



**ERIE COUNTY WATER AUTHORITY  
INTEROFFICE MEMORANDUM**

December 18, 2018

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

Cc: Terrence D. McCracken, Secretary  
Margaret A. Murphy, Attorney  
Daniel NeMoyer, Director of Human Resources  
Russell Stoll, Executive Engineer  
Leonard Kowalski, Sr. Distribution Engineer  
Justyna Falkowski, Principal Clerk Typist

From: Jacqueline Mattina, Deputy Associate Attorney

Subject: Compliance with §139-L of the State Finance Law  
Sexual Harassment Certification

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Effective January 1, 2019, changes to the State Finance Law require that every bid made to the Authority where competitive bidding is required, contain a certification, signed under the penalty of perjury, stating the bidder has implemented a written sexual harassment policy and provides annual sexual harassment prevention training to all of its employees. Bids lacking such certification will not be considered, unless the bidder states why it cannot make the required certification and provides a signed statement with the bid setting forth in detail the reason. When competitive bidding is not required the Authority may at its discretion, impose the same certification requirement.

Justyna Falkowski and I have been working together to identify areas of contracts, bidding supplements, bid invites and other documents which need to be updated to reflect the changes to § 139-L of the State Finance Law. Ms. Falkowski has been doing an exemplary job of updating these documents where necessary. The Legal Department has reviewed and approved the updates prepared by Ms. Falkowski. We will continue our review of any other documents that could require additional language to ensure Authority compliance by the January 1, 2019 date.

