

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

**Contract:** 19-05-04

**Project No.:** 201900007

**Project Description:** Furnishing and Delivering Liquid Chlorine in One Ton to the Erie County Water Authority for Use in the Treatment of Water for Two Years from May 1, 2019 through April 30, 2021

**Item Description:**




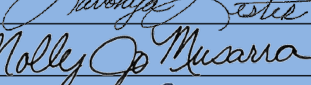
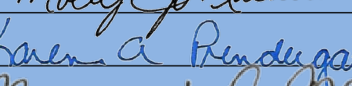


- |  |  |   |                                       |
|--|--|---|---------------------------------------|
| <input type="checkbox"/> Agreement   | <input type="checkbox"/> Professional Service Contract | <input type="checkbox"/> Amendment          | <input type="checkbox"/> Change Order |
| <input type="checkbox"/> 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 checked="" type="checkbox"/> Other <u>One Year Contract Extension</u> |  |   |                                       |

**Action Requested:**


- |   |  |
|---|--|
| <input checked="" type="checkbox"/> Board Authorization to Execute            | <input checked="" 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 checked="" type="checkbox"/> Sr. Production Engineer    |  | Date: 2/9/2021   |
| <input checked="" type="checkbox"/> Chief Operating Officer    |  | Date: 2/9/2021   |
| <input checked="" type="checkbox"/> Executive Engineer         |   | Date: 02/09/2021 |
| <input checked="" type="checkbox"/> Director of Administration |  | Date: 02/09/2021 |
| <input checked="" type="checkbox"/> Risk Manager               |  | Date: 02/10/2021 |
| <input checked="" type="checkbox"/> Chief Financial Officer    |  | Date: 02/09/2021 |
| <input checked="" type="checkbox"/> Legal                      |  | Date: 02/09/2021 |

**APPROVED FOR BOARD RESOLUTION:**

- |  |  |                  |
|--|--|------------------|
| <input checked="" type="checkbox"/> Secretary to the Authority |  | Date: 02/10/2021 |
|--|--|------------------|

**Remarks:** \_\_\_\_\_

**Resolution Date:** \_\_\_\_\_

**Item No:** \_\_\_\_\_



# ERIE COUNTY WATER AUTHORITY

## INTEROFFICE MEMORANDUM

February 9, 2021

To: Terrence D. McCracken, Secretary to the Authority

From: David M. Patton, Senior Production Engineer *DMP*

Subject: Furnishing and Delivery of Liquid Chlorine in One Ton Containers to the Erie County Water Authority for Use in the Treatment of Water, from May 1, 2019 Through April 30, 2021  
ECWA Project No. 201900007

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The Erie County Water Authority utilizes liquid chlorine to disinfect the water produced at the Sturgeon Point and Van de Water Treatment Plants. The use of liquid chlorine is a critical component of the disinfection process and required by the Health Department.

The above referenced contract to furnish and deliver liquid chlorine will expire on April 30, 2021. The Authority and the Supplier, JCI Jones Chemical, Inc., agree that a one-year extension of the current contract at the same terms and conditions would be mutually beneficial for both parties.

The Contractor expressed interest in extending the current contract in the attached letter dated January 5, 2021.

This unit price contract was initially bid for two years with the provision for a one-year extension. JCI Jones Chemical has proven to be a highly capable and reliable vendor, which has been, and continues to be especially valuable throughout the Covid-19 crisis.

Based on this information it is recommended that the Authority exercise the one-year extension.

### Budget Information:

- Unit 1010 Sturgeon Point Plant, O&M Item 13 Chemicals
- Unit 1015 Van de Water Plant, O&M Item 13 Chemicals

DMP:jmf

Attachment

cc: R.Stoll

L.Kowalski

M Wymer

L.Lester

CHEM-158-1801-I-186



January 5, 2021

Erie County Water Authority  
Attn: Mr. David Patton

Re: Chlorine Contract #201900007

Dear David:

JCI is pleased to be able to extend the Chlorine contract for another year under the same terms and conditions through April 30, 2022.

The current two year bid expires April 30, 2021 at \$579.00 per ton.

Thank you for your continued interest in JCI Jones Chemicals and please call me 800-255-3789 with any questions.

Sincerely,  
JCI Jones Chemicals, Inc.

A handwritten signature in cursive script that reads "Deborah Stella".

Deborah Stella  
Sales Coordinator

12. **CUSTOM, USAGE AND MODIFICATION**

This agreement constitutes the entire agreement between the parties and supersedes all prior or other agreements and representations, oral or in writing, regardless of custom and usage in the trade, industry, etc. in this locality or elsewhere. Neither this agreement nor any term, covenant, provision or condition may be changed, waived, discharged or terminated orally or in any manner other than an instrument in writing executed and acknowledged by the party against whom the enforcement of the change, waiver, discharge or termination is sought.

It is understood and agreed by the parties hereto that no single person can act on behalf of the Erie County Water Authority as the Authority can only act pursuant to resolution properly adopted.

13. **BONDS AND INSURANCE**

The SUPPLIER agrees to obtain and keep in force and effect the insurance required by Appendix B and all bonds required by Appendix C.

14. **EXECUTION OF CONTRACT**

IN WITNESS WHEREOF, the said parties hereto have caused this instrument to be signed by their respective duly constituted officers, attested and sealed pursuant to proper resolutions.

15. **GROUND FOR RENEWAL OF CONTRACT**

If the Erie County Water Authority and SUPPLIER mutually agree to continue this Contract after the 30<sup>th</sup> day of April, 2021, it shall be extended for the term of one (1) year on the same terms and conditions provided for herein. Supplier shall provide written notification to the Erie County Water Authority of the contract extension prior to the expiration of the initial term of this Contract.

**AMENDMENT NO. 1 TO  
MATERIAL & SUPPLY CONTRACT FOR  
FURNISHING & DELIVERING OF LIQUID CHLORINE**

AMENDMENT, effective May 1, 2021, to the Material & Supply Contract for  
Furnishing & Delivering, entered on April 1, 2019 , by and between

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

hereinafter referred to as the “Authority”, and

**JCI JONES CHEMICALS, INC.**  
100 Sunny Sol Blvd.  
Caledonia, New York 14423

hereinafter referred to as “Supplier”.

**WHEREAS**, on March 26, 2019, the Authority awarded the Supplier a material and supply contract for the furnishing and delivering of liquid chlorine to the Authority’s treatment plants (the “Contract”); and

**WHEREAS**, the Contract, executed on April 4, 2019, provides services until April 30, 2021; and

**WHEREAS**, in accordance with paragraph 15 of the Contract, the parties may agree to extend the Contract on the same terms and conditions for one year; and

**WHEREAS**, the Supplier has agreed to extend this Contract until April 30, 2022 based on the same terms and conditions including but not limited to furnishing and delivering liquid chlorine to the Authority’s treatment plant at the price of \$579.00 per ton; and

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

- (1) The term and conditions of the Contract shall continue in effect until April 30, 2022;
- (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

- (3) The parties agree to accept electronic signature pages, signed in conformity with the Governor's Executive Order No. 202.8, allowing any notarial action to be performed utilizing audio-video technology.

**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

**JCI JONES CHEMICALS, INC.**

By \_\_\_\_\_  
Jeffrey C. Jones, CEO

**STATE OF NEW YORK     )**  
**COUNTY OF ERIE         ) ss:**

On the \_\_\_\_ day of \_\_\_\_\_, 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 \_\_\_\_\_     )**  
**COUNTY OF \_\_\_\_\_     ) ss:**

On the \_\_\_\_ day of \_\_\_\_\_, in the year 2021, before me personally came \_\_\_\_\_ to me known, who, being by me duly sworn, did depose and say that he resides in \_\_\_\_\_ that he is the \_\_\_\_\_ 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