



COUNTY OF ERIE

MARK C. POLONCARZ

COUNTY EXECUTIVE

September 5, 2025

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

RE: Countywide Hazardous Materials Design and/or Sample Testing and Air Monitoring

Dear Honorable Members:

The Department of Public Works (DPW) entered into Contract with Watts Architectures and Engineers on August 22, 2022 and LaBella Associates on August 26, 2022 per COMM 13E-10 (2022), for Countywide Hazardous Materials Design and/or Sample Testing and Air Monitoring. This resolution is requesting authorization for the County Executive to extend the existing Agreements with both architectural firms (Watts Architecture and Engineering and LaBella Associates) for the Countywide Hazardous Materials Design and/or Sample Testing and Air Monitoring term agreement per the terms of the original RFQ/ RFP dated June 14, 2022. The Department of Public Works (DPW) also needs additional funding for both contracts (Watts Architectures and Engineers and LaBella Associates).

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,

Mark. C. Poloncarz, Esq.
Erie County Executive

MCP/ks
Enclosure

cc: William Geary, Commissioner, Department of Public Works

MEMORANDUM

To: Honorable Members of the Erie County Legislature
From: Department of Public Works
Re: Countywide Hazardous Materials Design and/or Sample Testing and Air Monitoring
Date: September 5, 2025

SUMMARY

The Department of Public Works is requesting authorization for the County Executive to extend an existing Agreement with the architectural firms of Watts Architecture and Engineering and LaBella Associates for the Countywide Hazardous Materials Design and/or Sample Testing and Air Monitoring term agreement. The Department of Public Works initially advertised for these services through a RFQ/RFP dated June 14, 2023, Watts Architecture & Engineering and LaBella Associates were the firms selected as approved per COMM.13E-10 (2022).

Per the terms of the RFQ/ RFP, the Department of Public Works is exercising the option to extend the term contracts for Watts Architecture and Engineering and LaBella Associates by one (1) of the two (2) one-year term extensions available as described in the RFP/ RFQ. To do so, additional funds will be required as the balance of the money previously approved will not last the full year of the contract extension.

Air sampling and asbestos abatement monitoring is required for all abatement projects in County owned facilities in accordance with all applicable local, state and federal standards including Code Rule 56.

The Commissioner of Public Works is, therefore, recommending that the Erie County Legislature authorize the County Executive to enter into a contract with each of the selected firms, and approve the Additional Funding request.

FISCAL IMPLICATIONS

Funds for the project are currently available from the approved and adopted 2025 capital budget, A.25001 DPW (Buildings and Grounds) – Code and Environmental Compliance (Countywide), Funds Center 122, Fund 410 in an amount not to exceed a total of \$100,000.

Consultant billing would be on an hourly basis according to the approved rate schedule per their proposal unless an agreed upon work scope and fee can be determined prior to beginning any services.

REASONS FOR RECOMMENDATION

The County does not have the capability internally to perform these services and the County has several older buildings within their inventory that contain hazardous materials. The firms selected have the necessary expertise, experience, and manpower to provide the necessary professional services. Two firms were selected in the event one of the companies cannot fulfill DPW's need due to manpower. In addition, each company has their different relevant respective experience.

BACKGROUND INFORMATION

The environmental consulting services necessary include hazardous materials design and/or sample testing and air monitoring on various County projects to maintain compliance with federal regulations. These services are necessary in order to implement new asbestos abatement programs and to continue previously initiated asbestos abatement programs.

CONSEQUENCES OF NEGATIVE ACTION

If the consulting contracts are not approved, the County will not have the ability to have suspect materials sampled and tested in a timely manner. Furthermore, full compliance with State and Federal standards for abatement and monitoring hazardous materials, including NYS Department of Labor Code Rule 56, would be put in jeopardy.

STEPS FOLLOWING APPROVAL

Upon legislative approval, the existing contracts with Watts Architecture and Engineering and LaBella Associates for the Countywide Hazardous Materials Design and/or Sample Testing and Air Monitoring will be extended with each service being provided on an as-needed basis thereafter, and additional funding will be provided for the Term Contracts.

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 until the bond sale.

Tim C. Callan 7/17/25

Timothy C. Callan
Deputy Comptroller
Comptroller's Office

A.25001 DPW (Buildings and Grounds) – Code and Environmental Compliance (Countywide)

A RESOLUTION SUBMITTED BY:
DEPARTMENT OF PUBLIC WORKS

RE: Countywide Hazardous Materials Design and/or Sample Testing and Air Monitoring

WHEREAS, Watts Architecture and Engineering as well as LaBella Associates were previously approved to provide Countywide Hazardous Materials Design and/or Sample Testing and Air Monitoring services per COMM.13E-10 (2022); and

WHEREAS, the Commissioner of Public Works desires to engage in the continuation of an existing contract with Watts Architecture and Engineering as well as LaBella Associates to provide services related to Countywide Hazardous Materials Design and/or Sample Testing and Air Monitoring on various County projects; and

WHEREAS, per the terms of the RFQ/ RFP, the Department of Public Works is exercising the option to extend the term contracts for Watts Architecture and Engineering and LaBella Associates by one (1) of the two (2) one-year term extensions available as described in the RFP/ RFQ; and

WHEREAS, DPW is requesting additional funding be approved for Watts Architects and Engineers and LaBella Associates to accommodate the use of the term for future projects as the current funds per the existing contract have been mostly utilized; and

WHEREAS, Watts Architecture and Engineering and LaBella Associates have proven they have the necessary expertise, experience, and manpower to continue to provide the required services; and

WHEREAS, each assignment will be billed on an hourly basis according to an approved rate schedule unless an agreed upon work scope and fee is negotiated with the assigned consultant prior to beginning any services.

NOW, THEREFORE, BE IT

RESOLVED, that the Erie County Legislature hereby authorizes the County Executive or Deputy County Executive to extend the existing Agreement with Watts Architecture and Engineering and LaBella Associates to continue to provide Countywide Hazardous Materials Design and/or Sample Testing and Air Monitoring; and be it further

RESOLVED, that additional funds in the sum of \$100,000 be allocated for and added to the existing contract for the Countywide Hazardous Materials and Testing services; and be it further

RESOLVED, that the Comptroller's Office be authorized to make payment for services from Capital Project A.25001 – DPW (Buildings and Grounds) – Code and Environmental Compliance (Countywide), Funds Center 122, Fund 410 for a total amount not to exceed \$100,000; and be it further

RESOLVED, that two (2) certified copies each of this resolution be sent to the Department of Public Works, Commissioner's Office and one (1) copy each to the County Executive's office, Comptroller's Office and Division of Budget and Management.

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 | Watts Architects and Engineers
LaBella Associates |
| 2. AMOUNT OF CONTRACT | Not to exceed \$ 100,000 |
| 3. PROJECT NUMBER | A.25001 – DPW (Buildings and Grounds) –
Code and Environmental Compliance
(Countywide) |
| 4. PROJECT TITLE | Countywide Hazardous Materials Design and/or
Sample Testing and Air Monitoring |
| 5. DEPARTMENT CONTACT | Funding questions: Kristofer Straus x7294
Letter pickup: Christy Weber at x8301 |

COMPTROLLER'S OFFICE

COMPLETE ITEMS 6 AND 7

6. AVAILABILITY OF FUNDS

\$ 500,000.00

7. PERFORMED BY



Date Sent to Comptroller's Office:

July 9, 2025

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