



COUNTY OF ERIE

MARK C. POLONCARZ

COUNTY EXECUTIVE

July 2, 2025

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

RE: Countywide NYSDEC Environmental Compliance Term Agreement

Dear Honorable Members:

This resolution is requesting authorization for the County Executive to enter into an Agreement with the firm of Wendel Architecture, Engineering, Surveying & Landscaping Architecture, P.C. for providing Professional Design Services for the Countywide NYSDEC Environmental Compliance Term Agreement project. The Department of Public Works received professional Architectural/Engineering design services proposals for the project on June 4, 2025.

This project involves professional services to maintain countywide facilities as it pertains to environmental regulatory compliance/inspection services related to Petroleum Bulk Storage (PBS) tanks, Spill Prevention and Countermeasure Control (SPCC) Inspection, Compliance and (Re-) Certification, State Pollutant Discharge Elimination System (SPDES) activities, and On-Call Environmental Compliance Services for related capital improvement and upgrade projects.

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 that reads "Mark C. Poloncarz".

Mark C. Poloncarz, Esq.
Erie County Executive

MCP/ks

Enclosure

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

MEMORANDUM

To: Honorable Members of the Erie County Legislature
From: Department of Public Works
Re: NYSDEC environmental Compliance Term Agreement
Date: July 2, 2025

SUMMARY

This resolution is requesting authorization for the County Executive to enter into an Agreement with the firm of Wendel Architecture, Engineering, Surveying & Landscaping Architecture, P.C. for providing Professional Design Services for the Countywide NYSDEC Environmental Compliance Term Agreement project. The Department of Public Works received professional Architectural/Engineering design services proposals for the project on June 4, 2025.

This project involves professional services to maintain countywide facilities as it pertains to environmental regulatory compliance/inspection services related to Petroleum Bulk Storage (PBS) tanks, Spill Prevention and Countermeasure Control (SPCC) Inspection, Compliance and (Re-) Certification, State Pollutant Discharge Elimination System (SPDES) activities regulated by the NYS Department of Environmental Conservation (DEC) and the US Environmental Protection Agency (EPA), and On-Call Environmental Compliance Services for related capital improvement and upgrade projects.

FISCAL IMPLICATIONS

Funds for the project are currently available from the approved and adopted 2025 Capital Budget, Project A.25001 – Countywide Code & Environmental Compliance, Fund 410, Funds Center 122, for an amount not to exceed \$175,000, including a \$25,000 design contingency.

REASONS FOR RECOMMENDATION

The professional services term agreement is necessary to maintain County facilities and bring them into compliance with the latest Federal EPA and the State DEC regulations. Ultimately, fines and penalties due to non-compliance will be avoided. Related capital improvement projects will allow for necessary corrective measures, including but not limited to, emergency repairs, non-compliance, and recommended upgrades.

BACKGROUND INFORMATION

The Department of Public Works has implemented various environmental improvements and upgrades at various facilities, including Parks and Highways facilities. Maintaining compliance with DEC and EPA regulations has avoided fines and penalties.

CONSEQUENCES OF NEGATIVE ACTION

If this project is not completed, then the EPA and DEC regulations will not be complied with and additional fines will be issued.

STEPS FOLLOWING APPROVAL

Upon Legislative approval, the County Executive will execute an Agreement with Wendel Architecture, Engineering, Surveying & Landscaping Architecture, P.C. for the project.

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 appropriations for the action proposed.

This will be a cash advance against the 2025 bond sale.

TTC Callan 6/18/25

Timothy C. Callan
Deputy Comptroller
Comptroller's Office

A.25001 – Countywide Code & Environmental Compliance

File Copy (DPW Resolution_BG Environmental Compliance.docx)

A RESOLUTION SUBMITTED BY:
DEPARTMENT OF PUBLIC WORKS

RE: Countywide NYSDEC Environmental Compliance Term Agreement

A RESOLUTION SUBMITTED BY:
DEPARTMENT OF PUBLIC WORKS

RE: Countywide NYSDEC Environmental Compliance Term Agreement

WHEREAS, the County of Erie must maintain countywide facilities that fall under New York State Department of Environmental Conservation (NYSDEC) and Environmental Protection Agency (EPA) regulations; and

WHEREAS, to maintain compliance and avoid fines and penalties, the Department of Public Works must hire a qualified consultant to assist in design and construction remedies; and

WHEREAS, the Erie County Department of Public Works received professional Architectural/Engineering design services proposals for the Countywide NYSDEC Environmental Compliance Term Agreement project (herein called the "Project") on June 4, 2025; and

WHEREAS, a review of qualifications evaluated each firm's expertise, experience, and manpower to provide the required services; and

WHEREAS, Wendel Architecture, Engineering, Surveying & Landscaping Architecture, P.C. has the necessary expertise and manpower to provide professional design and construction services for the Project; and

WHEREAS, the County Executive is requesting authorization to enter into a three (3)-year Term Agreement with the firm of Wendel Architecture, Engineering, Surveying & Landscaping Architecture, P.C., with the possibility of two, one (1)-year extensions, as mutually agreed upon between the Department of Public Works and the Consultant.

NOW, THEREFORE, BE IT

RESOLVED, that the Erie County Legislature hereby authorizes the County Executive or Deputy County Executive to enter into a three (3)-year term agreement with the firm of Wendel Architecture, Engineering, Surveying & Landscaping Architecture, P.C., with the possibility of two, one (1)-year extensions, for providing professional services related to the Countywide NYSDEC Environmental Compliance Term Agreement for an amount not to exceed \$200,000, including design contingency; and be it further

RESOLVED, all unused funds from the previous Environmental On-Call Term agreement approved per COMM. 10E-15 (2020) and per DPW Contract No. 20-693-PW, can be carried over to the new term agreement summarized herein; and it be further

RESOLVED, that the Comptroller's Office be authorized to make payment for all the above from the following Capital Projects in the approved and adopted capital budgets, Fund 480, Funds Center 122:

A.25001	Countywide Code & Environmental Compliance	\$ 200,000
For a Total Amount Not to Exceed		\$ 200,000

and it be further

RESOLVED, that two certified copies of this resolution be sent to the Department of Public Works, Commissioner's Office, and one copy each to the Office of the County Executive, the Division of Budget and Management, and the Office of the Comptroller.

TO: TIMOTHY CALLAN, COMPTROLLER'S OFFICE

PROPOSED RESOLUTIONS REQUIRING RULE 55

CONTRACT APPROVAL CHECKLIST
CONFIRMATION OF AVAILABILITY OF FUNDS IN CAPITAL PROJECTS


REQUESTING DEPARTMENT

COMPLETE ITEMS 1 THROUGH 5

- | | | | |
|----|--------------------|-----------------------------------------------------------------------------------------------|----------------------|
| 1. | CONTRACTOR'S NAME | <u>Wendel Architecture, Engineering, Surveying & Landscaping Architecture, P.C.</u> | |
| 2. | AMOUNT OF CONTRACT | <u>Total amount not to exceed \$200,000</u> | |
| 3. | PROJECT NUMBER | <u>A.25001</u> | <u>\$ 200,000.00</u> |
| 4. | PROJECT TITLE | <u>NYSDEC Environmental Compliance Term Agreement</u> | |
| 5. | DEPARTMENT CONTACT | <u>Funding questions: Kristofer Straus at x7294
Letter pickup: Christy Weber at x8301</u> | |

COMPTROLLER'S OFFICE

COMPLETE ITEMS 6 AND 7

- | | | |
|------------------------------------|-----------------------|--------------------------------------------------------------------------------------------|
| 6. | AVAILABILITY OF FUNDS | <u>\$ 500,000.00</u> |
| 7. | PERFORMED BY | <u></u> |
| Date Sent to Comptroller's Office: | | <u>June 18, 2025</u> |

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ERIE COUNTY DEPARTMENT OF PUBLIC WORKS - BUILDINGS & GROUNDS
Project Name
PROPOSAL REVIEW COMMITTEE RATINGS - SUMMARY

Evaluation Criteria																					
Proposer	Understanding of Work to be Done			Staff Experience / Qualifications			Firm Experience with Similar Projects, and Quality of Any Past Experience with County			Organization and Scheduling			Percentage of M/WBE Participation			Weighted Average Qualifications Score (0 - 10)	Qualifications Ranking				
	Weight = 30%			Weight = 30%			Weight = 20%			Weight = 15%			Weight = 5%								
	Committee Member Raw Score (0 - 10)		Avg Score	Committee Member Raw Score (0 - 10)		Avg Score	Committee Member Raw Score (0 - 10)		Avg Score	Committee Member Raw Score (0 - 10)		Avg Score	Committee Member Raw Score (0 - 10)		Avg Score						
	#1	#2		#3	#1		#2	#3		#1	#2		#3	#1				#2	#3		
(1) Term	3	8	5	5.33	4	8	4	5.33	2	6	7	5.00	3	7	9	5.00	10	10	7	9.00	3
(10)	8	9	7	8.00	8	9	6	7.67	8	8	5	7.00	9	9	4	7.33	10	10	8	9.33	2
(Verdel)	9	10	10	9.67	10	10	10	10.00	9	10	10	9.67	9	10	10	9.67	10	10	10	10.00	1
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It is my opinion in recommending firm name, address, city, NY ZIP, The Erie County Department of Public Works has complied with all applicable provisions of Section 19.08 of the Erie County Administrative Code. Scoring sheets and other materials related to this matter are available for review at the Department of Public Works office during regular business hours.

William E. Geary
Commissioner of Public Works
Date: 12/20/2015

Debra M. Chumera
Deputy County Executive
Date: 6/16/16