



ERIE COUNTY WATER AUTHORITY

INTEROFFICE MEMORANDUM

August 5, 2022

To: Terrence D. McCracken, Secretary to the Authority

From: Lavonya C. Lester, Director of Administration LcL

Subject: NYSID Preferred Source Cleaning Contract 2nd Extension

On September 10, 2020, The Authority entered into a professional services contract with New York State Industries for the Disabled (NYSID) and the Erie County Chapter of NYSARC d/b/a The Arc of Erie County New York (Arc) for the purposes of professional cleaning services at the Service Center building for the period of 1 year with (4) optional one-year extensions.

On September 1, 2021, the Authority entered the first 4-year optional contract extension with NYSID. The monthly cost was established at \$7,852.87 total annual cost of \$94,234.44.

On April 7, 2022, the Authority agreed to an increase in the monthly rate to \$8,109.02 for the period from January 1, 2022 through August 31, 2022 as a result of an increase in the NYS Department of Labor prevailing wage rate.

Per the terms of the contract, the parties may agree to four annual extensions. Under this second annual extension, there will be no additional rate increase as the NYS Department of Labor did not increase the prevailing wage rate on July 1, 2022. Accordingly, the monthly rate will remain \$8,109.02 with a total annual cost of \$97,308.24. All additional terms and conditions will remain the same.

The Authority has been satisfied with the performance of services. The Arc of Erie County has been reliable, and attentive to the needs of the Authority. The Administration Department is recommending to the Board that we extend the contract for an additional year.

Budget Information:

Unit: 3070

GL: 401000 - 681019

Budget Line: Payments to Contractors – Other

LCL: lcl

Attachment

cc:

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

Contract: _____ **Project No.:** 202000211
Project Description: NYSID Professional Services Agreement, Service Center Cleaning

Item Description:

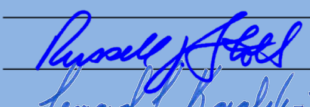





- | | | | |
|---|--|---|---------------------------------------|
| <input type="checkbox"/> Agreement | <input type="checkbox"/> Professional Service Contract | <input checked="" type="checkbox"/> Amendment | <input type="checkbox"/> Change Order |
| <input type="checkbox"/> BCD | <input type="checkbox"/> 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 type="checkbox"/> Other (if Applicable) | _____ | Date: _____ |
| <input checked="" type="checkbox"/> Chief Operating Officer |  | Date: 8/5/2022 |
| <input checked="" type="checkbox"/> Executive Engineer |  | Date: 08/05/2022 |
| <input checked="" type="checkbox"/> Director of Administration |  | Date: 08/05/2022 |
| <input checked="" type="checkbox"/> Risk Manager |  | Date: 08/08/2022 |
| <input checked="" type="checkbox"/> Chief Financial Officer |  | Date: 08/05/2022 |
| <input checked="" type="checkbox"/> Legal |  | Date: 8/8/2022 |

APPROVED FOR BOARD RESOLUTION:

- | | | |
|--|---|--------------|
| <input checked="" type="checkbox"/> Secretary to the Authority |  | Date: 8/8/22 |
|--|---|--------------|

Remarks: Amendment No. 3

Resolution Date: _____

Item No: _____

**AMENDMENT NO. 3 TO
PROFESSIONAL SERVICES AGREEMENT
FOR CLEANING SERVICES**

AMENDMENT, effective August 18, 2022, to the Professional Services Agreement effective on September 10, 2020, by and between

ERIE COUNTY WATER AUTHORITY

295 Main Street, Room 350
Buffalo, New York 14203

hereinafter referred to as the “Authority,” and

NEW YORK STATE INDUSTRIES FOR THE DISABLED, INC.

11 Columbia Circle Drive
Albany, New York 12203

hereinafter referred to as “NYSID,” and

**ERIE COUNTY CHAPTER NYSARC, INC. d/b/a
THE ARC ERIE COUNTY NEW YORK**

30 Wilson Road
Williamsville, New York 14221

Hereinafter referred to as the “ARC,”

WHEREAS, on September 10, 2020, the Authority entered into an agreement with NYSID and ARC to provide cleaning services to the Authority (the “Agreement”); and

WHEREAS, on November 10, 2021, the Authority authorized a one-year extension of the Agreement through August 31, 2022 pursuant to Amendment No. 1 to the Agreement; and

WHEREAS, on April 7, 2022, the Authority authorized a monthly rate increase pursuant to Amendment No. 2 to the Agreement; and

WHEREAS, in accordance with paragraph 3.02 of the Agreement, the parties may amend the Agreement by written amendment authorized by resolution of the Authority’s Board of Commissioners; and

WHEREAS, the parties wish to extend the Agreement for an additional one-year period from September 1, 2022 through August 31, 2023;

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

(1) The parties agree that §§ 2.01 through 2.02 of the Agreement are deleted in their entirety and replaced with the following:

2.01 The Service Provider shall submit monthly invoices to the Authority, detailing the hours and description of the services rendered to the Authority in a form acceptable to the Authority's Chief Financial Officer and/or Comptroller. For services described under §1.03, paragraph B of this Agreement, the Authority shall pay the Service Provider \$8,109.02 on a monthly basis, which is equal to one-twelfth of 3,100 hours at the hourly rate listed under §2.02 of this Agreement.

2.02 Costs for the general cleaning services provided under this Agreement shall be billed an hourly rate of \$31.39.

(2) The remaining terms and conditions of the Agreement shall continue in effect until August 31, 2023;

(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. 3 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

**NEW YORK STATE INDUSTRIES FOR
THE DISABLED, INC.**

By _____
Meredith Hartman, Vice President of
Contract Administration

**ERIE COUNTY CHAPTER NYSARC, INC.
d/b/a THE ARC ERIE COUNTY NEW YORK**

By _____
Douglas DiGesare, Chief Executive Officer

STATE OF NEW YORK)
COUNTY OF ERIE) ss:

On the 18th day of August, 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 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 that he signed his name thereto by order of the Board of Commissioners.

Notary Public

STATE OF NEW YORK)
COUNTY OF ALBANY) ss:

On the _____ day of _____, in the year 2022, before me personally came Meredith Hartman, to me known, who, being by me duly sworn, did depose and say that she resides in Saratoga County, New York, that she is the Vice President of Contract Administration of New York State Industries for the Disabled, Inc., described in the above instrument; and that she signed her name thereto by order of the Board of Directors of said Corporation.

Notary Public

STATE OF NEW YORK)
COUNTY OF ERIE) ss:

On the _____ day of _____, in the year 2022, before me personally came Douglas DiGesare, to me known, who, being by me duly sworn, did depose and say that he resides in Kenmore, New York, that he is the Chief Executive Officer of Erie County Chapter NYSARC, Inc. d/b/a The ARC Erie County, described in the above instrument; and that he signed his name thereto by order of the Board of Directors of said Corporation.

Notary Public