



ERIE COUNTY WATER AUTHORITY

INTEROFFICE MEMORANDUM

December 5, 2022

To: Terrence D. McCracken, Secretary to the Authority

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

Subject: Furnish and Deliver Chemistry and Microbiological Proficiency Samples and Chemistry Standards
ECWA Project No. 202200002

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.
- Three (3) originals of Amendment No. 1 request for Board action and execution by the Authority.

The Erie County Water Authority has contracted with Advance Analytical Solutions, Inc. to provide various chemistry and microbiological proficiency samples and chemistry standards.

The contract includes samples for both potable water and non-potable water testing for various analyses completed at the laboratories of both water treatment plants. The contract is inclusive of both water treatment and Water Quality personnel, and required to maintain NYSDOH Laboratory approval, as required under ELAP Protocol for Training and Proficiency Testing.

The current contract for Chemistry and Microbiology Proficiency Samples and Chemistry Standards expires February 9, 2023.

Amendment No. 1 will extend the contract completion date to February 9, 2024.

Budget Information:

O&M Line Item No. 10, Materials and Supplies

Unit 1010: 1010 401000 640110

1015: 1015 401000 640210

1030: 1030 401000 640210

MWW:jmf

Attachments

cc: R.Stoll

L.Kowalski

D. Patton

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

Contract: 22-07-02

Project No.: 202200002

Project Description: Furnish & Deliver Chemistry and Microbiology Proficiency Samples and Chemistry Standards

Item Description:



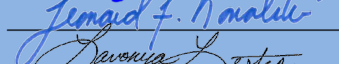




- | | | | |
|---|--|---|---------------------------------------|
| <input type="checkbox"/> Agreement | <input type="checkbox"/> Professional Service Contract | <input checked="" type="checkbox"/> Amendment | <input type="checkbox"/> Change Order |
| <input type="checkbox"/> BCD | <input type="checkbox"/> 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 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: <u>12-5-2022</u> |
| <input checked="" type="checkbox"/> Chief Operating Officer |  | Date: <u>12/5/2022</u> |
| <input checked="" type="checkbox"/> Executive Engineer |  | Date: <u>12/05/2022</u> |
| <input checked="" type="checkbox"/> Director of Administration |  | Date: <u>12/05/2022</u> |
| <input checked="" type="checkbox"/> Risk Manager |  | Date: <u>12/05/2022</u> |
| <input checked="" type="checkbox"/> Chief Financial Officer |  | Date: <u>12/05/2022</u> |
| <input checked="" type="checkbox"/> Legal |  | Date: <u>12/5/2022</u> |

APPROVED FOR BOARD RESOLUTION:

- | | | |
|--|---|------------------------|
| <input checked="" type="checkbox"/> Secretary to the Authority |  | Date: <u>12/5/2022</u> |
|--|---|------------------------|

Remarks: Amendment No. 1.

Resolution Date: _____

Item No: _____

**AMENDMENT NO. 1 TO THE AGREEMENT TO
FURNISH AND DELIVER CHEMISTRY AND MICROBIOLOGY
PROFICIENCY SAMPLES AND CHEMISTRY STANDARDS**

AMENDMENT, effective December 15, 2022, to the Agreement to Furnish and Deliver Chemistry and Microbiology Proficiency Samples and Chemistry Standards, effective on February 10, 2022, by and between:

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

hereinafter referred to as the “Authority,” and

ADVANCED ANALYTICAL SOLUTIONS, LLC
6325 Emerson Avenue
Parkersburg, West Virginia 26104

hereinafter referred to as “Supplier.”

WHEREAS, on February 10, 2022, the Authority awarded the Supplier the agreement to furnish and deliver chemistry and microbiology proficiency samples and chemistry standards (the “Agreement”) for a one-year term, beginning February 10, 2022; and

WHEREAS, the Agreement provides for various chemistry and microbiology proficiency samples and chemistry standards to be delivered to the Authority, as ordered, from February 10, 2022 through February 9, 2023; and

WHEREAS, in accordance with Article 1, Paragraph 1.04 of the Agreement, the parties may agree in writing to extend the term of the contract for two additional one (1) year terms, under the same terms and conditions; and

WHEREAS, in accordance with Article 5, Paragraph 5.02 of the Agreement, any modification or variation from the terms of the Agreement must be in writing, authorized by a resolution of the Board of Commissioners of the Authority (the “Board”) and signed by all parties; and

WHEREAS, the Supplier has agreed to extend the term of the Agreement until February 9, 2024, based on the same terms and conditions, including pricing as set forth in Article 4, Paragraph 4.01 of the Agreement;

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

- (1) The terms and conditions of the Agreement shall continue in effect until February 9, 2024; and
- (2) The parties agree all other terms and conditions of the Agreement shall remain unchanged and in effect; 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. 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

ADVANCED ANALYTICAL SOLUTIONS, LLC

By _____
Frederick S. Anderson, Managing Partner

STATE OF NEW YORK)
COUNTY OF ERIE) ss:

On the ____ day of December, in the year 2022, 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 WEST VIRGINIA)
COUNTY OF) ss:

On the ____ day of _____, in the year 2022, before me personally came Frederick S. Anderson to me known, who, being by me duly sworn, did depose and say that he resides in Wood County, West Virginia, that he is the Managing Partner of the limited liability company described in the above instrument; and that he signed his name thereto on behalf of said limited liability company.

Notary Public