



# COUNTY OF ERIE

**MARK C. POLONCARZ**

COUNTY EXECUTIVE

March 20, 2026

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

**RE: Erie County Sewer District No. 3 Southtowns AWTF Phase 1 and Phase 2  
Expansion Project Amendment No. 3.A Arcadis of New York, Inc.**

Dear Honorable Members:

Enclosed please find a memorandum from the Department of Environment and Planning pertaining to Amendment No. 3.A to the Arcadis of New York, Inc. agreement for the Southtowns AWTF Phase 1 and Phase 2 Expansion Project.

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. 3.A Southtowns AWTF Phase 1 and Phase 2 Expansion Project Amendment No. 3.A Arcadis of New York, Inc.  
**Date:** March 20, 2026

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### **SUMMARY**

The Erie County Legislature is requested to receive and file this correspondence pertaining to an amendment to the professional services agreement with Arcadis of New York, Inc. (Arcadis) for additional engineering scope related to Phase 2 of the Southtowns Advanced Wastewater Treatment Facility (AWTF) Expansion Project in Erie County Sewer District (ECSD) No. 3. The amendment reallocates \$346,510 as follows:

- \$91,510 from Phase 2, Task 3B – General Services During Construction to Phase 1, Task 2 – Design Documents,
- \$70,000 from Phase 2, Task 3B – General Services During Construction to Phase 1, Task 3B – General Services During Construction,
- \$85,000 from Phase 2, Task 3B – General Services During Construction to Phase 2, Task 3BB – Ash Drying Facility Reclamation General Services During Construction, and
- \$100,000 from Phase 2, Task 3B – General Services During Construction to Phase 2, Task 3BC – Pre Phase 2 Electrical Upgrades General Services During Construction.

### **FISCAL IMPLICATIONS**

There will be no impact to the County's General Fund. This amendment constitutes a reallocation of budget under existing Legislative authorizations for the professional services agreement with Arcadis. No additional funds are requested.

### **REASONS FOR RECOMMENDATION**

As part of the Southtowns AWTF Expansion Project – Phase 2 engineering effort, several additional out of scope items were required to address plant operations and constructability/scheduling concerns, to leverage and maximize grant funding opportunities, to optimize site usage to reduce construction costs, and to provide supplemental engineering services during construction for the related additional work. An amendment to Arcadis's engineering services agreement is necessary to compensate the firm for this extra scope. The additional budget for this work will be funded by reallocating authorization designated for future tasks in Arcadis's professional services agreement.

### **BACKGROUND INFORMATION**

The Erie County Legislature passed a resolution [Comm. 15E-8 (2021)] authorizing an agreement with Arcadis for the Erie County Sewer District No. 3 Southtowns AWTF Phase 1 and Phase 2 Expansion Project. The Erie County Division of Sewerage Management (ECDSM) has been working with Arcadis to provide engineering services associated with the expansion

project. Construction of Phase 1 improvements is almost complete, and Arcadis is finalizing design documents for the Phase 2 improvements.

During the course of project planning and the construction of Phase 1 improvements, several necessary changes in scope were identified, as follows:

- **ORFI Pipe Relocation:** Moving the overflow retention facility influent (ORFI) pipe relocation from Phase 2 to Phase 1 allows Phase 2 to proceed unhindered by weather constraints related to the ORFI work, thereby reducing project duration and saving time. Furthermore, by completing this work in Phase 1 it may be funded, in part, by a New York State Environmental Facilities Corporation grant for the Phase 1 improvements. To implement this change, additional design and general services during construction were required.
- **Ash Drying Facility Reclamation:** The Ash Drying Facility Reclamation project entirely removed an existing closed landfill, thus eliminating the associated post-closure operation and maintenance obligations, and allowing the area to be used for other, unrestricted purposes. The intended short-term use for the reclaimed landfill footprint is to temporarily stockpile and stage soil materials from the excavation associated with Phase 2 construction, thereby providing construction efficiencies when compared to offsite soils management. To implement this change, additional general services during construction were required.
- **Pre Phase 2 Electrical Upgrades Project:** Pre-Phase 2 electrical upgrades were identified in a high-level needs assessment. The upgrades will provide greater resiliency by improving the electrical systems of the AWTF. At the same time, these upgrades expedite installation of electrical equipment to mitigate the effects of long lead times and simplify sequencing of Phase 2 construction work. To implement these changes, additional general services during construction will be required.

The scope of Arcadis's original agreement did not include these design or construction phase services that enhanced constructability, maximized grant funding, advanced the project schedule, and optimized site usage. As a result, the ECDSM worked with Arcadis to re-scope the Phase 2 engineering services, shifting \$346,510 from Phase 2 Task 3B – Design Services During Construction to other tasks in the agreement. When the Phase 2 construction project is bid and the contract is awarded, a request for additional authorization for engineering work during the construction will be requested from Your Honorable Body as needed.

## **CONSEQUENCES OF NEGATIVE ACTION**

This is a receive and file item.

## **STEPS FOLLOWING APPROVAL**

This is a receive and file item.

ERIE COUNTY DEPARTMENT ENVIRONMENT & PLANNING  
DIVISION OF SEWERAGE MANAGEMENT  
ENGINEERING/AMENDMENT

AMENDMENT NO. 3.A DATE: March 6, 2026 SHEET 1 OF 1  
CONTRACT NO. A/E Agreement FILE NO. 3.3.2.ST Expansion

PROJECT: Erie County Sewer District No. 3 Engineering Agreement  
- Additional Southtowns Expansion Project Phase 2 Engineering  
Services.

ENGINEER'S NAME: Arcadis of New York, Inc.

ENGINEER'S ADDRESS: 50 Fountain Plaza, Suite 360, Buffalo, New  
York 14202

DESCRIPTION OF CHANGE TO CONTRACT:

Arcadis will provide the additional Engineering Services as  
detailed in their letter dated March 6, 2026.

PAYMENT:

No additional authorization is provided at this time:

Original Contract and Existing Amendments	\$ 9,588,145.55
Amendment No. 3.A	\$ <u>0.00</u>
Revised Total Amount	\$ 9,588,145.55

AUTHORIZATION

ENGINEER \_\_\_\_\_ DATE \_\_\_\_\_

ENGINEER \_\_\_\_\_ DATE \_\_\_\_\_

David Millar, P.E.  
Asst. Deputy Commissioner

COUNTY OF ERIE \_\_\_\_\_ DATE \_\_\_\_\_

Joseph Fiegl, P.E., BCEE  
Deputy Commissioner

ORIGINAL LEGISLATURE APPROVAL October 21, 2021, Comm. 15E-8(2021)

MAS:

Cc: J. Fiegl/D. Millar/M. Salah/3.3.2.ST Expansion