "Authority") recently issued a Request for Proposals (the "RFP") to qualified firms to provide professional engineering services relating to Construction Phase Services for Water Service Investigations, Contract 1, identified as Contract No. WSA-019; and

WHEREAS, a copy of the RFP was sent to the following firms:

Arcadis
Barton and Loguidice
CHA Consulting, Inc.
DiDonato Associates
Greenman-Pedersen, Inc.
Hazen and Sawyer
J.M. Davidson Engineering
LaBella PC
Nussbaumer & Clarke, Inc.
Wendel Companies
WM Schutt Associates; and

WHEREAS, Arcadis, Barton and Loguidice, CHA Consulting, Inc., Greenman-Pedersen, Inc., Hazen and Sawyer, Nussbaumer & Clarke, and WM Schutt Associates responded to the RFP; and

WHEREAS, the RFP was also posted on the Authority's website which did not result in any additional responses; and

WHEREAS, the RFP process was conducted pursuant to the enacted state legislation (New York State Finance Law §§139-j and 139-k) and the Authority's Purchasing Guidelines, Policies and Procedures; and

WHEREAS, after proposals were reviewed and discussed among the review committee, it was determined that WM Schutt Associates was the best firm for this project; and

WHEREAS, the review committee recommends that the Authority enter into a Professional Services Agreement with WM Schutt Associates to provide professional engineering services relating to Construction Phase Services for Water Service Investigations, Contract 1, identified as Contract No. WSA-019; and

WHEREAS, the Authority's 2025 Capital Budget includes funds for this project under Unit 2590 Eng/Const Distribution Mains, Item No. 101802 Lead Service Line Inventory;

NOW, THEREFORE, BE IT RESOLVED:

That the Authority accepts the proposal of WM Schutt Associates to provide professional engineering services relating to Construction Phase Services for Water Service Investigations, Contract 1, identified as Contract No. WSA-019; and be it further

RESOLVED: That the Chair is authorized to execute said Agreement on behalf of the Authority.

Ayes:

Noes:

04/17/25-alh

ITEM 7 - AWARD OF CONTRACT TO MODERN DISPOSAL SERVICE, INC. FOR FURNISHING NECESSARY LABOR AND MATERIALS FOR PICKUP, HAULING, AND DISPOSAL OF ALUMINUM-BASED RESIDUALS, ZEBRA MUSSELS, AND OTHER DEBRIS AND WASTE LOCATED AT DIFFERENT PROPERTIES BELONGING TO THE ERIE COUNTY WATER AUTHORITY FOR ONE YEAR FROM MAY 1, 2025 THROUGH APRIL 30, 2026, PROJECT NO. 202500028 - \$503,489.16

Motion by seconded by

WHEREAS, the Erie County Water Authority (the “Authority”) advertised in Construction Exchange and the New York State Contract Reporter on the 30th day of January 2025, a notice inviting sealed bids in accordance with Public Authorities Law §1069 for Furnishing Necessary Labor and Materials for Pickup, Hauling, and Disposal of Aluminum-Based Residuals, Zebra Mussels, and Other Debris and Waste Located at Different Properties Belonging to the Erie County Water Authority for One Year from May 1, 2025 through April 30, 2026; and

WHEREAS, Authority personnel opened a sealed bid in the office of the Authority on the 25th day of February 2025, and was as follows:

BIDDERS	AMOUNT
Modern Disposal Services, Inc.*	\$ 503,489.16**

*Only bid received; and

**Corrected bid; and

WHEREAS, William W. Wheeler, Senior Distribution Engineer, and Leonard F. Kowalski, Executive Engineer, have reviewed the specifications and bid and determined Modern Disposal Services, Inc. is a responsible bidder qualified to perform the project and have recommended that a contract be awarded to that firm for the abovementioned project; and

WHEREAS, the Authority’s 2025 O&M Budget includes funds for this project under Unit 1010 Sturgeon Point Plant, Item No. 35 Refuse and Waste Disposal; Unit 1015 Van de Water Plant, Item No. 35 Refuse and Waste Disposal; Unit 1020 Control Operations, Item No. 19 Payment to Contractors-Other; and Unit 3070 Facilities, Item No. 35 Refuse and Waste Disposal;

NOW, THEREFORE, BE IT RESOLVED:

That the Authority awards the contract to Modern Disposal Services, Inc. as a responsible bidder for the abovementioned project, and be it further

RESOLVED: That the Chair is authorized to execute a contract with Modern Disposal Services, Inc. for Furnishing Necessary Labor and Materials for Pickup, Hauling, and Disposal of Aluminum-Based Residuals, Zebra Mussels, and Other Debris and Waste Located at Different

Properties Belonging to the Erie County Water Authority for One Year from May 1, 2025 through April 30, 2026, as a unit price contract for the estimated total amount of \$503,489.16.

Ayes:

Noes:

04/17/25-alh

ITEM 8 - AWARD OF CONTRACT TO NEW FRONTIER EXCAVATING & PAVING, INC. FOR WATER SERVICE INVESTIGATIONS AND LEAD SERVICE REPLACEMENTS, CONTRACT A, CITY OF TONAWANDA, PROJECT NO. 202500008 - \$4,395,425.95

Motion by seconded by

WHEREAS, the Erie County Water Authority (the “Authority”) advertised in Construction Exchange and the New York State Contract Reporter on the 27th day of February 2025, a notice inviting sealed bids in accordance with Public Authorities Law §1069 for Water Service Investigations and Lead Service Replacements, Contract A, City of Tonawanda; and

WHEREAS, Authority personnel opened sealed bids in the office of the Authority on the 25th day of March 2025, and was as follows:

BIDDERS	AMOUNT
New Frontier Excavating & Paving, Inc.	\$ 4,395,425.95
Russo Development, Inc.	6,409,000.00
Kandey Company, Inc.	7,655,550.00; and

WHEREAS, Michael J. Quinn, Director of Distribution, and Leonard F. Kowalski, Executive Engineer, have reviewed the specifications and bids and determined New Frontier Excavating & Paving, Inc. is the lowest responsible bidder qualified to perform the project and have recommended that a contract be awarded to that firm for the abovementioned project; and

WHEREAS, the Authority’s 2025 Capital Budget includes funds for this project under Unit 2590 Eng/Const Distribution Mains, Item No. 101804 Lead Service Line Replacement;

NOW, THEREFORE, BE IT RESOLVED:

That the Authority awards the contract to New Frontier Excavating & Paving, Inc. as the lowest responsible bidder for the abovementioned project, and be it further

RESOLVED: That the Chair is authorized to execute a contract with New Frontier Excavating & Paving, Inc. for Water Service Investigations and Lead Service Replacements, Contract A, City of Tonawanda, as a unit price contract for the estimated total amount of \$4,395,425.95; and be it further

RESOLVED: That the Secretary is authorized to return to the unsuccessful bidders their deposit submitted with their bid to the Authority for the abovementioned project.

Ayes:

Noes:

04/17/25-alh

ITEM 9 - AWARD OF CONTRACT TO KANDEY COMPANY, INC. FOR WATER DISTRIBUTION SYSTEM REPLACEMENTS AND IMPROVEMENTS, MAY 1, 2025 TO APRIL 30, 2027, PROJECT NO. 202500010 - \$2,933,645.00

Motion by seconded by

WHEREAS, the Erie County Water Authority (the “Authority”) advertised in Construction Exchange and the New York State Contract Reporter on the 12th day of February 2025, a notice inviting sealed bids in accordance with Public Authorities Law §1069 for Water Distribution System Replacements and Improvements, May 1, 2025 to April 30, 2027; and

WHEREAS, Authority personnel opened sealed bids in the office of the Authority on the 11th day of March 2025, and was as follows:

BIDDERS	AMOUNT
Kandey Company, Inc.	\$ 2,933,645.00
Mark Cerrone, Inc.	3,093,575.00
E&R General Contracting, Inc.	4,142,100.00; and

WHEREAS, Michael J. Quinn, Director of Distribution, and Leonard F. Kowalski, Executive Engineer, have reviewed the specifications and bids and determined Kandey Company, Inc. is the lowest responsible bidder qualified to perform the project and have recommended that a contract be awarded to that firm for the abovementioned project; and

WHEREAS, the Authority’s 2025 Capital Budget includes funds for this project under Unit 2090 Distribution Mains, Item No. 100586 Misc Distribution Mains;

NOW, THEREFORE, BE IT RESOLVED:

That the Authority awards the contract to Kandey Company, Inc. as the lowest responsible bidder for the abovementioned project; and be it further

RESOLVED: That the Chair is authorized to execute a contract with Kandey Company, Inc. for Water Distribution System Replacements and Improvements, May 1, 2025 to April 30, 2027, as a unit price contract for the estimated total amount of \$2,933,645.00; and be it further

RESOLVED: That the Secretary is authorized to return to the unsuccessful bidders their deposit submitted with their bid to the Authority for the abovementioned project.

Ayes:
Noes:

04/17/25-alh

ITEM 10 - AWARD OF CONTRACT TO FERGUSON ELECTRIC, INC. FOR HIGH VOLTAGE, SERVICE, SWITCHGEAR INSPECTION AND EMERGENCY ELECTRICAL WORK WITHIN THE ERIE COUNTY WATER AUTHORITY'S FACILITIES FOR A PERIOD OF TWO YEARS FROM JUNE 1, 2025 THROUGH MAY 31, 2027, PROJECT NO. 202500015 - \$2,072,700.00

Motion by seconded by

WHEREAS, the Erie County Water Authority (the "Authority") advertised in Construction Exchange and the New York State Contract Reporter on the 4th day of February 2025, a notice inviting sealed bids in accordance with Public Authorities Law §1069 for High Voltage, Service, Switchgear Inspection and Emergency Electrical Work within the Erie County Water Authority's Facilities for a Period of Two Years from June 1, 2025 through May 31, 2027; and

WHEREAS, Authority personnel opened sealed bids in the office of the Authority on the 27th day of February 2025, and was as follows:

BIDDERS	AMOUNT
Ferguson Electric, Inc.	\$ 2,072,700.00
O'Connell Electric Company, Inc.	2,355,184.00
RESA Service, LLC.	2,462,840.00; and

WHEREAS, Scott A. Aiple, Electrical Engineer, and Leonard F. Kowalski, Executive Engineer, have reviewed the specifications and bids and determined Ferguson Electric, Inc. is the lowest responsible bidder qualified to perform the project and have recommended that a contract be awarded to that firm for the abovementioned project; and

WHEREAS, the Authority's 2025 O&M Budget includes funds for this project under Unit 1010 Sturgeon Point Plant, Item No. 17 Payments to Contractors – Electrical; Unit 1015 Van de Water Plant, Item No. 17 Payments to Contractors – Electrical; Unit 1020 Control Operations, Item No. 17 Payments to Contractors – Electrical; Unit 1025 Instrumentation, Item No. 17 Payments to Contractors – Electrical; Unit 3070 Facilities, Item No. 17 Payments to Contractors – Electrical and Unit 8525 Information Technology, Item No. 19 Payments to Contractors - Other;

NOW, THEREFORE, BE IT RESOLVED:

That the Authority awards the contract to Ferguson Electric, Inc. as the lowest responsible bidder for the abovementioned project; and be it further

RESOLVED: That the Chair is authorized to execute a contract with Ferguson Electric, Inc. for High Voltage, Service, Switchgear Inspection and Emergency Electrical Work within the Erie County Water Authority's Facilities for a Period of Two Years from June 1, 2025 through May 31, 2027, as a unit price contract for the estimated total amount of \$2,072,700.00; and be it

further

RESOLVED: That the Secretary is authorized to return to the unsuccessful bidders their deposit submitted with their bid to the Authority for the abovementioned project.

Ayes:

Noes:

04/17/25-alh

**ITEM 11 - AWARD OF CONTRACT TO WAYPOINT TECHNOLOGY GROUP, LLC.
FOR TRIMBLE DATA COLLECTOR REPLACEMENT, PROJECT NO.
202500012 - \$78,966.00**

Motion by seconded by

WHEREAS, the Erie County Water Authority (the “Authority”) advertised in Construction Exchange and the New York State Contract Reporter on the 28th day of January 2025, a notice inviting sealed bids in accordance with Public Authorities Law §1069 for Trimble Data Collector Replacement; and

WHEREAS, Authority personnel opened a sealed bid in the office of the Authority on the 20th day of February 2025, and was as follows:

BIDDERS	AMOUNT
Waypoint Technology Group, LLC.*	\$ 78,966.00

*Only bid received; and

WHEREAS, David W. Aubertine, Director of Cybersecurity and Information Technology, has reviewed the specifications and bid and determined Waypoint Technology Group, LLC. is a responsible bidder qualified to perform the project and has recommended that a contract be awarded to that firm for the abovementioned project; and

WHEREAS, the Authority’s 2025 Capital Budget includes funds for this project under Unit 8525 Information Technology, Item No. 101770 Trimble Data Collector Replacement;

NOW, THEREFORE, BE IT RESOLVED:

That the Authority awards the contract to Waypoint Technology Group, LLC. as a responsible bidder for the abovementioned project, and be it further

RESOLVED: That the Chair is authorized to execute a contract with Waypoint Technology Group, LLC. for Trimble Data Collector Replacement as a unit price contract for the estimated total amount of \$78,966.00.

Ayes:
Noes:

04/17/25-alh

ITEM 12 - APPROVAL OF AMENDMENT NO. 6 TO THE PROFESSIONAL SERVICES AGREEMENT WITH NEW YORK STATE INDUSTRIES FOR THE DISABLED AND THE ERIE COUNTY CHAPTER NYSARC, INC. D/B/A THE ARC ERIE COUNTY NEW YORK FOR LANDSCAPING, GROUND IMPROVEMENTS AND MAINTENANCE OF PROPERTIES OF THE ERIE COUNTY WATER AUTHORITY ERIE COUNTY, NEW YORK, PROJECT NO. 202100004

Motion by seconded by

WHEREAS, on April 15, 2021, the Erie County Water Authority (the “Authority”) executed an agreement with New York State Industries for the Disabled (“NYSID”) and the Erie County Chapter NYSARC, Inc. d/b/a the ARC Erie County New York (“ARC”) for Landscaping, Ground Improvements and Maintenance of Properties of the Erie County Water Authority (the “Agreement”); and

WHEREAS, on November 10, 2021, the parties executed Amendment No. 1 to the Agreement reducing pricing of certain line items in the Agreement; and

WHEREAS, on April 7, 2022, the parties executed Amendment No. 2 to the Agreement extending the term of the Agreement to April 14, 2023; and

WHEREAS, on November 17, 2022, the parties executed Amendment No. 3 to the Agreement increasing the unit prices set forth in the Agreement as a result of an increase in the Prevailing Wage Schedule applicable to this Agreement; and

WHEREAS, on April 20, 2023, the parties executed Amendment No. 4 to the Agreement extending the term of the Agreement to April 14, 2024; and

WHEREAS, on March 21, 2024, the parties executed Amendment No. 5 to the Agreement extending the term of the Agreement to April 14, 2025; and

WHEREAS, in accordance with paragraph 3.02 of the Agreement, the parties may amend the Agreement by written amendment authorized by resolution of the Authority’s Board of Commissioners (the “Board”); and

WHEREAS, the parties wish to extend the Agreement for an additional one-year period from April 15, 2025 through April 14, 2026 with monthly costs remaining the same at \$39,533.18; and

WHEREAS, the Agreement includes hourly wages set at prevailing wage rates and will be adjusted annually on July 1st based on any changes in the prevailing wages under Article 9 of the New York State Labor Law; and

WHEREAS, the Authority’s 2025 O&M includes funds for this project under Unit 1020 Control Operations, Item No. 19 Payments to Contractors - Other; Unit 1010 Sturgeon Point Plant,

Item No. 19 Payments to Contractors - Other; Unit 1015 Van de Water Plant, Item No. 19 Payments to Contractors - Other and Unit 3070 Facilities, Item No. 19 Payment to Contractors - Other;

NOW, THEREFORE, BE IT RESOLVED:

That the Board approves amending the Professional Services Contract with NYSID and ARC by extending the Agreement for an additional one-year period from April 15, 2025 through April 14, 2026 with monthly costs remaining the same at \$39,533.18; and be it further

RESOLVED: That the Chair is hereby authorized to execute Amendment No. 6 on behalf of the Authority.

Ayes:

Noes:

04/17/25-alh

ITEM 13 - AUTHORIZATION TO AMEND THE ERIE COUNTY WATER AUTHORITY'S ANNUAL CAPITAL BUDGET FOR THE FISCAL YEAR 2025 -VAN DE WATER WATER TREATMENT PLANT FILTER NO. 3 VALVES REPLACEMENT, PROJECT NO. 202200238 - \$225,000.00

Motion by seconded by

WHEREAS, in a resolution dated October 17, 2024, the Erie County Water Authority (the "Authority") adopted its Annual Capital Budget for the fiscal year 2025; and

WHEREAS, from time to time, due to changes in spending priorities, availability of funds, or changes in other circumstances, the Authority finds it proper to amend its Budget to reflect such changes; and

WHEREAS, the Authority has been advised by Michael J. Quinn, Director of Distribution, funding is needed for budget item 101691 Filter Valves – Actuator Replacement; and

WHEREAS, in order to provide funding for this project, funds within the Capital Budget will need to be re-allocated as follows:

<u>Unit No</u>	<u>Capital No</u>	<u>Description</u>	<u>Increase</u>	<u>Decrease</u>
1015	101691	Filter Valves – Actuator Replacement	\$ <u>225,000</u>	
1015	101798	Filter 2 Valves – Actuator Replacement		\$ <u>225,000</u>
Totals			\$ 225,000	\$ 225,000;

NOW, THEREFORE, BE IT RESOLVED:

That the Authority's Annual Capital Budget for the fiscal year 2025 be amended as listed above.

Ayes:

Noes:

04/17/25-alh

**ITEM 14 - RATIFICATION OF THE INSTALLATION OF VALVES AND
RETIREMENT OF EXISTING VALVES - VARIOUS LOCATIONS**

Motion by seconded by

WHEREAS, the Engineering Department of the Erie County Water Authority (the "Authority") advised that hydrants and valves were installed as part of the Authority's program to keep pace with improvements in firefighting technology, as follows:

Replaced existing 6" valve at 22 Livingston Parkway, Town of Amherst with a new 6" resilient seat valve on 02/25/2025. Work done by ECWA forces under Work Authorization No. 107.200 7483.

Valve originally installed in 1955 was scrapped and retired under Retirement Authorization No. R250008.

Replaced existing 6" valve at 114 Harvard Avenue, Village of Depew with a new 6" resilient seat valve on 03/06/2025. Work done by ECWA forces under Work Authorization No. 107.200 7486.

Valve originally installed prior to 07/01/1999 was scrapped and retired under Retirement Authorization No. R250009.

Installed a new 12" resilient seat valve at 759 Dick Road, Town of Cheektowaga on 03/17/2025. Work done by ECWA forces under Work Authorization No. 107.200 7485; and

WHEREAS, Leonard F. Kowalski, Executive Engineer ratifies said installations and work;

NOW, THEREFORE, BE IT RESOLVED:

That the Board of Commissioners of the Authority approve the retirement of the abovementioned valves at the abovementioned locations; and be it further

RESOLVED: That the installation of the new valves in the abovementioned locations, as part of the Authority's continuing program to improve its facilities is hereby approved, ratified and confirmed.

Ayes:

Noes:

04/17/25-alh

**ITEM 15 - AUTHORIZATION FOR CLAYTON RUMSEY, ANALYTICAL CHEMIST
TO ATTEND THE AWWA ANNUAL CONFERENCE AND EXPOSITION IN
DENVER, COLORADO**

Motion by seconded by

WHEREAS, the Erie County Water Authority (the “Authority”) deems it advisable for Clayton Rumsey, Analytical Chemist to attend the AWWA Annual Conference and Exposition in Denver, Colorado at a total estimated cost of \$3,350.00;

NOW, THEREFORE, BE IT RESOLVED:

That Clayton Rumsey, Analytical Chemist is authorized to travel to Denver, Colorado from June 8, 2025 to June 12, 2025 to attend the AWWA Annual Conference and Exposition at a total estimated cost of \$3,350.00.

Ayes:

Noes:

04/17/25-alh

ITEM 16 - AUTHORIZATION TO AMEND AND ADOPT THE ERIE COUNTY WATER AUTHORITY'S POLICY NO. 8 TRAVEL & TRAINING

Motion by seconded by

WHEREAS, on September 20, 2023, the Erie County Water Authority's (the "Authority") Board of Commissioners (the "Board") adopted a newly revised Employee Policies/Procedures Manual (the "Manual"); and

WHEREAS, this Manual contains a policy establishing guidelines concerning the reimbursement for all necessary and legitimate expenses actually incurred when traveling on authorized Authority business, identified as Policy No. 8 (the "Policy"); and

WHEREAS in Section 1.2, the Policy referenced "Out of Town Travel" but did not define the term; and

WHEREAS, the Secretary to the Authority and the Legal Department reviewed the Policy and recommend amending the Policy to include the definition of "Out of Town Travel"; and

WHEREAS, the recommended changes to Section 1.2 of the Policy are as follows:

1.2 Overnight or Out of Town Travel. When attendance requires overnight travel and/or out of town travel, approval of the Board of Commissioners is required prior to attending such training seminars or conferences. *Out of town travel is defined as beyond one hundred miles (100) of the County of Erie line.*; and

WHEREAS, on April 17, 2025, the Authority's Governance Committee reviewed and recommended the adoption of the amended Policy to the Board of Commissioners;

NOW THEREFORE BE IT RESOLVED:

That the Authority adopts the amended Policy No. 8 Travel & Training; and be it further

RESOLVED: That the Secretary is hereby directed to include the newly amended Policy in the Policy and Procedures Manual.

Ayes:

Noes:

04/17/25-alh

ITEM 17 – AUTHORIZATION TO REVISE AND ADOPT THE ERIE COUNTY WATER AUTHORITY’S PROCUREMENT POLICY

Motion by seconded by

WHEREAS, Article IV, Title 2 §2824 (1) (e) of the Public Authorities Law requires boards of state and local authorities to adopt written policies and procedures for the procurement of goods and services; and

WHEREAS, pursuant to the Authority’s By-Laws Article IV, § 2(a), the Members of the Authority shall oversee the management of the affairs of the Authority including the reviewing and updating of procurement policies; and

WHEREAS, on January 18, 2024, the Erie County Water Authority (the “Authority”) adopted the Authority’s Procurement Policy (the “Policy”); and

WHEREAS, according to Article 26 of the Policy, the procurement officer shall be responsible for assisting the Authority in conducting an annual review of the Policy; and

WHEREAS, Lavonya Lester, Director of Administration and the Legal Department conducted a review of the Procurement Policy; and

WHEREAS, recommended amendments to the Policy include the following:

- Article 6 has been updated to provide that rental equipment is not subject to competitive bidding when used for a term shorter than one year.
- Article 20 has been updated to include municipal fees, employee memberships and dues, and travel and training expenses as expenses not subject to negotiation.
- The language in Article 24 regarding review of insurance requirements by the Claims Representative/Risk Manager has been updated; and

WHEREAS, the Policy permits the Board to deem certain vendors as standardized single source vendors; and

WHEREAS, Authority personnel requested fifty-two (52) vendors to be deemed as standardized single source vendors due to the items being compatible with existing equipment, inventory, systems, programs, or services; and

WHEREAS, the list of such vendors is included in the Policy’s Appendix A; and

WHEREAS, Lavonya Lester, Director of Administration, has reviewed each of the requested vendors and the services or equipment they supply to the Authority and found they met the qualifications to be deemed as standardized single source vendors; and

WHEREAS, Lavonya Lester, Director of Administration and the Legal Department recommend that the Board adopt the revised Procurement Policy; and

WHEREAS, on April 17, 2025, the Authority's Governance Committee reviewed and recommended the adoption of the amended Policy to the Board of Commissioners;

NOW, THEREFORE, BE IT RESOLVED:

The Board of Commissioners approves the adoption of the revised Erie County Water Authority Procurement Policy; and be it further

RESOLVED: That the Secretary is hereby directed to post the revised Procurement Policy on the Authority website.

Ayes:

Noes:

04/17/25-alh

ITEM 18 - AUTHORIZATION FOR JENNIFER HIBIT, DIRECTOR OF HUMAN RESOURCES, AND DAVID IAFALLO, COORDINATOR OF EMPLOYEE RELATIONS TO ATTEND THE 2025 PERMA ANNUAL MEMBER CONFERENCE IN VERONA, NEW YORK

Motion by seconded by

WHEREAS, the Erie County Water Authority (the “Authority”) deems it advisable for Jennifer Hibit, Director of Human Resources, and David Iafallo, Coordinator of Employee Relations, to attend the 2025 PERMA Annual Member Conference in Verona, New York at a total estimated cost of \$750.00;

NOW, THEREFORE, BE IT RESOLVED:

That Jennifer Hibit, Director of Human Resources, and David Iafallo, Coordinator of Employee Relations are authorized to travel to Verona, New York from May 14, 2025 to May 16, 2025 to attend the 2025 PERMA Annual Member Conference at a total estimated cost of \$750.00.

Ayes:

Noes:

04/17/25-alh