



ERIE COUNTY WATER AUTHORITY

INTEROFFICE MEMORANDUM

December 6, 2021

To: Terrence D. McCracken, Secretary to the Authority

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

Subject: Furnishing and Delivering of Lime Slurry to the Erie County Water Authority for Use in the Treatment of Water Treatment Plant Residuals, from February 1, 2020 through January 31, 2022
ECWA Project No. 202000006

The Erie County Water Authority utilizes liquid lime slurry in the water treatment plant residual's dewatering process. The use of liquid lime slurry is a critical component of the WTP residuals dewatering process and required by the NYS Department of Environmental Conservation for our SPDES permit discharge.

The above referenced contract to furnish and deliver lime slurry will expire on January 31, 2022. The Authority and the Supplier, Applied Specialties, 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 October 8, 2021.

This unit price contract was initially bid for two years with the provision for a one-year extension. Applied Specialties, Inc. 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 complete the necessary documentation to exercise the one-year extension. If there are no objections, the Engineering Department will have the extension paperwork on the next Board Meeting for review and approval.

Budget Information

Unit 1015 - 2022 O&M Budget Item 13 - Chemicals

DMP:jmf
Attachment
cc: R.Stoll
L.Kowalski
M Wymer
L.Lester



October 8, 2021

Mr. David M. Patton
Erie County Water Authority
3030 Union Road
Cheektowaga, NY 14227

Re: Project No. 202000006

Dear Mr. Patton,

Applied Specialties Incorporated, with agreement from the Erie County Water Authority would like to extend the current Lime Slurry contract for one additional year. The current contract is slated to expire on January 31, 2022. The current price for the UltraLime of \$0.27 per dry pound delivered to the Van De Water WTP will be honored through January 31, 2023. ASI understands that at some point in 2022 the ECWA will be moving to belt presses for sludge dewatering at Van Se Water and there will be no need for UltraLime with the new application.

Sincerely,

A handwritten signature in black ink that reads "Gary Amato" followed by a stylized "ef" or "Lef".

Gary L. Amato
APPLIED SPECIALTIES INC.

GA:ef

Technology. Solutions. Service.

Set No:

Project Manual

*Engineering
Contract # 20-07-08*

**Furnishing and Delivering of Lime Slurry
To The Erie County Water Authority
For Use in the Treatment of
Water Treatment Plant Residuals
For Two Years**

**From February 1, 2020 through January 31, 2022
Project No. 202000006**

December 2019

**Erie County Water Authority
295 Main Street, Room 350
Buffalo, New York 14203**



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 31st day of January, 2022, 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.

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

Contract: 20-09-08

Project No.: 202000006

Project Description: Furnishing and Delivering of Lime Slurry to the Erie County Water Authority for Use in the Treatment of Water Treatment Plant Residuals, from February 1, 2020 through January 31, 2022

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: 12/9/2021
<input checked="" type="checkbox"/> Chief Operating Officer		Date: 12/09/2021
<input checked="" type="checkbox"/> Executive Engineer		Date: 12/14/2021
<input checked="" type="checkbox"/> Director of Administration		Date: 12/9/2021
<input checked="" type="checkbox"/> Risk Manager		Date: 12/09/2021
<input checked="" type="checkbox"/> Chief Financial Officer		Date: 12/09/2021
<input checked="" type="checkbox"/> Legal		Date: 12/9/2021

APPROVED FOR BOARD RESOLUTION:

<input checked="" type="checkbox"/> Secretary to the Authority		Date: 12/14/21
--	---	----------------

Remarks: _____

Resolution Date: _____

Item No: _____

**AMENDMENT NO. 1 TO THE CONTRACT FOR
FURNISHING AND DELIVERING OF LIME SLURRY**

AMENDMENT, effective December 22, 2021, to the Contract for Furnishing and Delivering of Lime Slurry to the Erie County Water Authority for Use in the Treatment of Water Treatment Plant Residuals (Contract No. 20-09-03) (the "Contract"), entered on March 24, 2020, by and between

ERIE COUNTY WATER AUTHORITY

295 Main Street, Room 350
Buffalo, New York 14203

hereinafter referred to as the "Authority," and

APPLIED SPECIALTIES, INC.

22555 Pin Oak Parkway
Avon Lake, Ohio 44012

hereinafter referred to as "Supplier."

WHEREAS, on February 28, 2020, the Authority awarded the Supplier the Contract; and

WHEREAS, the Contract, executed on March 24, 2020, provides for lime slurry to be supplied to the Authority, as ordered, from February 1, 2020 until January 31, 2022; 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 January 31, 2023 based on the same terms and conditions, including the unit price of \$540.00 per dry ton (\$0.27 per dry pound) of lime slurry; 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 January 31, 2023; and
- (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.

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

APPLIED SPECIALTIES, INC.

By _____

STATE OF NEW YORK)
COUNTY OF ERIE) ss:

On the ____ day of December, 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 OHIO)
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/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