



## ERIE COUNTY WATER AUTHORITY

### INTEROFFICE MEMORANDUM

To: Terrence D. McCracken, Secretary to the Authority

From: Lavonya C. Lester, Director of Administration *LCL*

Subject: NYSID Preferred Source Cleaning Contract Extension

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On September 10, 2020, the Authority entered into a professional services agreement with New York State Industries for the Disabled (NYSID) and the Erie County Chapter of NYSARC d/b/a the Arc of Erie County New York (Arc). NYSID and Arc have provided cleaning services to the Authority's Service Center location since 2016. They also performed disinfectant cleaning services for several months during the COVID-19 pandemic for additional Authority sites.

Per the terms of the contract, the parties may agree to (4) annual extensions. The first annual extension would be for the period from September 1, 2021, through August 31, 2022. There was a slight delay in the Authority receiving information regarding the annual prevailing wage increase (as set forth in the Agreement) from NYSID and Arc which is why this extension is being presented after September 1st. With the increase in the NYS Department of Labor prevailing wage schedules, the new monthly cleaning cost will be \$7852.87, for a total annual cost of \$94,234.44. The cost difference between last year and this year is \$301.75/month. All additional terms and conditions will remain the same.

The Authority has been satisfied with the performance of the services. The Arc of Erie County has been reliable, and attentive to the needs of the Authority. I am recommending to the Board that we extend the contract for an additional year.

Unit: 3070  
GL: 401000 - 681019  
Budget Line: Payments to Contractors – Other

LCL: lcl  
Attachment  
cc:

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

**Contract:** \_\_\_\_\_ **Project No.:** 202000211  
**Project Description:** NYSID Professional Services Agreement, Service Center Cleaning  
1-year contract extension (1st of 4)

**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 type="checkbox"/> Other (if Applicable)	_____	Date: _____
<input checked="" type="checkbox"/> Chief Operating Officer		Date: 10/29/2021
<input checked="" type="checkbox"/> Executive Engineer		Date: 11/02/2021
<input checked="" type="checkbox"/> Director of Administration		Date: 10/29/2021
<input checked="" type="checkbox"/> Risk Manager		Date: 10/29/2021
<input checked="" type="checkbox"/> Chief Financial Officer		Date: 10/29/2021
<input checked="" type="checkbox"/> Legal		Date: 11/1/2021

**APPROVED FOR BOARD RESOLUTION:**

☒ Secretary to the Authority  Date: 11/2/21

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

**Resolution Date:** \_\_\_\_\_ **Item No:** \_\_\_\_\_

**AMENDMENT NO. 1 TO  
PROFESSIONAL SERVICES AGREEMENT  
FOR CLEANING SERVICES**

AMENDMENT, effective November 10, 2021, to the Professional Services Agreement effective on September 10, 2020, by and between

**ERIE COUNTY WATER AUTHORITY**

295 Main Street, Room 350  
Buffalo, New York 14203

hereinafter referred to as the “Authority,” and

**NEW YORK STATE INDUSTRIES FOR THE DISABLED, INC.**

11 Columbia Circle Drive  
Albany, New York 12203

hereinafter referred to as “NYSID,” and

**ERIE COUNTY CHAPTER NYSARC, INC. d/b/a  
THE ARC ERIE COUNTY NEW YORK**

30 Wilson Road  
Williamsville, New York 14221

Hereinafter referred to as the “ARC,”

**WHEREAS**, on September 10, 2020, the Authority entered into an agreement with NYSID and ARC to provide cleaning services to the Authority (the “Agreement”); 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; and

**WHEREAS**, the parties wish to extend the Agreement for an additional one-year period from September 1, 2021 through August 31, 2022 with an increase in the rates payable by the Authority resulting from an increase in the New York State Department of Labor prevailing wage schedules;

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

(1) The parties agree that §§ 2.01 through 2.02 of the Agreement are deleted in their entirety and replaced with the following:

**2.01** The Service Provider shall submit monthly invoices to the Authority, detailing the hours and description of the services rendered to the Authority in a form acceptable to the Authority's Chief Financial Officer and/or Comptroller. For services described under §1.03, paragraph B of this Agreement, the Authority shall pay the Service Provider \$7,852.87 on a monthly basis, which is equal to one-twelfth of 3,100 hours at the hourly rate listed under §2.02 of this Agreement.

**2.02** Costs for the general cleaning services provided under this Agreement shall be billed an hourly rate of \$30.40.

(2) The remaining terms and conditions of the Agreement shall continue in effect until August 31, 2022;

(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

**NEW YORK STATE INDUSTRIES FOR  
THE DISABLED, INC.**

By \_\_\_\_\_  
Meredith Hartman, Vice President of  
Contract Administration

**ERIE COUNTY CHAPTER NYSARC, INC.  
d/b/a THE ARC ERIE COUNTY NEW YORK**

By \_\_\_\_\_  
Douglas DiGesare, Chief Executive Officer

**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 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 that he signed his name thereto by order of the Board of Commissioners.

\_\_\_\_\_  
Notary Public

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

On the \_\_\_\_\_ day of \_\_\_\_\_, in the year 2021, before me personally came Meredith Hartman, to me known, who, being by me duly sworn, did depose and say that she resides in Saratoga County, New York, that she is the Vice President of Contract Administration of New York State Industries for the Disabled, Inc., described in the above instrument; and that she signed her name thereto by order of the Board of Directors of said Corporation.

\_\_\_\_\_  
Notary Public

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

On the \_\_\_\_\_ day of \_\_\_\_\_, in the year 2021, before me personally came Douglas DiGesare, to me known, who, being by me duly sworn, did depose and say that he resides in Kenmore, New York, that he is the Chief Executive Officer of Erie County Chapter NYSARC, Inc. d/b/a The ARC Erie County, described in the above instrument; and that he signed his name thereto by order of the Board of Directors of said Corporation.

\_\_\_\_\_  
Notary Public