



COUNTY OF ERIE

MARK C. POLONCARZ

COUNTY EXECUTIVE

March 20, 2026

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

**Re: Replacement of Culverts in Erie County – Group 1 Contract for Construction
Towns of Concord, Collins, and West Seneca ECDPW Project No. CAP-Culv
Grp1-2026**

Dear Honorable Members:

This resolution requests authorization for the County Executive to enter a contract with Legend Excavating LLC for the Replacement of Culverts in Erie County – Group 1. Bids were received by the Department of Public Works on January 22, 2026.

Should your Honorable Body require further information, I encourage you to contact Commissioner William E. Geary at the Department of Public Works. Thank you for your consideration on this matter.

Sincerely yours,

Mark C. Poloncarz, Esq.
Erie County Executive

MCP/gmw
Enclosure

cc: William Geary, Commissioner, Department of Public Works

MEMORANDUM

To: Honorable Members of the Erie County Legislature
From: Department of Public Works
Re: Replacement of Large Culverts– Group 1 Contract for Construction Towns of Concord, Collins, and West Seneca ECDPW Project No. CAP-Culv Grp 1-2026
Date: March 20, 2026

SUMMARY

The Department of Public Works (DPW) is seeking authorization for the County Executive to enter a construction contract with Legends Excavating LLC and to establish a project contingency. These contracts and contingency are for the Replacement of Large Culverts – Group 1 in the Towns of Concord, Collins, and West Seneca. The scope of this project is to replace large culverts and restore the pavement. Bids for the subject Project were received by the Department of Public Works on January 22, 2026.

FISCAL IMPLICATIONS

Funds for the project are currently available from the approved Capital Budget, Funds Center 420, Fund 123, as follows:

B.25008 – 2025 Preservation of Large Culverts, Construction: \$2,000,000.00

The contract with Legends Excavating LLC: \$1,456,095 with a project contingency in the amount of \$543,905 with the total budget not to exceed \$2,000,000.00.

REASONS FOR RECOMMENDATION

Award to Legend Excavating LLC for construction is recommended to allow a timely start to construction and project.

BACKGROUND INFORMATION

This project involves the replacement of culverts CIN 419-01B, Belscher Road over Tributary of Spooner Creek in the Town of Concord, CIN 487-03, Jennings Road over Tributary to Clear Creek in the Town of Collins, and CIN 154-01, Lein Road over Tributary to Buffalo Creek in the Town of West Seneca. These culverts are showing significant signs of deterioration, and all received a Culvert Rating of 3 (out of 7) on the most recent inspection report (2020 & 2023). The project objectives are to replace the culverts and restore the pavement in the area.

CONSEQUENCES OF NEGATIVE ACTION

If this project is not completed, there will be continued deterioration of the culverts and road surface, increased maintenance responsibilities, and possible road closure.

STEPS FOLLOWING APPROVAL

Upon Legislative approval, the County Executive will enter a contract with the lowest responsible bidder for construction. Once the contract is executed construction work will begin immediately thereafter.

COMPTROLLER'S OFFICE REVIEW

The proposed legislation 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.

Timothy C. Callan 1/7/26

Timothy C. Callan
Deputy Comptroller
Comptroller's Office

B.25008 – 2025 Preservation of Large Culverts, Construction

A RESOLUTION SUBMITTED BY:
DEPARTMENT OF PUBLIC WORKS

RE: Replacement of Culverts in Erie County – Group 1 Contract for Construction
Towns of Concord, Collins, and West Seneca ECDPW Project No. CAP-Culv
Grp 1-2026

WHEREAS, it is necessary to replace culverts CIN 419-01B (Belscher Road over Tributary of Spooner Creek) in the Town of Concord, CIN 487-03 (Jennings Road over Tributary to Clear Creek) in the Town of Collins, and CIN 154-01 (Lein Road over Tributary to Buffalo Creek) in the Town of West Seneca, including pavement restoration; and

WHEREAS, the Department of Public Works (DPW) desires to advance to construction of the project with the accepting of bids and the award of a construction contract; and

WHEREAS, the necessary funds for the construction contract and contingency are available in Fund 420, Funds Center 123, Capital Project B.25008 – 2025 Preservation of Large Culverts, Construction.

NOW, THEREFORE, BE IT

RESOLVED, that the Erie County Legislature hereby authorizes the County Executive or Deputy County Executive to enter a contract with Legend Excavating LLC in an amount of \$1,465,095; and be it further

RESOLVED, that authorization is given for the sum of \$543,905 be allocated to a Project Contingency Fund with authorization for the County Executive or Deputy County Executive to approve change orders and amendments in an amount not to exceed the Contingency Fund; and be it further

RESOLVED, that sufficient funding for the Replacement of Large Culverts – Group 1 is available in Fund 420, Fund Center 123 in B.25008 – 2025 Preservation of Large Culverts, Construction \$2,000,000.00; and be it further

RESOLVED, that authorization is hereby given to the County Executive to execute any necessary change orders, amendments to contracts and agreements; and be it further

RESOLVED, that authorization is hereby given to the Division of Budget and Management to make any technical adjustments necessary to effectuate this resolution; and be it further

RESOLVED, that three certified copies of this resolution be sent to the Department of Public Works, Commissioner's Office, and one copy each to the County Executive's Office, Comptroller's Office and Division of Budget and Management.

TO: TIMOTHY CALLAN, 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 Legend Excavating LLC
2. AMOUNT OF CONTRACT Legend Excavating LLC \$ 1,456,095
Contingency \$ 543,905
3. PROJECT NUMBER B.25008
4. PROJECT TITLE Replacement of Culverts in Erie County –
Group 1
5. DEPARTMENT CONTACT Funding questions: Darlene Svilokos at x7801
Letter pickup: Christy Weber at x8301

COMPTROLLER'S OFFICE

COMPLETE ITEMS 6 AND 7

6. AVAILABILITY OF FUNDS \$ 2,000,000.00
 7. PERFORMED BY 
- Date Sent to Comptroller's Office: January 7, 2026

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