




ERIE COUNTY WATER AUTHORITY

INTEROFFICE MEMORANDUM

November 7, 2023

To: Jerome D. Schad, Chair
Peggy A. LaGree, Vice Chair
Michele M. Iannello, Treasurer

From: Joyce Tomaka, Chief Financial Officer 

Subject: Amendment No. 1 - Materials & Supplies Contract for Furnishing and Delivering Water Meters and Appurtenances with Neptune Technology Group, Inc.
PN 202000220

At the meeting of January 21, 2021, the Board awarded a materials and supplies contract to furnish and deliver water meters and appurtenances effective January 1, 2021 through December 31, 2023 with Neptune Technology Group, Inc. ("Neptune").

In accordance with Article 1, Paragraph 1.04 of the contract, the parties may agree in writing to extend the term of the contract for two (2) additional one (1) year terms, under the same terms and conditions or under terms and conditions acceptable to the Authority.

Neptune has requested to extend the contract for an additional one-year period from January 1, 2024 through December 31, 2024 and will be submitting a formal letter of request.

In addition, Neptune has requested an increase in the unit prices set forth in the contract to be in effect for the period January 1, 2024 through December 31, 2025.

The Authority has done business with Neptune for many years. The 2021 contract designated them as the sole source provider of compatible water meters and appurtenances with our current meter inventory. With these factors in mind, it would be in the best interest to extend the contract for an additional year. There is a resolution for the meeting of November 16, 2023 approving the execution of an amendment extending the contract for one additional year and approving the increased pricing through December 31, 2025.

Thank you.

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

Contract: _____ **Project No.:** _____
Project Description: Amendment 1 - Neptune Technology Group, Inc. - Contract extension

Item Description:





☐ Agreement ☐ Professional Service Contract ☒ Amendment ☐ Change Order
☐ BCD ☐ NYSDOT Agreement ☐ Contract Documents ☐ Addendum
☐ Recommendation for Award of Contract ☐ Recommendation to Reject Bids
☐ Request for Proposals
☐ Other _____

Action Requested:

☒ Board Authorization to Execute ☐ Legal Approval
☐ Board Authorization to Award ☐ Execution by the Chairman
☐ Board Authorization to Advertise for Bids ☐ Execution by the Secretary to the Authority
☐ Board Authorization to Solicit Request for Proposals
☐ Other _____

Approvals Needed:

APPROVED AS TO CONTENT:

<input type="checkbox"/> Comptroller	_____	Date: _____
<input type="checkbox"/> Chief Operating Officer	_____	Date: _____
<input type="checkbox"/> Executive Engineer	_____	Date: _____
<input checked="" type="checkbox"/> Director of Administration		Date: 11/08/2023
<input checked="" type="checkbox"/> Risk Manager		Date: 11/8/2023
<input checked="" type="checkbox"/> Chief Financial Officer		Date: 11/08/2023
<input checked="" type="checkbox"/> Legal		Date: 11-8-2023

APPROVED FOR BOARD RESOLUTION:

☒ Secretary to the Authority  Date: 11/8/2023

Remarks: _____

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



November 8th, 2023

Joyce Tomaka
Erie County Water Authority
3030 Union Rd
Cheektowaga, NY 14427

Subject: Project No. 202000220- Materials and Supplies Contract
Renewal from December 31, 2023, to December 31, 2024

To whom it may concern:

Neptune Technology Group Inc. is pleased to agree for a **one year extension** of contract number **"202000220 "MATERIALS AND SUPPLIES CONTRACT FOR FURNISHING AND DELIVERING WATER METERS & APPURTENANCES"** from December 31, 2023, to December 31, 2024, as per pricing sheet included with this notification.

In addition, Neptune agrees that the pricing set forth in Paragraph 1 of Amendment No. 1 (will remain in effect through December 31, 2025, should the parties agree to extend the term of contract for the second one-year term.

All other terms and conditions of original contract will continue in effect until December 31, 2024.

Neptune appreciates the opportunity to be of service to the Erie County Water Authority.

If you have any questions or need additional information, please contact me at (585) 557-0226.

Sincerely,

DocuSigned by:

A rectangular box containing a large 'X' on the left and a handwritten signature 'Zach Mendes' in the center. Below the signature is a long alphanumeric string: 'ECCFFD54957240B...'. The box is outlined in blue.

Zachary Mendes
Territory Manager

**AMENDMENT NO. 1 TO THE MATERIALS & SUPPLIES CONTRACT
FOR FURNISHING & DELIVERING WATER METERS & APPURTENANCES**

AMENDMENT, effective November 16, 2023, to the Materials and Supplies Contract for Furnishing and Delivering Water Meters and Appurtenances, effective on January 21, 2021, by and between

ERIE COUNTY WATER AUTHORITY

295 Main Street, Room 350

Buffalo, New York 14203

hereinafter referred to as the “Authority,” and

NEPTUNE TECHNOLOGY GROUP, INC.

1600 Alabama Highway 229

Tallasse, Alabama 36078

hereinafter referred to as the “Manufacturer.”

WHEREAS, on January 21, 2021, the Authority awarded the Manufacturer a materials and supplies contract to furnish and deliver water meters and appurtenances to the Authority for a three year term (the “Contract”); and

WHEREAS, the Contract provides for various water meters and appurtenances to be delivered to the Authority, as ordered, from January 1, 2021 through December 31, 2023; and

WHEREAS, in accordance with Article 1, Paragraph 1.04 of the Contract, 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 or under terms and conditions acceptable to the Authority; and

WHEREAS, in accordance with Article 5, Paragraph 5.02 of the Contract, any modification or variation from the terms of the Contract 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 Manufacturer has requested an increase in the unit prices set forth in the Contract; and

WHEREAS, the Authority’s Chief Financial Officer has reviewed the increases requested by the Manufacturer and recommends accepting the requested increases; and

WHEREAS, the parties wish to extend the Contract for an additional one-year period from January 1, 2024 through December 31, 2024;

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

(1) The parties agree that, effective January 1, 2024, § 4.01 of the Contract is deleted in its entirety and replaced with the following:

4.01 The Manufacturer agrees to supply, furnish and deliver Water Meters at the unit prices set forth below:

Description	Unit Price	Estimated Quantities
Displacement type water meter, size 5/8 x 3/4-inch, ProCoder)R900i absolute encoder inside set register	\$166.00	27,000
Displacement type water meter, size 5/8 x 3/4-inch, ProCoder)R900i absolute encoder pit set register	\$176.00	4,000
Ultrasonic type water meter, size 5/8 x 3/4-inch, Mach10 integrated RF register	\$230.00	1
Displacement type water meter, size 3/4-inch, ProCoder)R900i absolute encoder inside set register	\$203.00	750
Displacement type water meter, size 3/4-inch, ProCoder)R900i absolute encoder pit set register	\$214.00	300
Ultrasonic type water meter, size 3/4-inch, Mach10 integrated RF register	\$241.00	1
Displacement type water meter, size 1-inch, ProCoder)R900i absolute encoder inside set register	\$246.00	1,200
Displacement type water meter, size 1-inch, ProCoder)R900i absolute encoder pit set register	\$257.00	750
Ultrasonic type water meter, size 1-inch, Mach10 integrated RF register	\$304.00	1
Displacement type water meter, size 1½-inch, ProCoder)R900i absolute encoder inside set register	\$396.00	150
Displacement type water meter, size 1½-inch, ProCoder)R900i absolute encoder pit set register	\$406.00	150

Description	Unit Price	Estimated Quantities
Ultrasonic type water meter, size 1½ - inch, Mach10 integrated RF register	\$556.00	1
Displacement type water meter, size 2-inch, ProCoder)R900i absolute encoder inside set register	\$497.00	150
Displacement type water meter, size 2-inch, ProCoder)R900i absolute encoder pit set register	\$508.00	150
Ultrasonic type water meter, size 2- inch, Mach10 integrated RF register	\$661.00	1
Fire service ultrasonic type water meter, size 3-inch, Mach 10 integrated RF register	\$1,869.00	1
Fire service ultrasonic type water meter, size 4-inch, Mach 10 integrated RF register	\$2,457.00	1
Fire service ultrasonic type water meter, size 6-inch, Mach 10 integrated RF register	\$3,990.00	1
Fire service ultrasonic type water meter, size 8-inch, Mach 10 integrated RF register	\$5,450.00	1
Fire service ultrasonic type water meter, size 10-inch, Mach 10 integrated RF register	\$6,788.00	1
Fire service ultrasonic type water meter, size 12-inch, Mach 10 integrated RF register	\$8,196.00	1
Fire service compound type water meter, size 4-inch, stainless steel ProCoder)R900i absolute encoder pit set register	\$6,727.0	1
Fire service compound type water meter, size 6-inch, stainless steel ProCoder)R900i absolute encoder pit set register	\$10,695.00	1
Fire service compound type water meter, size 8-inch, stainless steel ProCoder)R900i absolute encoder pit set register	\$13,788.00	1
Fire service compound type water meter, size 10-inch, stainless steel ProCoder)R900i absolute encoder pit set register	\$16,042.00	1
Strainers, size 2-inch	\$375.00	15

Description	Unit Price	Estimated Quantities
Strainers, size 3-inch	\$625.00	15
Strainers, size 4-inch	\$940.00	35
Strainers, size 6-inch	\$1,490.00	25
Strainers, size 8-inch	\$2,450.00	2
Strainers, size 10-inch	\$4,060.00	1
Size 5/8-inch absolute encoder integrated RF inside register	\$130.00	500
Size 5/8-inch absolute encoder integrated RF pit register	\$140.00	350
Size 3/4-inch absolute encoder integrated RF inside register	\$130.00	50
Size 3/4-inch absolute encoder integrated RF pit register	\$140.00	100
Size 1-inch absolute encoder integrated RF inside register	\$130.00	50
Size 1-inch absolute encoder integrated RF pit register	\$140.00	100
Size 1.5-inch absolute encoder integrated RF inside register	\$130.00	50
Size 1.5-inch absolute encoder integrated RF pit register	\$140.00	150
Size 2-inch absolute encoder integrated RF inside register	\$130.00	50
Size 2-inch absolute encoder integrated RF pit register	\$140.00	150
Size 3-inch absolute encoder integrated RF pit register	\$140.00	1
Size 4-inch absolute encoder integrated RF pit register	\$140.00	1
Size 6-inch absolute encoder integrated RF pit register	\$140.00	1
Size 8-inch absolute encoder integrated RF pit register	\$140.00	1
Size 10-inch absolute encoder integrated RF pit register	\$140.00	1
Waterproof radio frequency meter interface unit for pit or vault type meter applications	\$95.00	225

Description	Unit Price	Estimated Quantities
Water resistant radio frequency meter interface unit for wall or basement type applications on a residential dwelling	\$75.00	225
Pit antenna with 6-foot cable	\$15.00	250
Pit antenna with 20-foot cable	\$20.00	100
Belt clip transreceiver	\$4,440.00	1
Belt clip transreceiver batteries	\$90.00	1
MRX Mobile Data Collector	\$6,500.00	1

(2) The Manufacturer agrees that the pricing set forth in Paragraph 1 of this Amendment No. 1 will remain in effect through December 31, 2025 should the parties agree to extend the term of the Contract for the second one-year term;

(3) The parties agree all other terms and conditions of the Contract shall continue in effect until December 31, 2024;

(4) 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 Contract.

IN WITNESS WHERETO, the parties hereto have caused this Amendment No. 4 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

NEPTUNE TECHNOLOGY GROUP, INC.

By _____
Lawrence M. Russo, Vice-President of Finance

STATE OF NEW YORK)
COUNTY OF ERIE) ss:

On the _____ day of November, in the year 2023, 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 ALABAMA)
COUNTY OF ELMORE) ss:

On the _____ day of _____, in the year 2023, before me personally came Lawrence M. Russo, to me known, who, being by me duly sworn, did depose and say that he resides in Tallassee, Alabama, that he is the Vice-President of Finance of the Corporation described in the above instrument; and that he signed her name thereto by order of the Board of Directors of said Corporation.

Notary Public