



# COUNTY OF ERIE

**MARK C. POLONCARZ**

COUNTY EXECUTIVE

May 2, 2025

Erie County Legislature  
92 Franklin Street, 4<sup>th</sup> Floor  
Buffalo, New York 14202

**RE: Buffalo and Erie County Botanical Gardens Expansion Plan  
Construction Agreements**

Dear Honorable Members:

This resolution is requesting this Honorable Body to authorize the award of agreements with contractors to provide construction services related to the Buffalo and Erie County Botanical Gardens Expansion Plan project, and to authorize the County Executive to take all steps necessary to have the agreements executed.

Should your Honorable Body require further information, I encourage you to contact Commissioner William E. Geary, Jr., at the Department of Public Works. Thank you for your consideration on this matter.

Sincerely yours,

A handwritten signature in blue ink, reading "Mark C. Poloncarz".

Mark C. Poloncarz, Esq.  
Erie County Executive

MCP/kmw  
Enclosure

cc: William F. Geary, Jr., Commissioner, Department of Public Works

## **MEMORANDUM**

**To:** Honorable Members of the Erie County Legislature  
**From:** Department of Public Works  
**Re:** Buffalo and Erie County Botanical Gardens 2019 Expansion Plan  
Construction Agreements  
**Date:** May 2, 2025

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### **SUMMARY**

As previously approved by this Honorable Body, Turner Construction Company LLC (“Turner”) is serving as the Construction Manager as Advisor (“CM as Advisor”) for the Buffalo and Erie County Botanical Gardens Expansion Plan Project (“Expansion Project”). Turner advertised and conducted bid openings and has recommended awarding construction agreements to the following lowest responsible bidders:

1. Miller Construction (Site Contractor) - \$3,994,860;
2. Huber Construction (General Contractor) - \$8,860,000;
3. MKS Plumbing (Plumbing Contractor) - \$1,090,000.00;
4. John W. Danforth (Mechanical Contractor) - \$3,560,000;
5. CIR Electrical (Electrical Contractor) - \$2,416,000; and
6. T.G.R. Enterprise, Inc. (Window Contractor) - \$544,955.

The Department of Public Works (“DPW”) is requesting authorization for the award of the contracts for the Buffalo and Erie County Botanical Gardens Society (“Botanical Gardens Society”) improvements to the recommended lowest responsible bidders. A copy of the bid tabulation is attached for your reference.

### **FISCAL IMPLICATIONS**

The County’s portion of funding for this Expansion Project has been previously allocated. Funding for this Expansion Project will be made up of a mix of funding sources. In addition to County funds, the Botanical Gardens Society has secured funding from government, corporate and private donations.

### **REASONS FOR RECOMMENDATION**

The County and Botanical Gardens Society, with the help of Turner, solicited bids from various construction trades for the Expansion Project. Turner publicly opened the bids and has recommended awarding to the lowest responsible bidders named herein.

### **BACKGROUND INFORMATION**

The Botanical Gardens Society, in partnership with Erie County, is undertaking a major renovation of the existing Grow Range Building and constructing a new addition to showcase the beauty of plants, inspire wonder, foster environmental stewardship, embrace inclusivity, and honor the historic Conservatory and its grounds. This Expansion Project will not only elevate the visitor experience, but also boost revenue through expanded programming and improve

operational efficiency. The new addition will create a seamless connection between the rear of the iconic glass Conservatory and the Grow Range Building, enhancing both form and function across the site.

Additionally, this Expansion Project will include the demolition of existing non-historic houses that have fallen into disrepair and would otherwise require significant funding to restore and remain functional.

### **CONSEQUENCES OF NEGATIVE ACTION**

If this approval is not obtained, the Botanical Gardens Expansion Project will not be able to proceed with construction and therefore cause delays.

### **STEPS FOLLOWING APPROVAL**

Upon Legislative approval, the County Executive will enter into agreements with the Botanical Gardens Society and respective lowest responsible bidders in order to advance the Expansion Project.

A RESOLUTION SUBMITTED BY:  
DEPARTMENT OF PUBLIC WORKS

RE: Buffalo and Erie County Botanical Gardens Expansion Plan  
Construction Agreements

WHEREAS, the Buffalo and Erie County Botanical Gardens Society (“Botanical Gardens Society”) is pursuing a large-scale addition to the existing Buffalo and Erie County Botanical Gardens known as the Buffalo and Erie County Botanical Gardens Expansion Plan (hereinafter referred to as the “Expansion Plan”); and

WHEREAS, the purpose behind the Expansion Plan is to improve sustainability of the Botanical Gardens by increasing event space allowing for more revenue-generating events; provide more efficient operation workflow; provide additional training, classroom and education space as well as promote growth south of Buffalo by attracting tourism and business to the area; and

WHEREAS, Turner Construction Company LLC (“Turner”) was previously selected to serve as the Construction Manager as Advisor (“Construction Manager”) for the Expansion Project; and

WHEREAS, as part of their role as Construction Manager, Turner advertised and publicly opened bids for construction services related to the Expansion Project; and

WHEREAS, Turner has reviewed the bid proposals and made a recommendation to the County and the Botanical Gardens Society to award to the lowest responsible bidders in each trade; and

WHEREAS, the County and the Botanical Gardens Society are in agreement with the recommendations made by Turner; and

WHEREAS, the County is seeking approval for the award of the construction contracts to the lowest responsible bidders named herein and to enter into contracts with the Botanical Gardens Society and respective contractors in order to advance the construction portion of the Expansion Project.

NOW, THEREFORE, BE IT,

RESOLVED, that the Erie County Legislature approves awarding construction contracts for the Buffalo and Erie County Botanical Gardens Expansion Plan to the lowest responsible bidders named herein; and be it further

RESOLVED, that the County Executive is authorized to take all necessary steps to have agreements with the Botanical Gardens Society awarded to the following lowest responsible bidders, as recommended by Turner Construction Company, LLC, for purposes of advancing the Expansion Project:

1. Miller Construction (Site Contractor) - \$3,994,860;
2. Huber Construction (General Contractor) - \$8,860,000;
3. MKS Plumbing (Plumbing Contractor) - \$1,090,000.00;
4. John W. Danforth (Mechanical Contractor) - \$3,560,000;
5. CIR Electrical (Electrical Contractor) - \$2,416,000; and
6. T.G.R. Enterprise, Inc. (Window Contractor) - \$544,955

and be it further

RESOLVED, that two certified copies of this resolution be sent to the Department of Public Works, Commissioner's Office, Department of Environment and Planning, County Attorney's Office, and one copy each to the County Executive's Office, Division of Budget and Management, the Botanical Gardens Society c/o Erin Grajek.

## BUFFALO & ERIE COUNTY BOTANICAL GARDENS

### Project Accepts Deduct Alternate #01 Eliminating the P1 Greenhouse

Bid Summary				
Bid Package	APPARENT LOW BIDDER	BASE BID	ALTERNATE #01	TOTAL CONTRACT VALUE
BP-101	Miller Construction	\$3,994,860.00	\$0	\$3,994,860
BP-102	Huber Construction	\$9,960,000.00	(\$1,100,000)	\$8,860,000
BP-103	MKS Plumbing	\$1,090,000.00	\$96,000.00 *	\$1,090,000
BP-104	John W. Danforth	\$3,573,000.00	(\$13,000.00)	\$3,560,000
BP-105	CIR Electrical	\$2,583,000.00	(\$167,000.00)	\$2,416,000
BP-106	T.G.R. Enterprise, Inc.	\$544,955.00	\$0	\$544,955
		<b>TOTAL Bid Amount</b>		<b>\$20,465,815</b>
		Construction Contingency		\$1,200,000
		<b>TOTAL Construction Cost</b>		<b>\$21,665,815</b>

**\*NOTE:** BP-103 MKS Plumbing submitted a ADD Alternate that was not accepted.