



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. 2
North Creek PS Backup Battery Energy Storage System Project
Contract No. 104 Close Out
MORS Service Group LLC**

Dear Honorable Members:

Enclosed please find an accompanying memorandum and proposed resolution from the Department of Environment and Planning, Division of Sewerage Management, pertaining to the close out of the North Creek Pumping Station (PS) Backup Battery Energy Storage System Project, Erie County Sewer District No. 2, Contract No. 104 with MORS Service Group LLC.

Should your honorable body require further information, I encourage you to contact Joseph Fiegl, P.E. in the Department of Environment and Planning. Thank you for your consideration on this matter.

Sincerely yours,

Mark C. Poloncarz, Esq.
Erie County Executive

Enclosure

MCP:amh

C: 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. 2
North Creek PS Backup Battery Energy Storage System Project
Contract 104 Close Out
MORS Service Group LLC
Date: March 6, 2026

SUMMARY

Acceptance and approval of Contract 104, the North Creek Pumping Station (PS) Backup Battery Energy Storage System Project, in the final contract amount of \$131,425.13 together with Change Order No. 1 (final), a decrease of \$2,595.31, as well as authorization to issue final payment to the contractor, MORS Service Group LLC, is requested.

FISCAL IMPLICATIONS

There will be no impact on the County's General Fund. Partial funding of \$50,000 for the project was paid from the approved operating budget under the Climate Action Fund – Fund 110, Fund Center 162 (GL Account 516310) and Erie County Sewer District (ECSD) No. 2 Capital Bond Account C.17201 – Fund 430, Fund Center 182. 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. 104 was bid on June 18, 2025, and awarded by the Erie County Legislature pursuant to Legislative Comm. 10E-27 (2025). This contract involved the installation of a backup battery energy storage system at the North Creek PS in ECSD No. 2. The backup system provides emergency power to the pumping station during grid outages, replacing a diesel generator that no longer could be repaired. 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 Contactor.

STEPS FOLLOWING APPROVAL

The County of Erie will execute the final change order and make a final payment to MORS Service Group LLC.

A RESOLUTION SUBMITTED BY
DEPARTMENT OF ENVIRONMENT AND PLANNING

RE: Erie County Sewer District No. 2
North Creek PS Backup Battery Energy Storage System Project
Contract No. 104 Close Out
MORS Service Group LLC

WHEREAS, pursuant to Legislative Comm. 10E-27 (2025), Contract 104 was awarded to MORS Service Group LLC to construct the North Creek Pumping Station (PS) Backup Battery Energy Storage System in Erie County Sewer District No. 2; and

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

WHEREAS, the Erie County Department of Environment and Planning has recommended the acceptance of Contract 104 in the final contract amount of \$131,425.13, which includes Change Order No. 1 (final), a decrease of \$2,595.31, and recommends approval for final payment.

NOW, THEREFORE, BE IT

RESOLVED, that the Erie County Legislature hereby authorizes that Contract No. 104 between the County of Erie and MORS Service Group LLC (1001 East Delevan Ave., Suite 20, Buffalo, NY 14215) is accepted in the final contract amount of \$131,425.13 which includes Change Order No. 1 (final), a decrease of \$2,595.31; and be it further

RESOLVED, that authorization is hereby given to the Erie County Comptroller to make final payment for Contract 104 to MORS Service Group LLC for a total contract amount of \$131,425.13; 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 the Division of Sewerage Management.