


**ERIE COUNTY WATER AUTHORITY**  
**INTEROFFICE MEMORANDUM**



February 25, 2019

To: Commissioners Schad, Carney and Jones  
From: Robert J. Lichtenthal, Jr., Deputy Director   
Subject: Procurement Error-Ledge Creek Development Inc.

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The currently used Authority Purchasing Guidelines and Procedures require all purchases to be approved by the Board of Commissioners following the proper steps of requisition.

Attached to this memo is a memo I received from Mr. Stanley Jemiolo, Administrative Assistant-facilities. On August 22, 2018 Ledge Creek Development Inc. was inadvertently directed to remedy an unsafe situation at the Service Center.

In this case, multiple procurement errors occurred. First, a purchase order was never presented to the Board for approval prior to the work being performed. Secondly, the solicitation of a minimum of three quotes for the work was not secured.

Under the circumstances the appropriate action to take within the current procedures would have been to declare an emergency, make the procurement arrangements and then notify the Board of Commissioners. This was not done and is the first error.

The second error occurred when the vendor (Ledge Creek Development, Inc.) was called to respond without soliciting a minimum of three quotes.

Where this issue stands today is that the Authority has received an invoice from Ledge Creek development Inc. in the amount of \$9655.47 for their timely response to our request to rectify an unsafe condition.

I am requesting that the Board of Commissioners grant a one-time waiver to allow a Purchase Order to be created for this procurement and for the vendor's invoice to be submitted for payment. I will await the Board's direction.



**ERIE COUNTY WATER AUTHORITY**  
**INTEROFFICE MEMORANDUM**

December 12, 2018

To: Robert J. Lichtenthal, Jr., Deputy Director  
From: Stan Jemiolo, Administrative Assistant - Facilities  
Subject: Ledge Creek Service Center Invoice

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D. Director,

Ledge Creek has presented a bill for services at the service center for work I authorized several months ago.

The problem we had was the driveway near the south gate near the spoils pile was damaged due to traffic and excavating equipment use in that area. ECWA staff had expressed it was a safety hazard entering the area.

It was brought to my attention that we had an unsafe situation at the south gate and was asked to address the situation. I reached out to Ledge Creek our current vendor under the restoration contract to estimate and restore the area to a safe environment.

I authorized the work under the assumption that the contract was available for use of this nature due to past practices at the service center and at other locations in our system. I am told that this is not the case and informal bid should have been sought.

Ledge Creek has satisfactorily performed the work in good faith. The job was inspected by our in-house staff, and agree the bill is fair and just.

I am asking for direction on how to proceed in this matter.



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 Clarence Center NY 14032-  
 (716) 741-3174 fax(716) 741-3175

Erie County Water Authority  
 295 Main St.  
 350 Ellicott Square Bldg.  
 Buffalo, NY 14203-2494

**REQUEST FOR PAYMENT**

Date	Invoice number	Terms	Due date	Contact name	PO number
11/30/2018	S18002-11A	30	12/30/2018	Stan Jemiolo	ID 33792
Description		Quantity	U/M	Unit Price	Extended Price

to invoice you for work complete October 1st thru October 31st, 2018

1E - Top per 1" of Depth	62.00	SY	12.00	744.00
1F - Binder per 1" of Depth	911.10	SY	9.00	8,199.90
1I-1 - Cold Milling <25SY /1" Depth	23.33	SY	30.50	711.57

Subtotal	9,655.47
Sales tax	0.00
<b>TOTAL</b>	<b>9,655.47</b>