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COUNTY OF ERIE

MARK C. POLONCARZ

COUNTY EXECUTIVE

March 6, 2026

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

**RE: Erie County Sewer District No. 3
Southtowns Advanced Wastewater Treatment Facility Ash Landfill Reclamation
Contract No. 82 Contract Close Out – Union Concrete & Construction Corp.**

Honorable Members:

Enclosed please find a memorandum from the Department of Environment and Planning pertaining to close out of Erie County Sewer District No. 3, Contract No. 82 with Union Concrete & Construction Corp.

Should your Honorable Body require further information, I encourage you to contact the Department of Environment and Planning. Thank you for your consideration on this matter.

Sincerely,

Mark C. Poloncarz, Esq.
Erie County Executive

Enclosure

MCP:mp

cc: J. Fiegl - Environment and Planning

MEMORANDUM

To: Honorable Members of the Erie County Legislature
From: Department of Environment and Planning
Re: Erie County Sewer District No. 3
Southtowns Advanced Wastewater Treatment Facility Ash Landfill Reclamation
Contract No. 82 Close Out – Union Concrete & Construction Corp.
Date: March 6, 2026

SUMMARY

Acceptance and approval of Contract No. 82 in the final contract amount of \$1,715,992.05 together with Change Order No. 1 (Final), a decrease of \$303,724.45, as well as authorization to issue final payment to the contractor, Union Concrete & Construction Corp., is requested.

FISCAL IMPLICATIONS

There will be no impact on the County's General Fund. The funds for this contract were allocated from Erie County Sewer District No. 3 Capital Bond Account No. C.17301. No additional funding is requested.

REASONS FOR RECOMMENDATION

All scheduled improvements required by the contract documents have been completed. As a result, it is the Department's recommendation to finalize this contract.

BACKGROUND INFORMATION

Contract No. 82 bids were opened on June 20, 2025, and awarded by the Erie County Legislature on July 24, 2025, pursuant to Legislative Comm. 9E-23 (2025). The project consisted of removal of inert compounds from a registered landfill cell at the Southtowns Advanced Wastewater Treatment Facility in Erie County Sewer District No. 3 and reclaiming the land for other uses. This project was completed according to New York State Department of Environmental Conservation oversight and regulations. The Change Order No. 1 (Final) will reduce the Contract amount with an adjustment of quantities. All funding was reviewed by the Erie County Comptroller's Office prior to various actions by the Erie County Legislature.

CONSEQUENCES OF NEGATIVE ACTION

Contract default on the part of the County of Erie could be claimed by the Contractor.

STEPS FOLLOWING APPROVAL

The County of Erie will execute the final change order and make a final payment to Union Concrete & Construction Corp.

A RESOLUTION SUBMITTED BY
DEPARTMENT OF ENVIRONMENT AND PLANNING

RE: Erie County Sewer District No. 3
Southtowns Advanced Wastewater Treatment Facility Ash Landfill Reclamation Project
Contract No. 82 Close Out – Union Concrete & Construction Corp.

WHEREAS, pursuant to Legislative Comm. 9E-23 (2025), Contract No. 82 was awarded to Union Concrete & Construction Corp. for general construction associated with the Southtowns Advanced Wastewater Treatment Facility Ash Landfill Reclamation Project in Erie County Sewer District No. 3; and

WHEREAS, the Erie County Division of Sewerage Management has advised that all scheduled improvements are now completed; and

WHEREAS, the Erie County Department of Environment and Planning has recommended the acceptance of Contract No.82, in the final contract amount of \$1,715,992.05 which includes Change Order No. 1 (Final), a decrease of \$303,724.45, and recommends approval for final payment.

NOW, THEREFORE BE IT

RESOLVED, that the Erie County Legislature hereby authorizes Contract No. 82 between the County of Erie and Union Concrete & Construction Corp. (435 Meyer Road, West Seneca, New York 14224) be accepted in the final contract amount of \$1,715,992.05 which includes Change Order No. 1 (final), a decrease of \$303,724.45; and be it further

RESOLVED, that authorization is hereby given to the Erie County Comptroller to make final payment for Contract No. 82 to Union Concrete & Construction Corp. for a total contract amount of \$1,715,992.05; and be it further

RESOLVED, that certified copies of this resolution will be forwarded to the Erie County Executive's Office, Comptroller's Office, Division of Budget and Management, Department of Law, and Division of Sewerage Management.