

THE ERIE COUNTY LEGISLATURE

**ENERGY &
ENVIRONMENT
COMMITTEE**

Timothy J. Meyers
Chair

Jeanne M. Vinal
Vice-Chair

Meeting No. 2 – February 10, 2022 – 10:50 AM

TAB R&F APP

1.	<u>COMM. 24E-19 (2021)</u> Session 24	COUNTY EXECUTIVE “ECSD No. 3 - Bid Opening”			
2.	<u>COMM. 25E-3 (2021)</u> Session 25	COUNTY EXECUTIVE “ECSD No. 8 - Bid Opening”			
3.	<u>COMM. 25E-4 (2021)</u> Session 25	COUNTY EXECUTIVE “ECSD No. 3 - Bid Opening”			
4.	<u>COMM. 1E-18 (2022)</u> Session 1	COUNTY EXECUTIVE “ECSD No. 3 - RFPs”			
5.	<u>COMM. 2E-11 (2022)</u> Session 2	COUNTY EXECUTIVE “ECSD No. 4 - Engineering Term Contract Agreement”			
6.	<u>COMM. 2E-12 (2022)</u> Session 2	COUNTY EXECUTIVE “ECSD No. 2 - Engineering Term Contract Agreement”			
7.	<u>COMM. 2E-13 (2022)</u> Session 2	COUNTY EXECUTIVE “ECSD No. 3 - Engineering Term Contract Agreement”			
8.	<u>COMM. 3E-14 (2022)</u> Session 3	COUNTY EXECUTIVE “ECSD No. 8 - Engineering Term Contract Agreement - LaB-5”			

TAB R&F APP

9.	<u>COMM. 3E-15 (2022)</u> Session 3	COUNTY EXECUTIVE <i>"ECSD No. 8 - Engineering Term Contract Agreement - LaB-4"</i>			
10.	<u>COMM. 3E-16 (2022)</u> Session 3	COUNTY EXECUTIVE <i>"ECSD No. 6 - Change Order"</i>			
11.	<u>COMM. 3E-17 (2022)</u> Session 3	COUNTY EXECUTIVE <i>"ECSD No. 3 - Contract Close-Out"</i>			
12.	<u>COMM. 3E-18 (2022)</u> Session 3	COUNTY EXECUTIVE <i>"ECSD No. 8 - Work Order"</i>			
13.	<u>COMM. 3E-19 (2022)</u> Session 3	COUNTY EXECUTIVE <i>"ECSD No. 6 - Work Order"</i>			
14.	<u>COMM. 3E-20 (2022)</u> Session 3	COUNTY EXECUTIVE <i>"ECSD No. 1 - Bid Opening"</i>			
15.	<u>COMM. 3M-2 (2022)</u> Session 3	NYSDEC <i>"Public Notice - Program Application for 2122 Colvin Blvd., Town of Tonawanda"</i>			
16.	<u>COMM. 3M-4 (2022)</u> Session 3	ECWA <i>"Detailed Financial Report for Years Ended 12/31/2020 & 2021"</i>			



EC LEG NOV 29 '21 PM 2:57

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. 3
Blasdell Sewage Treatment Plant Decommissioning
Bid Opening – Contract No. 70**

Honorable Members:

The Department of Environment and Planning, Division of Sewerage Management will be opening bids for a construction project titled Erie County Sewer District No. 3 Contract No. 70 Blasdell Sewage Treatment Plant Decommissioning.

In order to award said contract in the required forty-five (45) day time period, we respectfully request this item be placed on the agenda of the Energy and Environment Committee. After receipt of bids, the Department will provide the necessary bid tabulations, engineer's recommendation to award, and a suggested resolution.

Should your Honorable Body require further information, I encourage you to contact Joseph Fiegl, P.E. in the Division of Sewerage Management. Thank you for your consideration on this matter.

Sincerely yours,

A handwritten signature in black ink, appearing to read "Mark C. Poloncarz", is written over a horizontal line.

Mark C. Poloncarz, Esq.
Erie County Executive

MCP:mas

cc: J. Fiegl – Division of Sewerage Management



EC LEG DEC 13 '21 PM 1:57

COUNTY OF ERIE

MARK C. POLONCARZ

COUNTY EXECUTIVE

December 13, 2021

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

**Re: Erie County Sewer District No. 8
East Aurora Water Resource Recovery Facility Control
Building Improvements Project
Bid Opening – Contract No. 21**

Dear Honorable Members:

The Department of Environment and Planning, Division of Sewerage Management will be opening bids for a construction project titled Erie County Sewer District No. 8 Contract No. 21 East Aurora Water Resource Recovery Facility Control Building Improvements Project.

In order to award said contract in the required forty-five (45) day time period, we respectfully request this item be placed on the agenda of the Energy and Environment Committee. After receipt of bids, the Department will provide the necessary bid tabulations, engineer's recommendation to award, and a suggested resolution.

Should your Honorable Body require further information, I encourage you to contact Joseph Fiegl, P.E. in the Division of Sewerage Management. Thank you for your consideration on this matter.

Sincerely yours,

Mark C. Poloncarz, Esq.
Erie County Executive

MCP: mlp

cc: J. Fiegl – Deputy Commissioner, Division of Sewerage Management

February 7, 2022

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

**RE: Amendment: Legislative Comm. 25E-3 (2021)
Erie County Sewer District No. 8
East Aurora WRRF Control Building Improvements Project
Bid Opening - Contract Nos. 21-A, 21-B, 21-C, and 21-D**

Dear Honorable Members:

Plans and specifications, known as the East Aurora Water Resource Recovery Facility (WRRF) Control Building Improvements Project, Contract Nos. 21-A, 21-B, 21-C, and 21-D, were prepared and construction bids were received on Thursday, January 13, 2022 by the Erie County Division of Sewerage Management. The lowest responsible bidder and bid amount for each Contract are as follows:

<u>Contract</u>	<u>Lowest Responsible Bidder</u>	<u>Amount</u>
Contract 21-A General	Willet Builders, Inc. 180 Genesee Street Corfu, New York 14036	\$ 378,000.00
Contract 21-B HVAC	Greater Niagara Mechanical, Inc. 7311 Ward Road North Tonawanda, New York 14120	\$ 286,600.00
Contract 21-C Plumbing	Willet Builders, Inc. 180 Genesee Street Corfu, New York 14036	\$ 88,900.00
Contract 21-D Electrical	Frey Electric Construction Co. 100 Pearce Avenue Tonawanda, New York 14150	\$ 223,000.00

Should your Honorable Body require further information, I encourage you to contact Joseph Fiegl, P.E. in the Division of Sewerage Management. Thank you for your consideration of this matter.

Sincerely yours,

Mark C. Poloncarz, Esq.
Erie County Executive

MLP: bp

Enclosure

Cc: Joseph Fiegl, Deputy Commissioner, Division of Sewerage Management

MEMORANDUM

To: Honorable Members of the Erie County Legislature
From: Department of Environment and Planning
Re: Amendment: Legislative Comm. 25E-3 (2021)
Erie County Sewer District No. 8
East Aurora WRRF Control Building Improvements Project
Bid Opening - Contract Nos. 21-A, 21-B, 21-C, and 21-D
Date: January 31, 2022

SUMMARY

Award of Contract Nos. 21-A, 21-B, 21-C, and 21-D for the East Aurora Water Resource Recovery Facility (WRRF) Control Building Improvements Project is requested as follows:

<u>Contract</u>	<u>Lowest Responsible Bidder</u>	<u>Amount</u>
Contract 21-A General	Willet Builders, Inc. 180 Genesee Street Corfu, New York 14036	\$ 378,000.00
Contract 21-B HVAC	Greater Niagara Mechanical, Inc. 7311 Ward Road North Tonawanda, New York 14120	\$ 286,600.00
Contract 21-C Plumbing	Willet Builders, Inc. 180 Genesee Street Corfu, New York 14036	\$ 88,900.00
Contract 21-D Electrical	Frey Electric Construction Co. 100 Pearce Avenue Tonawanda, New York 14150	\$ 223,000.00

The necessary bid tabulation, Engineer's estimate, and Engineer's recommendation are enclosed.

FISCAL IMPLICATIONS

There will be no fiscal implications to the County's General Fund. The funds for this contract will be from Capital Account No. C.21150 (American Rescue Plan funds).

REASONS FOR RECOMMENDATION

The intent of the proposed project is to rehabilitate and upgrade the Control Building at the East Aurora WRRF to allow for centralization of process control, modernization of key facilities, and improved control systems. Laboratory operations and personnel facilities would be located in the control area, improving efficiency and allowing Erie County Sewer District No. 8 to remove a large temporary trailer it currently rents.

BACKGROUND INFORMATION

ECSD No. 8 owns and operates the East Aurora WRRF, which services the Village of East Aurora and portions of the Town of Aurora. The facility provides wastewater treatment services, including processes for treatment of the resulting solid wastes, that require various controls and laboratory tests. Operational control at the facility is currently not centralized and components are contained in process areas with outdated control systems. Due to the condition the on-site Control Building at the time when the East Aurora WRRF was transferred from the Village to ECSD No. 8, a temporary trailer is rented to provide basic laboratory and personnel facilities.

Plans and specifications were prepared by the Erie County Division of Sewerage Management's engineering consultant, LaBella Associates, for the purpose of receiving bids on Thursday, January 13, 2022, to complete the East Aurora WRRF Control Building Improvements, Contract Nos. 21-A, 21-B, 21-C, and 21-D. Two (2) responsible bids were received for Contract No. 21-A after one (1) bid was withdrawn due a substantial clerical error by a contractor. Six (6) responsible bids were received for Contract No. 21-B. Five (5) responsible bids were received for Contract No. 21-C. Two (2) responsible bids were received for Contract No. 21-D after one bid was deemed non-responsive due to the contractor's lack of required documentation at bid.

Willet Builders, Inc. was the lowest responsible bidder for Contract Nos. 21-A and 21-C with bids of \$378,000.00 and \$88,900.00, respectively, Greater Niagara Mechanical, Inc. was the lowest responsible bidder for Contract No. 21-B with a bid of \$286,600.00, while Frey Electric Construction Co. was the lowest responsible bidder for Contract 21-D with a bid of \$223,000.00. A review of the bid tabulations indicates that all responsible low bids would be considered competitive for the work specified considering their cost when compared to the other bidders. The lowest bids for Contract Nos. 21-A and 21-D exceed the Engineer's Estimates. LaBella Associates suggested this difference could be due to factors including labor availability, contractor workloads, material availability, material price fluctuations, or other bidding environment variables. The sum total of the four (4) lowest responsible bids is within 6% of the engineer's estimate.

CONSEQUENCES OF NEGATIVE ACTION

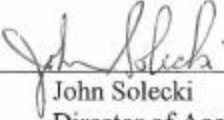
Maintaining the status quo would result in the continued additional costs related to the use of the temporary trailer, while an on-site building is not used for the intended purpose. Process controls would continue to be decentralized, resulting in less efficient operation as well as the risk of loss of operational control due to outdated control systems. Laboratory operations would continue to be separated from operational control reducing efficiency and increasing a risk of errors.

STEPS TO FOLLOW APPROVAL

Each lowest responsible bidder will be issued a Notice of Award and the Department will initiate the process of executing the contract documents. A Notice to Proceed will be provided to each Contractor upon receipt of proof of participation in a satisfactory apprenticeship program and submission of the necessary certificates, bonds, and execution of the contract.

COMPTROLLER'S OFFICE REVIEW

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

Signed  Date 1/28/2022
Title John Solecki
Director of Accounting Services & Cash Management

**Erie County Sewer District No. 8
East Aurora WRRF Control Building Improvements Project
Contract Nos. 21-A, 21-B, 21-C, and 21-D
Capital Account No. C.21150**

**A RESOLUTION SUBMITTED BY:
DEPARTMENT OF ENVIRONMENT AND PLANNING**

RE: Amendment: Legislative Comm. 25E-3 (2021)
Erie County Sewer District No. 8
East Aurora WRRF Control Building Improvements Project
Bid Opening - Contract Nos. 21-A, 21-B, 21-C, and 21-D

WHEREAS, the Erie County Department of Environment and Planning has received the following lowest responsible bids for the East Aurora Water Resource Recovery Facility (WRRF) Control Building Improvements Project, Contract Nos. 21-A, 21-B, 21-C, and 21-D at 11:00 a.m. on January 13, 2022:

<u>Contract</u>	<u>Lowest Responsible Bidder</u>	<u>Amount</u>
Contract 21-A General	Willet Builders, Inc. 180 Genesee Street Corfu, New York 14036	\$ 378,000.00
Contract 21-B HVAC	Greater Niagara Mechanical, Inc. 7311 Ward Road North Tonawanda, New York 14120	\$ 286,600.00
Contract 21-C Plumbing	Willet Builders, Inc. 180 Genesee Street Corfu, New York 14036	\$ 88,900.00
Contract 21-D Electrical	Frey Electric Construction Co. 100 Pearce Avenue Tonawanda, New York 14150	\$ 223,000.00

; and

WHEREAS, the aforementioned lowest responsible bidders have successfully completed similar projects in the past; and

WHEREAS, the Division of Sewerage Management has determined this project is a Type II action in accordance with 6NYCRR Section 617.5(c) and therefore is not subject to State Environmental Quality Review Act review under New York State Environmental Conservation Law.

NOW, THEREFORE, BE IT,

RESOLVED, that the East Aurora WRRF Control Building Improvements Project, Erie County Sewer District No. 8, Contract Nos. 21-A, 21-B, 21-C, and 21-D be awarded as follows:

<u>Contract</u>	<u>Lowest Responsible Bidder</u>	<u>Amount</u>
Contract 21-A General	Willet Builders, Inc. 180 Genesee Street Corfu, New York 14036	\$ 378,000.00
Contract 21-B HVAC	Greater Niagara Mechanical, Inc. 7311 Ward Road North Tonawanda, New York 14120	\$ 286,600.00
Contract 21-C Plumbing	Willet Builders, Inc. 180 Genesee Street Corfu, New York 14036	\$ 88,900.00
Contract 21-D Electrical	Frey Electric Construction Co. 100 Pearce Avenue Tonawanda, New York 14150	\$ 223,000.00

; and be it further

RESOLVED, that the County Executive be, and hereby is, authorized to execute the Contracts with the aforementioned lowest responsible bidders, subject to approval as to form by the County Attorney's office and approval as to content by the Commissioner of Environment and Planning; and be it further

RESOLVED, that that the Director of Budget and Management and the County Comptroller are authorized to allocate up to \$976,500 in Capital Account No. C.21150 (American Rescue Plan funds) to fund Contract Nos. 21-A, 21-B, 21-C, and 21-D; and be it further

RESOLVED, that the Director of the Division of Budget and Management is hereby authorized to implement any budget adjustments necessary to facilitate this funding; and be it further

RESOLVED, that at the close of the project any unused funds be returned to the Capital Account and the budgets be adjusted accordingly; and be it further

RESOLVED, that the Clerk of the Legislature be directed to send a certified copy of this resolution to the County Executive, the 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.

ERIE COUNTY DEPT. OF ENVIRONMENT & PLANNING DIVISION OF SEWERAGE MANAGEMENT ECSD No. 8 CONTRACT No. 21-A GENERAL CONSTRUCTION EAST AURORA WRRF CONTROL BUILDING IMPROVEMENTS FILE NO. 8.3.3.21-A BID DATE: JANUARY 13, 2022 - 11:00 AM BID BOND 5%				ENGINEER'S \$ 275,807.00 ESTIMATE		BIDDER # 1 \$264,000.00 34 Group Inc. 129 Broadway Buffalo, NY 14203 5%		BIDDER # 2 \$378,000.00 Willett Builders 180 Genessee St Corfu, NY 14036 5%		BIDDER # 3 \$457,570.00 Montante Construction 2760 Kenmore Ave Buffalo NY 14150 5%	
ITEM NO.	DESCRIPTION	UNIT	BID QUANTITY	UNIT COST	TOTAL COST	UNIT COST	TOTAL COST	UNIT COST	TOTAL COST		
A-1	GENERAL CONSTRUCTION	LS	1	\$260,807.00	\$260,807.00	\$249,000.00	\$249,000.00	\$363,000.00	\$363,000.00	\$442,570.00	\$442,570.00
A-2	CONTINGENT ITEMS	EA	1	\$15,000.00	\$15,000.00	\$15,000.00	\$15,000.00	\$15,000.00	\$15,000.00	\$15,000.00	\$15,000.00
	CONTRACT TOTAL				\$275,807.00		\$264,000.00		\$378,000.00		\$457,570.00

WITHDRAWN

ERIE COUNTY DEPT. OF ENVIRONMENT & PLANNING DIVISION OF SEWERAGE MANAGEMENT ECSD No. 8 CONTRACT No. 21-B HVAC CONSTRUCTION EAST AURORA WRRF CONTROL BUILDING IMPROVEMENTS FILE NO. 8.3.3.21-B BID DATE: JANUARY 13, 2022 - 11:00 AM BID BOND 5%				ENGINEER'S \$ 350,244.00 ESTIMATE		BIDDER # 1 \$286,600.00 Greater Niagara Mechanical 7311 Ward Rd N. Tonawanda, NY 14120 5%		BIDDER # 2 \$320,400.00 Quackenbush Co. Inc. 495 Kennedy Rd Tonawanda, NY 14227 5%		BIDDER # 3 \$342,500.00 Mollenburg-Betz 300 Scott St Buffalo, NY 14204 5%		BIDDER # 4 \$374,000.00 MLP Plumbing 3198 Union Road, Suite 300 Cheektowaga, NY 14227 5%		BIDDER # 5 \$374,900.00 DV Brown Associates 567 Vickers Rd Tonawanda, NY 14150 5%		BIDDER # 6 \$388,400.00 JW Danforth 300 Colvin Woods Pkwy Tonawanda, NY 14150 5%	
ITEM NO.	DESCRIPTION	UNIT	BID QUANTITY	UNIT COST	TOTAL COST	UNIT COST	TOTAL COST	UNIT COST	TOTAL COST								
B-1	GENERAL CONSTRUCTION	LS	1	\$335,244.00	\$335,244.00	\$271,600.00	\$271,600.00	\$305,400.00	\$305,400.00	\$327,500.00	\$327,500.00	\$359,000.00	\$359,000.00	\$359,900.00	\$359,900.00	\$373,400.00	\$373,400.00
B-2	CONTINGENT ITEMS	EA	1	\$15,000.00	\$15,000.00	\$15,000.00	\$15,000.00	\$15,000.00	\$15,000.00	\$15,000.00	\$15,000.00	\$15,000.00	\$15,000.00	\$15,000.00	\$15,000.00	\$15,000.00	\$15,000.00
	CONTRACT TOTAL				\$350,244.00		\$286,600.00		\$320,400.00		\$342,500.00		\$374,000.00		\$374,900.00		\$388,400.00

ERIE COUNTY DEPT. OF ENVIRONMENT & PLANNING DIVISION OF SEWERAGE MANAGEMENT ECSD No. 8 CONTRACT No. 21-C PLUMBING CONSTRUCTION EAST AURORA WRRF CONTROL BUILDING IMPROVEMENTS FILE NO. 8.3.3.21-C BID DATE: JANUARY 13, 2022 - 11:00 AM BID BOND 5%				ENGINEER'S \$ 105,570.00 ESTIMATE		BIDDER #1 \$88,900.00 Willett Builders 180 Genesee Corfu NY 14036 5%		BIDDER #2 \$97,000.00 MKS Plumbing Corp. 19 Ransier Dr West Seneca, NY 14224 5%		BIDDER #3 \$98,000.00 Numarco, Inc. 1021 Maple Rd Elma, NY 14059 5%		BIDDER #4 \$109,500.00 MLP Plumbing 3198 Union Rd, Suite 300 Cheektowaga, NY 14227 5%		BIDDER #5 \$115,700.00 JW Danforth Co. 30 Colvin Woods Pkwy Tonawanda, NY 14150 5%	
ITEM NO.	DESCRIPTION	UNIT	BID QUANTITY	UNIT COST	TOTAL COST	UNIT COST	TOTAL COST	UNIT COST	TOTAL COST						
C-1	GENERAL CONSTRUCTION	LS	1	\$100,570.00	\$100,570.00	\$83,900.00	\$83,900.00	\$92,000.00	\$92,000.00	\$93,000.00	\$93,000.00	\$104,500.00	\$104,500.00	\$110,700.00	\$110,700.00
C-2	CONTINGENT ITEMS	EA	1	\$5,000.00	\$5,000.00	\$5,000.00	\$5,000.00	\$5,000.00	\$5,000.00	\$5,000.00	\$5,000.00	\$5,000.00	\$5,000.00	\$5,000.00	\$5,000.00
	CONTRACT TOTAL				\$105,570.00		\$88,900.00		\$97,000.00		\$98,000.00		\$109,500.00		\$115,700.00

ERIE COUNTY DEPT. OF ENVIRONMENT & PLANNING DIVISION OF SEWERAGE MANAGEMENT ECSD No. 8 CONTRACT No. 21-D ELECTRICAL CONSTRUCTION EAST AURORA WRRF CONTROL BUILDING IMPROVEMENTS FILE NO. 8.3.3.21-D BID DATE: JANUARY 13, 2022 - 11:00 AM BID BOND 5%				ENGINEER'S \$ 211,139.00 ESTIMATE		BIDDER # 1 \$148,900.00 ESSI Inc 35 Lee St Buffalo, NY 14210 5%		BIDDER # 2 \$223,000.00 Frey Electric Construction 100 Pearce Ave Tonawanda, NY 14150 5%		BIDDER # 3 \$257,885.00 CIR Electrical Construction Corp 2517 Long Road Grand Island, NY 14072 5%	
ITEM NO.	DESCRIPTION	UNIT	BID QUANTITY	UNIT COST	TOTAL COST	UNIT COST	TOTAL COST	UNIT COST	TOTAL COST	UNIT COST	TOTAL COST
D-1	ELECTRICAL	LS	1	\$201,139.00	\$201,139.00	\$138,900.00	\$138,900.00	\$213,000.00	\$213,000.00	\$247,885.00	\$247,885.00
D-2	CONTINGENT ITEMS	EA	1	\$10,000.00	\$10,000.00	\$10,000.00	\$10,000.00	\$10,000.00	\$10,000.00	\$10,000.00	\$10,000.00
CONTRACT TOTAL					\$211,139.00		\$148,900.00		\$223,000.00		\$257,885.00

NON-RESPONSIVE



January 28, 2022

Mary L. Plesh, PE
Sr. Sanitary Engineer
Erie County Dept. of Environmental & Planning
Division of Sewerage Management
95 Franklin Street, Room 1032C
Buffalo, NY 14202

RE: Erie County Sewer District No. 8
East Aurora Water Resource Recovery Facility – Control Building Improvements
Recommendation to Award
Contract 21
LaBella No. 2200266.002

Dear Mary:

LaBella Associates, D.P.C., has reviewed the bid results received on January 13, 2022 at 11:00 AM. The project did not include any bid alternates. Including the costs for all allowances, the following companies are the apparent low bidders:

- General Construction: Willet Builders, Inc.
- Electrical Construction: Frey Electric
- Plumbing Construction: Willet Builders, Inc.
- Mechanical Construction: Greater Niagara Mechanical, Inc.

Contract 21-A -General Construction

LaBella Associates D.P.C. contacted Ron Juliano from 34 Group Inc. (the apparent low bidder) on 1/18/2022 to de-scope their provided bid when it was discovered that 34 Group Inc. did not account for FF&E in their bid proposal. On 1/20/2022 LaBella Associates D.P.C. provided 34 Group Inc. with directions to withdraw their bid and on 1/21/2022, 34 Group notified LaBella Associates D.P.C. of their intent to withdraw.

With the increased probability of 34 Group Inc. bid withdrawal, LaBella Associates D.P.C. contacted Brian Swiatek from Willet Builders, Inc. (the second lowest bidder) on 1/20/2022. Willet Builders, Inc. base bid for the project is \$378,000. The total cost is approximately 47% above our pre-bid cost estimate. During our discussion, Mr. Swiatek demonstrated a high comfort level with the project scope however noted that they were unable to obtain an accurate cost associated with the Evans Console desk due to it being a custom ordered product.

On 1/27/2022, 34 Group submitted to withdrawal their bid to Erie County and was approved. Therefore, LaBella Associates, D.P.C., recommends the award of the general construction contract to Willet Builders, Inc. in the amount of \$378,000.

Contract 21-B - Mechanical Construction

Greater Niagara Mechanical, Inc.'s base bid for the project is \$286,600, which is approximately 18% below our pre-bid cost estimates and appears reasonable. We contacted Sam Prezioso of Greater Niagara Mechanical, Inc. on 1/18/22 and reviewed the project scope. Greater Niagara Mechanical, Inc. included the appropriate contingency allowance and scope items in their bid. Greater Niagara Mechanical, Inc. has demonstrated, to our satisfaction, an understanding of the project scope as shown on the contract documents.

Therefore, LaBella Associates, D.P.C., recommends the award of the mechanical construction contract to Greater Niagara Mechanical, Inc. in the amount of \$286,600.

Contract 21-C - Plumbing Construction

Willett Builders, Inc.'s base bid for the project is \$88,900 which is approximately 16% below our pre-bid cost estimates and appears reasonable. We contacted Frank Willett of Willett Builders, Inc. on 1/18/22 and reviewed the project scope. Willett Builders, Inc. included the appropriate contingency allowance and scope items in their bid. Willett Builders, Inc. has demonstrated, to our satisfaction, an understanding of the project scope as shown on the contract documents.

Therefore, LaBella Associates, D.P.C., recommends the award of the plumbing construction contract to Willett Builders, Inc. in the amount of \$88,900.

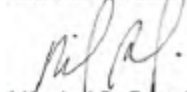
Contract 21-D - Electrical Construction

ESSI Inc.'s lowest bid was deemed non-responsive due to not including required paper work with the bid. Frey Electric is the next lowest responsible bid with a base bid for the project is \$233,000. The total cost is approximately 6% above our pre-bid cost estimates and appears reasonable. We contacted Eric Taylor at Frey Electric on 1/21/22 and reviewed the project scope. Frey Electric included the appropriate contingency allowance and scope items in their bid. Frey Electric has demonstrated, to our satisfaction, an understanding of the project scope as shown on the contract documents.

Therefore, LaBella Associates, D.P.C., recommends the award of the electrical construction contract to Frey Electric in the amount of \$223,000.

Respectfully submitted,

LaBella Associates



Michael D. Rogalski, PE, LEED AP
Vice President – Regional Manager Building Engineering

Encl. - Bib Tabulation



BID TABULATION FOR: East Aurora WRRF Bldg Interior Project No. 2200266.002 BID DATE: JAN 13, 2022 Probable Cost: \$257,807 CONTRACT FOR: 21-A GENERAL CONSTRUCTION			
COMPANY/CONTRACTOR	BASE BID	DIFFERENCE FROM ESTIMATE	PERCENT DIFFERENCE ESTIMATE
34 GROUP	\$264,000	\$6,193	2.4%
WILLET BUILDERS	\$378,000	\$120,193	46.6%
MONTANTE CONSTRUCTION	\$457,570	\$199,763	77.5%



BID TABULATION FOR: East Aurora WRRF Bldg Interior Project No. 2200266.002 BID DATE: JAN 13, 2022 Probable Cost: \$350,244 CONTRACT FOR: 21-B MECHANICAL			
COMPANY/CONTRACTOR	BASE BID	DIFFERENCE FROM ESTIMATE	PERCENT DIFFERENCE FROM ESTIMATE
GREATER NIAGARA	\$286,600	-\$63,644	-18.2%
QUACKENBUSH CO INC	\$320,400	-\$29,844	-8.5%
MOLLENBERG-BETZ	\$342,500	-\$7,744	-2.2%
MLP	\$374,000	\$23,756	6.8%
DV BROWN ASSOCIATES	\$374,900	\$24,656	7.0%
JW DANFORTH CO	\$388,400	\$38,156	10.9%



BID TABULATION FOR: East Aurora WRRF Bldg Interior Project No. 2200266.002 BID DATE: JAN 13, 2022 Probable Cost: Base: \$105,570 CONTRACT FOR: 21-C PLUMBING			
COMPANY/CONTRACTOR	BASE BID	DIFFERENCE FROM ESTIMATE	PERCENT DIFFERENCE FROM ESTIMATE
WILLET BUILDERS	\$88,900	-\$16,670	-15.8%
MKS PLUMBING	\$97,000	-\$8,570	-8.1%
NUMARCO INC.	\$98,000	-\$7,570	-7.2%
MLP PLUMBING	\$109,500	\$3,930	3.7%
JW DANFORTH CO	\$115,700	\$10,130	9.6%



BID TABULATION FOR: East Aurora WRRF Bldg Interior Project No. 2200266.002 BID DATE: JAN 13, 2022 Probable Cost: \$211,139 CONTRACT FOR: 21-D ELECTRICAL			
COMPANY/CONTRACTOR	BASE BID	DIFFERENCE FROM ESTIMATE	PERCENT DIFFERENCE FROM BID
ESSI INC	\$148,900	-\$62,239	-29.5%
FREY ELECTRIC	\$223,000	\$11,861	5.6%
CIR ELECTRICAL CONSTRUCTION CORP	\$257,885	\$46,746	22.1%



EC LEG DEC 13 '21 PM 1:57

COUNTY OF ERIE

MARK C. POLONCARZ

COUNTY EXECUTIVE

December 13, 2021

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

**RE: Erie County Sewer District No. 3
Southtowns Incinerator Tray Scrubber Replacement and Crane
Installation Project
Bid Opening – Contract No. 68**

Dear Honorable Members:

The Department of Environment and Planning, Division of Sewerage Management will be opening bids for a construction project titled Erie County Sewer District No. 3 Contract No. 68 Southtowns Incinerator Tray Scrubber Replacement and Crane Installation Project.

In order to award said contract in the required forty-five (45) day time period, we respectfully request this item be placed on the agenda of the Energy and Environment Committee. After receipt of bids, the Department will provide the necessary bid tabulations, engineer's recommendation to award, and a suggested resolution.

Should your Honorable Body require further information, I encourage you to contact Joseph Fiegl, P.E. in the Division of Sewerage Management. Thank you for your consideration on this matter.

Sincerely yours,

A handwritten signature in black ink, reading "Mark C. Poloncarz", with a long horizontal flourish extending to the right.

Mark C. Poloncarz, Esq.
Erie County Executive

MCP: mlp

cc: J. Fiegl – Deputy Commissioner, Division of Sewerage Management

February 7, 2022

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

**RE: Amendment: Legislative Comm. 25E-4 (2021)
Erie County Sewer District No. 3
Southtowns Incinerator Tray Scrubber Replacement and Crane
Installation Project
Bid Opening - Contract No. 68**

Dear Honorable Members:

Plans and specifications, known as the Southtowns Incinerator Tray Scrubber Replacement and Crane Installation Project, Contract No. 68, were prepared and construction bids were received on Thursday, January 13, 2022 by the Erie County Division of Sewerage Management. The lowest responsible bidder and bid amount for this Contract is as follows:

<u>Contract</u>	<u>Lowest Responsible Bidder</u>	<u>Amount</u>
Contract No. 68	Quackenbush Co., Inc. 495 Kennedy Road Buffalo, NY 14227	\$769,000.00

Should your Honorable Body require further information, I encourage you to contact Joseph Fiegl, P.E. in the Division of Sewerage Management. Thank you for your consideration of this matter.

Sincerely yours,

Mark C. Poloncarz, Esq.
Erie County Executive

MCP: mlp
Enclosure

Cc: Joseph Fiegl, Deputy Commissioner, Division of Sewerage Management

MEMORANDUM

To: Honorable Members of the Erie County Legislature
From: Department of Environment and Planning
Re: Amendment: Legislative Comm. 25E-4 (2021)
Erie County Sewer District No. 3
Southtowns Incinerator Tray Scrubber Replacement and Crane
Installation Project
Bid Opening - Contract No. 68
Date: January 31, 2022

SUMMARY

Award of Contract No. 68 for the Southtowns Incinerator Tray Scrubber Replacement and Crane Installation Project is requested as follows:

<u>Contract</u>	<u>Lowest Responsible Bidder</u>	<u>Amount</u>
Contract No. 68	Quackenbush Co., Inc. 495 Kennedy Road Buffalo, NY 14227	\$769,000.00

The necessary bid tabulation, Engineer's estimate, and Engineer's recommendation are enclosed.

FISCAL IMPLICATIONS

There will be no fiscal implications to the County's General Fund. The funds for this contract will be from Capital Account No. C.21150 (American Rescue Plan funds).

REASONS FOR RECOMMENDATION

The intent of the proposed project is to replace portions of the existing air pollution control systems associated with the incinerators, known as the tray scrubbers, and make other repairs and improvements in the incineration area at the Southtowns Advanced Wastewater Treatment Facility (AWTF). The existing air pollution control equipment is original to the facility (approximately 40 years old). The outer shell has corroded over time and replacement is needed to continue to effectively treat the discharge air as required in the facility's air permit with the New York State Department of Environmental Conservation (NYSDEC). Other improvements include the installation of a jib crane for safe movement of large and heavy containers of sand for the incinerator, a structural cover for a large opening to convert the space to safe operational use, and concrete repairs of damaged or deteriorated concrete.

BACKGROUND INFORMATION

Erie County Sewer District No. 3 owns and operates the Southtowns AWTF, which services portions of the Towns of Boston, Eden, Hamburg, and Orchard Park, along with the Villages of Blasdell, Hamburg, and Orchard Park. In wastewater treatment processes, solids are removed that must be disposed of. The solids handling area of the facility receives these materials and reduces the water content of the waste stream to minimize disposal volume and cost, as well as to meet State/Federal regulations. The incinerators are the central part of the process, converting chemically active sludge to a reduced volume of inert solids. Because the incinerators emit compounds within the discharge air stream, air pollution control systems are necessary to capture and reduce air pollutants.

Plans and specifications were prepared by the Erie County Division of Sewerage Management and DiDonato Associates for the purpose of receiving bids to complete the Southtowns Incinerator Tray Scrubber Replacement and Crane Installation Project, Contract No. 68. Three (3) bids were received on Thursday January 13, 2022, with Quackenbush Co., Inc. as the lowest bidder at a cost of \$769,000.00. Quackenbush Co., Inc. has submitted a responsive bid that is below the Engineer's estimate. The contractor has been recognized as a responsible company and has successfully completed projects of this scale for the Division of Sewerage Management in the past. Therefore, it is recommended the County Legislature proceed with award.

CONSEQUENCES OF NEGATIVE ACTION

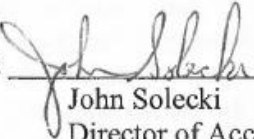
Maintaining the status quo would result in the continued degradation of the air pollution control system components, leading to the potential for increased air pollution and violations of the air permit with the NYSDEC. It could also result in service disruptions, inefficient operations, continued deterioration resulting in damage to the building structure, or worker injuries if the other improvements and repairs are not completed.

STEPS TO FOLLOW APPROVAL

The lowest responsible bidder will be issued a Notice of Award and the Department will initiate the process of executing the contract documents. A Notice to Proceed will be provided to the Contractor upon receipt of proof of participation in a satisfactory apprenticeship program and submission of the necessary certificates, bonds, and execution of the contract.

COMPTROLLER'S OFFICE REVIEW

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

Signed  Date 1/28/2022
Title John Solecki
Director of Accounting Services & Cash Management

Erie County Sewer District No. 3
Southtowns Incinerator Tray Scrubber Replacement and Crane Installation Project
Bid Opening - Contract No. 68
Capital Account No. C.21150

**A RESOLUTION SUBMITTED BY:
DEPARTMENT OF ENVIRONMENT AND PLANNING**

RE: Amendment: Legislative Comm. 25E-4 (2021)
Erie County Sewer District No. 3
Southtowns Incinerator Tray Scrubber Replacement and
Crane Installation Project
Bid Opening - Contract No. 68

WHEREAS, the Erie County Department of Environment and Planning has received the following lowest responsible bid for Contract No. 68 at 1:00 p.m. on January 13, 2022:

<u>Contract</u>	<u>Lowest Responsible Bidder</u>	<u>Amount</u>
Contract No. 68	Quackenbush Co., Inc. 495 Kennedy Road Buffalo, NY 14227	\$769,000.00

; and

WHEREAS, the aforementioned lowest responsible bidder has successfully completed projects for the Division of Sewerage Management in the past; and

WHEREAS, the Division of Sewerage Management has determined this project is a Type II action in accordance with 6NYCRR Section 617.5(c) and therefore is not subject to State Environmental Quality Review Act review under New York State Environmental Conservation Law.

NOW, THEREFORE, BE IT,

RESOLVED, that the Southtowns Incinerator Tray Scrubber Replacement and Crane Installation Project, Erie County Sewer District No. 3, Contract No. 68 be awarded as follows:

<u>Contract</u>	<u>Lowest Responsible Bidder</u>	<u>Amount</u>
Contract No. 68	Quackenbush Co., Inc. 495 Kennedy Road Buffalo, NY 14227	\$769,000.00

; and be it further

RESOLVED, that the County Executive be, and hereby is, authorized to execute the Contract with the aforementioned lowest responsible bidder, subject to approval as to form by the County Attorney's office and approval as to content by the Commissioner of Environment and Planning; and be it further

RESOLVED, that the Director of Budget and Management and the County Comptroller are authorized to allocate up to \$769,000.00 in Capital Account No. C.21150 (American Rescue Plan funds) to fund Contract No. 68; and be it further

RESOLVED, that the Director of the Division of Budget and Management is hereby authorized to implement any budget adjustments necessary to facilitate this funding; and be it further

RESOLVED, that at the close of the project any unused funds be returned to the Capital Account and the budgets be adjusted accordingly; and be it further

RESOLVED, that the Clerk of the Legislature be directed to send a certified copy of this resolution to the County Executive, the 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.

ERIE COUNTY DEPT. OF ENVIRONMENT & PLANNING DIVISION OF SEWERAGE MANAGEMENT ECSD No. 3 CONTRACT No. 68 GENERAL CONSTRUCTION SOUTHTOWNS INCINERATOR TRAY SCRUBBER REPLACEMENT AND CRANE INSTALLATION FILE NO. 3.3.3.68 BID DATE: JANUARY 13, 2022 - 1:00 PM BID BOND 5%				ENGINEER'S ESTIMATE \$1,611,850.00		BIDDER # 1 \$769,000.00 Quackenbush Co. Inc. 495 Kennedy Rd Buffalo NY 14227 5%		BIDDER # 2 \$863,000.00 Hohl Industrial Services 770 Riverview Blvd Townawanda, NY 14150 5%		BIDDER # 3 \$1,025,000.00 American Contracting 10330 Old Columbia Rd Columbia, MD 21046 5%	
ITEM NO.	DESCRIPTION	UNIT	BID QUANTIT Y	UNIT COST	TOTAL COST	UNIT COST	TOTAL COST	UNIT COST	TOTAL COST	UNIT COST	TOTAL COST
A-1	GENERAL CONSTRUCTION	LS	1	\$1,561,850.00	\$1,561,850.00	\$719,000.00	\$719,000.00	\$813,000.00	\$813,000.00	\$975,000.00	\$975,000.00
A-2	CONTINGENT ITEMS	EA	1	\$50,000.00	\$50,000.00	\$50,000.00	\$50,000.00	\$50,000.00	\$50,000.00	\$50,000.00	\$50,000.00
CONTRACT TOTAL					\$1,611,850.00		\$769,000.00		\$863,000.00		\$1,025,000.00

ENGINEERS ESTIMATE

ERIE COUNTY SEWER DISTRICT NO.: 3
PROJECT: Southtowns Solids Tray Scrubber Replacement

DATE: 1/13/22
FILE No.: 3.3.3.68

CONTRACT NO.: 68

TOTAL COST: \$1,611,850
TOTAL ESTIMATED INSTALL TIME: 180 days

ITEM	DESCRIPTION	UNIT	UNITS	COST/UNIT	AMT.
1	One Contractor, Lump Sum				
a	Tray Scrubber Assembly (M)	LS	2	\$350,000.00	\$700,000
	Tray Scrubber Assembly (L)	LS	1	\$185,000.00	\$185,000
b	Drain Pipe	LS	1	\$16,996.50	\$16,997
c	Y Stack	LS	1	\$53,800.00	\$53,800
	SUBTOTAL				\$955,797
	Cost Due to Limited Access to Equipment (15%)		Total Cost	15%	\$143,369
	General Conditions (Est 10%)		Total Cost	10%	\$95,580
	OVERHEAD & PROFIT (15%)		Total Cost	15%	\$143,369
1d	Estimate from DiDonato Associates includes:	LS	1	\$223,735.12	\$223,735
	JIB Crane, Infill Grating, Concrete Repair, Structural Support,				
	Catwalk Platforms (Addendum 1) and associate work				
	PROJECT TOTAL				\$1,561,850
2	PROJECT CONTINGENCY	EA	1	\$50,000.00	\$50,000
	CONTRACT TOTAL				\$1,611,850

**COUNTY OF ERIE
DEPARTMENT OF ENVIRONMENT & PLANNING
DIVISION OF SEWERAGE MANAGEMENT**

FROM: Mary L. Plesh, P.E., Sanitary Engineer *m.l.p*
TO: Joseph L. Fiegl, P.E., Deputy Commissioner
DATE: January 24, 2022
RE: Erie County Sewer District No. 3, Contract No. 68
Southtowns Incinerator Tray Scrubber Replacement and Crane Installation Project
Contract Award to Quackenbush Co., Inc.
Engineer Recommendation

Bids were opened for Erie County Sewer District No. 3, Contract No. 68, Southtowns Incinerator Tray Scrubber Replacement and Crane Installation Project on January 13, 2022. Three (3) bids were received and considered. The bid tabulations are enclosed. The total cost submitted by the apparent low bidder (Quackenbush Co., Inc.) was \$769,000.00. The second lowest bid was \$863,000.00; therefore, the lowest bid is considered a competitive bid for the work specified.

Although the lowest bid is significantly less than the Engineer's Estimate of \$1,611,850.00, also enclosed, the low bid is a reasonable amount. All bids were significantly less than the Engineer's Estimate. Significant cost savings were realized in the pricing of equipment. An acceptable manufacturer was found that was approximately 80% less than the equipment on which the estimate was based. Additional savings were realized by the contractor's ability perform many of the tasks required for this project without the use of subcontractors, market fluctuations on materials, a competitive bidding environment, and directly applicable experience that eliminated anticipated mark-ups due to the complexities of retrofitting the equipment in an area with so much process equipment.

The Division of Sewerage Management (DSM) has reviewed the bid. The bid package was complete and properly filled out. Quackenbush Co. Inc. is experienced in the type of work specified for this project. They have successfully completed projects with the DSM before and have other experience directly applicable to this project. Quackenbush Co. Inc. is recognized as a responsible company and capable of being able to provide the necessary manpower and equipment for this contract.

The County's EEO office is currently reviewing the proposed MWBE Utilization and Apprenticeship Plans. Per Local Law No. 2 (2021), the ten (10) calendar day period for receipt of public comments pertaining to bidder responsibility has elapsed and no comments have been received by the Commissioner.

It is recommended that the Contract be awarded to Quackenbush Co., Inc. at a total bid of \$769,000.00.
(enc.)

CC: G. Pecak/W. Lardo/D. Skowronski/3.3.3.68
G. Absolom/K. Kaminski/J. McDonald – Southtowns WRRF



EC LEG JAN 3 '22 PM1:31

COUNTY OF ERIE

MARK C. POLONCARZ

COUNTY EXECUTIVE

January 3, 2022

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

**Re: Erie County Sewer District No. 3
Rogers Rd Pumping Station Rehabilitation/Elimination Evaluation Report
Request For Proposals**

Dear Honorable Members:

The Department of Environment and Planning, Division of Sewerage Management is in the process of reviewing responses to a request for proposals for the Erie County Sewer District No. 3 Rogers Rd Pumping Station Rehabilitation/Elimination Evaluation Report.

We respectfully request this item be placed on the agenda of the Energy and Environment Committee. After final selections are made, the Department will provide the necessary ranking tabulations, recommendations, and a suggested resolution for review and consideration.

Should your Honorable Body require further information, I encourage you to contact Joseph Fiegl, P.E. in the Division of Sewerage Management. Thank you for your consideration in this matter.

Sincerely yours,

A handwritten signature in blue ink that reads "Mark Poloncarz".

Mark C. Poloncarz, Esq.
Erie County Executive

MCP:mas

cc: J. Fiegl – Deputy Commissioner, Division of Sewerage Management



EC LEG JAN 14 '22 PM 3:55

COUNTY OF ERIE

MARK C. POLONCARZ

COUNTY EXECUTIVE

January 14, 2022

Erie County Legislature
92 Franklin Street – 4th Floor
Buffalo, NY 14202

**RE: Erie County Sewer District No. 4
Engineering Term Contract Agreement
Wendel WD Architecture, Engineering, Surveying & Landscape Architecture, PC
Work Order: WDL-2**

Dear Honorable Members:

Enclosed please find a memorandum from the Department of Environment and Planning, Division of Sewerage Management, for the issuance of a work order as authorized by the resolution passed by the Erie County Legislature on July 22, 2021, related to Engineering Term Agreements.

Should your Honorable Body require further information, I encourage you to contact Joseph Fiegl, P.E. in the Division of Sewerage Management. Thank you for your consideration on this matter.

Sincerely yours,

A handwritten signature in blue ink, reading "Mark C. Poloncarz", with a long horizontal flourish extending to the right.

Mark C. Poloncarz, Esq.
Erie County Executive

MCP:mas
Enclosure

cc: J. Fiegl – Deputy Commissioner, Division of Sewerage Management

MEMORANDUM

To: Honorable Members of the Erie County Legislature
From: Department of Environment and Planning
Re: Erie County Sewer District No. 4
Engineer Term Contract Agreement
Wendel WD Architecture, Engineering, Surveying & Landscape Architecture, PC
Work Order: WDL-2
Date: January 14, 2022

SUMMARY

The Erie County Legislature is requested to receive and file this communication pertaining to the Department of Environment and Planning's issuance of a work order with Wendel WD Architecture, Engineering, Surveying & Landscape Architecture, PC (Wendel) for Erie County Sewer District (ECSD) No. 4 in an amount not to exceed \$46,948.68.

FISCAL IMPLICATIONS

There will be no impact to the County's General Fund. The cost of the engineering work related to this communication will be paid from the ECSD No. 4 Professional Services Account 516020.

REASONS FOR RECOMMENDATION

The Division of Sewerage Management has issued work order WDL-2 to Wendel to provide design engineering report, geotechnical report and topographical survey for the Depew Pumping Station force main replacement project – Phase 2 in ECSD No. 4.

BACKGROUND INFORMATION

On July 22, 2021, the Erie County Legislature passed a resolution authorizing a Term Agreement with GPI to provide engineering services for small and/or time critical projects. At the time of the contract award, the Division of Sewerage Management committed to notifying the Honorable Legislature of each work order issued.

The Term Agreement was approved to provide the Division of Sewerage Management with engineering services required to complete various initiatives throughout the ECSDs. Wendel will provide design engineering report, geotechnical report and topographical survey for the Depew Pumping Station force main replacement project – Phase 2 in ECSD No. 4. This project will be completed in multiple parts to implement the overall approach.

CONSEQUENCES OF NEGATIVE ACTION

This is a receive and file item.

STEPS TO FOLLOW APPROVAL

This is a receive and file item.

**ERIE COUNTY SEWER DISTRICT NO. 4
WORK ORDER NO. WDL-2**

ENGINEER: Wendel WD Architecture, Engineering, Surveying & Landscape Architecture, PC

CONTRACT DATE: July 22, 2021

1. Title of Proposal:

Provide topographical survey, engineering and geotechnical reports for the Depew pumping station force main replacement project -phase 2 in ECSD No. 4

2. Company/Address/Principal In-Charge:

Timothy Walck, P.E.

Wendel WD Architecture, Engineering, Surveying & Landscape Architecture, PC
375 Essjay Road, Suite 200, Buffalo, NY 14221

3. Effective Dates of Proposal:

January 11, 2022

4. Brief Description of Work for Which Proposal is Submitted:

The engineer will provide topographical survey, engineering and geotechnical reports for the Depew pumping station force main replacement project -phase 2 in ECSD No. 4, as detailed in Wendel's letter, dated January 11, 2022.

5. Engineering Total Cost:

\$46,948.00

6. Source of Funds:

7. ECSD No. 4 Professional Services Account 516020

8. Project No: WDL-2

9. Attachments: Wendel letter dated 1/11/2022 (4 pages)

10. File: 0.3.2. Wendel (21-22) Eng.

DATE: January 11, 2022

Accepted By: _____

Prepared By: _____
Matt A. Salah, P.E.

Authorized By: _____
Joseph Fiegl, P.E., BCEE
Deputy Commissioner



EC LEG JAN 14 '22 PM 3:55

COUNTY OF ERIE

MARK C. POLONCARZ

COUNTY EXECUTIVE

January 14, 2022

Erie County Legislature
92 Franklin Street – 4th Floor
Buffalo, NY 14202

**RE: Erie County Sewer District No. 2
Engineering Term Contract Agreement
Greenman-Pederson, Inc.
Work Order: GP-3**

Dear Honorable Members:

Enclosed please find a memorandum from the Department of Environment and Planning, Division of Sewerage Management, for the issuance of a work order as authorized by the resolution passed by the Erie County Legislature on July 22, 2021, related to Engineering Term Agreements.

Should your Honorable Body require further information, I encourage you to contact Joseph Fiegl, P.E. in the Division of Sewerage Management. Thank you for your consideration on this matter.

Sincerely yours,

Mark C. Poloncarz, Esq.
Erie County Executive

MCP:mas
Enclosure

cc: J. Fiegl – Deputy Commissioner, Division of Sewerage Management

MEMORANDUM

To: Honorable Members of the Erie County Legislature
From: Department of Environment and Planning
Re: Erie County Sewer District No. 2
Engineer Term Contract Agreement
Greenman-Pederson, Inc.
Work Order: GP-3
Date: January 14, 2022

SUMMARY

The Erie County Legislature is requested to receive and file this communication pertaining to the Department of Environment and Planning's issuance of a work order with Greenman-Pederson Inc. (GPI) for Erie County Sewer District (ECSD) No. 2 in an amount not to exceed \$26,433.81.

FISCAL IMPLICATIONS

There will be no impact to the County's General Fund. The cost of the engineering work related to this communication will be paid from the ECSD No. 2 Professional Services Account 516020.

REASONS FOR RECOMMENDATION

The Division of Sewerage Management has issued work order GP-3 to GPI to provide a design report to rehabilitate and/or replace the Wide Beach and Lotus Bay pumping stations and their force mains in ECSD No. 2.

BACKGROUND INFORMATION

On July 22, 2021, the Erie County Legislature passed a resolution authorizing a Term Agreement with GPI to provide engineering services for small and/or time critical projects. At the time of the contract award, the Division of Sewerage Management committed to notifying the Honorable Legislature of each work order issued.

The Term Agreement was approved to provide the Division of Sewerage Management with engineering services required to complete various initiatives throughout the ECSDs. GPI will develop design report to rehabilitate and/or replace the Wide Beach and Lotus Bay pumping stations and their force mains in ECSD No. 2.

CONSEQUENCES OF NEGATIVE ACTION

This is a receive and file item.

STEPS TO FOLLOW APPROVAL

This is a receive and file item.

**ERIE COUNTY SEWER DISTRICT NO. 2
WORK ORDER NO. GP-3**

ENGINEER: Greenman-Pederson, Inc.

CONTRACT DATE: July 22, 2021

1. Title of Proposal:

Provide design report to rehabilitate and/or replace the Wide Beach and Lotus Bay pumping stations and their force mains in ECSD No. 2.

2. Company/Address/Principal In-Charge:

David Pratt, P.E.
Greenman-Pederson, Inc.
4950 Genesee Street, Suite 100.
Buffalo, NY 14225

3. Effective Dates of Proposal:

December 23, 2021

4. Brief Description of Work for Which Proposal is Submitted:

The engineer will provide design report to rehabilitate and/or replace the Wide Beach and Lotus Bay pumping stations and their force mains in ECSD No. 2. and as detailed in GPI's letter, dated December 23, 2021.

5. Engineering Total Cost:

\$26,433.81

6. Source of Funds:

7. ECSD No. 2 Professional Services Account 516020

8. Project No: GPI-3

9. Attachments: GPI letter dated 12/23/2021 (5 pages)

10. File: 0.3.2. GPI (21-22) Eng.

DATE: December 23, 2021

Accepted By: _____

Prepared By: _____
Matt A. Salah, P.E.

Authorized By: _____
Joseph Fiegl, P.E., BCEE
Deputy Commissioner



EC LEG JAN 14 '22 PM 3:55

COUNTY OF ERIE

MARK C. POLONCARZ

COUNTY EXECUTIVE

January 14, 2022

Erie County Legislature
92 Franklin Street – 4th Floor
Buffalo, NY 14202

**RE: Erie County Sewer District No. 3
Engineering Term Contract Agreement
Greenman-Pederson, Inc.
Work Order: GP-4**

Dear Honorable Members:

Enclosed please find a memorandum from the Department of Environment and Planning, Division of Sewerage Management, for the issuance of a work order as authorized by the resolution passed by the Erie County Legislature on July 22, 2021, related to Engineering Term Agreements:

Should your Honorable Body require further information, I encourage you to contact Joseph Fiegl, P.E. in the Division of Sewerage Management. Thank you for your consideration on this matter.

Sincerely yours,

Mark C. Poloncarz, Esq.
Erie County Executive

MCP:mas
Enclosure

cc: J. Fiegl – Deputy Commissioner, Division of Sewerage Management

MEMORANDUM

To: Honorable Members of the Erie County Legislature
From: Department of Environment and Planning
Re: Erie County Sewer District No. 3
Engineer Term Contract Agreement
Greenman-Pederson, Inc.
Work Order: GP-4
Date: January 14, 2022

SUMMARY

The Erie County Legislature is requested to receive and file this communication pertaining to the Department of Environment and Planning's issuance of a work order with Greenman-Pederson Inc. (GPI) for Erie County Sewer District (ECSD) No. 3 in an amount not to exceed \$12,043.00.

FISCAL IMPLICATIONS

There will be no impact to the County's General Fund. The cost of the engineering work related to this communication will be paid from the ECSD No. 3 Professional Services Account 516020.

REASONS FOR RECOMMENDATION

The Division of Sewerage Management has issued work order GP-4 to GPI to provide a pre-demolition hazardous materials survey and report associated with the former Blasdel Sewage Treatment Plant (STP) demolition project in ECSD No. 3.

BACKGROUND INFORMATION

On July 22, 2021, the Erie County Legislature passed a resolution authorizing a Term Agreement with GPI to provide engineering services for small and/or time critical projects. At the time of the contract award, the Division of Sewerage Management committed to notifying the Honorable Legislature of each work order issued.

The Term Agreement was approved to provide the Division of Sewerage Management with engineering services required to complete various initiatives throughout the ECSDs. GPI will provide a hazardous materials survey for asbestos, lead-based paint, and PCB caulk, and will provide an inventory report ahead of the demolition of the former Blasdel STP project in ECSD No. 3. The Blasdel STP was taken offline as part of the Rush Creek Interceptor project and the demolition project is the next step in the New York State Department of Environmental Conservation (NYSDEC) approved facility closure plan.

CONSEQUENCES OF NEGATIVE ACTION

This is a receive and file item.

STEPS TO FOLLOW APPROVAL

This is a receive and file item.

**ERIE COUNTY SEWER DISTRICT NO. 3
WORK ORDER NO. GP-4**

ENGINEER: Greenman-Pederson, Inc.

CONTRACT DATE: July 22, 2021

1. Title of Proposal:

Provide a pre-demolition asbestos, lead-based paint, PCB caulk survey and universal/hazardous waste inventory report associated with the Blasdel Sewage Treatment Plant demolition project in ECSD No. 3.

2. Company/Address/Principal In-Charge:

James C. Manzella
Greenman-Pederson, Inc.
4950 Genesee Street, Suite 100.
Buffalo, NY 14225

3. Effective Dates of Proposal:

January 10, 2022

4. Brief Description of Work for Which Proposal is Submitted:

The engineer will provide a pre-demolition asbestos, lead-based paint, PCB caulk survey and universal/hazardous waste inventory report associated with the Blasdel Sewage Treatment Plant demolition project in ECSD No. 3 and as detailed in GPI's letter, dated January 7, 2022.

5. Engineering Total Cost:

\$12,043.00

6. Source of Funds:

ECSD No. 3 Professional Services Account No. 516020.

7. Project No: GP-4

8. Attachments: GPI letter dated 1/7/2022 (12 pages)

9. File: 0.3.2. GPI (21-22) Eng.

DATE: January 10, 2022

Accepted By: _____

Prepared By: _____
Matt A. Salah, P.E.

Authorized By: _____
Joseph Fiegl, P.E., BCEE
Deputy Commissioner



EC LEG JAN 28 '22 PM 12:02

COUNTY OF ERIE

MARK C. POLONCARZ

COUNTY EXECUTIVE

January 28, 2022

Erie County Legislature
92 Franklin Street – 4th Floor
Buffalo, NY 14202

**RE: Erie County Sewer District No. 8
Engineering Term Contract Agreement
LaBella Associates
Work Order: LaB-5**

Dear Honorable Members:

Enclosed please find a memorandum from the Department of Environment and Planning, Division of Sewerage Management, for the issuance of a work order as authorized by the resolution passed by the Erie County Legislature on November 21, 2019, related to 3-year Term Agreements.

Should your Honorable Body require further information, I encourage you to contact Joseph L. Fiegl, P.E. in the Division of Sewerage Management. Thank you for your consideration on this matter.

Sincerely yours,

Mark C. Poloncarz, Esq.
Erie County Executive

MCP:mas

Enclosure

cc: J. Fiegl – Deputy Commissioner, Division of Sewerage Management

MEMORANDUM

To: Honorable Members of the Erie County Legislature
From: Department of Environment and Planning
Re: Erie County Sewer District No. 8
Engineer Term Contract Agreement
LaBella Associates
Work Order: LaB-5
Date: January 28, 2022

SUMMARY

The Erie County Legislature is requested to receive and file this communication pertaining to the Department of Environment and Planning's issuance of a work order with LaBella Associates for Erie County Sewer District (ECSD) No. 8 in an amount not to exceed \$ 74,987.00

FISCAL IMPLICATIONS

There will be no impact to the County's General Fund. The cost of the engineering work related to this communication will be paid from Capital Account No. C.21150 (American Rescue Plan funds).

REASONS FOR RECOMMENDATION

The Division of Sewerage Management has issued work order LaB-5 to LaBella Associates to provide Construction Inspection Services associated with the control building improvements project at the East Aurora Water Resource Recovery Facility (WRRF) in ECSD No. 8.

BACKGROUND INFORMATION

On November 21, 2019, the Erie County Legislature passed a resolution authorizing a 3-year Term Agreement with LaBella Associates for Engineering Services for small and/or time critical projects. At the time of the contract award, the Division of Sewerage Management committed to notifying the Honorable Legislature of each work order issued.

The Term Agreement was approved to provide the Division of Sewerage Management with engineering services required to complete various initiatives throughout the ECSDs. LaBella Associates will provide construction inspection services for the control building improvements project at the East Aurora WRRF in ECSD No. 8.

CONSEQUENCES OF NEGATIVE ACTION

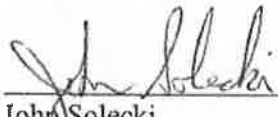
This is a receive and file item.

STEPS TO FOLLOW APPROVAL

This is a receive and file item.

CONTROLLER'S OFFICE REVIEW

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

Signed  Date 1/12/2022
Title John Solecki
Director of Accounting Services & Cash Management
Comptroller's Office

Erie County Sewer District No. 8
Work Order: LaB-5
Capital Account No. C.21150

**ERIE COUNTY SEWER DISTRICT NO. 8
WORK ORDER NO. LaB-5**

ENGINEER: LaBella Associates

CONTRACT DATE: November 21, 2019

1. Title of Proposal:

Construction Inspection - Control Building Improvements at E. Aurora WRRF in ECSD No. 8.

2. Company/Address/Principal In-Charge:

Michael Rogalski, P.E.
LaBella Associates
300 Pearl St., Suite 130
Buffalo, NY 14202

3. Effective Dates of Proposal:

January 12, 2022

4. Brief Description of Work for Which Proposal is Submitted:

The engineer will provide construction inspection services for the control building improvements project at the E. Aurora WRRF in ECSD No. 8, as detailed in LaBella's letter, dated December 20, 2021.

5. Engineering Cost: \$ 74,987.00

6. Source of Funds: Capital Account No. C.21150 (American Rescue Plan funds)

7. Project No: LaB-5

8. Attachments: LaBella's letter, dated 12/20/2021 (8 pages)

9. File: 0.3.2. LaBella (20-22) Eng.

DATE: January 12, 2022

Accepted By: _____

Prepared By: Matt A. Salah, P.E.

Authorized By: Joseph Fiegl, P.E., BCEE
Deputy Commissioner



EC LEG JAN 28 '22 PM 12:02

COUNTY OF ERIE

MARK C. POLONCARZ

COUNTY EXECUTIVE

January 28, 2022

Erie County Legislature
92 Franklin Street – 4th Floor
Buffalo, NY 14202

**RE: Erie County Sewer District No. 8
Engineering Term Contract Agreement
LaBella Associates
Work Order: LaB-4**

Dear Honorable Members:

Enclosed please find a memorandum from the Department of Environment and Planning, Division of Sewerage Management, for the issuance of a work order as authorized by the resolution passed by the Erie County Legislature on November 21, 2019, related to 3-year Term Agreements.

Should your Honorable Body require further information, I encourage you to contact Joseph Fiegl, P.E. in the Division of Sewerage Management. Thank you for your consideration on this matter.

Sincerely yours,

A handwritten signature in black ink, reading "Mark C. Poloncarz". The signature is fluid and cursive, with a long horizontal stroke at the end.

Mark C. Poloncarz, Esq.
Erie County Executive

MCP: mas

Enclosure

cc: J. Fiegl – Deputy Commissioner, Division of Sewerage Management

MEMORANDUM

To: Honorable Members of the Erie County Legislature
From: Department of Environment and Planning
Re: Erie County Sewer District No. 8
Engineer Term Contract Agreement
LaBella Associates
Work Order: LaB-4
Date: January 28, 2022

SUMMARY

The Erie County Legislature is requested to receive and file this communication pertaining to the Department of Environment and Planning's issuance of a work order with LaBella Associates for Erie County Sewer District (ECSD) No. 8 in an amount not to exceed \$ 63,227.00.

FISCAL IMPLICATIONS

There will be no impact to the County's General Fund. The cost of the engineering work related to this communication will be paid from Capital Account No. C.21150 (American Rescue Plan funds).

REASONS FOR RECOMMENDATION

The Division of Sewerage Management has issued work order LaB-4 to LaBella Associates to provide Construction Administration Services associated with the control building improvements project at the East Aurora Water Resource Recovery Facility (WRRF) in ECSD No. 8.

BACKGROUND INFORMATION

On November 21, 2019, the Erie County Legislature passed a resolution authorizing a 3-year Term Agreement with LaBella Associates for Engineering Services for small and/or time critical projects. At the time of the contract award, the Division of Sewerage Management committed to notifying the Honorable Legislature of each work order issued.

The Term Agreement was approved to provide the Division of Sewerage Management with engineering services required to complete various initiatives throughout the ECSDs. LaBella Associates will provide construction administration services for the control building improvements project at the East Aurora WRRF in ECSD No. 8.

CONSEQUENCES OF NEGATIVE ACTION

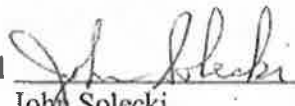
This is a receive and file item.

STEPS TO FOLLOW APPROVAL

This is a receive and file item.

CONTROLLER'S OFFICE REVIEW

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

Signed  Date 1/12/2022
Title John Solecki
Director of Accounting Services & Cash Management
Comptroller's Office

Erie County Sewer District No. 8
Work Order: LaB-4
Capital Account No. C.21150

**ERIE COUNTY SEWER DISTRICT NO. 8
WORK ORDER NO. LaB-4**

ENGINEER: LaBella Associates

CONTRACT DATE: November 21, 2019

1. Title of Proposal:

Construction Administration - Control Building Improvements at E. Aurora WRRF in ECSD No. 8.

2. Company/Address/Principal In-Charge:

Michael Rogalski, P.E.
LaBella Associates
300 Pearl St., Suite 130
Buffalo, NY 14202

3. Effective Dates of Proposal:

January 12, 2022

4. Brief Description of Work for Which Proposal is Submitted:

The engineer will provide construction administration services for the control building improvements project at the E. Aurora WRRF in ECSD No. 8, as detailed in LaBella's letter, dated December 20, 2021.

5. Engineering Cost: \$ 63,227.00

6. Source of Funds: Capital Account No. C.21150 (American Rescue Plan funds)

7. Project No: LaB-4

8. Attachments: LaBella's letter, dated 12/20/2021 (6 pages)

9. File: 0.3.2. LaBella (20-22) Eng.

DATE: January 12, 2022

Accepted By: _____

Prepared By: _____
Matt A. Salah, P.E.

Authorized By: _____
Joseph Fiegl, P.E., BCEE
Deputy Commissioner



EC LEG JAN 28 '22 PM 12:02

COUNTY OF ERIE

MARK C. POLONCARZ

COUNTY EXECUTIVE

January 28, 2022

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

**RE: Erie County Sewer District No. 6
Lackawanna WRRF and ORF Disinfection Systems Improvements Project
GHD Consulting Services, Inc. – Change Order No. 2**

Dear Honorable Members:

Enclosed please find a memorandum from the Department of Environment and Planning pertaining to Change Order No. 2 to the GHD Consulting Services, Inc. agreement, dated December 6, 2018.

Should your honorable body require further information, I encourage you to contact Joseph Fiegl, P.E. in the Division of Sewerage Management. Thank you for your consideration on this matter.

Sincerely yours,

A handwritten signature in black ink, appearing to read "Mark C. Poloncarz", with a long horizontal flourish extending to the right.

Mark C. Poloncarz, Esq.
Erie County Executive

MCP:mas
Enclosure

cc: Joseph Fiegl, Deputy Commissioner, Division of Sewerage Management

MEMORANDUM

To: Honorable Members of the Erie County Legislature
From: Department of Environment and Planning
Re: Erie County Sewer District No. 6
Lackawanna WRRF and ORF Disinfection Systems Improvements Project
GHD Consulting Services, Inc. – Change Order No. 2
Date: January 28, 2022

SUMMARY

It is requested that the Erie County Legislature receive and file Change Order No. 2 to the GHD Consulting Services, Inc. (GHD) Agreement dated December 6, 2018.

FISCAL IMPLICATIONS

There will be no impact to the County's General Fund. The cost of the additional engineering work related to this communication will be paid from Erie County Sewer District No. 6 Capital Project C.00064.

REASONS FOR RECOMMENDATION

The Division of Sewerage Management has issued Change Order No. 2 to GHD to provide additional engineering services related to the dechlorination baffle wall design at the Lackawanna Water Resource Recovery Facility (WRRF).

BACKGROUND INFORMATION

On December 6, 2018, the Erie County Legislature passed a resolution [Comm. 21E-13 (2018)] authorizing an agreement with GHD for the Erie County Sewer District No. 6 Lackawanna WRRF and ORF Disinfection Systems Improvements Project. During the course of the project, it was determined design modifications were required to account for new information regarding the effluent piping configuration for the chlorine contact tank. As a result, re-design of the proposed dechlorination system was required – services that were not part of the original scope of services. Accordingly, the Department has approved Change Order No. 2 in an additional amount of \$4,878.62 to provide these additional engineering services.

CONSEQUENCES OF NEGATIVE ACTION

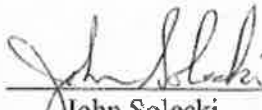
This is a receive and file item.

STEPS FOLLOWING APPROVAL

This is a receive and file item.

COMPTROLLER'S OFFICE REVIEW

The proposed action 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 1/12/2022
Title John Solecki
Director of Accounting Services & Cash Management
Comptroller's Office

**Erie County Sewer District No. 6
Lackawanna WRRF and ORF Disinfection Systems Improvements Project
Engineering Agreement – Change Order No. 2
Capital Account C.00064**

ERIE COUNTY DEPARTMENT ENVIRONMENT & PLANNING
DIVISION OF SEWERAGE MANAGEMENT
ENGINEERING/AMENDMENT

CHANGE ORDER NO. 2 DATE: January 11, 2022 SHEET 1 OF 1
CONTRACT NO. A/E Agreement FILE NO. 6.3.2.Disinfection

PROJECT: Erie County Sewer District No. 6 Engineering Agreement
(Lackawanna WRRF and Overflow Retention Facility (ORF)
Disinfection Systems Improvements Project).

ENGINEER'S NAME: GHD Consulting Services, Inc.

ENGINEER'S ADDRESS: 285 Delaware Ave, Suite 500, Buffalo, New
York 14202

DESCRIPTION OF CHANGE TO CONTRACT:

GHD will provide the additional Engineering Services as detailed
in their attached letter, dated January 7, 2022, (4 pages).

PAYMENT:

The Engineer will be compensated pursuant to the terms of the
Agreement and not to exceed \$4,878.62. The revised total amount
for this agreement and this change order is as follows:

Original Contract	\$275,774.94
Change Order 1	\$ 42,929.31
Change Order 2	<u>\$ 4,878.62</u>
Revised Total Amount	\$323,582.87

AUTHORIZATION

ENGINEER _____ DATE _____

ENGINEER _____ DATE _____

David Millar, P.E.
Asst. Deputy Commissioner

COUNTY OF ERIE _____ DATE _____

Joseph Fiegl, P.E.
Deputy Commissioner

ORIGINAL LEGISLATURE APPROVAL December 6, 2018, Comm. 21E-13(2018)

MAS:

Cc: J. Fiegl/D. Millar/M. Salah/6.3.2 Disinfection



EC LEG JAN 28 '22 PM12:02

COUNTY OF ERIE

MARK C. POLONCARZ

COUNTY EXECUTIVE

January 28, 2022

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

**RE: Erie County Sewer District No. 3
Holland Water Resource Recovery Facility (WRRF) Generator Replacement
Contract 64-A Close Out – The State Group Industrial (USA) Limited**

Dear Honorable Members:

Enclosed please find a memorandum from the Department of Environment and Planning pertaining to close out of the Holland WRRF Generator Replacement Project, Erie County Sewer District No. 3, Contract 64-A.

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

Sincerely yours,

A handwritten signature in black ink, reading "Mark C. Poloncarz". The signature is fluid and cursive, with the first letters of the first and last names being capitalized and prominent.

Mark C. Poloncarz, Esq.
Erie County Executive

MCP:bp

cc: Joseph Fiegl, Deputy Commissioner, Division of Sewerage Management

MEMORANDUM

To: Honorable Members of the Erie County Legislature
From: Department of Environment and Planning
Re: Erie County Sewer District No. 3
Holland Water Resource Recovery Facility (WRRF) Generator Replacement
Contract 64-A Close Out – The State Group Industrial (USA) Limited
Date: January 28, 2022

SUMMARY

Acceptance and approval of Contract No. 64-A in the final contract amount of \$159,962.00 together with Change Order No. 1 (Final), a decrease of (\$26,038.00) in Erie County Sewer District No. 3 Capital Bond Account No. C.17301, as well as authorization to issue final payment to the contractor, The State Group Industrial (USA) Limited, 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. 3 Capital Bond Account No. C.17301.

REASONS FOR RECOMMENDATION

All scheduled improvements required by the contract documents have been completed. As a result, it is the Department's recommendation to finalize this contract.

BACKGROUND INFORMATION

Contract No. 64-A was bid on October 1, 2020 and awarded by the Erie County Legislature on October 22, 2020 pursuant to Legislative Comm. 17E-8 (2020). The project consisted of general construction of the Holland WRRF Generator Replacement project in Erie County Sewer District No. 3.

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 The State Group Industrial (USA) Limited.

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 1/25/22
Title John Solecki
Director of Accounting Services & Cash Management
Comptroller's Office

Erie County Sewer District No. 3

Contract No. 64-A

Contract Close Out – The State Group Industrial (USA) Limited

Capital Bond Account No. C.17301

A RESOLUTION SUBMITTED BY
DEPARTMENT OF ENVIRONMENT AND PLANNING

RE: Erie County Sewer District No. 3
Holland Water Resource Recovery Facility (WRRF) Generator Replacement
Contract 64-A Close Out – The State Group Industrial (USA) Limited

WHEREAS, pursuant to Legislative Comm. 17E-8 (2020), Contract 64-A was awarded to The State Group Industrial (USA) Limited to construct the Holland WRRF Generator Replacement project in Erie County Sewer District No. 3; 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.64-A, in the final contract amount of \$159,962.00 which includes Change Order No. 1 (Final) a decrease of (\$26,038.00) and recommends approval for final payment.

NOW, THEREFORE BE IT

RESOLVED, that Contract 64-A between the County of Erie and The State Group Industrial (USA) Limited, (100 Stradtman Street, Buffalo, NY 14206) is accepted in the final contract amount of \$159,962.00 which includes Change Order No. 1 (final), a decrease of (\$26,038.00); and be it further

RESOLVED, that the Erie County Comptroller be directed to make final payment for Contract No. 64-A, to The State Group Industrial (USA) Limited for a total contract amount of \$159,962.00; 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, Rath Building, 10th Floor.



EC LEG JAN 28 '22 PM12:02

COUNTY OF ERIE

MARK C. POLONCARZ

COUNTY EXECUTIVE

January 28, 2022

Erie County Legislature
92 Franklin Street – 4th Floor
Buffalo, NY 14202

**RE: Erie County Sewer District No. 8
Engineering Term Contract Agreement
C&S Companies
Work Order: CS-2**

Dear Honorable Members:

Enclosed please find a memorandum from the Department of Environment and Planning, Division of Sewerage Management, for the issuance of a work order as authorized by the resolution passed by the Erie County Legislature on July 22, 2021, related to Engineering Term Agreements.

Should your Honorable Body require further information, I encourage you to contact Joseph Fiegl, P.E. in the Division of Sewerage Management. Thank you for your consideration on this matter.

Sincerely yours,

A handwritten signature in black ink, reading "Mark C. Poloncarz", with a long horizontal flourish extending to the right.

Mark C. Poloncarz, Esq.
Erie County Executive

MCP:mas
Enclosure

cc: J. Fiegl – Deputy Commissioner, Division of Sewerage Management

MEMORANDUM

To: Honorable Members of the Erie County Legislature
From: Department of Environment and Planning
Re: Erie County Sewer District No. 8
Engineer Term Contract Agreement
C&S Companies
Work Order: CS-2
Date: January 28, 2022

SUMMARY

The Erie County Legislature is requested to receive and file this communication pertaining to the Department of Environment and Planning's issuance of a work order with C&S Companies (C&S) for Erie County Sewer District (ECSD) No. 8 in an amount not to exceed \$32,228.20.

FISCAL IMPLICATIONS

There will be no impact to the County's General Fund. The cost of the engineering work related to this communication will be paid from the ECSD No. 8 Professional Services Account 516020.

REASONS FOR RECOMMENDATION

The Division of Sewerage Management has issued work order CS-2 to C&S to provide engineering services associated with the East Aurora Water Resource Recovery Facility (WRRF) influent trunk sewer evaluation and replacement project in ECSD No. 8.

BACKGROUND INFORMATION

On July 22, 2021, the Erie County Legislature passed a resolution authorizing a Term Agreement with C&S to provide engineering services for small and/or time critical projects. At the time of the contract award, the Division of Sewerage Management committed to notifying the Honorable Legislature of each work order issued.

The Term Agreement was approved to provide the Division of Sewerage Management with engineering services required to complete various initiatives throughout the ECSDs. C&S will develop evaluation report and design drawings for the East Aurora WRRF influent trunk sewer improvements project in ECSD No. 8.

CONSEQUENCES OF NEGATIVE ACTION

This is a receive and file item.

STEPS TO FOLLOW APPROVAL

This is a receive and file item.

**ERIE COUNTY SEWER DISTRICT No. 8
WORK ORDER NO. CS-2**

ENGINEER: C&S Companies

CONTRACT DATE: July 22, 2021

1. Title of Proposal:

Provide design drawings for the East Aurora WRRF influent trunk sewer replacement project in ECSD No. 8.

2. Company/Address/Principal In-Charge:

Victor O'Brien, P.E.
C&S Companies
141 Elm Street, Suite 100.
Buffalo, NY 14203

3. Effective Dates of Proposal:

January 14, 2022

4. Brief Description of Work for Which Proposal is Submitted:

The engineer will provide evaluation and design drawings for the East Aurora WRRF influent trunk sewer replacement project in ECSD No. 8 as detailed in C&S's letter, dated January 13, 2022.

5. Engineering Total Cost:

\$32,228.20

6. Source of Funds: ECSD No. 8 Professional Services Account 516020

7. Project No: CS-2

8. Attachments: C&S letter dated 12/13/2022 (3 pages)

9. File: 0.3.2. C&S (21-22) Eng.

Date: January 18, 2022

Accepted By: _____

Prepared By: Matt A. Salah, P.E.

Authorized By: Joseph Fiegl, P.E., BCEE
Deputy Commissioner



EC LEG JAN 28 '22 PM 12:02

COUNTY OF ERIE

MARK C. POLONCARZ

COUNTY EXECUTIVE

January 28, 2022

Erie County Legislature
92 Franklin Street – 4th Floor
Buffalo, NY 14202

**RE: Erie County Sewer District No. 6
Engineering Term Contract Agreement
AECOM USA, Inc.
Work Order: AECOM-5**

Dear Honorable Members:

Enclosed please find a memorandum from the Department of Environment and Planning, Division of Sewerage Management, for the issuance of a work order as authorized by the resolution passed by the Erie County Legislature on November 21, 2019, related to 3-year Term Agreements.

Should your Honorable Body require further information, I encourage you to contact Joseph Fiegl, P.E. in the Division of Sewerage Management. Thank you for your consideration on this matter.

Sincerely yours,

A handwritten signature in dark ink, appearing to read "Mark C. Poloncarz", is written over a horizontal line.

Mark C. Poloncarz, Esq.
Erie County Executive

MCP: mas

Enclosure

cc: J. Fiegl – Deputy Commissioner, Division of Sewerage Management

MEMORANDUM

To: Honorable Members of the Erie County Legislature
From: Department of Environment and Planning
Re: Erie County Sewer District No. 6
Engineer Term Contract Agreement
AECOM USA, Inc.
Work Order: AECOM-5
Date: January 28, 2022

SUMMARY

The Erie County Legislature is requested to receive and file this communication pertaining to the Department of Environment and Planning's issuance of a work order with AECOM USA, Inc. (AECOM) for Erie County Sewer District (ECSD) No.6 in an amount not to exceed \$68,000.00.

FISCAL IMPLICATIONS

There will be no impact to the County's General Fund. The cost of the engineering work related to this communication will be paid from Capital Account No. C.21150 (American Rescue Plan funds).

REASONS FOR RECOMMENDATION

The Division of Sewerage Management has issued work order AECOM-5 to AECOM to provide Engineering Services associated with providing 100% design plans and specifications for the anaerobic digester improvements and upgrades at the Lackawanna Water Resource Recovery Facility (WRRF) in ECSD No. 6.

BACKGROUND INFORMATION

On November 21, 2019, the Erie County Legislature passed a resolution authorizing a 3-year Term Agreement with AECOM for Engineering Services for small and/or time critical projects. At the time of the contract award, the Division of Sewerage Management committed to notifying the Honorable Legislature of each work order issued.

The Term Agreement was approved to provide the Division of Sewerage Management with engineering services required to complete various initiatives throughout the ECSDs. For this work order, AECOM will provide 100% drawings and specifications for the anaerobic digester improvements and upgrades at this WRRF. This work order would be the last of the phased approach to bring this project to bid.

CONSEQUENCES OF NEGATIVE ACTION

This is a receive and file item.

STEPS TO FOLLOW APPROVAL

This is a receive and file item.

COMPTROLLER'S OFFICE REVIEW

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

Signed John Solecki Date 1/19/2022
Title John Solecki
Director of Accounting Services & Cash Management
Comptroller's Office

Work Order: AECOM-5
Capital Account No. C.21150

**ERIE COUNTY SEWER DISTRICT NO. 6
WORK ORDER NO. AECOM-5**

ENGINEER: AECOM USA, Inc.

CONTRACT DATE: November 21, 2019

1. Title of Proposal:

Provide 100% engineering drawings and specifications for the anaerobic digester improvements at the Lackawanna WRRF in ECSD No. 6.

2. Company/Address/Principal In-Charge:

Jeffrey Tudini, P.E.
AECOM USA, Inc.
257 West Genesee St, Suite 400
Buffalo, NY 14202

3. Effective Dates of Proposal:

January 18, 2022

4. Brief Description of Work for Which Proposal is Submitted:

The engineer will provide 100% engineering drawings and specifications for the anaerobic digester improvements at the Lackawanna WRRF in ECSD No. 6 and as detailed in AECOM's letter, dated September 21, 2021.

5. Engineering Cost:

\$68,000.00

6. Source of Funds:

Capital Account No. C.21150 (American Rescue Plan funds)

7. Project No: AECOM-5

8. Attachments: AECOM letters dated 9/21/2021 (8 pages) & 1/17/2022 (2 pages)

9. File: 0.3.2. AECOM (20-22) Eng.

Date: January 18, 2022

Accepted By: _____

Prepared By: _____

Matt A. Salah, P.E.

Authorized By: _____

Joseph Fiegl, P.E., BCEE
Deputy Commissioner



EC LEG JAN 28 '22 PM12:02

COUNTY OF ERIE

MARK C. POLONCARZ

COUNTY EXECUTIVE

January 28, 2022

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

**Re: Erie County Sewer District No. 1
North Seine Drive Sanitary Sewer Replacement Project
Bid Opening – Contract No. 45**

Dear Honorable Members:

The Department of Environment and Planning, Division of Sewerage Management will be opening bids for a construction project titled Erie County Sewer District No. 1 Contract No. 45 North Seine Drive Sanitary Sewer Replacement Project.

In order to award said contract in the required forty-five (45) day time period, we respectfully request this item be placed on the agenda of the Energy and Environment Committee. After receipt of bids, the Department will provide the necessary bid tabulations, engineer's recommendation to award, and a suggested resolution.

Should your Honorable Body require further information, I encourage you to contact Joseph Fiegl, P.E. in the Division of Sewerage Management. Thank you for your consideration on this matter.

Sincerely yours,

A handwritten signature in black ink that reads "Mark C. Poloncarz". The signature is fluid and cursive, with a long horizontal line extending to the right.

Mark C. Poloncarz, Esq.
Erie County Executive

MCP: nw

cc: J. Fiegl – Division of Sewerage Management

Notice to be mailed to those on contact list included in the BCP Application:

Public Notice

The New York State Department of Environmental Conservation (DEC) has received a Brownfield Cleanup Program (BCP) application from Midwest Storage Developers LLC for a site known as 2122 Colvin Boulevard Site, site ID #C915380. This site is located in the Town of Tonawanda, within the County of Erie, and is located at 2122 Colvin Boulevard.

Access the application and other relevant documents online through the DECinfo Locator: <https://www.dec.ny.gov/data/DecDocs/C915380/>. The documents will also be available at the document repository once reopened, located at City of Tonawanda Public Library, 333 Main Street, Tonawanda, NY 14150 and Buffalo & Erie County Public Library, 1 Lafayette Square, Buffalo, NY 14203.

There are several ways to comment on BCP applications. Comments can be submitted to the site Project Manager Joshua Vaccaro at NYSDEC, 270 Michigan Ave. Buffalo, NY 14203-2915; via email at joshua.vaccaro@dec.ny.gov or by calling 716-308-2942. All comments must be submitted by **February 18, 2022**.

Site information can be viewed by entering the site ID noted above at:
<http://www.dec.ny.gov/cfm/x/extapps/derexternal/index.cfm?pageid=3>

We would also encourage those interested in receiving information on future activities at this site or any other site to sign up to DEC's Contaminated Sites Email List at:
<http://www.dec.ny.gov/chemical/61092.html>

What is the Brownfield Cleanup Program?

New York's Brownfield Cleanup Program (BCP) is designed to encourage private-sector cleanups of brownfields and to promote their redevelopment as a means to revitalize economically blighted communities. The BCP is an alternative to "greenfield" (land not previously developed or contaminated) development and is intended to remove some of the barriers to, and provide tax incentives for, the redevelopment of brownfields. Since its inception (2003), the BCP has catalyzed the cleanup of more than 500 contaminated sites statewide and incentivized redevelopment. There are more than 550 active sites in the BCP.

Additional information on the State's Brownfield program is available at DEC's website:
<http://www.dec.ny.gov/chemical/8450.html>



Erie County Water Authority

295 Main Street • Room 350 • Buffalo, NY 14203-2494
716-849-8484 • Fax 716-849-8463

Finance Department

January 27, 2022

Mr. Robert M. Graber
Clerk of the Legislature
Erie County Legislature
92 Franklin St.
Buffalo, NY 14202

Dear Mr. Graber:

Article Five (5), Section 1070 of the Public Authorities Law provides, in part, that the Erie County Water Authority (ECWA) shall submit a detailed financial report for the preceding fiscal year.

In compliance with this provision, please find a copy of ECWA's unaudited comparative financial statements for the years ended December 31, 2021 and 2020.

The information contained in the financial statements is subject to audit by the ECWA's independent auditors.

When the audited financial report is issued, a copy of same will be forwarded to you.

Very truly yours,

ERIE COUNTY WATER AUTHORITY

A handwritten signature in dark ink, appearing to read 'Joyce Tomaka', is written over a horizontal line.

Joyce Tomaka
Comptroller

Enclosure



ERIE COUNTY WATER AUTHORITY
UNAUDITED
Statements of Net Position
December 31, 2021 and 2020

	<u>2021</u>	<u>2020</u>
ASSETS		
Current assets:		
Cash and cash equivalents	\$ 33,423,346	\$ 51,910,215
Restricted cash and cash equivalents	2,243,902	2,503,687
Unrestricted investments	22,185,067	8,659,476
Restricted investments	383,858	439,864
Customer accounts receivable, net of allowance for doubtful accounts	5,125,244	4,601,189
Materials and supplies	3,731,539	3,493,813
Accrued revenue	10,078,812	9,441,729
Prepaid expenses and other assets	4,755,238	3,488,547
Total current assets	<u>81,927,006</u>	<u>84,538,520</u>
Noncurrent assets:		
Restricted cash and cash equivalents	5,967,636	5,751,638
Restricted investments	18,927,701	18,658,359
Long term accounts receivable	2,210,859	2,253,759
Capital assets, not being depreciated	19,900,608	11,728,029
Capital assets, being depreciated, net of accumulated depreciation	429,077,274	413,209,287
Total noncurrent assets	<u>476,084,078</u>	<u>451,601,072</u>
Total assets	<u>558,011,084</u>	<u>536,139,592</u>
 DEFERRED OUTFLOWS OF RESOURCES		
Post-measurement date retirement contributions	2,198,740	1,816,854
Changes in retirement system assumptions	11,065,688	8,867,931
Actual vs projected other post employment benefit factors	15,368,437	15,223,307
Advanced refunding of Series 2007 Bonds	986,038	1,052,141
Total deferred outflows of resources	<u>29,618,903</u>	<u>26,960,233</u>
 LIABILITIES		
Current liabilities:		
Accounts payable	12,289,127	9,921,894
Advances for construction	936,895	1,411,355
Construction retention	2,408,900	1,782,833
Accrued interest on water revenue bonds	199,879	234,883
Accrued liabilities	1,871,621	1,624,358
Compensated absences	1,679,770	1,758,116
Water revenue bonds - current portion	3,767,627	3,617,627
Total current liabilities	<u>23,153,819</u>	<u>20,351,066</u>
Noncurrent liabilities:		
Compensated absences	3,401,843	3,446,718
Net pension liability	54,107	14,294,636
Long term other post employment benefit liability	89,974,098	89,032,011
Water revenue bonds - long term	49,916,392	53,684,019
Total noncurrent liabilities	<u>143,346,440</u>	<u>160,457,384</u>
Total liabilities	<u>166,500,259</u>	<u>180,808,450</u>
 DEFERRED INFLOWS OF RESOURCES		
Changes in retirement system assumptions	15,803,179	356,069
Changes in other post employment benefit assumptions	28,446,047	29,563,283
Total deferred inflows of resources	<u>44,249,226</u>	<u>29,919,352</u>
 NET POSITION		
Invested in capital assets, net of related debt	395,293,863	368,687,811
Restricted		
Debt service reserve account	862,893	862,945
Debt service account	925,060	993,508
Unrestricted	<u>(20,218,735)</u>	<u>(18,172,241)</u>
Total net position	<u>\$ 376,880,502</u>	<u>\$ 352,372,023</u>



ERIE COUNTY WATER AUTHORITY
UNAUDITED

Statements of Revenue, Expenses and Changes in Net Position
Years Ended December 31, 2021 and 2020

	<u>2021</u>	<u>2020</u>
Operating revenue	\$ 84,910,269	\$ 80,750,594
Operating expenses:		
Operation and administration	30,070,007	32,913,689
Maintenance	15,875,555	15,140,606
Depreciation	14,472,846	14,001,096
Other post-employment benefit expense	1,511,558	1,807,715
Total operating expenses	<u>61,929,966</u>	<u>63,863,106</u>
Operating income	<u>22,980,303</u>	<u>16,887,488</u>
Nonoperating revenues (expenses):		
Interest income on investments	75,743	319,620
Interest on loans receivable	74,715	78,764
Interest expense	<u>(1,894,295)</u>	<u>(2,031,634)</u>
Total nonoperating revenues (expenses)	<u>(1,743,837)</u>	<u>(1,633,250)</u>
Net income before contribution in aid of construction	21,236,466	15,254,238
Contribution in aid of construction	<u>3,272,013</u>	<u>1,167,976</u>
Change in net position	24,508,479	16,422,214
Net Position - beginning of year	352,372,023	335,949,809
Net Position - end of year	\$ 376,880,502	\$ 352,372,023



ERIE COUNTY WATER AUTHORITY **UNAUDITED**

Statement of Cash Flows **Years Ended December 31, 2021 and 2020**

	<u>2021</u>	<u>2020</u>
CASH FLOWS FROM OPERATING ACTIVITIES		
Receipts from customers	\$ 82,532,028	\$ 80,569,609
Payments to contractors	(16,080,342)	(14,618,603)
Payments to employees including fringe benefits	(30,828,891)	(28,923,421)
Net cash provided by operating activities	35,622,795	37,027,585
CASH FLOWS FROM CAPITAL AND RELATED FINANCING ACTIVITIES		
Acquisition and construction of capital assets	(37,887,345)	(39,330,550)
Bond issuance	-	-
Bond repayment	(3,305,000)	(3,170,000)
Interest paid on revenue bonds	(2,175,821)	(2,303,747)
Advances for construction	(474,460)	320,769
Contribution in aid of construction	3,272,012	1,167,977
Net cash used by capital and related financing activities	(40,570,614)	(43,315,551)
CASH FLOWS FROM INVESTING ACTIVITIES		
Purchase of investment securities	(52,119,513)	(42,715,052)
Proceeds from sale or maturity of investments	38,327,678	44,898,760
Interest received	208,998	617,673
Net cash provided (used) by investing activities	(13,582,837)	2,801,381
Net increase (decrease) in cash	(18,530,656)	(3,486,585)
Cash and cash equivalents - beginning of year (including amounts restricted for future construction, debt service reserve, debt service, and customer deposits)	60,165,540	63,652,125
Cash and cash equivalents - end of year (including amounts restricted for future construction, debt service reserve, debt service, and customer deposits)	\$ 41,634,884	\$ 60,165,540

(continued)

ERIE COUNTY WATER AUTHORITY
UNAUDITED

Statement of Cash Flows
Years Ended December 31, 2021 and 2020

(concluded)

	<u>2021</u>	<u>2020</u>
Reconciliation of operating income (loss) to net cash provided (used) by operating activities:		
Operating income	\$ 22,980,303	\$ 16,887,488
Adjustments to reconcile operating income (loss) to net cash provided (used) by operating activities:		
Depreciation expense	14,472,846	14,001,096
(Increase) decrease in accounts receivable	(524,055)	(153,354)
(Increase) decrease in material and supplies	(237,726)	(693,331)
(Increase) decrease in accrued revenue	(637,083)	(444,078)
(Increase) decrease in other assets	(1,272,324)	(170,863)
(Increase) Decrease in long term accounts receivable	42,900	159,107
(Increase) Decrease in deferred outflows of resources	(2,724,773)	(13,850,300)
Increase (decrease) in accounts payable	2,367,233	4,448,863
Increase (decrease) in other accrued liabilities	247,263	(196,713)
Increase (decrease) in compensated absences	(123,221)	532,223
Increase (decrease) in net pension liability	(14,240,529)	10,361,840
Increase (decrease) in other post employment liability	942,087	(1,050,525)
Increase (decrease) in deferred inflows of resources	14,329,874	7,196,132
Total adjustments	12,642,492	20,140,097
Net cash provided by operating activities	\$ 35,622,795	\$ 37,027,585