



# COUNTY OF ERIE

**MARK C. POLONCARZ**

COUNTY EXECUTIVE

July 2, 2025

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

**RE: Erie County Sewer District No. 5 Engineering Services – Transit Road Sanitary  
Sewer Upgrades Request For Proposals**

Dear Honorable Members:

Enclosed please find a resolution and accompanying memorandum from the Department of Environment and Planning pertaining to proposed agreement to perform engineering services for Erie County Sewer District No. 5.

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 that reads "Mark C. Poloncarz". The signature is fluid and cursive, with the first name "Mark" and last name "Poloncarz" clearly distinguishable.

Mark C. Poloncarz, Esq.  
Erie County Executive

MCP:jlf  
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. 5 Engineering Services – Transit Road Sanitary Sewer Upgrades Request For Proposals  
**Date:** July 2, 2025

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### **SUMMARY**

Award of a professional services agreement with JM Davidson, D.P.C. (JMDavidson) (935 Sheridan Drive – Suite 120, Tonawanda, New York 14150) in an amount not-to-exceed \$1,800,000.00 for engineering related to the design and construction phase services required for the Transit Road Sanitary Sewer Upgrades in Erie County Sewer District (ECSD) No. 5 is requested.

### **FISCAL IMPLICATIONS**

The funding for this project would be from Capital Account C.25501.

### **REASONS FOR RECOMMENDATION**

The Division of Sewerage Management (DSM) issued a request for proposals (RFP) for firms to provide engineering services for the “Transit Road Sanitary Sewer Upgrades” project in ECSD No. 5. A proposal review committee consisting of representatives from the DSM reviewed and scored the proposals using the scoring matrix in the RFP, which includes factors contained in Section 26.08 of the County’s Administrative Code. After the review committee considered the qualifications for the respondents and their cost proposals, they unanimously recommended that JMDavidson be retained for the requested professional services.

### **BACKGROUND INFORMATION**

Sanitary sewer services in the Town of Clarence are provided by ECSD No. 5, Town of Clarence Sewer Districts 2, 4, 6, 7, 9, & 10 (maintained by ECSD No. 5 through an intermunicipal agreement), by private septic systems maintained by the respective property owners, or in limited situations by private treatment systems. The vast majority of public sewer systems in this area are tributary to the Town of Amherst Water Pollution Control Facility. Both the Town of Clarence and ECSD No. 5 have agreements with the Town of Amherst for conveyance and treatment services.

In December 2016, the Town of Clarence completed its latest master planning exercise titled “Clarence 2030 – Town of Clarence Comprehensive Plan”. As an addendum to the plan, the Town completed the “Town of Clarence Master Sewer Plan – 2030” (April 2018), identifying various priorities for the provision of sanitary sewer services in the coming years.

In 2021, the Town of Clarence received a Conceptual Master Plan application for the redevelopment of Eastern Hills Mall parcel in ECSD No. 5. Uniland Development Company, as owner of this parcel, has proposed converting the site into a mixed-use “Town Center” through the construction of new residential, commercial, hospitality, and entertainment/recreational uses. These proposed changes to the Eastern Hills Mall parcel were not contemplated in the Town of Clarence master plans.

Analyses indicate the proposed peak wastewater flows from full implementation of the Eastern Hills Mall redevelopment plan exceed the current capacity of ECSD No. 5’s downstream sewer system on Transit Road. Further, there were other potential projects in ECSD No. 5 and/or the Town of Clarence master plans that impact sanitary sewer capacities. As a result, a RFP was issued in December 2022 for professional services to evaluate options to address the area’s future sanitary sewer system needs. JMDavidson was retained for these services and completed the “Transit Road Corridor Sanitary Sewer Service Evaluation Report”, revised July 2024 (herein after referred to as the “July 2024 Report”). The July 2024 Report summarized efforts to analyze the existing sanitary sewer systems, quantified the future needs of ECSD No. 5 and the Towns with respect to sanitary sewer conveyance systems in the vicinity of the Transit Road corridor, and identified system improvements.

The major recommendation from the July 2024 Report was implementation of the “Transit Road Sanitary Sewer Upgrades”, including installation of a new wastewater pumping station and force main along Transit Road. Using the July 2024 Report as a guide, a second request for proposals was issued in March 2025 soliciting statements from qualified engineering firms interested in providing the needed design and construction phase services. Proposals were due in May 2025 and subsequently reviewed.

## **CONSEQUENCES OF NEGATIVE ACTION**


ECSD No. 5 will not be able to advance the engineering necessary to address sanitary sewer capacity in this corridor, which may adversely impact projects in the Town of Clarence master plans or the potential redevelopment of Eastern Hills Mall site.

## **STEPS TO FOLLOW APPROVAL**

The County Executive will be requested to execute an agreement with JMDavidson in an amount not to exceed \$1,800,000.00.

### **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. *(This will be a cash advance - this is in the 2025 Bond Sale)*.

Signed  Date 6/4/25  
Timothy Callan, Ph.D.  
Deputy Comptroller

Erie County Sewer District No. 5  
Engineering Services - Transit Road Sanitary Sewer Upgrades  
Capital Account C.25501

A RESOLUTION SUBMITTED BY  
DEPARTMENT OF ENVIRONMENT AND PLANNING

RE: Erie County Sewer District No. 5 Engineering Services – Transit Road Sanitary Sewer Upgrades Request For Proposals

WHEREAS, the County of Erie issued a Request for Proposals to retain an engineering firm to perform professional services for the Transit Road Sanitary Sewer Upgrades Project in Erie County Sewer District (ECSD) No. 5; and

WHEREAS, a review committee evaluated the responses to the Request for Proposals using a consistent scoring matrix; and

WHEREAS, after ranking proposals the review committee recommends JM Davidson, D.P.C. to complete the requested professional services.

NOW, THEREFORE, BE IT

RESOLVED, that the Erie County Legislature hereby authorizes the County Executive or Deputy County Executive to execute an agreement with JM Davidson, D.P.C. (935 Sheridan Drive – Suite 120, Tonawanda, New York 14150) for professional services associated with this project in an amount not to exceed \$1,800,000, subject to approval as to content by the Commissioner of the Department of Environment and Planning, and approval as to form by the County Attorney's Office; and be it further

RESOLVED, that authorization is hereby provided to the Director of Budget and Management and the County Comptroller to allocate costs for these engineering services in Erie County Sewer District No. 5 Capital Account No. C.25501 (Fund 430, Funds Center 18110); and be it further

RESOLVED, that authorization is hereby provided to the Director of the Division of Budget and Management to implement any budget adjustments necessary to facilitate this funding; 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.



**ERIE COUNTY DIVISION OF SEWERAGE MANAGEMENT  
TRANSIT ROAD SANITARY SEWER UPGRADES  
PROPOSAL REVIEW COMMITTEE RATINGS - SUMMARY**

Daniel Castle, AICP  
COMMISSIONER  
Joseph Fiegl, P.E., BCEE  
DEPUTY COMMISSIONER

Rater	Proposer		
	Azar	GHD	JMDavidson
Rater #1	#3	#2	#1
Rater #2	#3	#2	#1
Rater #3	#3	#1	#2
Rater #4	#3	#2	#1
Rater #5	#3	#1	#2
Average Qualifications Scoring	3.00	1.60	1.40
QUALIFICATIONS RANKING	#3	#2	#1
TOTAL PROPOSED COST	\$2,416,951	\$3,649,700	\$1,717,593


It is my opinion in recommending JMDavidson, Engineering, D.P.C. that the Erie County Department of Environment and Planning - Division of Sewerage Management (DSM) has complied with all applicable provisions of Section 26.08 of the Erie County Administrative Code. Scoring sheets and other materials related to this matter are available for review at the DSM offices during regular business hours.

Lisa Chimera  
Deputy County Executive

TO: COMPTROLLER'S OFFICE

PROPOSED RESOLUTIONS REQUIRING RULE 55

CONTRACT APPROVAL CHECKLIST  
CONFIRMATION OF AVAILABILITY OF FUNDS IN CAPITAL PROJECTS

<u>REQUESTING DEPARTMENT</u>	<u>COMPLETE ITEMS 1 THROUGH 5</u>
1. CONTRACTOR'S NAME	JM Davidson D.P.C.
2. AMOUNT OF CONTRACT	\$1,800,000
3. PROJECT NUMBER	C.25501
4. PROJECT TITLE	Engineering Services – Transit Road Sanitary Sewer Upgrades
5. DEPARTMENT CONTACT	Beth Pfalzer x6144
<u>COMPTROLLER'S OFFICE</u>	<u>COMPLETE ITEMS 6 AND 7</u>
6. AVAILABILITY OF FUNDS	\$3,000,000.00
7. PERFORMED BY	
Date Sent to Comptroller's Office:	June 10, 2025

[55 compt\_10]

DATE: 6/10/2025

1) IS THE REASON FOR THIS CONTRACT CONSISTENT WITH THE PURPOSE OF THE PROJECT: YES X NO       

## 2) PROJECT AVAILABLE APPROPRIATION

**Comments:** There is no Trial Balance at this time. This project will be funded with the 2025 Bond Sale.

Request Approved: Taty COR

Request Denied: \_\_\_\_\_

Date: 6/11/25



# Project Budget Consumption

Variation: Characteristics  
 • Fund  
 • Fund Center  
 • Funded Program  
 • Fiscal Year

Variation: Fund  
 • Fund  
 • 430 Sewer Cap. Projects

Projects Budget Consumption Report Date: 04/10/2025

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Fund/Group:   
 Fund Center:   
 Funded Program: C 43504

(2025) Fiscal Year: 04/10/2025

Commitment Item	Original Budget	Adjustments	Current Budget	Commitment	Actuals
175-07 - Sewer Utility Debt Fee	1,000,000.00		1,000,000.00		
• Revenue	1,000,000.00		1,000,000.00		
CAPITAL PROJECTS - Capital Project Exp	1,000,000.00		1,000,000.00		
• Expenses	1,000,000.00		1,000,000.00		
** Commitment Item					

**Reports**  
 • Capital Total Balance  
 • Debt Trial Balance  
 • CBOG Trial Balance  
 • Project Comparison Debt Trial Baln

Report contains no data  
 Check the selection log