



ERIE COUNTY WATER AUTHORITY

INTEROFFICE MEMORANDUM

October 8, 2020

To: Terrence D. McCracken, Secretary to the Authority

From: Leonard F. Kowalski, Executive Engineer

A handwritten signature in blue ink, appearing to be "LFK", is written over the name Leonard F. Kowalski.

Subject: Contract EMA-003-B
Distribution SCADA Replacement
ECWA Project No. 201400160

The following documents are attached for processing of the Final Pay Application for the above referenced project.

- 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.
- ECWA Final Payment Application Checklist and Packet.

This contract was procured through a New York State Office of General Services State Contract (State Contract) and the contractual agreement between Aviat U.S., Inc (Aviat) and the Authority was a combination of language used from the State Contract and standard Authority contract language used for formal contracts. EMA Inc. (Consultant) wrote the project closeout letter based on standard Authority contract language.

The entire Final Pay Application package must be reviewed by the Risk Manager and Legal Department prior to Board action. The amount certified for Final Payment is \$50,169.80.

LFK:jmf
Attachment
cc: R.Stoll
L.Lester
CONT-EMA-003-B-1401-I-186-B

Erie County Water Authority

Final Payment Application

CHECK LIST: Items to Accompany Final Payment Application

- 1. Blue Authorization Form
- 2. Statement by Consultant, if applicable, certifying that all work was performed in general conformance to plans and specifications and recommend that Final Payment be made. If no Consultant, ECWA Engineering should recommend the Final Payment be made.
- 3. Final Payment Application. The Amount Certified for Final Payment must be written on the Blue Authorization Form.

Insurance & Bond Requirements

- 4. Evidence that Insurance is in effect for two years. This is usually evident on the Certificates of Insurance that are issued.
- 5. Certification that Performance Bond is in effect for two years and Payment Bond is in effect for one year.

Release & AIA Forms

- 6. Form 507 Release by Corporation
- 7. AIA G706, Contractor's Affidavit of Payment of Debts and Claims
- 8. AIA G706A, Contractor's Affidavit of Release of Liens
- 9. AIA G707, Consent of Surety to Final Payment

EEO Requirements

- 10. M/WBE Utilization Report – Part D - **Not Applicable per Lavonya Lester**
- 11. Final Certified Payrolls

DISTRIBUTION:

To Accounts Payable

- After the Final Payment Application has been approved by the ECWA Board of Commissioners, a PDF copy can be emailed to accountspayable@ECWA.org

To ECWA Engineering

- A hard copy of the entire Final Payment Application should be placed in the files.
- A PDF copy of the Final Payment Application should be saved to the appropriate project folder on the network.

EEO:

- M/WBE Part D
- Certified Payrolls



April 3, 2019

Mr. Edward Bub
Project Manager
Aviat Networks
860 N. McCarthy Blvd. #200
Milpitas, CA 95035

Re: Erie County Water Authority
Contract Number: EMA-3B
Project Number: 201400160
Enterprise Microwave Network

Dear Mr. Bub,

Please be advised that all work on the above referenced project has been completed in general conformance with the requirements of the Contract Documents. The final contract value is \$1,003,396.10 of which \$953,226.30 in payments have been previously made to you. The balance due is \$50,169.80, which is return of retention monies previously withheld.

Attached please find MEMO 12 with the final payment value of \$50,169.80. Please sign and return for further processing. Please note that we also request the following:

1. Evidence the Insurance remains in effect from the time the agreement has been completed. This shall be on the surety's or surety agent's letterhead. This is in accordance with Article 5.04 of the General Conditions, modified by SC-5.04 through 5.10 of the Supplementary Conditions, and Appendix B which states the Insurance shall remain in effect for two years after the time the agreement has been completed.

The surety or surety agent shall include the following statement in their letter:

Be advised that, in accordance with Article 5.04 of the General Conditions, modified by SC-5.40 through 5.10 of the Supplementary Conditions, and Appendix B the Insurance for the above captioned project will remain in full force and effect for two (2) years after the time the agreement has been completed.

2. Evidence the surety bond remains in effect throughout the warranty period. This shall be on the surety's or surety agent's letterhead. This is in accordance with Article 5.01 of the General Conditions, modified by SC-5.01.A of the Supplementary Conditions, which states the payment bond shall remain in effect for one year and the performance bond shall remain in effect for two years after final payment becomes due. The bond shall be in the amount of \$1,003,369.10.

The surety or surety agent shall include the following statement in their letter:

Be advised that, in accordance with Article 5.01 of the General Conditions, modified by SC-5.01.A of the Supplementary Conditions, the performance bond for the above captioned project will remain in full force and effect for two (2) years after final acceptance and the payment bond will remain in effect for one (1) year after the date of final acceptance.

3. As required per the Contract Documents, please furnish the following:

- a. A general release (copy attached for your use, Form 507).
- b. Evidence that all payrolls, amounts due to sub-contractors, etc. have been paid. Utilize AIA Form G706.

The following statement shall be included on the AIA Form G706:

The undersigned hereby certifies that, except as listed below, payment has been made in full and all obligations have otherwise been satisfied for all materials and equipment furnished, for all work, labor, and services performed, and for all known indebtedness and claims against the Contractor for damages arising in any manner in connection with the performance of the Contract referenced above for which the Owner or Owner's property might in any way be held responsible or encumbered.

- c. A statement that all bills for labor and materials have been paid. Utilize AIA Form G706A.

The following statement shall be included on the AIA Form G706A:

The undersigned hereby certifies that to the best of the undersigned's knowledge, information and belief, except as listed below, the Releases or Waivers of Lien attached hereto include the Contractor, all Subcontractors, all suppliers of materials and equipment, and all performers of Work, labor or services who have or may have liens or encumbrances or the right to assert liens or encumbrances against any property of the Owner arising in any manner out of the performance of the Contract referenced above.

- d. Consent of Surety to Final Payment. Utilize AIA Form G707.

e. Part D of the MWBE. Not required, per Lavonya Lester, LFK 08/26/2020

f. Copies of certified payrolls. This requirement has been satisfied per Lavonya Lester, LFK 08/26/2020

Upon receipt of all the above documentation, we will process the final payment application. If you have any questions, please do not hesitate to call.

Sincerely yours,
EMA Inc.

A handwritten signature in black ink, appearing to read 'Gary Scheerer', with a long horizontal flourish extending to the right.

Gary Scheerer
Contract Administrator



EMA, Inc.
PO Box 1414 – BMO-94
Minneapolis, MN 55480-1414
www.ema-inc.com

MEMO 12

DATE: April 3, 2019
TO: Edward Bub
FROM: Gary Scheerer
CC: Dean Foote, Mike Haendiges
SUBJECT: Erie County Water Authority Enterprise Microwave Network **Final Payment Value**



Project: Erie County Water Authority Enterprise Microwave Network
Contract Number: EMA-03B
Project Number: 201400160
Engineer: EMA Inc.
Contractor: Aviat Networks
860 N. McCarthy Blvd. #200
Milpitas, CA 95035

The following table itemizes the project values and payments throughout the contract. The retention for the contract is \$50,169.80. The final contract value is \$1,003,369.10 with a final payment amount of \$50,169.80.

Date	Description	Values	Retention
	Base Contract	\$1,114,646.10	
9/4/2018	AIA #1	\$131,233.00	\$6,907.00
10/3/2018	AIA #2	\$576,365.95	\$30,335.00
12/21/2018	AIA #3	\$245,627.35	\$12,927.76
		\$953,226.30	\$50,169.76
	MPO	\$1,114,646.10	
	Paid to Date	\$953,226.30	
	Balance	\$161,419.80	
	Retention	\$50,169.80	
	Unused Funds	\$111,250.00	
	Final Contract Value	\$1,003,396.10	

Certificate of Final Payment:

I hereby certify that according to the above-mentioned Contract, the work done, and materials furnished under the Contract, both inclusive, and the value thereof, being \$50,169.80 as required by Article 6.03 of the said Contract.

Prepared By	<u>Gary Scheerer</u> Print Name	 Signature	<u>April 3, 2019</u> Date
Contractor	<u>Edward J Bub</u> Print Name	<u>Edward J Bub, PMP</u> Signature	<u>9/1/20</u> Date
Senior Distribution Engineer	<u>Not applicable</u> Print Name	_____ Signature	_____ Date
Executive Engineer	<u>Leonard F. Kowalski</u> Print Name	 Signature	<u>09/10/2020</u> Date



Daniel Yim

Marsh USA Inc.
1735 Technology Drive, Suite 790
San Jose, CA 95110
California Insurance License #0437153
+1 408 467 5630
Daniel.Yim@marsh.com
www.marsh.com

September 27, 2019

Erie County Water Authority
295 Main St., Suite 350
Buffalo, NY 14203

RE: Certificate of Insurance for Erie County Water Authority (Contract No. EMA-03B)

To whom it may concern:

As respects the subject contract, this letter is to confirm that the party below is currently listed as a certificate holder in our files for Aviat U.S., Inc.:

Erie County Water Authority
Attn: Anthony Alessi
295 Main St., Suite 350
Buffalo, NY 14203

For the next two years, Marsh will use its best efforts to deliver updated certificates of insurance to the certificate holder after each insurance renewal is finalized and as long as Marsh is the broker of record.

Sincerely,

A handwritten signature in blue ink that reads 'Daniel Yim'.

Daniel Yim



AVIAT NETWORKS
860 N. McCarthy Blvd.
Suite 200
Milpitas, CA 95035
United States
Phone: +408 941- 7000
WWW.AVIATNETWORKS.COM

October 1, 2019

Erie County Water Authority
295 Main St., Suite 350
Buffalo, NY 14203

RE: Certificate of Insurance for Erie County Water Authority (Contract No. EMA-03B)

To whom it may concern:

As respects the subject contract, this letter is to confirm that the party below is currently listed as a certificate holder in our files for Aviat U.S., Inc.:

Erie County Water Authority
Attn: Anthony Alessi
295 Main St., Suite 350
Buffalo, NY 14203

For the next two years Aviat will deliver updated certificates of insurance to the certificate holder after each insurance renewal as per contractually obligated.

Sincerely,

A handwritten signature in black ink, appearing to be 'EC'.

Eric Chang
VP Controller & Principal Accounting Officer

September 17, 2020

Ms. Victoria Torres
Aviat U.S., Inc.
860 N. McCarthy Blvd., Ste. 200
Milpitas, CA 95035

RE: TYPE OF BOND: Performance and Payment Bonds
BOND NO.: SUR0047399
OBLIGEE: Erie County Water Authority
PROJECT: Contract No. EMA-03B - Enterprise Microwave Network, Project No.
201400160
BOND AMT: \$1,145,745.00

Dear Victoria:

Please allow this letter to serve as written confirmation, that while the above captioned bonded project may be complete, the performance and payment bond both carry a two (2) year silent tail period, in which claims can be made on the bond for up to two (2) years after the date of final acceptance.

Should you have any further questions or concerns in this regard, please don't hesitate to reach out to me.

Sincerely,



Angela M. Tindol
Account Manager – Lead

***To all to Whom these Presents Shall Come,
or may concern***

Greeting: Know Ye, That Aviat U.S., Inc.

860 N McCarthy Blvd #200

Milpitas, CA 95035

NAME AND ADDRESS OF CORPORATION

For and in consideration of the sum of nine hundred fifty three thousand, two hundred twenty-six dollars and thirty cents (\$953,226.30), lawful money of the United States of America to its duly authorized officer in hand paid by the **Erie County Water Authority**, *except that Erie County Water Authority will submit final payment to Aviat U.S., Inc., in the amount of fifty thousand, one hundred sixty-nine dollars and eighty cents (\$50,169.80) upon receipt of this Form 507 Release, per Attachment A, entitled: Memo 12 the receipt whereof is hereby acknowledged,* *has remised, released, and forever discharged, and by these presents does for itself, its successors and assigns, remise, release and forever discharge the said Erie County Water Authority, heirs, executors, administrators, successors and assigns, of and from all, and all manner of action and actions cause and causes of action, suits, debts, dues, sums of money, accounts, reckoning, bonds, bills, specialties, covenants, contracts, controversies, agreements, promises, variances, trespasses, damages, judgments, extents, executions, claims and demands whatsoever, in law or in equity, which against the said:*

Aviat U.S., Inc.,

(NAME OF CORPORATION)

ever had, now has or which it or its successors or assigns, hereafter can, shall or may have for, upon or by reason of any matter, cause or thing whatsoever from the beginning of the world to the day of the date of these presents.

In Presence of

in witness Whereof, the

Erin R. Boase has caused its corporate seal to be hereunto affixed, and

these presents to be signed by its duly authorized

officer this 6th day of October

Two Thousand and 2020



By [Signature]

~~State of New York~~ ^{Texas})

County of ~~Erie~~ ^{Travis} ss.

_____ Of _____)

On this 6th day of October, Two Thousand

and twenty, before me personally came Erin R. Boase to

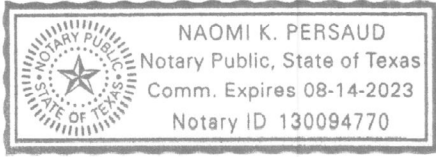
me personally known who, being by me duly sworn did depose and say that he/she resides in

2907 CASTRO ST. AUSTIN TX 78702 that he/she is

the Secretary of AVIAT ~~USA~~ US Inc., the corporation

described in and which executed the above Instrument, that he/she knows the seal of said corporation; that it was so affixed to said Instrument is such corporate seal; that it was so affixed by

order of the Board of Directors of said corporation, and he/she signed his/her name thereto by like order.



Naomi K. Persaud
Notary Public, State of Texas



AIA[®]

Document G706™ – 1994

Contractor's Affidavit of Payment of Debts and Claims

PROJECT: <i>(Name and address)</i> ECWA Enterprise Microwave Netwo Buffalo, New York	ARCHITECT'S PROJECT NUMBER: 201400160	OWNER <input type="checkbox"/>
	CONTRACT FOR: Enterprise Microwave Network	ARCHITECT <input type="checkbox"/>
		CONTRACTOR <input checked="" type="checkbox"/>
TO OWNER: <i>(Name and address)</i> Erie County Water Authority 295 Main Street, Room 350 Buffalo, New York 14203	CONTRACT DATED: December 8, 2017	SURETY <input type="checkbox"/>
		OTHER <input type="checkbox"/>

STATE OF: New York
COUNTY OF: Erie

The undersigned hereby certifies that, except as listed below, payment has been made in full and all obligations have otherwise been satisfied for all materials and equipment furnished, for all work, labor, and services performed, and for all known indebtedness and claims against the Contractor for damages arising in any manner in connection with the performance of the Contract referenced above for which the Owner or Owner's property might in any way be held responsible or encumbered.

EXCEPTIONS:

SUPPORTING DOCUMENTS ATTACHED HERETO:

- Consent of Surety to Final Payment. Whenever Surety is involved, Consent of Surety is required. AIA Document G707™, Consent of Surety, may be used for this purpose.

Indicate Attachment Yes No

The following supporting documents should be attached hereto if required by the Owner:

- Contractor's Release or Waiver of Liens, conditional upon receipt of final payment.
- Separate Releases or Waivers of Liens from Subcontractors and material and equipment suppliers, to the extent required by the Owner, accompanied by a list thereof.
- Contractor's Affidavit of Release of Liens (AIA Document G706A™).

CONTRACTOR: *(Name and address)*

Aviat U.S., Inc
860 N. McCarthy Blvd #200
Milpitas, CA 95035

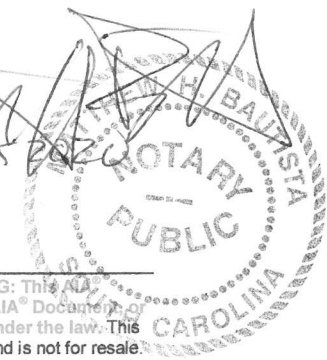
BY:


(Signature of authorized representative)

Keith Fannencor VP Global Finance
(Printed name and title)

Subscribed and sworn to before me
on this date: 9-9-20

Notary Public:
My Commission Expires: 12-15-2020



AIA[®] Document G706A[™] – 1994

Contractor's Affidavit of Release of Liens

PROJECT: <i>(Name and address)</i> ECWA Enterprise Microwave Netwo Buffalo, New York	ARCHITECT'S PROJECT NUMBER: 201400160	OWNER <input type="checkbox"/>
	CONTRACT FOR: Enterprise Microwave Network	ARCHITECT <input type="checkbox"/>
		CONTRACTOR <input checked="" type="checkbox"/>
TO OWNER: <i>(Name and address)</i> Erie County Water Authority 295 Main Street, Room 350 Buffalo, New York 14203	CONTRACT DATED: December 8, 2017	SURETY <input type="checkbox"/>
		OTHER <input type="checkbox"/>

STATE OF: New York

COUNTY OF: Erie

The undersigned hereby certifies that to the best of the undersigned's knowledge, information and belief, except as listed below, the Releases or Waivers of Lien attached hereto include the Contractor, all Subcontractors, all suppliers of materials and equipment, and all performers of Work, labor or services who have or may have liens or encumbrances or the right to assert liens or encumbrances against any property of the Owner arising in any manner out of the performance of the Contract referenced above.

EXCEPTIONS:

SUPPORTING DOCUMENTS ATTACHED HERETO:

- Contractor's Release or Waiver of Liens, conditional upon receipt of final payment.
- Separate Releases or Waivers of Liens from Subcontractors and material and equipment suppliers, to the extent required by the Owner, accompanied by a list thereof.

CONTRACTOR: *(Name and address)*

Aviat U.S., Inc.
860 N. McCarthy Blvd #200
Milpitas, CA 95035

BY:


(Signature of authorized representative)

Keith Farnen VP Global Finance
(Printed name and title)



Subscribed and sworn to before me

on this date: Sept 9 2020

Notary Public: 

My Commission Expires: Aug 15 2022



AIA[®]

Document G707[™] – 1994

Consent of Surety to Final Payment

Bond No. SUR0047399

PROJECT: *(Name and address)*
ECWA Enterprise Microwave Network
295 Main Street, Room 350
Buffalo, New York 14203

TO OWNER: *(Name and address)*
Erie County Water Authority
295 Main Street, Room 350
Buffalo, New York 14203

ARCHITECT'S PROJECT NUMBER:
201400160

CONTRACT FOR:
Enterprise Microwave Network

CONTRACT DATED:
December 8, 2017

OWNER

ARCHITECT

CONTRACTOR

SURETY

OTHER

In accordance with the provisions of the Contract between the Owner and the Contractor as indicated above, the
(Insert name and address of Surety)

Argonaut Insurance Company
P.O. Box 469011
San Antonio, TX 78246

, SURETY,

on bond of
(Insert name and address of Contractor)

Aviat U.S., Inc.
860 N. McCarthy Blvd., Ste. 200
Milpitas, CA 95035

, CONTRACTOR,

hereby approves of the final payment to the Contractor, and agrees that final payment to the Contractor shall not relieve
the Surety of any of its obligations to
(Insert name and address of Owner)

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

, OWNER,

as set forth in said Surety's bond.

IN WITNESS WHEREOF, the Surety has hereunto set its hand on this date: September 19, 2019
(Insert in writing the month followed by the numeric date and year.)

Argonaut Insurance Company
(Surety)

(Signature of authorized representative)

Angela M. Tindol, Attorney-in-Fact
(Printed name and title)

Attest:
(Seal)

Katie Kade
Katie Kade, Witness

Argonaut Insurance Company
Deliveries Only: 225 W. Washington, 24th Floor
Chicago, IL 60606

United States Postal Service: P.O. Box 469011, San Antonio, TX 78246

POWER OF ATTORNEY

KNOW ALL MEN BY THESE PRESENTS: That the Argonaut Insurance Company, a Corporation duly organized and existing under the laws of the State of Illinois and having its principal office in the County of Cook, Illinois does hereby nominate, constitute and appoint:

Angela M. Tindol, Mona D. Weaver, Anuj Jain

Their true and lawful agent(s) and attorney(s)-in-fact, each in their separate capacity if more than one is named above, to make, execute, seal and deliver for and on its behalf as surety, and as its act and deed any and all bonds, contracts, agreements of indemnity and other undertakings in suretyship provided, however, that the penal sum of any one such instrument executed hereunder shall not exceed the sum of:

\$75,000,000.00

This Power of Attorney is granted and is signed and sealed under and by the authority of the following Resolution adopted by the Board of Directors of Argonaut Insurance Company:

"RESOLVED, That the President, Senior Vice President, Vice President, Assistant Vice President, Secretary, Treasurer and each of them hereby is authorized to execute powers of attorney, and such authority can be executed by use of facsimile signature, which may be attested or acknowledged by any officer or attorney, of the Company, qualifying the attorney or attorneys named in the given power of attorney, to execute in behalf of, and acknowledge as the act and deed of the Argonaut Insurance Company, all bond undertakings and contracts of suretyship, and to affix the corporate seal thereto."

IN WITNESS WHEREOF, Argonaut Insurance Company has caused its official seal to be hereunto affixed and these presents to be signed by its duly authorized officer on the 8th day of May, 2017.

Argonaut Insurance Company



by: [Signature]

Joshua C. Betz, Senior Vice President

STATE OF TEXAS
COUNTY OF HARRIS SS:

On this 8th day of May, 2017 A.D., before me, a Notary Public of the State of Texas, in and for the County of Harris, duly commissioned and qualified, came THE ABOVE OFFICER OF THE COMPANY, to me personally known to be the individual and officer described in, and who executed the preceding instrument, and he acknowledged the execution of same, and being by me duly sworn, deposed and said that he is the officer of the said Company aforesaid, and that the seal affixed to the preceding instrument is the Corporate Seal of said Company, and the said Corporate Seal and his signature as officer were duly affixed and subscribed to the said instrument by the authority and direction of the said corporation, and that Resolution adopted by the Board of Directors of said Company, referred to in the preceding instrument is now in force.

IN TESTIMONY WHEREOF, I have hereunto set my hand, and affixed my Official Seal at the County of Harris, the day and year first above written.



Kathleen M. Meeks
(Notary Public)

I, the undersigned Officer of the Argonaut Insurance Company, Illinois Corporation, do hereby certify that the original POWER OF ATTORNEY of which the foregoing is a full, true and correct copy is still in full force and effect and has not been revoked.

IN WITNESS WHEREOF, I have hereunto set my hand, and affixed the Seal of said Company, on the 19th day of September 2019



[Signature]

James Bluzard, Vice President-Surety

Leonard F. Kowalski

From: Lavonya Lester
Sent: Tuesday, June 16, 2020 10:34 AM
To: Leonard F. Kowalski
Subject: FW: EXTERNAL: Certified Payrolls - Transwave
Attachments: Aviat Invoice 2418481-BM.pdf

Len,
Attached are documents from Aviat. Have you assigned someone to work on this yet?

We are all set with certified payrolls, I think this just needs to be signed off by engineering and submitted to accounting for payment.

Please let me know if there is anything else I need to do on my end.

Thanks
Lavonya

From: Blaine Matte <Blaine.Matte@Aviatnet.com>
Sent: Tuesday, June 16, 2020 10:27 AM
To: Lavonya Lester <llester@ecwa.org>; Shari Zajdel <szajdel@ecwa.org>
Subject: RE: EXTERNAL: Certified Payrolls - Transwave

Hi Lavonya,

I've attached the invoice for your review along with the required documents. Can you please confirm when you expect this invoice to be paid? Thank you both for your help on this.

Blaine Matte

Sr. Project Analyst

AVIAT NETWORKS

Office: (512) 582-4673
Email: blaine.matte@aviatnet.com
Web: www.aviatnetworks.com

CONFIDENTIALITY NOTICE:

This email and any attachments may contain material that is "Aviat Networks' Proprietary Information", confidential, privileged, and/or attorney work product for the sole use of the intended recipient. Any review, reliance, distribution, disclosure, or forwarding without expressed permission is strictly prohibited. If you are not the intended recipient please contact the sender and delete all copies without reading, printing or saving in any manner. Thank you.

Please consider the environment before printing this email.

From: Lavonya Lester <llester@ecwa.org>
Sent: Monday, June 15, 2020 11:42 AM

***To all to Whom these Presents Shall Come,
or may concern***

Greeting: Know Ye, That _____

NAME AND ADDRESS OF CORPORATION

For and in consideration of the sum of _____
_____ *dollars (\$* _____ *),*

lawful money of the United States of America to its duly authorized officer in hand paid by the

Erie County Water Authority,

the receipt whereof is hereby acknowledged, has remised, released, and forever discharged, and by these presents does for itself, its successors and assigns, remise, release and forever discharge the said ***Erie County Water Authority,***

heirs, executors, administrators, successors and assigns, of and from all, and all manner of action and actions cause and causes of action, suits, debts, dues, sums of money, accounts, reckoning, bonds, bills, specialties, covenants, contracts, controversies, agreements, promises, variances, trespasses, damages, judgments, extents, executions, claims and demands whatsoever, in law or in equity, which against the said:

(NAME OF CORPORATION)

ever had, now has or which it or its successors or assigns, hereafter can, shall or may have for, upon or by reason of any matter, cause or thing whatsoever from the beginning of the world to the day of the date of these presents.

In Presence of

in witness Whereof, the

_____ has caused its

corporate seal to be hereunto affixed, and

these presents to be signed by its duly authorized

officer this _____ day of _____

Two Thousand and _____

By _____

State of New York)

County of Erie ss.

_____ Of _____)

On this _____ day of _____, Two Thousand

and _____, before me personally came _____ to

me personally 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 and which executed the above Instrument, that he/she knows the seal of said

corporation; that it was so affixed to said Instrument is such corporate seal; that it was so affixed by

order of the Board of Directors of said corporation, and he/she signed his/her name thereto by like

order.
