



# ERIE COUNTY WATER AUTHORITY

## INTEROFFICE MEMORANDUM

March 25, 2024

To: Terrence D. McCracken, Secretary to the Authority

From: Michael W. Wymer, Senior Production Engineer *MW*

Subject: Furnish and Deliver Polyaluminum Chloride Coagulant  
to the Erie County Water Authority for Use in the Treatment of Water  
for One Year  
ECWA Project No. 202200031

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The following documents are attached:

- 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.
- Letter dated March 21, 2024, from Kemira Water Solutions, Inc. requesting the contract extension.
- Three (3) originals of Amendment No. 2 request for Board action and execution by the Authority.

Erie County Water Authority uses various water treatment chemicals to provide safe, clean, and dependable drinking water to the residents of Erie County. One of the necessary treatment chemicals used at both of our water treatment plants is polyaluminum chloride, a coagulant. This chemical is essential for the removal of suspended materials in the water treatment process.

The current contract for furnishing and delivering polyaluminum chloride coagulant, extended under Amendment 1 expires June 30, 2024. Kemira Water Solutions, Inc. has agreed to a second one-year extension of the contract at the revised terms and conditions outlined in their request which are reflected in the amendment.

Amendment No. 2 will extend the contract completion date to June 30, 2025.

### **Budget Information:**

O&M Line-Item No. 13, Chemicals  
Unit 1010 Sturgeon Point: 1010 401000 640113  
1015 Van de Water: 1015 401000 640213

MWW:mww  
Attachments  
cc: L.Kowalski  
D.Patton  
CHEM-712-2201-X-20

March 21, 2024

Michael W. Wymer, PE  
Senior Production Engineer  
Erie County Water Authority  
3030 Union Road | Cheektowaga, New York 14227-1097  
Direct: (716) 685.8292 [mwymer@ecwa.org](mailto:mwymer@ecwa.org)

Reference: **FURNISH AND DELIVER POLYALUMINUM CHLORIDE COAGULANT TO THE ERIE COUNTY WATER AUTHORITY FOR USE IN THE TREATMENT OF WATER FOR ONE YEAR Project No. 202200031 EXTENSION**

Good day, Michael,

Kemira Water Solutions Inc. accepts to extend the current price for Polyaluminum Chloride, tradename SternPAC, supplied to Erie County Water Authority for the last one year extension option:

**Proposal price (extension of current price): \$0.233 per liquid pound, delivered**

**Price effective 07/01/24 through 06/30/245**

**If a price adjustment is requested during this term, Kemira will contact Erie County Water Authority along with supporting documentation for review.**

If you have any questions or concerns please email our Commercial Support team at [kwsna.bids@kemira.com](mailto:kwsna.bids@kemira.com) or contact me directly at 514-601-5785.

We value your business and will work closely with you to answer any questions and look forward to your response.

Sincerely,

*Catherine Brosseau*

Account Manager | Industry & Water Kemira  
Water Solutions Inc.  
[catherine.brosseau@kemira.com](mailto:catherine.brosseau@kemira.com)

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

**Contract:** 22-21-05 **Project No.:** 202200031  
**Project Description:** Furnish and Deliver Polyaluminum Chloride Coagulant to the Erie County Water Authority for Use in the Treatment of Water for One Year

**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 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    | <u><i>Richard J. ...</i></u>     | Date: <u>4/5/2024</u>   |
| <input checked="" type="checkbox"/> Chief Operating Officer    | <u><i>[Signature]</i></u>        | Date: <u>04/05/2024</u> |
| <input checked="" type="checkbox"/> Executive Engineer         | <u><i>Leonard F. Konalik</i></u> | Date: <u>4/5/2024</u>   |
| <input checked="" type="checkbox"/> Director of Administration | <u><i>Ravynya Lester</i></u>     | Date: <u>04/05/2024</u> |
| <input checked="" type="checkbox"/> Risk Manager               | <u><i>Molly Sp Musarra</i></u>   | Date: <u>4/5/2024</u>   |
| <input checked="" type="checkbox"/> Chief Financial Officer    | <u><i>[Signature]</i></u>        | Date: <u>04/05/2024</u> |
| <input checked="" type="checkbox"/> Legal                      | <u><i>[Signature]</i></u>        | Date: <u>4/5/2024</u>   |

**APPROVED FOR BOARD RESOLUTION:**

- |  |                           |                       |
|--|---------------------------|-----------------------|
| <input checked="" type="checkbox"/> Secretary to the Authority | <u><i>[Signature]</i></u> | Date: <u>4/5/2024</u> |
|--|---------------------------|-----------------------|

**Remarks:** Amendment No. 2

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

**AMENDMENT NO. 2 TO  
THE POLYALUMINUM CHLORIDE CONTRACT**

AMENDMENT, effective April 17, 2024, to the Contract for Furnishing and Delivering of Polyaluminum Chloride Coagulant to the Erie County Water Authority for the Treatment of Water (Contract No. 22-21-05) (the “Contract”), entered on May 19, 2022, by and between

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

hereinafter referred to as the “Authority,” and

**KEMIRA WATER SOLUTIONS, INC.**  
4321 W. 6<sup>th</sup> Street  
Lawrence, Kansas 66049

hereinafter referred to as “Supplier.”

**WHEREAS**, on May 19, 2022, the Authority awarded the Supplier the Contract; and

**WHEREAS**, the Contract, effective on May 19, 2022, provides for liquid polyaluminum chloride coagulant (“PACI”) to be supplied to the Authority, as ordered, from July 1, 2022 until June 30, 2023; and

**WHEREAS**, on June 22, 2023, the Authority and the Supplier entered into Amendment No. 1 increasing the price of liquid pound of PACI to \$0.233 and extending the term of the Contract through June 30, 2024; and

**WHEREAS**, in accordance with article 5, paragraph 5.02 of the Contract, no modification or variation from the terms of the Contract 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

**WHEREAS**, the parties wish to extend this Contract for an additional one-year period from July 1, 2024 until June 30, 2025 pursuant to article 1, paragraph 1.04 of the Contract; and

**WHEREAS**, the Supplier has agreed to continue to accept payment of \$0.233 per liquid pound of PACI; 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 June 30, 2025;  
and
- (2) The parties agree all other terms and conditions of the Contract shall remain without  
change or amendment; and
- (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. 2 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

**KEMIRA WATER SOLUTIONS, INC.**

By \_\_\_\_\_

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

On the \_\_\_ day of April, in the year 2024, 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 2024, 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