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

<table>
<thead>
<tr>
<th>Contract:</th>
<th>Project No.: 201000099</th>
</tr>
</thead>
<tbody>
<tr>
<td>Project Description: GPS Survey Base Station Agreement Letter (Town of Tonawanda)</td>
<td></td>
</tr>
</tbody>
</table>

**Item Description:**
- [ ] Agreement
- [ ] Professional Service Contract
- [ ] Amendment
- [ ] Change Order
- [ ] BCD
- [ ] NYSDOT Agreement
- [ ] Contract Documents
- [ ] Addendum
- [ ] Recommendation for Award of Contract
- [ ] Recommendation to Reject Bids
- [ ] Request for Proposals
- [X] Other Agreement Letter

**Action Requested:**
- [ ] Board Authorization to Execute
- [ ] Legal Approval
- [ ] Board Authorization to Award
- [ ] Execution by the Chairman
- [ ] Board Authorization to Advertise for Bids
- [ ] Execution by the Secretary to the Authority
- [ ] Board Authorization to Solicit Request for Proposals
- [X] Other Board Approval

**Approvals Needed:**

**APPROVED AS TO CONTENT:**
- [X] Department Head [Signature] Date: 1-30-19
- [ ] Risk Manager Date: 
- [ ] Director of Administration Date: 
- [X] Executive Engineer [Signature] Date: 1-30-19

**APPROVED AS TO FORM:**
- [X] Legal Date: 

**APPROVED FOR BOARD RESOLUTION:**
- [X] Secretary to the Authority Date: 

**Remarks:**

**Resolution Date:** Item No:
January 29, 2019

Mr. Joseph H. Emminger
Supervisor
Town of Tonawanda
Room 11, Municipal Building
2919 Delaware Avenue
Kenmore, New York 14217-2308

Re: GPS Survey Base Station
ECWA Project No. 201000099

Dear Mr. Emminger,

The Erie County Water Authority (ECWA) and the Town of Tonawanda (Town) both own GPS survey equipment. The ECWA operates a base station for its own use and also utilizes NYSDOT base stations as needed. The Town has requested permission to utilize the ECWA base station due to its centralized location. The use of a closer base station enhances the accuracy of the GPS data.

The ECWA base station has the capability to support multiple users. The ECWA will provide the City access to the base station as a public service subject to the following terms:

1. The ECWA reserves the right to modify the terms of or cancel this agreement at any time.

2. The Town will pay all costs to Trimble associated with reconfiguration of the ECWA base station for use by the Town.

3. Only employees of the Town are authorized to utilize the base station and only for work authorized by the Town.

4. The ECWA does not guarantee that the base station will be operational at all times.

5. The ECWA does not guarantee the accuracy, quality or completeness of the data provided by the base station.
6. The Town shall indemnify the ECWA against any and all claims arising from the Town’s negligent use of the base station and its data and shall defend and hold harmless the ECWA from and against all claims, suits, actions, costs, counsel fees, expenses, damages, judgments or decrees based upon or arising out of damage to property or injury to persons or other tortuous conduct caused or contributed to it by the negligence of the Town or negligence of anyone under the Town’s direction or control or on its behalf.

Please contact me if you have any questions. Please execute and return one original copy to me.

Sincerely yours,

ERIE COUNTY WATER AUTHORITY

Russell J. Stoll, P.E.
Executive Engineer

Agreed and accepted by:

Joseph H. Emminger
Supervisor
Town of Tonawanda

Date

RJS: MJM: jmf
cc: ECWA-337-1001