

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

Contract: _____ **Project No.:** 2020000129
Project Description: Professional Service Agreement with Raftelis Financial Consultants, Inc
for financial planning and rate assessment services – Amendment 1

Item Description:

<input type="checkbox"/> Agreement	<input 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 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"/> Comptroller	<u><i>Oppe John</i></u>	Date: 07/21/2020
<input checked="" type="checkbox"/> Chief Operating Officer	<u><i>Russell J. Stets</i></u>	Date: 07/21/2020
<input type="checkbox"/> Executive Engineer	_____	Date: _____
<input checked="" type="checkbox"/> Director of Administration	<u><i>Devonja Lester</i></u>	Date: 07/21/2020
<input type="checkbox"/> Risk Manager	_____	Date: _____
<input checked="" type="checkbox"/> Chief Financial Officer	<u><i>Karen A. Bendugast</i></u>	Date: 07/21/2020
<input checked="" type="checkbox"/> Legal	<u><i>Margaret A. Murphy</i></u>	Date: 07/21/2020

APPROVED FOR BOARD RESOLUTION:

<input checked="" type="checkbox"/> Secretary to the Authority	<u><i>[Signature]</i></u>	Date: 07/22/2020
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Remarks: _____

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



ERIE COUNTY WATER AUTHORITY

INTEROFFICE MEMORANDUM

July 22, 2020

To: Jerome D. Schad, Chair
Mark S. Carney, Vice Chair
Peggy A. LaGree, Treasurer

From: Karen A. Prendergast, Chief Financial Officer

Subject: Professional Service Agreement with Raftelis Financial Consultants, Inc.
PN 202000129 – Amendment No. 1

At the meeting of April 30, 2020, the Board approved a professional service agreement with Raftelis Financial Consultants, Inc. This project is moving forward, and we have begun receiving invoices. Although not identified in section 2.02 of the Agreement, Raftelis has been utilizing and invoicing for an Associate at a rate of \$155 per hour.

With the understanding that amending the Agreement to include an Associate rate in section 2.02 will not increase the total cost of the current project, I am requesting the Board approve an amendment to the existing Agreement with Raftelis Financial Consultants, Inc. at its July 30, 2020 meeting.

cc T. McCracken
M. Murphy
R. Stoll

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

AMENDMENT, effective July 30, 2020, to the Professional Services Agreement, entered on the 30th day of April 2020, by and between:

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

hereinafter referred to as the “Authority,” and

RAFTELIS FINANCIAL CONSULTANTS, INC.
20 Main Street, Suite 301
Natick, Massachusetts 01760

hereinafter referred to as “Consultant.”

WHEREAS, on April 30, 2020, the Authority awarded the Consultant a professional service agreement to provide financial services including financial planning and rate assessment, as well as debt issuance support for a three-year term, beginning April 1, 2020; and

WHEREAS, in accordance with paragraph 3.02 of the agreement, no modification or variation from the terms of the Agreement 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) Paragraph 2.02 of the Agreement is amended to add a billing rate of \$155 for an Associate;
- (2) All other terms and conditions of the Agreement shall remain unchanged and in effect;
- (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; and
- (4) The parties agree to accept electronic signature pages, signed in conformity with the Governor’s Executive Order No. 202.7, allowing any notarial act 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

RAFTELIS FINANCIAL CONSULTANTS, INC.

By _____

STATE OF NEW YORK)
COUNTY OF ERIE) ss:

On the ___ day of April, in the year 2020, 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 _____ to me known, who, being by me duly sworn, did depose and say that he resides in _____, 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