



ERIE COUNTY WATER AUTHORITY

INTEROFFICE MEMORANDUM

October 4, 2022

To: Terrence D. McCracken, Secretary to the Authority

From: Lavonya C. Lester, Director of Administration *LCL*

Subject: Furnish & Deliver Various Wood Products

To the ECWA for One Year, from January 1, 2022, to December 31, 2022

Project No. 202100197 – one year extension

On January 1st, 2022, the Authority entered into an agreement with Southtown Supply Inc for the furnishing and delivering of various wood products. These wood products are necessary for the day-to-day operations especially during watermain repairs.

Southtown Supply Inc provided a letter requesting to extend the existing contract for an additional year under the same terms and conditions including pricing as set forth in Article 4, Paragraph 4.01 of the contract. The annual spend is anticipated at \$37,463.75. The Authority has been satisfied with the products and services provided thus far and is looking to continue the business relationship with this supplier.

The Administration department is looking for authorization and execution of a one-year amendment to extend this materials and supplies contract which is scheduled to expire on December 31st, 2022.

The following documents are attached:

- Blue Authorization Form.
- One (1) set of Contract Amendment Documents.

Budget Information

Unit: 2010

G/L: 401000-662110 Materials & Supplies

LCL:

Attachment

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

Contract: 21-31-12 **Project No.:** FN202100197
Project Description: FURNISH & DELIVER VARIOUS WOOD PRODUCTS TO THE ECWA FOR 1 YEAR
CONTRACT EXTENSION JANUARY 1, 2023 - DECEMBER 31, 2023

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"/> Other (if Applicable)	_____	Date: _____
<input checked="" type="checkbox"/> Chief Operating Officer	<u><i>Russell J. Abel</i></u>	Date: <u>10/7/2022</u>
<input checked="" type="checkbox"/> Executive Engineer	<u><i>Jeanne F. Kondelik</i></u>	Date: <u>10/10/2022</u>
<input checked="" type="checkbox"/> Director of Administration	<u><i>Shirley L. Lister</i></u>	Date: <u>10/5/2022</u>
<input checked="" type="checkbox"/> Risk Manager	<u><i>Molly J. Musarra</i></u>	Date: <u>10/07/2022</u>
<input checked="" type="checkbox"/> Chief Financial Officer	<u><i>Karen A. Bendugast</i></u>	Date: <u>10/07/2022</u>
<input checked="" type="checkbox"/> Legal	<u><i>[Signature]</i></u>	Date: <u>10/7/2022</u>

APPROVED FOR BOARD RESOLUTION:

<input checked="" type="checkbox"/> Secretary to the Authority	<u><i>[Signature]</i></u>	Date: <u>10/11/22</u>
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Remarks: ONE YEAR CONTRACT EXTENSION PER TERMS OF ORIGINAL AGREEMENT.

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

**AMENDMENT NO. 1 TO
MATERIAL AND SUPPLIES CONTRACT**

AMENDMENT, effective October 20, 2022, to the Materials and Supplies Contract for Furnishing and Delivering Various Wood Products, entered on the December 22, 2021, by and between:

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

hereinafter referred to as the “Authority,” and

SOUTHTOWN SUPPLY, INC.
190 Lake Avenue
Blasdell, New York 14219

hereinafter referred to as “Supplier.”

WHEREAS, on December 22, 2021, the Authority awarded the Supplier a materials and supplies contract to furnish and deliver wood products (the “Contract”) for a one-year term, beginning January 1, 2022; and

WHEREAS, the Contract provides for various wood products to be delivered to the Authority, as ordered, from January 1, 2022 through December 31, 2022; 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 Supplier has agreed to extend the Contract until December 31, 2023, based on the same terms and conditions, including pricing as set forth in Article 4, Paragraph 4.01 of the Contract;

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

- (1) The terms and conditions of the Contract shall continue in effect until December 31, 2023; and

- (2) The parties agree all other terms and conditions of the Contract 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

SOUTHTOWN SUPPLY, INC.

By _____
Jonathan G. Palmer, President

STATE OF NEW YORK)
COUNTY OF ERIE) ss:

On the ___ day of October, 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 NEW YORK)
COUNTY OF ERIE) ss:

On the ___ day of _____, in the year 2022, before me personally came Jonathan G. Palmer to me known, who, being by me duly sworn, did depose and say that he resides in Hamburg, 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