



ERIE COUNTY WATER AUTHORITY
INTEROFFICE MEMORANDUM

To: Jerome D. Schad, Chair
Peggy A. LaGree, Vice Chair
Michele M. Iannello, Treasurer

CC: Russell J. Stoll, Chief Operating Officer
Karen A. Prendergast, Chief Financial Officer
Mark S. Carney, General Counsel

From: Terrence D. McCracken, Secretary to the Authority

Date: September 13, 2021

Subject: Amendment to Professional Service Contract with E3 Communications, Inc.

E3 Communications, Inc. (“E3”) has provided communications and public relations services to the Erie County Water Authority (the “Authority”) since August 2018. The expansive and invaluable services provided by E3 have included expanding the Authority’s outreach to customers on both the Authority’s website and on social media platforms. E3 has worked with the Authority’s current lobbying firm, Masiello, Martucci, Calabrese & Associates to provide support of the Authority’s lobbying initiatives.

On April 30, 2020, the Authority and E3 agreed to extend the term of the Contract to July 31, 2021.

I recommend amending the professional services contract with E3 for an additional one-year term through July 31, 2022 pursuant to paragraph 3 of the Contract.

The Authority’s 2021 O&M Budget includes funds for this project under Unit 6030 Public Information, Item No. 60 Special Services.

TDM/tg

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

Contract: _____ **Project No.:** 201800179
Project Description: Amendment No. 2 to Professional Service Contract with E3 Communications

Item Description:

<input type="checkbox"/> Agreement	<input checked="" type="checkbox"/> Professional Service Contract	<input checked="" type="checkbox"/> Amendment	<input type="checkbox"/> Change Order
<input type="checkbox"/> BCD	<input type="checkbox"/> NYSDOT Agreement	<input type="checkbox"/> Contract Documents	<input type="checkbox"/> Addendum
<input type="checkbox"/> Recommendation for Award of Contract	<input type="checkbox"/> Recommendation to Reject Bids		
<input type="checkbox"/> Request for Proposals			
<input type="checkbox"/> Other _____			

Action Requested:

<input checked="" type="checkbox"/> Board Authorization to Execute	<input type="checkbox"/> Legal Approval
<input type="checkbox"/> Board Authorization to Award	<input checked="" type="checkbox"/> Execution by the Chairman
<input type="checkbox"/> Board Authorization to Advertise for Bids	<input type="checkbox"/> Execution by the Secretary to the Authority
<input type="checkbox"/> Board Authorization to Solicit Request for Proposals	
<input type="checkbox"/> Other _____	

Approvals Needed:

APPROVED AS TO CONTENT:

<input type="checkbox"/> Other (if Applicable)	_____	Date: _____
<input checked="" type="checkbox"/> Chief Operating Officer	<u>Russell J. Fells</u>	Date: <u>9/13/21</u>
<input type="checkbox"/> Executive Engineer	_____	Date: _____
<input type="checkbox"/> Director of Administration	_____	Date: _____
<input type="checkbox"/> Risk Manager	_____	Date: _____
<input checked="" type="checkbox"/> Chief Financial Officer	<u>Karen A. Bendegast</u>	Date: <u>09/13/2021</u>
<input checked="" type="checkbox"/> Legal	<u>[Signature]</u>	Date: <u>9/13/2021</u>

APPROVED FOR BOARD RESOLUTION:

<input checked="" type="checkbox"/> Secretary to the Authority	<u>[Signature]</u>	Date: <u>09/13/21</u>
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Remarks: _____

Resolution Date: _____ **Item No:** _____

**AMENDMENT NO. 2 TO
PROFESSIONAL SERVICES CONTRACT**

AMENDMENT, effective August 1, 2021, to the Professional Services Contract, entered on the 10th day of September 2018, by and between:

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

hereinafter referred to as the “Authority,” and

E3 COMMUNICATIONS, INC.
551 Franklin Street
Buffalo, New York 14202

hereinafter referred to as “Consultant.”

WHEREAS, on August 16, 2018, the Authority awarded the Consultant a professional service contract to provide communications and public relations services (the “Contract”) for a three-year term, beginning August 1, 2018; and

WHEREAS, the Contract was fully executed on September 10, 2018, with the Authority making its first payment for services for the month of August 2018;

WHEREAS, on April 30, 2020, the Authority and the Consultant agreed to extend the term of the Contract by one year and to increase the Consultant’s rate to \$7,000 per month;

WHEREAS, the parties wish to extend the contract for an additional one-year period through July 31, 2022 pursuant to paragraph 3 of the Contract;

WHEREAS, in accordance with paragraph 5 of the Contract, no modification or variation from the terms of the Contract shall be effective unless it is in writing and authorized by a resolution of the Board of Commissioners of the Authority (the “Board”) and signed by all parties; and

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

- (1) The parties extend the term of the Contract for communications and public relations services until July 31, 2022 at a rate of \$7,000 for the period from August 1, 2021 through July 31, 2022;

(2) The parties agree all other terms and conditions of the Contract shall remain unchanged and in effect; and

(3) 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.

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

E3 COMMUNICATIONS, INC.

By _____
Earl V. Wells, President

STATE OF NEW YORK)
COUNTY OF ERIE) ss:

On the ___ day of September, in the year 2021, 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 ERIE) ss:

On the ___ day of _____, in the year 2020, before me personally came Earl V. Wells to me known, who, being by me duly sworn, did depose and say that he resides in Clarence, New York, that he is the President of the Corporation described in the above instrument; and that he signed his name thereto by order of the Board of Directors of said Corporation.

Notary Public

