



COUNTY OF ERIE

MARK C. POLONCARZ

COUNTY EXECUTIVE

November 21, 2025

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

**RE: Erie County Sewer District No. 8
East Aurora WRRF Electrical Upgrades Project
Construction Inspection Services**

Dear Honorable Members:

Enclosed please find a resolution and accompanying memorandum from the Department of Environment and Planning pertaining to proposed agreement to perform inspection services for Erie County Sewer District No. 8.

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,

Mark C. Poloncarz, Esq.
Erie County Executive

MCP:jf
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. 8
East Aurora WRRF Electrical Upgrades Project
Construction Inspection Services
Date: November 21, 2025

SUMMARY

Award of a professional services agreement with LaBella Associates D.P.C., 300 Pearl Street, Suite 130, Buffalo, NY 14202, in an amount not-to-exceed \$250,000.00 to provide construction inspection services for the Erie County Sewer District (ECSD) No. 8 – East Aurora Water Resource Recovery Facility (WRRF) Electrical Upgrades Project, is requested.

FISCAL IMPLICATIONS

There are no fiscal implications to the County's General Fund. The cost of the engineering work related to this communication will be paid from ECSD No. 8 Capital Reserve Account C.11801.

REASONS FOR RECOMMENDATION

The Erie County Department of Environment and Planning – Division of Sewerage Management (DSM) issued a Request for Proposals (RFP) to retain a firm to provide construction inspection services for the East Aurora WRRF Electrical Upgrades project in ECSD No. 8. Three (3) firms submitted proposals in response to the RFP. A selection committee of three (3) DSM employees – each of whom has an appropriate level of background knowledge on proposal's subject matter – was assembled to review and evaluate the proposals using the established scoring matrix, which includes factors contained in Section 26.08 of the County's Administrative Code. The selection committee met to tabulate scores and discuss the combination of the qualifications and the price proposals. LaBella was determined to be the top-rated respondent.

BACKGROUND INFORMATION

Erie County took over operation of the East Aurora WRRF in 2007. Much of the electrical systems were original to plant upgrades performed in the 1980s. Since 2007, several electrical systems and components have failed, such as the facility emergency generator, facility lighting, emergency transfer equipment, and others. Operation and maintenance staff have been able to fix certain components, but these systems require wholesale replacement and upgrade to mitigate risks and provide long-term, reliable service.

Pursuant to Legislative Comm. 10E-26 (2025), Contract No. 25 – the East Aurora WRRF Electrical Upgrades Project – was awarded by this Honorable Body. Onsite construction of Contract No. 25 improvements will commence in 2026 after long lead time items have been

procured. There is a need to retain the services of an engineering firm to perform construction inspection services for this work. Therefore, the DSM issued a RFP on August 19, 2025.

The following three (3) firms submitted proposals in response to the RFP by the September 25, 2025 deadline: LaBella, Nussbaumer & Clarke, Inc. (N&C), and T.Y. Lin Engineering & Architecture, P.C. (TYLin). A committee of three (3) members was assembled to review and evaluate all submitted proposals using the DSM's established scoring matrix. During an October 20, 2025 selection committee meeting the qualifications rankings, along with the costs from separately sealed price proposals, were discussed.

The members of the review committee noted that the three (3) firms were qualified to complete the work; however, based on a scoring of qualifications LaBella and N&C were the top respondents due to their grasp of scope and their plan to deliver the requested services. All the committee members noted that TYLin seemed to have some misunderstanding of the assignment, which was reflected in the number of labor hours proposed. With TYLin's cost being more than double that of the other respondents, the firm was removed from further consideration.

The majority of the review committee ranked LaBella first based on qualifications. The positive attributes noted by the committee were their continuity with the proposed project as the design engineer, their familiarity with site and construction logistics at this location, a proposed team with clearly defined roles that has successfully delivered construction projects at the WRRF, and more. The review committee members noted N&C did a good job with their proposal, submitting a solid team with relevant inspection-related capabilities. While N&C does not have specific work experience at the East Aurora WRRF, their proposal demonstrated they had successfully completed inspection for other wastewater treatment plant and electrical upgrade projects. N&C fell below LaBella in a few rating criteria. For example, N&C's M/WBE plan included 20-25% utilization, which was short of LaBella's proposed 90% M/WBE utilization. LaBella's utilization percentage was not only superior, but their plan seemed to better integrate the M/WBE subcontractor into the overall team as opposed to an "add-on".

Regarding the difference in cost, for a construction project of this magnitude (almost \$4.3 million) the proposed costs for LaBella and N&C were quite similar. One review committee member noted that LaBella has been very efficient in past projects and may not need some of the labor hours in their proposal. Furthermore, with a single firm responsible for the design and all construction phase services, there would be a benefit to the project. After these discussions it was the unanimous recommendation of the review committee to proceed with LaBella.

CONSEQUENCES OF NEGATIVE ACTION


The ECSD No. 8 will not have construction inspection services for the East Aurora WRRF Electrical Upgrades Project. This could lead to major issues with the quality of the work.

STEPS TO FOLLOW APPROVAL

The County Executive will be requested to execute agreement with LaBella in an amount not to exceed \$250,000.00.

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 appropriations for the action proposed.

Signed  Date 10/31/25
Title Timothy C. Callan, Ph.D.
Deputy Comptroller

**Erie County Sewer District No. 8
East Aurora WRRF Electrical Upgrades Project
Construction Inspection Services
Capital Reserve Account C.11801**

A RESOLUTION SUBMITTED BY
DEPARTMENT OF ENVIRONMENT AND PLANNING

RE: Erie County Sewer District No. 8
East Aurora WRRF Electrical Upgrades Project
Construction Inspection Services

WHEREAS, the County of Erie issued a Request for Proposals to retain an engineering firm to perform construction inspection services associated with the East Aurora Water Resource Recovery Facility (WRRF) Electrical Upgrades Project in Erie County Sewer District No. 8; and

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

WHEREAS, the proposal review committee recommends LaBella Associates D.P.C. to complete the requested consulting services.

NOW, THEREFORE, BE IT

RESOLVED, that the Erie County Legislature hereby authorizes the County Executive or Deputy County Executive to enter into agreement with LaBella Associates D.P.C., 300 Pearl Street, Suite 130, Buffalo, NY 14202, for professional services associated with the East Aurora WRRF Electrical Upgrades Project, 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 for the partial closing of a sum not to exceed \$250,000.00 from Erie County Sewer District No. 8 Capital Reserve Account C.11801 for this professional services agreement; and be it further

RESOLVED, that authorization is hereby provided for the Division of Budget and Management to process a residual equity transfer of up to \$250,000.00 from Erie County Sewer District No. 8 Capital Reserve Account C.11801 to Erie County Sewer District No. 8 Capital Account C.25850, Fund 430, Fund Center 183; and be it further

RESOLVED, that \$250,000.00 be allocated in Erie County Sewer District No. 8 Capital Account C.25850 to fund the project; and be it further

RESOLVED, that the Director of Budget and Management and the County Comptroller are authorized to create and increase estimated revenue and appropriations in Erie County Sewer District No. 8 Capital Account C.25850 by up to \$250,000.00; and be it further

RESOLVED, authorization is hereby provided for the Division of Budget and Management to implement any budget adjustments necessary to facilitate these transfers; and be it further

RESOLVED, that any unused funds be returned to Erie County Sewer District No. 8 Capital Reserve Account C.11801 and the budget be adjusted accordingly based on guidance from the Division of Sewerage Management; 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.

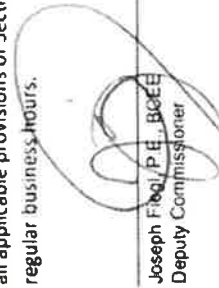


ERIE COUNTY DIVISION OF SEWERAGE MANAGEMENT
ECSD No. 8 E AURORA WRRF - ELECTRICAL UPGRADES CONSTRUCTION INSPECTION
PROPOSAL REVIEW COMMITTEE RATINGS - SUMMARY

DAVID CARLIN ACP
COMMISSIONER
JOSEPH F. BOE, P.E.
DEPUTY COMMISSIONER

	Proposer		TYLin
	LaBella	Nussbaumer & Clarke	
Rater #1	#2	#1	#3
Rater #2	#1	#2	#3
Rater #3	#1	#2	#3
Average Qualifications Scoring	1.33	1.67	3.00
QUALIFICATIONS RANKING	#1	#2	#3
COST	\$249,949.62	\$232,605.52	\$538,228.67
FINAL RANK	#1	#2	#3

It is my opinion in recommending LaBella Associates, D.P.C. (LaBella), that the Erie County Department of Environment and Planning - Division of Sewerage Management (DSM) 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 DSM offices during regular business hours.


Joseph F. Boe, P.E., BCEE
Deputy Commissioner


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

REQUESTING DEPARTMENT

COMPLETE ITEMS 1 THROUGH 5

- | | | |
|----|--------------------|--|
| 1. | CONTRACTOR'S NAME | <u>LaBella Associates</u> |
| 2. | AMOUNT OF CONTRACT | <u>Up to \$250,000</u> |
| 3. | PROJECT NUMBER | <u>C.25850 (C.11801)</u> |
| 4. | PROJECT TITLE | <u>Construction Inspection Services
East Aurora WRRF Electrical Upgrades</u> |
| 5. | DEPARTMENT CONTACT | <u>Beth Pfalzer x6144</u> |

COMPTROLLER'S OFFICE

COMPLETE ITEMS 6 AND 7

- | | | |
|------------------------------------|-----------------------|-------------------------|
| 6. | AVAILABILITY OF FUNDS | <u>\$2,761,395.28</u> |
| 7. | PERFORMED BY | <u>Huy Tran</u> |
| Date Sent to Comptroller's Office: | | <u>October 30, 2025</u> |

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OFFICE OF THE COMPTROLLER REVIEW

DATE: 10/30/2025

PROJECT TITLE: C.11801 ECSD 8 Capital Reserve

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

IF NO, RETURN THIS REQUEST TO THE DEPARTMENT

IF YES, COMPLETE THE FOLLOWING VERIFICATION

2) PROJECT AVAILABLE APPROPRIATION

Total Project Revenues	\$ <u>5,139,474.17</u>
Total Project Appropriations	\$ <u>5,080,456.35</u>
Less: Total Expenditure To Date	\$ <u>2,319,061.07</u>
Less: Total Commitments	\$ <u> </u>
Available Appropriations As Of Date Of Request	\$ <u>2,761,395.28</u>
Less: Transfer to C.25850	\$ <u>250,000.00</u>
Net Available Appropriations	\$ <u>2,511,395.28</u>

Comments: There is \$2,792,126.84 cash in the project. Capital Project C.25850
currently has no budget set up.

Request Approved: Tina C. Allen

Request Denied:

Date: 10/31/25

Project Budget Consumption

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Projects Budget Consumption Report Date: 10/30/2025				
Fund/Group	430	(KCSO & Capital Reserve	()
Funds Center				
Funded Program C.11801				
Commitment Item	Original Budget	Adjustments	Current Budget	Commitment
445030 Int & Equip - Cap Inv	323.00	323.00	323.00	123.23
445033 Int & Equip - Cap Inv	210,133.35	210,133.35	210,133.35	256,450.64
448000 Interfund Trans Sub	4,785,000.00	4,785,000.00	4,785,000.00	4,376,000.00
Revenue	75,000.00	5,005,456.35	5,080,456.35	5,139,474.17
541410 Int & Equip - Cap Inv				2,519,061.07
570000 Interfund Trans Sub	75,000.00	5,005,456.35	5,080,456.35	2,319,061.07
CAPITAL/PROJECTS Capital Project Exp				
Expense	75,000.00	5,005,456.35	5,080,456.35	2,319,061.07
** Commitment Item		1.00	1.00	2,820,413.10

Capital Trial Balance

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Capital Trial Balance				
Fund/Group	430	(KCSO & Capital Reserve	()
Funds Center				
Funded Program C.11801				
Commitment Item	Original Budget	Adjustments	Current Budget	Commitment
445030 Int & Equip - Cap Inv	323.00	323.00	323.00	123.23
445033 Int & Equip - Cap Inv	210,133.35	210,133.35	210,133.35	256,450.64
448000 Interfund Trans Sub	4,785,000.00	4,785,000.00	4,785,000.00	4,376,000.00
Revenue	75,000.00	5,005,456.35	5,080,456.35	5,139,474.17
541410 Int & Equip - Cap Inv				2,519,061.07
570000 Interfund Trans Sub	75,000.00	5,005,456.35	5,080,456.35	2,319,061.07
CAPITAL/PROJECTS Capital Project Exp				
Expense	75,000.00	5,005,456.35	5,080,456.35	2,319,061.07
** Commitment Item		1.00	1.00	2,820,413.10