



COUNTY OF ERIE

MARK C. POLONCARZ

COUNTY EXECUTIVE

February 17, 2026

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

RE: Erie County Sewer District No. 3 Central Region Collections Facility Contract No. 80-B Mechanical Change Order No. 2

Dear Honorable Members:

Enclosed please find a memorandum from the Department of Environment and Planning, Division of Sewerage Management, for the issuance of a change order No. 2 to Quackenbush Co. Inc. under Erie County Sewer District No. 3, Contract No. 80-B Mechanical.

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 in this matter.

Sincerely yours,

Mark C. Poloncarz, Esq.
Erie County Executive

MCP:ms
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 Central Region Collections Facility Contract No. 80-B
Mechanical Quackenbush Co. Inc.
Date: February 17, 2026

SUMMARY

The Erie County Legislature is requested to receive and file this communication pertaining to the Department of Environment and Planning's issuance of a change order (CO) with Quackenbush Co. Inc. for Erie County Sewer District (ECSD) No. 3, Contract No. 80-B in the amount not to exceed \$4,329.00.

FISCAL IMPLICATIONS

There will be no impact to the County's General Fund. The cost of the work related to this communication will be paid from the Sewer Fund Operating Budget; Sewer Professional Services Account 516020 of Erie County Sewer District No. 3.

REASONS FOR RECOMMENDATION

The Division of Sewerage Management has issued CO No. 2 to Quackenbush Co. Inc. to provide additional hazardous material abatement associated with asbestos discovered in decommissioned boilers scheduled for removal as part of the Central Region Collections Facility Project (Project).

BACKGROUND INFORMATION

Contract No. 80-B Mechanical was awarded by your Honorable Body on November 21, 2024 pursuant to Legislative Comm. 16E-17 (2024). The contract includes mechanical and HVAC work associated with construction of the Project. During demolition of the obsolete boiler system in the former treatment plant control building on site, workers discovered possible asbestos in the heat exchangers. Samples were taken and tested positive for asbestos requiring an emergency variance with New York State and additional out-of-scope work for asbestos abatement. This Change Order is for funds to cover the additional efforts with the asbestos abatement that exceed the contingency allowance in the contract.

CONSEQUENCES OF NEGATIVE ACTION

This is a receive and file item.

STEPS TO FOLLOW APPROVAL

This is a receive and file item.

CHANGE ORDER NO.: 2

Owner: Erie County Sewer District (ECSD) No. 3

Owner's Project No.: Contract No. 80-B

Engineer: DiDonato Associates

Engineer's Project No.: 24-3540

Contractor: Quackenbush Co., Inc.

Project Name: Central Region Collections Facility

Contract Name: Mechanical 80-B

Date Issued: 02/02/2026

Effective Date of Change Order: 12/19/2025

The Contract is modified as follows upon execution of this Change Order:

Description:

On 12/4/25 preliminary demolition found possible asbestos in the heat exchanger and samples were taken by Aurora Environmental LLC. On 12/8/25 we were notified that the samples were positive for asbestos and required an emergency variance with NYS. Quackenbush solicited bids for subs, and Epic Contracting Inc. was the low bid for removal at \$29,600 (dated 12/17/25), along with Aurora Environmental LLC costs for sampling, testing, and air monitoring of \$6,260 (dated 12/26/25). Quackenbush had demo labor, project management, and overhead and profit bringing the total to \$44,239, exceeding the contingency allowance of \$40,000 (also see CAA-1 revised).

This Change Order covers the additional efforts with the asbestos abatement that exceed the contingency allowance.

Attachments:

CAA-1: Request for Change No. MC 01 (and all associated attachments with the RFC).

CAA-1 revised: Asbestos abatement proposal for boiler removal (and all associated attachments).

Change in Contract Price	Change in Contract Times
Original Contract Price: \$ 784,000.00	Original Contract Times: Substantial Completion: NA Ready for final payment: 11/16/2025
Increase from previously approved Change Order No. 1 to No. 2 \$ 4,329.00	NA from previously approved Change Order No.1 to No. NA: Substantial Completion: NA Ready for final payment: NA
Contract Price prior to this Change Order: \$ 784,000.00	Contract Times prior to this Change Order: Substantial Completion: NA Ready for final payment: 02/16/2026
Increase this Change Order: \$ 4,329.00	NA this Change Order: Substantial Completion: NA Ready for final payment: 02/16/2026
Contract Price incorporating this Change Order: \$ 788,329.00	Contract Times with all approved Change Orders: Substantial Completion: NA Ready for final payment: 02/16/2026

Modified EJCDC® C-941, Change Order.

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Requested by Contractor

Recommended by Engineer (if used)

By: _____
Name Adrian Quackenbush
Title: President
Date: _____

Michael Banks, AIA
LEED AP – Architect

Reviewed by Owner

Authorized by Owner

By: _____
Name Angela M. Horton, P.E.
Title: Senior Sanitary Engineer
Date: _____

Joseph L. Fiegl, P.E., BCEE
Deputy Commissioner – Div Sewerage Mngmt

Funding Agency Approval (if used)

By: NA
Name _____
Title: _____
Date: _____

Erie County Legislature R&F Comm # _____ Date _____

Erie County Sewer District No. 3 Board of Managers R&F Date _____