

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

Contract: _____ **Project No.:** 201800209
Project Description: Website Design – Ingenious, Inc

Item Description:

- | | | | |
|---|---|---|---------------------------------------|
| <input type="checkbox"/> Agreement | <input checked="" 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 type="checkbox"/> Board Authorization to Execute | <input type="checkbox"/> Legal Approval |
| <input type="checkbox"/> Board Authorization to Award | <input type="checkbox"/> Execution by the Chairperson |
| <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 checked="" type="checkbox"/> Other <u>Authorization to amend professional services contract</u> | |

Approvals Needed:

APPROVED AS TO CONTENT:

- | | | |
|--|---------------------------|-------------------------|
| <input checked="" type="checkbox"/> Department Head | <u>Karen A. Pendugast</u> | Date: <u>7/5/19</u> |
| <input checked="" type="checkbox"/> Risk Manager | <u>[Signature]</u> | Date: <u>07/08/2019</u> |
| <input checked="" type="checkbox"/> Director of Administration | <u>Lavonia Lester</u> | Date: <u>7/9/19</u> |
| <input type="checkbox"/> Executive Engineer | _____ | Date: _____ |

APPROVED AS TO FORM:

- | | | |
|---|---------------------------|---------------------|
| <input checked="" type="checkbox"/> Legal | <u>Margaret A. Murphy</u> | Date: <u>7/8/19</u> |
|---|---------------------------|---------------------|

APPROVED FOR BOARD RESOLUTION:

- | | | |
|--|--------------------|---------------------|
| <input checked="" type="checkbox"/> Secretary to the Authority | <u>[Signature]</u> | Date: <u>7/9/19</u> |
|--|--------------------|---------------------|

Remarks: _____

Resolution Date: _____

Item No: _____



ERIE COUNTY WATER AUTHORITY

INTEROFFICE MEMORANDUM

July 10, 2019

To: Commissioners Schad, Carney, and Jones

From: Karen A. Prendergast, Chief Financial Officer *KAP*

Subject: Amendment to Website Design Contract

At the meeting of October 4, 2018, the Board approved a professional service agreement with Ingenious, Inc. for website design and development. The agreement was executed on November 8, 2018.

The original fee schedule totaled \$41,000 plus ordinary and necessary out-of-pocket expenses and included \$10,000 for future enhancements. During development, at the request of Authority personnel, some of the future enhancement funds were utilized to improve the original web design.

In conjunction with our response to requests for information from the NYS Senate Investigative Committee, and in reviewing ABO website requirements, it was determined that some of the required content was difficult to find on the website as originally designed. As a result, Ingenious has been asked to provide some changes to the menu options and design which will allow the Authority to make more timely changes to posted documents and will improve accessibility to required content.

Please consider authorizing an amendment to the original contract with Ingenious for a total increase of \$5,000.

cc T. McCracken
J. Schlierf
M. Murphy

ADDENDUM NO. 1 to
PROFESSIONAL SERVICE CONTRACT

ADDENDUM NO. 1 ("Addendum") to the PROFESSIONAL SERVICE CONTRACT (the "Contract") made on the 8th day of November, 2018, between the Erie County Water Authority (the "Authority") and Ingenious, Inc. (the "Consultant").

RECITALS:

WHEREAS, on October 4, 2018, the Authority's Board of Commissioners (the "Board") approved a resolution, awarding the Consultant the Contract to design and develop a new Authority website;

WHEREAS, on May 22, 2019, the Consultant launched the new website;

WHEREAS, the Authority now would like to enhance the website by making changes to its current structure, allowing web users easier and quicker access to information;

WHEREAS, pursuant to paragraph 10.2(f) of the Contract, the Consultant agreed to provide the Authority technical support to make future changes to the Authority website for a predetermined rate;

NOW, THEREFORE, in consideration of mutual promises set forth in this Addendum, the parties agree as follows:

1. The Consultant agrees to make the changes set forth in Attachment A to this Addendum (the "Enhancements").
2. The Consultant will notify the Authority when it has completed the Enhancements.
3. The Authority has seven-calendar days to either accept or reject the Enhancements.
4. The Consultant has agreed to a predetermined fixed-price of \$6,758.00 to incorporate the Enhancements into the Authority's website.
5. The Authority agrees to give the Consultant a deposit in the amount of \$3,000.00 prior to any work being performed by the Consultant.
6. Once the Enhancements are completed and accepted by the Authority, the Authority agrees to pay the remaining balance of \$3,758.00.
7. The Consultant agrees to complete the Enhancements by August 2, 2019.

IN WITNESS WHERETO, the parties hereto have caused this Addendum to be signed by their respective duly constituted officers, attested and sealed pursuant to proper authority.

ERIE COUNTY WATER AUTHORITY

By _____
Jerome D. Schad, Chairman

INGENIOUS, INC.

By _____
Joseph P. Murphy, President

STATE OF YORK)
COUNTY OF ERIE) ss:

On the ____ day of July, in the year 2019, 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 Town of Amherst, New York, that he is the Chairman 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 July, in the year 2019, before me personally came Joseph P. Murphy, to me known, who, being by me duly sworn, did depose and say that he resides in _____, New York, 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

Attachment A

WEBPAGE HEADER



1. Ingenious needs to make the following changes to the drop-down list in the order indicated:

a. Public Access drop-down menu should list the following:

- i. Overview
- ii. Open Meetings
- iii. FOIL Requests
- iv. Reports/Filings
 - 1. Link to <https://my.ecwa.org/PublicationsReports>
- v. Policies/Procedures
 - 1. Link to <https://my.ecwa.org/PoliciesProcedures>
- vi. Tariff
- vii. Annual Budget
 - 1. Link to <https://my.ecwa.org/AnnualBudget>

b. Our Water drop-down menu should list the following:

- i. Overview
- ii. Water Use
- iii. Treatment Process
- iv. Conservation and Storage
- v. Delivery Water Summary
- vi. Annual Water Quality Reports
- vii. FYI

c. About:

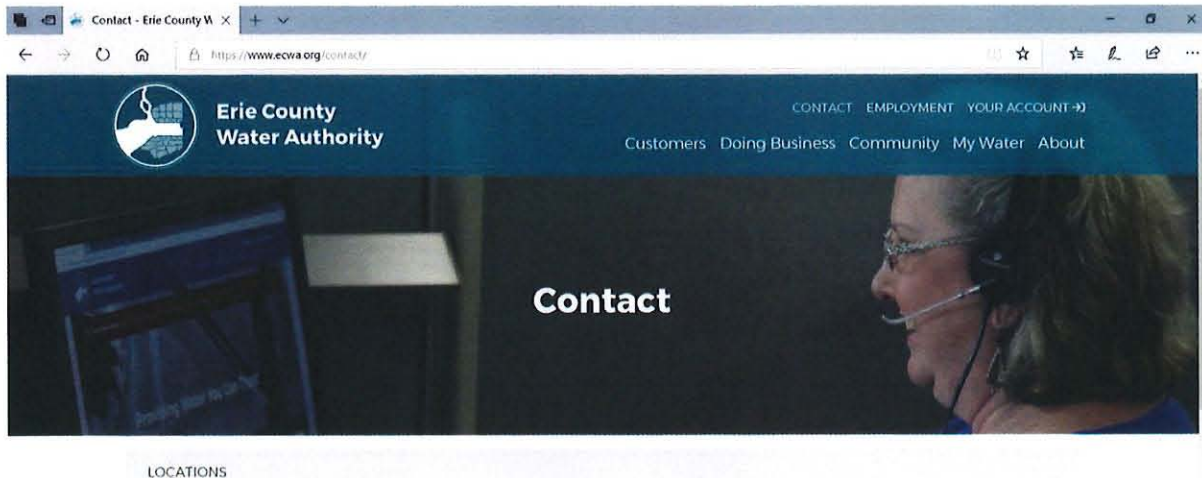
- (i) Mission
 - 1. Link to <https://my.ecwa.org/MissionPage>
- (ii) Organization chart
- (iii) Board of Commissioners
- (iv) Management
- (v) FYI
 - 1. Link to <https://my.ecwa.org/AboutFYI>

WEBPAGE FOOTER



2. Ingenious needs to change "ECWA Offices" to "Administrative Office" on the footer of all web pages.

CONTACT PAGE: <https://www.ecwa.org/contact/>



3. Ingenious needs to amend the Contact Page by adding a grey bar with the words, "MAILING ADDRESS" above the "LOCATION" section. Under the grey bar, the mailing address should be listed as:

General Mailing Address:
Erie County Water Authority
295 Main Street, Room 350

Payment Address:
Erie County Water Authority
295 Main Street, Room 350

Buffalo, NY 14203-2494

Buffalo, NY 14240-5148

LOCATIONS

ECWA Offices

Ellicott Square Building
(Washington St. Entrance)
295 Main St., Room 350
Buffalo, NY 14203-2494

(716) 849-8484
Fax (716) 849-8467

Service Center

3030 Union Road
Cheektowaga, NY 14227-1097

(716) 684-1510
Fax (716) 684-3937

4. Ingenious needs to amend the Contact Page by changing ECWA Offices to "Administrative Office"

Media Inquiries

Terrence D. McCracken
Secretary to the Authority
295 Main St., Room 350
Buffalo, NY 14203-2494

(716) 685-8245
media@ecwa.org

FOIL Requests

All requests for information
must be submitted in
writing to:

Terrence D. McCracken
FOIL Officer
295 Main St., Room 350
Buffalo, NY 14203-2494

By Email: foil@ecwa.org

5. Ingenious needs to amend the Contact Page by adding the following hyperlinks:
 - a. **Media Inquiries** should be a hyperlink to <https://www.ecwa.org/about/media-inquiry/>
 - b. **FOIL Request** should be a hyperlink allowing the ECWA IT Department to link the Contact Page to a New FOIL Request Page

MEDIA INQUIRIES PAGE: <https://www.ecwa.org/about/media-inquiry/>

Please view our Media Inquiry Guidelines and our Media Policy. All media inquiries should be directed to:

MEDIA INQUIRY

6. Ingenious needs to remove the gray bar with the phrase MEDIA INQUIRY (redundant)
7. Ingenious will add photograph of Terry McCracken to this page

8. Ingenious will add address for Terry McCracken as found on the Contact page. (See below)

DOING BUSINESS /Bid/RFP Opportunities Page

9. Under the "Opportunities" Tab, Ingenious need to separate Bid Opportunities from RFP Opportunities by adding another grey bar labeled "RFP Opportunities."
10. Ingenious needs to allow the staff to upload the "Notice to Bidders" or the "Request for Proposals."
11. The "Notice of Bidders" or the "Request for Proposals" should also be located on the Results Tab.

PUBLIC ACCESS DROP-DOWN MENU

12. Ingenious will move "Delivered Water Summary" Page from the "Public Access" Drop-Down menu to "Our Water" Drop-Down menu.

PUBLIC ACCESS /Open Meetings Page

13. Ingenious will create a new "Open Meetings" page and will
 - a. Use a picture showing a Board meeting
 - b. Introductory paragraph should read as follows:

"In accordance with its [Open Meetings Policy](#), the Erie County Water Authority pledges to the public and its customers to operate in an open and transparent manner, by inviting the public and the media to attend and listen to the deliberations, discussions, and decisions of its Board of Commissioners. All Board and Committee meetings are streamed live and archived for later viewing from this website. Materials given to Board members prior to these meetings are posted on this website at least five-business days prior to the meeting."

- c. A hyperlink to the OML Policy would be embodied in the paragraph, as shown above.

- d. Links to Board Meetings and Committee Meeting should be placed on this "Open Meetings" page.
- e. Concluding paragraph should read as follows:

"More information regarding New York's Open Meetings Law may be found on the [New York State Committee on Open Government](#) website."
- f. Include hyperlink for the COOG, as shown above.

PUBLIC ACCESS PAGE/Open Meetings/Board & Committee Pages



- 14. On the "Past Meetings" tab for Board and Committee Meetings, ECWA would like Ingenious to list only the dates on initial page, with the hyperlink for giving more details for each past meeting.

PUBLIC ACCESS /FOIL Request Page

- 15. Ingenious will create a new "FOIL Request" page and will.
 - a. Use the picture found on all FYI pages, see below



- b. Change the caption on the picture to read "FOIL Request"
- c. Introductory paragraph should read as follows:

"The Erie County Water Authority has adopted a "[Freedom of Information Policy](#)" allowing the public and the media access to public records, in accordance with the provisions of [Article 6 of the Public Officers Law](#). All requests for public information or documents (known as a FOIL Request) must be placed in writing and sent:

By Mail to:
Terrence D. McCracken
FOIL Officer
295 Main Street, Room 350
Buffalo, NY 14203-2494
OR
By Email to: foil@ecwa.org

- d. Include all hyperlinks, shown above.
 - i. Hyperlink for [Article 6 of the Public Officers Law](#) is <https://www.dos.ny.gov/coog/foil2.html>

- e. Second paragraph should read as follows:

"If the FOIL Officer does not timely respond to your FOIL Request or denies your request, in whole or in part, you may file an appeal with the Board of Commissioners, pursuant to [Section 11](#) of the [Freedom of Information Policy](#)."

Create a hyperlink to Section 11. <\\ecwa1\ntuser\mam1\Web Design\FOIL Appeal.pdf>.

- f. Concluding paragraph should read as follows:

"More information regarding FOIL requests may be found on the [New York State Committee on Open Government](#) website."

- g. Include hyperlink for the COOG, as shown above.

PUBLIC ACCESS /Reports/Filings Page

- 16. Ingenious should move all document under "Annual Water Quality Reports" grey bar to the Our Water/ Annual Water Quality Reports Page

PUBLIC ACCESS /Tariff Page

17. From the "Public Access" drop-down menu, Ingenious will link to the Tariff.

PUBLIC ACCESS /Annual Budget Page

18. From the "Public Access" drop-down menu, Ingenious will create an Annual Budget Page.
 - a. ECWA IT Department will link the 2018 ECWA Budget and the 2018 ECWA Budget to this page.

ABOUT/ Mission Page

19. From the "About" drop-down menu, Ingenious will link to <https://my.ecwa.org/MissionPage>

ABOUT/ Organizational Chart Page

20. Ingenious will link or create an Organizational Chart to the About drop-down menu.

ABOUT/ Board of Commissioners Page

21. Board of Commissioners should be a separate page. Ingenious will edit the current Management Page found at <https://www.ecwa.org/about/management/>

ABOUT/ Management Page

22. Management should be a separate Page. Ingenious will create a separate Management Page.

ABOUT/ FYI Page

23. Ingenious will link to <https://my.ecwa.org/AboutFYI>

ABO WEBSITE COMPLIANCE ISSUE:

24. Ingenious and/or ECWA IT Department will redirect Web links in PARIS Report after the website has been updated to the following:
 - a. Organizational Chart www.ecwa.org/content/about/chart2.pdf
 - b. Operations and Accomplishments
www.ecwa.org/content/publications/operationsaccomplishments_all

- c. Assessments of the Effectiveness of Internal Controls
www.ecwa.org/content/publications/internalcontrols_all
- d. Mission Statement and Performance Measurements
www.ecwa.org/pdf/AuthorityPerformanceMeasures/MISSIONSTATEMENT.pdf
www.ecwa.org/content/publications/measuresreport
- e. Board Committees www.ecwa.org/content/about/committees.pdf
- f. By-Laws www.ecwa.org/pdf/PoliciesProcedures/010 By-Laws.pdf
- g. Code of Ethics & Conflict of Interest Policy
www.ecwa.org/pdf/PoliciesProcedures/020 Code
- h. Annual Report of all Real Property
www.ecwa.org/content/procurementreports/propertytransactions_all