



COUNTY OF ERIE

MARK C. POLONCARZ

COUNTY EXECUTIVE

April 24, 2026

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

RE: Buffalo & Erie County Public Library Downtown Branch Roof Replacement - Mechanical Contract

Dear Honorable Members:

This resolution is requesting authorization for the County Executive to enter into a contract with the lowest responsible bidders for the Mechanical Contract related to the Buffalo & Erie County Public Library Downtown Branch Roof Replacement Project. Bid openings were previously held by the Department of Public Works on December 11, 2025, and January 22, 2026. Only General Construction and Plumbing Construction bids were received on December 11, 2025 and were awarded per COMM 4E-16 (2026). No responsible Mechanical bids were received for either bid opening date.

In accordance with General Municipal Law 103, the Department of Public Works has received a bid for the Mechanical scope of work related to the above-referenced project. The Department of Public Works is requesting authorization for the County Executive to award a contract to John W Danforth Company in an amount not to exceed \$298,654.

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

Sincerely yours,

Mark C. Poloncarz, Esq.
Erie County Executive

MCP/rb

Enclosure

Cc: William E. Geary, Jr., Commissioner, Department of Public Works

MEMORANDUM

To: Honorable Members of the Erie County Legislature
From: Department of Public Works
Re: Buffalo & Erie County Public Library Downtown Branch Roof Replacement - Mechanical Contract
Date: April 24, 2026

SUMMARY

The Department of Public Works (DPW) is seeking authorization for the County Executive to enter into contract with John W Danforth Company for the Mechanical Contract related to the Buffalo & Erie County Public Library (BECPL) Downtown Branch Roof Replacement project, located at the BECPL Downtown Library Branch.

General Construction and Plumbing bids were received by the Department of Public Works on December 11, 2025 and were approved according to COMM 4E-16 (2026). There were no responsible Mechanical bids received at this bid opening and therefore, the Mechanical Contract for this project was re-bid on January 22, 2026 and again received no responsible bids for the Mechanical Contract. Therefore, in conformance with General Municipal Law (GML) 103, the Department of Public Works (DPW) along with our consultants, solicited bids from mechanical contractors directly as allowed under GML 103 since these contracts were publicly bid twice previously with no responsible bids received.

This project is a full tear-off renovation of the roofing system at the BECPL Downtown Branch. Project scope includes removal and installation of roofing insulation and membrane and the installation of a vegetative roofing system.

Also included in the is project will be the use of Watts Architecture and Engineering through the Countywide Hazardous Materials On-Call Contract , previously approved per COMM 13-E-10 (2022), to provide air monitoring services ensuring the safety of all building occupants.

FISCAL IMPLICATIONS

Funds for the project are currently available from the approved Capital Budget, Funds Center 122, Fund 490, as follows:

F.25002 – BEC Library – Various Building Exterior Improvements \$ 298,654

REASON FOR RECOMMENDATION

This project is necessary to replace the aging and, in some locations, failing roofing system. The Department of Public Works has received a bid for the Mechanical portion of work related to the above-referenced project. It is necessary that this approval be granted so that a contract can be awarded immediately and not further delay the project during the short construction season.

BACKGROUND INFORMATION

The Downtown Branch Library has a roof that is approximately 26 years old and has reached the end of its lifespan. A recent scan has shown some locations that have increased moisture indicating that the roofing membrane is leaking. Additionally, the Department of Public Works has received a \$3 million grant to incorporate vegetative roofing into the construction of this roof. This will provide immediate stormwater benefits and extend the lifespan of the roofing system. The General Construction and Plumbing Contracts resolution was uploaded separately.

CONSEQUENCES OF NEGATIVE ACTION

If this roofing project is not completed, it would prevent the water-tight integrity of the Library's roof and have devastating consequences for the Library's collections.

STEPS FOLLOWING APPROVAL

Upon Legislative approval, the County Executive will enter into a contract with the John W Danforth Company for the mechanical scope of the project.

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.

 3/20/26
Timothy C. Callan
Deputy Comptroller
Comptroller's Office

F.25002 – BEC Library – Various Building Improvements

Buffalo & Erie County Public Library Downtown Branch Roof Replacement

A RESOLUTION SUBMITTED BY:
DEPARTMENT OF PUBLIC WORKS

RE: Buffalo & Erie County Public Library Downtown Branch Roof Replacement

WHEREAS, the existing roof system at Buffalo & Erie County Public Library Downtown Branch has significantly deteriorated, and full roof system replacement is warranted to avoid any further damage to integrity of the building; and

WHEREAS, the County of Erie received General Construction and Plumbing bids for the Project on December 11, 2025, but did not receive any responsible Mechanical Construction bids at that time; and

WHEREAS, approval was provided per COMM 4E-16 (2026) to award to the lowest responsible bidder for the General Construction and Plumbing Contracts; and

WHEREAS, the Mechanical Construction portions of work were promptly re-bid, but the County of Erie did not receive any responsible bids on January 22, 2026; and

WHEREAS, in conformance with General Municipal Law (GML) 103, the Department of Public Works is permitted to negotiate directly with contractors to award the work since no bids were received for two consecutive publicly advertised bids for the Mechanical Construction scope of work; and

WHEREAS, the Department of Public Works has already initiated discussions with contractors per GML 103 as noted above and reached an agreement with John W Danforth Company for \$223,654 to perform the work in the specified scope; and

WHEREAS, the original construction of the Central Library Building includes an open-plenum at the roof level containing known non-encapsulated Asbestos-Containing Material (ACM) within the plenum while circulating air throughout the entire building during normal operation; and

WHEREAS, while this condition does not present an immediate hazard unless disturbed, quarterly monitoring is currently being performed to ensure the existing conditions remain unchanged as well as to ensure the building is safe for all public and employees to occupy; and

WHEREAS, quarterly monitoring is currently being performed by Watts Architecture and Engineering as the Countywide Hazardous Material On-call Term Consultant having the knowledge and expertise to perform these services as previously approved per COMM 13-E-10 (2022); and

WHEREAS, to ensure safety of all occupants of the building, daily air monitoring will be required throughout construction to confirm the construction activities related to this project do not disturb the non-encapsulated ACM within the plenum; and

WHEREAS, all contractors are required to submit a Health and Safety Plan to include protocols in the event of confirmed elevated ACM within the building based on the air monitor sampling being done until it is confirmed construction activities are safe to proceed.

NOW, THEREFORE, BE IT

RESOLVED, that the Erie County Legislature hereby authorizes the County Executive or Deputy County Executive to enter into contracts with John W Danforth Company for the Mechanical contract related to the Buffalo & Erie County Public Library Downtown Branch Roof Replacement project for an amount not to exceed \$223,654; and it be further

RESOLVED, that authorization is hereby given to the County Executive or Deputy County Executive to enter into contract amendment with Watts Architecture and Engineering to provide the daily air monitoring services related to the Buffalo & Erie County Public Library Downtown Branch Roof Replacement project for an amount not to exceed \$75,000.00; and it be further

RESOLVED, the sum of \$542,869.00 in Construction Contingency Funds were previously designated for the Buffalo & Erie County Public Library Downtown Branch Roof Replacement Project per COMM 4E-16 (2026) and is authorized to be used for all contracts associated with the Buffalo & Erie County Public Library Downtown Branch Roof Replacement Project; and be it further

RESOLVED, that change order reductions will result in these funds being returned to the Construction Contingency Fund; and be it further

RESOLVED, that authorization is hereby given to the Comptroller's Office to make payment for the above from Fund 490, Funds Center 122, Capital Project F.25002 – 2025 Buffalo & Erie County Public Library Various Building Improvements - \$298,654.00; and be it further

RESOLVED, that two 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, the Division of Budget and Management.

TO: TIMOTHY C. 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 | HazMat - Watts Architecture and Engineering
<u>Mechanical Contract - John W Danforth Company</u> |
| 2. | AMOUNT OF CONTRACT | Watts Architecture and Engineering \$75,000.00
<u>John W Danforth \$223,654.00</u> |
| 3. | PROJECT NUMBER | <u>F.25002 - \$298,654</u> |
| 4. | PROJECT TITLE | <u>BECPL Downtown Branch Roof Replacement</u>
Funding questions: Kristofer Straus #7294 |
| 5. | DEPARTMENT CONTACT | <u>Letter pickup: Christy Weber at 8301</u> |

COMPTROLLER'S OFFICE

COMPLETE ITEMS 6 AND 7

- | | | |
|------------------------------------|-----------------------|--|
| 6. | AVAILABILITY OF FUNDS | <u>\$3,500,000.00</u> |
| 7. | PERFORMED BY | <u></u> |
| Date sent to Comptroller's Office: | | <u>03/20/2026</u> |

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