



ERIE COUNTY WATER AUTHORITY

INTEROFFICE MEMORANDUM

July 23, 2021

To: Terrence D. McCracken, Secretary to the Authority

From: Jeffrey C. Schlierf, Acting Manager of Information Technology *JCS*

Subject: Cisco Hardware and Software Maintenance - On-site Insurance Agreement

The Information Technology department currently has Cisco hardware and software licensing support and maintenance that is due for annual renewal. In order to complete the purchase orders and submit them for board approval, an insurance agreement must be signed off by the Board. The insurance agreement is required to name the Authority as an additional insured on Cisco's insurance policy. This ensures that the Authority is covered in the event of a potential risk or liability issue for the term of the purchase orders.

Purchase Order GJL21-0024 will cover the Cisco Smartnet maintenance and support for all Authority Cisco hardware, including firewalls, switches, routers, WIFI access points and WIFI controllers. The maintenance is for a one-year period and the total cost is \$81,888.00. This maintenance and support will be purchased under a NYS Contract.

Purchase order GJL21- 0025 in the amount of \$5,045.00 will cover Cisco software licensing and support on managed switches. Purchase order GJL21-0026 in the amount of \$4,640.00 is for Cisco hardware maintenance. These purchase orders were informally bid because the services were not available under a NYS contract.

After the insurance agreement is signed, the insurance can be approved. The three purchase orders will be completed and added to the master PO report for the next board meeting on August 19, 2021.

I am asking the Board to review and upon approval, execute the attached Cisco On-site Insurance Agreement.

Budget Information:

- Department 850 Information Technology
- Unit 8525
- Item No. 26 Equipment Maintenance Contract

Attached please find the following documents:

- 1) Authorization Form
- 2) Cisco On-site Insurance Agreement

JCS
Attachment

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

Contract: _____ **Project No.:** _____
Project Description: Cisco Maintenance Additional Insured

Item Description:

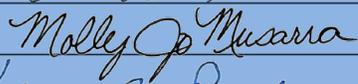
<input checked="" type="checkbox"/> Agreement	<input type="checkbox"/> Professional Service Contract	<input type="checkbox"/> Amendment	<input type="checkbox"/> Change Order
<input type="checkbox"/> BCD	<input type="checkbox"/> NYSDOT Agreement	<input type="checkbox"/> Contract Documents	<input type="checkbox"/> 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"/> Acting Manager of IT		Date: <u>07/27/2021</u>
<input checked="" type="checkbox"/> Chief Operating Officer		Date: <u>7/28/2021</u>
<input checked="" type="checkbox"/> Executive Engineer	_____	Date: _____
<input checked="" type="checkbox"/> Director of Administration		Date: <u>07/28/2021</u>
<input checked="" type="checkbox"/> Risk Manager		Date: <u>07/28/2021</u>
<input checked="" type="checkbox"/> Chief Financial Officer		Date: <u>07/28/2021</u>
<input checked="" type="checkbox"/> Legal		Date: <u>7/28/2021</u>

APPROVED FOR BOARD RESOLUTION:

<input checked="" type="checkbox"/> Secretary to the Authority		Date: <u>07/28/21</u>
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Remarks: Cisco On-site Insurance Agreement.

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



On-site Insurance Agreement

Cisco Systems, Inc. ("Cisco") shall, at its sole cost and expense, maintain in effect for the Duration of this Purchase Order, the following insurance:

Commercial General Liability insurance with limits of \$2,000,000 per occurrence and \$2,000,000 annual aggregate;
Automobile Liability insurance with limits of \$5,000,000 per accident;
Workers' Compensation insurance with limits as required by statute;
Employer's Liability insurance with limits of \$1,000,000;
Data Breach & Privacy/Cyber Liability insurance with limits of \$1,000,000 per occurrence and annual aggregate;
Technology Errors and Omissions insurance with limits of \$1,000,000 each occurrence, wrongful act or claim and aggregate; and
Crime Insurance with limits of \$2,000,000.

Cisco may satisfy the Data Breach/Privacy/Cyber insurance requirements and Tech E&O insurance requirements with one and the same insurance policy, provided that such insurance policy has limits of at least \$2,000,000 per claim and annual aggregate.

The persons and/or entities noted below shall be included on such CGL and Auto insurance as additional insured for liabilities to the extent caused by the negligence, recklessness or willful misconduct of Cisco. And all insurance required herein shall include a waiver of subrogation in favor of the persons and/or entities noted below. Cisco shall provide a Certificate of Insurance as evidence that it is in compliance with these insurance obligations.

Description of Premises: 295 Main St, Room 350 Buffalo, NY 14203

Certificate Holder: Erie County Water Authority, 295 Main St, Room 350 Buffalo, NY 14203

The CGL and Auto insurance required herein shall include the following persons and/or entities as additional insured for liabilities to the extent caused by the negligence, recklessness or willful misconduct of Cisco, and all insurance required herein shall provide that the insurer waives its rights of subrogation in favor of the following persons and/or entities: The Owner Indemnitees and each of their respective subsidiaries, affiliates, parent companies and their respective members, officers, directors, managers, employees, agents, shareholders, successors and assigns, heirs, administrators, and personal representatives.

Agreed to as of the date signed below:

Cisco Systems, Inc.

Erie County Water Authority

Name: Jesse Rogan

Name: Jerome D. Schad

Date: July 28, 2021

Date: July , 2021