



ERIE COUNTY WATER AUTHORITY
INTEROFFICE MEMORANDUM

August 22, 2018

To: Terrence D. McCracken, Secretary to the Authority

From: Karen A. Prendergast, Comptroller *KAP*

Subject: Amendment to Contract for Auditing Services

At the Board meeting of August 16, 2018, the Board agreed to pursue the possibility of amending the contract with our current audit firm, Drescher & Malecki, LLP, to perform specific agreed upon procedures requested by the Treasurer and to report their findings thereon.

After speaking to Commissioner Jones, they have estimated they would need between 20-37 hours at an estimated cost range of \$1,950 to \$3,525 — dependent upon the final agreed upon procedures.

Please include a resolution on the meeting of August 30, 2018 requesting an amendment to the existing contract with Drescher & Malecki to accommodate these additional auditing services.

AMENDMENT NO. 2 to

PROFESSIONAL SERVICES CONTRACT

AMENDMENT NO. 2 (“Amendment No.2”) to the PROFESSIONAL SERVICE CONTRACT (the “Contract”) made this ____ day of August, 2018, between the Erie County Water Authority (the “Authority”) and Drescher & Malecki LLP (the “Firm”).

RECITALS:

WHEREAS, on October 16, 2014, the Authority’s Board of Commissioners (the “Board”) approved a resolution, authorizing the Chair to enter into the Contract with the Firm to provide accounting services in connection with the examination of the Authority’s financial statements for the fiscal years ending December 31, 2014, 2015 and 2016 and to submit the Authority’s financial statements and reports to the Government Finance Officers Association;

WHEREAS, on July 17, 2017, the Board approved a resolution, amending and extending the Contract with the Firm for the fiscal years ending December 31, 2017 and 2018;

WHEREAS, pursuant to the Contract, as amended, the Authority has executed annual engagement letters with the Firm setting forth the scope of annual examination;

WHEREAS, since the Firm has performed its examination of, and issued an unmodified opinion on, the Authority’s financial statement for the fiscal year ending on December 31, 2017, the Authority has appointed a new treasurer;

WHEREAS, on August 2, 2018, Commissioner E. Thomas Jones was appointed the Authority’s Treasurer;

WHEREAS, Commissioner Jones recommended to the Board that a new policy be implemented whenever a new Treasurer is appointed, allowing the Treasurer to request periodic agreed-upon procedures specific to certain items, generally covering the period from the end of one fiscal year through the date of appointment of a new treasurer;

WHEREAS, on August 30, 2018, the Board adopted, by resolution, the policy recommended by Treasurer Jones;

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

1. The Authority and the Firm agrees to amend the scope of the Contract, permitting the Firm to perform the agreed-upon procedures identified by the Authority's Treasurer for the period between January 1, 2018 and July 26, 2018;
2. The Authority agrees to compensate the Firm for these additional services in an amount not to exceed \$ 3,525.00; and
3. The Board authorizes the Secretary of the Authority to execute the engagement letter with the Firm, upon terms consistent with provisions set forth in Amendment No 2 of the Contract and setting forth the specific scope of the review to which the Treasurer and the Firm has agreed;

IN WITNESS WHERETO, the parties hereto have caused this Amendment No. 2 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

DRESCHER & MALECKI LLP

By _____
Thomas P. Malecki, Partner-in-Charge

STATE OF YORK)
COUNTY OF ERIE) ss:

On the ___ day of August, in the year 2018, 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 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 YORK)
COUNTY OF ERIE) ss:

On the ___ day of August, in the year 2018, before me personally came Thomas P. Malecki, to me known, who, being by me duly sworn, did depose and say that he resides in the Town of _____, New York, that he is the Partner-in-Charge of the New York limited liability partnership, known as Drescher & Malecki LLP, and he signed his name thereto by the authorization of the partnership agreement.

Notary Public