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# COUNTY OF ERIE

**MARK C. POLONCARZ**

COUNTY EXECUTIVE

November 24, 2021

Erie County Legislature  
92 Franklin Street – Fourth Floor  
Buffalo, New York 14202

**RE: Erie County Sewer District No. 4  
Contract No. 56  
Contract Close Out – Concrete Applied Technologies Corp. dba CATCO**

Dear Honorable Members:

Enclosed please find an accompanying memorandum and proposed resolution from the Department of Environment and Planning, Division of Sewerage Management, pertaining to the close out of Contract No. 56 with Concrete Applied Technologies Corp. dba CATCO.

Should your Honorable Body require further information, I encourage you to contact Joseph Fiegl, P.E. in the Department of Environment and Planning. Thank you for your consideration on this matter.

Sincerely yours,

Mark C. Poloncarz, Esq.  
Erie County Executive

MCP: nw  
Enclosure

Cc: J. Fiegl – Environment and Planning

## MEMORANDUM

**To:** Honorable Members of the Erie County Legislature  
**From:** Department of Environment and Planning  
**Re:** Erie County Sewer District No. 4  
Contract No. 56  
Contract Close Out – Concrete Applied Technologies Corp. dba CATCO  
**Date:** November 24, 2021

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### **SUMMARY**

Acceptance and approval of Contract No. 56 in the final contract amount of \$132,291.63 together with Change Order No. 1 (final), a decrease of (\$26,208.37) in Erie County Sewer District No. 4 Capital Bond Account No. C.17401, as well as authorization to issue final payment to the contractor, Concrete Applied Technologies Corp. dba CATCO is requested.

### **FISCAL IMPLICATIONS**

There will be no impact on the County's General Fund. The funds for this contract were allocated from Erie County Sewer District No. 4 Capital Bond Account No. C.17401

### **REASONS FOR RECOMMENDATION**

All improvements per the contract as modified by this Change Order have been completed. As a result, it is the Department's recommendation to finalize this contract.

### **BACKGROUND INFORMATION**

Contract No. 56 was bid on May 5, 2021 and awarded by the Erie County Legislature on June 10, 2021 pursuant to Legislative Comm. 8E-23 (2021). This contract constructed the Borden Road Forcemain Test Pit and Spot Repair Project in Erie County Sewer District No. 4. During the course of the project, the scope was modified to account for a force main break in close proximity to the project area. The overall impact as a result of this change was a decrease to the contract while fulfilling the original intent of the project.

### **CONSEQUENCES OF NEGATIVE ACTION**


Contract default on the part of the County of Erie could be claimed by the Contactor.

### **STEPS FOLLOWING APPROVAL**

The County of Erie will execute the final change order and make a final payment to Concrete Applied Technologies Corp. dba CATCO.

**COMPTROLLER'S OFFICE REVIEW**

The proposed legislation has been reviewed by the Comptroller's Office and is related to an authorized capital project for which there are sufficient capital appropriations for the action proposed.

Signed  Date 4/23/21  
Title Cheryl Mekarski  
Deputy Comptroller

**Erie County Sewer District No. 4  
Contract No. 56  
Contract Closeout – Concrete Applied Technologies Corp. dba CATCO  
Capital Bond Account No. C.17401**

A RESOLUTION SUBMITTED BY:  
DEPARTMENT OF ENVIRONMENT AND PLANNING

RE: Erie County Sewer District No. 4  
Contract No. 56  
Contract Close Out – Concrete Applied Technologies Corp. dba CATCO

WHEREAS, pursuant to Legislative Comm. 8E-23 (2021), Contract No. 56 was awarded to Concrete Applied Technologies Corp. dba CATCO to construct the Borden Road Forcemain Test Pit and Spot Repair Project, in Erie County Sewer District No. 4; and

WHEREAS, the Erie County Division of Sewerage Management has advised that all scheduled improvements are now completed; and

WHEREAS, the Erie County Department of Environment and Planning has recommended the acceptance of Contract No. 56, in the final contract amount of \$132,291.63 which includes Change Order No. 1 (final), a decrease of (\$26,208.37) and recommends approval for final payment.

NOW, THEREFORE BE IT

RESOLVED, that Contract No. 56 between the County of Erie and Concrete Applied Technologies Corp. dba CATCO (1266 Townline Road, Alden, NY 14004) is accepted in the final contract amount of \$132,291.63 which includes Change Order No. 1 (final), a decrease of (\$26,208.37) and is allocated in Erie County Sewer District No. 4 Capital Account C.17401; and be it further

RESOLVED, that the Erie County Comptroller be directed to make final payment for Contract No. 56, to Concrete Applied Technologies Corp. dba CATCO for a total contract amount of \$132,291.63; and be it further

RESOLVED, that the Clerk of the Legislature be directed to send one (1) certified copy of this resolution to the County Executive, the Erie County Comptroller, the Director of Budget and Management, Kristen Walder, Second Assistant County Attorney, and Joseph Fiegl, P.E., Deputy Commissioner, Department of Environment and Planning.

APPROVAL TO DISBURSE CAPITAL PROJECT CASH  
(use a separate form for each capital project)

SEWER CAPITAL C. 17401      TITLE Erie County Sewer District No. 4

PROJECT PURPOSE: The construction of the Borden Road Forcemain Test Pit and Spot Repair Project.

PROJ.AUTHORIZATION: BUDGET YEAR \_\_\_\_\_ OR DATE OF LEGISLATION \_\_\_\_\_

BOND RESOLUTION(S) AUTHORIZING PROJECT:      TOTAL \$ \_\_\_\_\_  
 DATE(S) \_\_\_\_\_  
 AMT(S) \_\_\_\_\_ \$ \_\_\_\_\_

CONTRACT PURPOSE: To provide perform test pits and spot repairs on the 30-inch diameter forcemain sewer on Borden Road in Erie County Sewer District No. 4.

<u>CONTRACTOR</u>	<u>\$ AMOUNT</u>	<u>W.B.S.#</u>	<u>TOTAL AVAILABLE APPROPRIATION</u>
CO#1 (Final) CATCO	(\$26,208.37)	C.17401	\$ 132,291.63
Total	(\$26,208.37)		

CHANGE ORDERS: PROJECT LEGISLATIVE HISTORY FOR THIS CONTRACT

<u>DATE</u>	<u>DESCRIPTION (Orig. Enc. Inc., Dec)</u>	<u>Amount</u>	<u>SFG Doc#</u>
	<u>Original Contract CATCO</u>	<u>\$158,500.00</u>	

REQUESTED BY: Nadine R. Wetzels, P.E.

	<u>Initials</u>	<u>Date</u>	
Amount Allocated	_____	_____	Deputy Commission
Amount Available	_____	_____	Accountant