



**ERIE COUNTY WATER AUTHORITY**  
INTEROFFICE MEMORANDUM

September 26, 2018

To: Jerome D. Schad, Chair  
Mark S. Carney, Vice Chair  
E. Thomas Jones, Treasurer

Cc: Terrence D. McCracken, Secretary

From: Margaret A. Murphy, Attorney

Subject: Professional Service Contract with Ingenious, Inc. for the design and development of the Authority's new website

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Terry McCracken and I are recommending for approval the attached tentative agreement for professional services with Ingenious, Inc. for the re-design and re-development of the Erie County Water Authority's website. There are two items in the tentative agreement (i.e. §§ 7.2 and 8.1(b) dealing with Ingenious' objection regarding the use of pre-existing materials) that Joseph Murphy, President of Ingenious, Inc. would like to review with his attorney, James W. Smyton, of counsel to Phillips Lytle LLP.

Mr. Smyton has requested a conflict waiver from the Authority so he will be able to review and advise Mr. Murphy as to the tentative agreement. Mr. McCracken and I recommend the approval of this conflict waiver.

Please be aware that Joseph Murphy and I are not related and therefore, there exists no conflict of interest on my part in drafting or negotiating this agreement with Mr. Murphy.