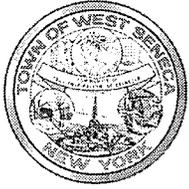


TOWN OF WEST SENECA



ENGINEERING
DEPARTMENT

TOWN SUPERVISOR
SHEILA M. MEEGAN

TOWN COUNCIL
EUGENE P. HART
JOHN M. RUSINSKI

October 22, 2012

Honorable Town Board
Town of West Seneca

**Re: Erie County Water Authority agreement for
Leydecker Generator Addition**

Honorable Board Members,

This request is to execute the attached agreement with the Erie County Water Authority (ECWA) for the construction costs related to the addition of a generator at the Leydecker water pump station. The estimated cost for this work is \$196,000. This was discussed with the previous Board during the 2012 budget process in August 2011.

ECWA designed and will bid the above project. The Town will review the bid results and determine if the cost is acceptable. Payment is not required until the project is complete. Completion is scheduled for spring 2013.

Very truly yours,

A handwritten signature in black ink, appearing to read "R. B. Henry III".

Richard B. Henry III, P.E.
Town Engineer

cc: Files: TB.
Project



AGREEMENT

between

ERIE COUNTY WATER AUTHORITY

and

THE TOWN OF WEST SENECA

AGREEMENT made this _____ day of _____, 2012, by and between the **TOWN OF WEST SENECA**, New York, hereinafter referred to as the "Town", and the **ERIE COUNTY WATER AUTHORITY**, a public benefit corporation, having its offices and principal place of business at 295 Main Street, Room 350, Buffalo, New York, 14203, hereinafter referred to as the "Authority".

WHEREAS, the Authority has initiated plans to undertake the installation of standby power in the Town of West Seneca; and

WHEREAS, the Town intends to install standby power at the Leydecker Pump Station; and

WHEREAS, the Town and the Authority desire to enter into a cooperative Agreement to coordinate and facilitate the installation of standby power at the Leydecker Pump Station in order to achieve cost containment and efficiency;

NOW, THEREFORE, the parties agree as follows:

1) **PUBLIC BIDDING**

In accordance with the terms of General Municipal Law §103 and Public Authorities Law §1069, the Authority will bid the cost of construction and provide inspection in accordance with the project plans and specifications developed by the Authority.

2) **PROJECT COST**

Subsequent to the bidding process in which the Authority will determine the lowest responsible bid, the Authority will refer to the Town for its review and approval the cost pertaining to the Leydecker Pump Station portion of the project defined in the bid specifications.

3) **APPROVAL OF COST**

The Town will review the cost of the West Seneca related portion of the lowest responsible bid and determine in its sole judgment whether such cost is acceptable prior to the Authority awarding the project in accordance with the plans and specifications. The Town will provide written approval of the cost within fourteen days after notification by the Authority.

4) **REIMBURSEMENT**

Upon completion of the construction project and pending its final approval of the contract for related work, the Authority will submit to the Town an accounting setting forth reimbursement of the actual installed cost of related items listed under the West Seneca portion of the plans and specifications. The Town will reimburse the Authority for the cost of the West Seneca portion of the project as set forth in the project plans and specifications. Payment will be made within 60 days from receipt of the invoice and approval.

5) **AMENDMENTS AND MODIFICATIONS**

No modification, amendment or changes in the West Seneca portion of the construction project involving the Town will be valid unless the Town is advised in writing and approves of same.

6) **ENTIRE AGREEMENT**

This Agreement contains the entire Agreement between the parties relating to its subject matter. All prior or contemporaneous contracts, understandings and statements are merged herein.

7) **APPROVAL**

This Agreement is subject to approval by the respective parties in accordance with the authority granted to each party.

IN WITNESS WHEREOF, the parties hereto have set their hands and seals as of the date above written.

TOWN OF WEST SENECA

By: _____

Sheila Meegan, Supervisor

ERIE COUNTY WATER AUTHORITY

By: _____

Francis G. Warthling, Chair