




ERIE COUNTY WATER AUTHORITY

INTEROFFICE MEMORANDUM

May 13, 2024

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

From: Joyce Tomaka, Chief Financial Officer 

Subject: Professional Services Agreement with Lawley, LLC
PN 202100135

At the meeting of May 27, 2021, the Board approved a professional services agreement with Lawley, LLC (“Lawley”). This agreement is due to expire on June 30, 2024.

In accordance with Article 5.01, the agreement allows for two potential one-year extensions at mutually agreed upon terms.

Lawley has submitted a letter (attached) for an extension maintaining all agreed upon terms and conditions of both the agreement and amendment for a period of one year.

The Authority is very pleased with their services and wishes to extend the contract for a period of one year as well. There is a resolution for the meeting of May 23, 2024, approving the execution of an amendment extending the contract. Thank you.

O&M Budget Information:

Unit: 7510

Line Item No.: 53 - Insurance



361 Delaware Ave, Buffalo, NY 14202
(p) 716.849.8618 | (f) 716.849.8291



May 10, 2024

Joyce Tomaka
Chief Financial Officer
Erie County Water Authority
295 Main Street, Room 350
Buffalo, NY 14203

Re: Extension of Professional Services Contract

Dear Joyce,

This letter is to confirm that Lawley is agreeable to extending our current Professional Services contract by 1 year pursuant to Section 5.01, Article 5 – “Duration” of the agreement executed by the Erie County Water Authority and Lawley in July 2021.

We appreciate the Authority’s trust in Lawley as your Risk Management Partner and look forward to continuing our relationship.

Please advise if you require any additional information from us.

Sincerely,

Michael R. Lawley
Principal
mlawley@lawleyinsurance.com
716-849-8658

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

Contract: _____ **Project No.:** 202100135
Project Description: First Extension for the Professional Services Contract with Lawley, LLC

Item Description:


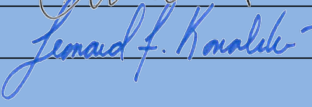

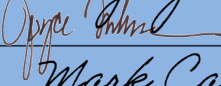

<input type="checkbox"/> Agreement	<input type="checkbox"/> Professional Service Contract	<input checked="" type="checkbox"/> Amendment	<input type="checkbox"/> Change Order
<input type="checkbox"/> BCD	<input type="checkbox"/> NYSDOT Agreement	<input type="checkbox"/> Contract Documents	<input type="checkbox"/> 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 type="checkbox"/> Board Authorization to Execute	<input 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	_____	Date: _____
<input checked="" type="checkbox"/> Chief Operating Officer		Date: <u>05/13/2024</u>
<input checked="" type="checkbox"/> Executive Engineer		Date: <u>5/13/2024</u>
<input type="checkbox"/> Director of Administration	_____	Date: _____
<input checked="" type="checkbox"/> Claims Rep/Risk Manager		Date: <u>5/13/2024</u>
<input checked="" type="checkbox"/> Chief Financial Officer		Date: <u>05/13/2024</u>
<input checked="" type="checkbox"/> Legal		Date: <u>5/13/2024</u>

APPROVED FOR BOARD RESOLUTION:

<input checked="" type="checkbox"/> Secretary to the Authority		Date: <u>05/13/2024</u>
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Remarks: _____

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

**AMENDMENT NO. 1 TO
PROFESSIONAL SERVICES AGREEMENT
FOR RISK MANAGEMENT AND INSURANCE BROKERAGE SERVICES**

AMENDMENT, effective May 23, 2024, to the Professional Services Agreement effective on May 27, 2021, by and between

ERIE COUNTY WATER AUTHORITY

295 Main Street, Room 350

Buffalo, New York 14203

hereinafter referred to as the “Authority,” and

LAWLEY, LLC

361 Delaware Avenue

Buffalo, New York 14202

hereinafter referred to as “Consultant.”

WHEREAS, on May 27, 2021, the Authority awarded the Consultant a professional services agreement for risk management and insurance brokerage services for a three-year term, beginning on July 1, 2021 (the “Agreement”); and

WHEREAS, in accordance with Article 3, Paragraph 3.02 of the Agreement, any modification or variation from the terms of the Agreement 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, in accordance with Article 5, Paragraph 5.01 of the Agreement, the parties may extend the term of the Agreement for two additional one-year terms, upon mutually agreed upon terms; and

WHEREAS, the parties wish to extend the Agreement for an additional one-year period from July 1, 2024 through June 30, 2025 pursuant Article 5, Paragraph 5.01 of the Agreement, based on the same terms and conditions as set forth in the Agreement;

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

(1) The terms and conditions of the Agreement shall continue in effect until June 30, 2025;

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

LAWLEY, LLC

By _____
Michael R. Lawley, Principal

STATE OF NEW YORK)
COUNTY OF ERIE) ss:

On the ___ day of May, in the year 2024, 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 he signed his name thereto by the authorization of the Board of Commissioners for the Erie County Water Authority.

Notary Public

STATE OF _____)
COUNTY OF _____) ss:

On the ___ day of _____, in the year 2024, before me personally came Michael R. Lawley, to me known, who, being by me duly sworn, did depose and say that he/she resides in _____ that he/she is the Principal of the Corporation described in the above instrument; and that he/she signed his/her name thereto by order of the Board of Directors of said Corporation.

Notary Public