



COUNTY OF ERIE

MARK C. POLONCARZ

COUNTY EXECUTIVE

2025 MAY 2 PM 1:24

May 2, 2025

Erie County Legislature
92 Franklin Street, 4th Floor
Buffalo, New York 14202

**RE: Erie County Sewer District No. 3
Southtowns AWTF Roof Replacement and Effluent HVU Replacement Project
Contract Nos. 76-A and 76-B Close Out
Weaver Metal & Roofing Inc. and D. V. Brown & Associates, Inc.**

Honorable Members:

Enclosed please find a memorandum from the Department of Environment and Planning pertaining to close out of the Southtowns AWTF Roof Replacement and Effluent HVU Replacement Project, Erie County Sewer District No. 3, Contract Nos. 76-A and 76-B.

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 blue ink, reading "Mark C. Poloncarz".

Mark C. Poloncarz, Esq.
Erie County Executive

MCP:cf
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. 3
Southtowns AWTF Roof Replacement and Effluent HVU Replacement Project
Contract Nos. 76-A and 76-B Close Out
Weaver Metal & Roofing Inc. and D. V. Brown & Associates, Inc.
Date: April 22, 2025

SUMMARY

Acceptance and approval of Contract No. 76-A in the final contract amount of \$3,493,167.00 together with Change Order No. 1 (Final), a decrease of \$86,833.00 in Capital Reserve Account No. C.00007, and Contract No. 76-B in the final contract amount of \$2,020,228.00, together with Change Order No. 1 (Final) a decrease of \$38,172.00 in Capital Reserve Account No. C.00007, as well as authorization to issue final payment to the contractors, Weaver Metal & Roofing Inc., for Contract 76-A and D.V. Brown Associates for Contract 76-B, is requested.

FISCAL IMPLICATIONS

There will be no impact on the County's General Fund. The funds for those contracts were allocated from Erie County Sewer District No. 3 Capital Reserve Account No. C.00007 and Capital Account No. C.21150 (American Rescue Plan funds). No additional funding is requested.

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 Nos. 76-A and 76-B were bid on January 25, 2023, and awarded by the Erie County Legislature on March 9, 2023, pursuant to Legislative Comm. 2E-3 (2023). Funding for the project was reviewed by the Erie County Comptroller's Office prior to award by the Erie County Legislature. The project consisted of general replacement of the roof and effluent heating/ventilation units (HVU) at the Southtowns Advanced Wastewater Treatment Facility (AWTF) 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 orders and make final payments to Weaver Metal & Roofing, Inc. and D. V. Brown & Associates, Inc.

A RESOLUTION SUBMITTED BY
DEPARTMENT OF ENVIRONMENT AND PLANNING

RE: Erie County Sewer District No. 3
Southtowns AWTF Roof Replacement and Effluent HVU Replacement Project
Contract Nos. 76-A and 76-B Close Out
Weaver Metal & Roofing Inc. and D. V. Brown & Associates, Inc.

WHEREAS, pursuant to Legislative Comm. 2E-3 (2023), Contract Nos. 76-A and 76-B were awarded to Weaver Metal & Roofing, Inc. and D. V. Brown & Associates, Inc., respectively for general construction associated with the Southtowns Advanced Wastewater Treatment Facility (AWTF) Roof Replacement and Effluent Heating/Ventilation Unit (HVU) 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 recommends approval for final payment.

NOW, THEREFORE, BE IT

RESOLVED, that the Erie County Legislature hereby authorizes that Contract No. 76-A between the County of Erie and Weaver Metal & Roofing, Inc. (40 Appenheimer Ave., Buffalo, NY 14214) is accepted in the final contract amount of \$3,493,167.00 which includes Change Order No. 1 (final), a decrease of \$86,833.00; and be it further

RESOLVED, that authorization is hereby given to the Erie County Comptroller to make final payment for Contract No. 76-A to Weaver Metal & Roofing, Inc. for a total contract amount of \$3,493,167.00; and be it further

RESOLVED, that the Erie County Legislature hereby authorizes that Contract No. 76-B between the County of Erie and D.V. Brown & Associates, Inc. (567 Vickers St., Tonawanda, NY 14150) is accepted in the final contract amount of \$2,020,228.00 which includes Change Order No. 1 (final), a decrease of \$38,172.00; and be it further

RESOLVED, that authorization is hereby given to the Erie County Comptroller to make final payment for Contract No. 76-B to D.V. Brown & Associates, Inc. for a total contract amount of \$2,020,228.00; 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's Office, Comptroller's Office, Division of Budget and Management, Department of Law, and Division of Sewerage Management.