



ERIE COUNTY WATER AUTHORITY

INTEROFFICE MEMORANDUM

March 10, 2023

To: Terrence D. McCracken, Secretary to the Authority

From: Michael W. Wymer, Senior Production Engineer *MW*

Subject: Furnish Necessary Labor and Materials for the Pickup, Hauling, and Disposal of Aluminum-Based Residuals, Zebra Mussels, and Other Debris and Waste Located at Different Properties Belonging to the ECWA for One Year from May 1, 2022, through April 30, 2023.

ECWA Project No. 202200044

The following documents are attached:

- Blue Authorization Form - this form provides the project name and project number, the action that is being requested of the Board, and it provides a list of approvals that are required prior to being acted on by the Board.
- Three (3) originals of Amendment No. 1 request for Board action and execution by the Authority.

Modern Disposal Services, Inc. has been contracted to dispose of various wastes at several facilities across throughout our system including the Service Center and both treatment plants. The Work consists of furnishing necessary labor and materials for the pickup, hauling, and disposal of aluminum-based residuals, zebra mussels, and other waste materials, recyclable mixed office paper and cardboard.

The current contract for services under our current contract with Modern will expire on April 30, 2023. Modern has agreed to extend the contract for one additional year to April 30, 2024, under the same terms and conditions.

Budget Information:

Department No.: 100 Production Department

Unit No. 1010 Sturgeon Point; O&M Item 35, Refuse and Disposal

Unit No. 1015 Van de Water; O&M Item 35, Refuse and Disposal

Unit No. 1020 Control Operations; O&M Item 19, Payment to Contractors - Others

Department No.: 300 Administration

Unit No. 3070 Facilities; O&M Item 35, Refuse and Disposal

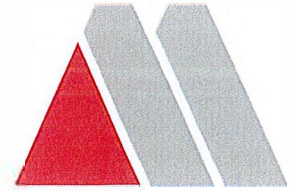
MWWmww

Attachments

cc: R.Stoll

L.Kowalski

3/1/23



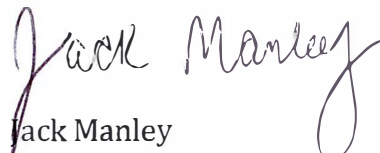
Mr. Michael Wymer, PE
Erie County Water Authority
3030 Union Rd.
Cheektowaga, NY 14227

Subject: PN202200044 Disposal of Materials Contract – Erie County Water Authority

Hello Mike,

Modern Disposal Services is willing to extend for a one-year period under the same terms and conditions.

Thank you,


Jack Manley
Modern Disposal Services



■ 4746 Model City Road, P.O. Box 209, Model City, NY 14107-0209
■ 716-754-8226 ■ 1-800-330-7107 ■ Fax: 716-754-8964

ERIE COUNTY WATER AUTHORITY
AUTHORIZATION FORM
For Approval/Execution of Documents
(check which apply)

Contract: _____ **Project No.:** 202200044
Project Description: Furnish Necessary Labor and Materials for the Pickup, Hauling, and Disposal of Aluminum-Based Residuals, Zebra Mussels, and Other Debris and Waste Located at Different Properties Belonging to the ECWA for One Year from 05/01/2022 through 04/30/2023

Item Description:

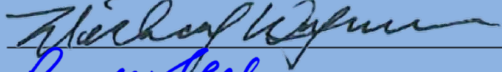



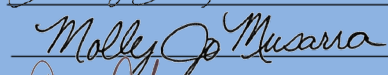


☐ Agreement ☐ Professional Service Contract ☒ Amendment ☐ Change Order
☐ BCD ☐ NYSDOT Agreement ☐ Contract Documents ☐ Addendum
☐ Recommendation for Award of Contract ☐ Recommendation to Reject Bids
☐ Request for Proposals
☐ Other _____

Action Requested:

☒ Board Authorization to Execute ☒ Legal Approval
☐ Board Authorization to Award ☒ Execution by the Chairman
☐ Board Authorization to Advertise for Bids ☐ Execution by the Secretary to the Authority
☐ Board Authorization to Solicit Request for Proposals
☐ Other _____

Approvals Needed:

APPROVED AS TO CONTENT:

<input checked="" type="checkbox"/> Sr. Production Engineer		Date: 3/9/2023
<input checked="" type="checkbox"/> Chief Operating Officer		Date: 3/9/2023
<input checked="" type="checkbox"/> Executive Engineer		Date: 03/13/2023
<input checked="" type="checkbox"/> Director of Administration		Date: 03/09/2023
<input checked="" type="checkbox"/> Risk Manager		Date: 3/9/2023
<input checked="" type="checkbox"/> Chief Financial Officer		Date: 03/13/2023
<input checked="" type="checkbox"/> Legal		Date: 3/9/2023

APPROVED FOR BOARD RESOLUTION:

☒ Secretary to the Authority  Date: 3/13/2023

Remarks: Amendment No. 1

Resolution Date: _____

Item No: _____

**AMENDMENT NO. 1 TO
PICKUP, HAULING, AND DISPOSAL OF RESIDUALS,
ZEBRA MUSSELS, AND OTHER DEBRIS AND WASTE CONTRACT**

AMENDMENT, effective March 23, 2023, to the Contract for Furnishing Necessary Labor and Materials for the Pickup, Hauling, and Disposal of Aluminum-Based Residuals, Zebra Mussels, and Other Debris and Waste (Contract No. 22-16-04) (the “Contract”), entered on April 28, 2022, by and between

ERIE COUNTY WATER AUTHORITY
295 Main Street, Room 350
Buffalo, New York 14203

hereinafter referred to as the “Authority,” and

MODERN DISPOSAL SERVICES, INC.
4746 Model City Road
Model City, New York 14107

hereinafter referred to as “Contractor.”

WHEREAS, on April 28, 2022, the Authority awarded the Contractor the Contract; and

WHEREAS, the Contract, executed on April 28, 2022, provides services until April 30, 2023; and

WHEREAS, in accordance with section 00500, paragraph 11.00, subparagraph A of the Contract, the parties may agree to extend the Contract on the same terms and conditions for two additional one-year terms; and

WHEREAS, the Contractor has agreed to extend this Contract until April 30, 2024 based on the same terms and conditions; and

NOW, THEREFORE, in consideration of mutual promises herein set forth, the parties agree to the following:

- (1) The terms and conditions of the Contract shall continue in effect until April 30, 2024;
- (2) This Amendment may be executed in counterparts, each of which is deemed an original, but all of which together are deemed to be one and the same agreement; and

IN WITNESS WHERETO, the parties hereto have caused this Amendment No. 1 to be signed by their respective duly constituted officers, attested and sealed pursuant to proper authority.

ERIE COUNTY WATER AUTHORITY

By _____
Jerome D. Schad, Chair

MODERN DISPOSAL SERVICES, INC.

By _____

STATE OF NEW YORK)
COUNTY OF ERIE) ss:

On the ____ day of March, in the year 2023, before me personally came Jerome D. Schad, to me known, who, being by me duly sworn, did depose and say that he resides in the Amherst, New York, that he is the Chair of the Board of Commissioners for the Erie County Water Authority described in the above instrument, and he signed his name thereto by the authorization of the Board of Commissioners for the Erie County Water Authority.

Notary Public

STATE OF NEW YORK)
COUNTY OF _____) ss:

On the ____ day of _____, in the year 2023, before me personally came _____, to me known, who, being by me duly sworn, did depose and say that he/she resides in _____ that he/she is the _____ of the Corporation described in the above instrument; and that he/she signed his/her name thereto by order of the Board of Directors of said Corporation.

Notary Public