



# COUNTY OF ERIE

**MARK C. POLONCARZ**

COUNTY EXECUTIVE

May 8, 2026

Erie County Legislature  
92 Franklin Street, 4<sup>th</sup> Floor  
Buffalo, New York 14202

**Re: Rehabilitation of Borden Rd (CR322) – Phase 3 from Seneca Creek Rd (CR325) to French Rd (CR321) Contracts for Construction and Construction Period Engineering Services Towns of Cheektowaga and West Seneca ECDPW Project No. CAP-322-26**

Dear Honorable Members:

This resolution requests authorization for the County Executive to enter a construction contract with Concrete Applied Technologies Corp. dba CATCO for the Rehabilitation of Borden Rd (CR322) from Seneca Creek Rd (CR325) to French Rd (CR321). This resolution further requests authorization for the County Executive to enter amendments, for construction period engineering services and for additional engineering design services, with Bergmann Associates, Architects, Engineers, Landscape Architects & Surveyors, D.P.C. (Bergmann).

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:** Rehabilitation of Borden Rd (CR322) – Phase 3 from Seneca Creek Rd (CR325) to French Rd (CR321) Contracts for Construction and Construction Period Engineering Services Towns of Cheektowaga and West Seneca ECDPW Project No. CAP-322-26  
**Date:** May 8, 2026

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## **SUMMARY**

The Department of Public Works (DPW) is seeking authorization for the County Executive to enter into a construction contract with Concrete Applied Technologies Corp. (CATCO), the lowest responsible bidder, for the Rehabilitation of Borden Rd (CR322) from Seneca Creek Rd (CR325) to French Rd (CR321); to enter an amendment with Bergmann Associates, Architects, Engineers, Landscape Architects & Surveyors, D.P.C. (Bergmann) for construction period engineering services (construction inspection and construction administration); and to establish a project contingency to be utilized for Borden Road Construction Projects.

DPW is also seeking authorization for the County Executive to enter an amendment with Bergmann for additional engineering design services.

The scope of this project includes rehabilitation of pavement, drainage infrastructure replacement, sanitary sewer replacement, curb ramp installation, bridge rehabilitation, curb and gutter replacement, and new signs and pavement markings.

## **FISCAL IMPLICATIONS**

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

B.18023 – 2018 Various Roads Reconstruction	\$ 102,179.24 - CI/CA
B.21102 – Pres of Rds - Borden Ph 1 Const	\$ 16,384.31 - CI/CA
B.21162 – 2021 Pres of Rds Design Borden Ph 2&3	\$ 86,000.00 - Add. Design
B.23002 – 2023 Pres of Rds Construction	\$ 111,443.22 - CI/CA
B.25009 – 2025 Pres of Rds Construct – Borden Rd	<u>\$7,497,700.00</u> - Const., CI/CA,Cont.
	\$7,813,706.77

The construction contract with CATCO is \$6,654,641. The amendment with Bergmann for construction period engineering services (construction inspection and construction administration) is estimated to be \$771,000. The project contingency is to be \$302,065.77. The amendment with Bergmann for additional engineering design services is estimated to be \$86,000.00. Giving a total budget not to exceed \$7,813,706.77.

## **REASONS FOR RECOMMENDATION**

Award to the lowest responsible bidder for construction is recommended to allow a timely start to construction and project completion within the 2026 construction season. Bergmann, the

project design engineer, is recommended for project construction inspection and administration services.

### **BACKGROUND INFORMATION**

This project involves the rehabilitation of Borden Rd (CR322) from Seneca Creek Rd (CR325) to French Rd (CR321). Borden Road shows signs of pavement distress and poor drainage. Borden Road has a Road Score of 7 (2025), along with a daily traffic count of 6,000 vehicles. The project objectives are to correct identified pavement deficiencies with a two-course mill and overlay, curb and gutter replacement and replacement of the stormwater drainage thus creating a structurally sound roadway. Additional incidental work includes sanitary sewer replacement, curb ramp installation, bridge rehabilitation, and new signs and pavement markings.

### **CONSEQUENCES OF NEGATIVE ACTION**

If this project is not completed, there will be continued deterioration of the road surface, drainage issues and failures, decreased rideability and increased maintenance responsibilities.

### **STEPS FOLLOWING APPROVAL**

Upon Legislative approval, the County Executive will enter into a contract amendment with the design firm, Bergmann for construction administration and inspection, and a contract with CATCO, the lowest responsible bidder for construction. Once the contracts are 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.

 4/10/24

Timothy C. Callan  
Deputy Comptroller  
Comptroller's Office

File Copy (CAP-322-26 / Reconstruction of Borden Road)

- B.18023 – 2018 Various Roads Reconstruction
- B.21102 – Pres of Rds - Borden Ph 1 Const
- B.21162 – 2021 Pres of Rds Design Borden Ph 2&3
- B.23002 – 2023 Pres of Rds Construction
- B.25009 – 2025 Pres of Rds Construct – Borden Rd

A RESOLUTION SUBMITTED BY:  
DEPARTMENT OF PUBLIC WORKS

RE: Rehabilitation of Borden Rd (CR322) from Seneca Creek Rd (CR325) to French Rd (CR321) Contracts for Construction and Engineering Services During Construction Towns of Cheektowaga and West Seneca ECDPW Project No. CAP-322-26

WHEREAS, it is necessary to rehabilitate Borden Rd (CR322) from Seneca Creek Rd (CR325) to French Rd (CR321), including a two-course pavement mill and overlay, drainage infrastructure replacement, sanitary sewer replacement, curb ramp installation, bridge rehabilitation, curb and gutter replacement, and new signs and pavement markings.; and

WHEREAS, the Erie County Legislature previously approved participation in the Project via Comm. 15E-12 dated July 23, 2020; and

WHEREAS, the Department of Public Works (DPW) received bids for the construction of this project on March 5, 2026; and

WHEREAS, it is desired to execute a construction contract with Concrete Applied Technologies Corp. dba CATCO, the lowest responsible bidder; and

WHEREAS, it is desired to execute an amendment with Bergmann Associates, Architects, Engineers, Landscape Architects & Surveyors, D.P.C. (Bergmann) for construction period engineering services (construction inspection and construction administration); and

WHEREAS, the necessary funds for the construction contract with CATCO; the amendments for additional engineering design services and construction period engineering services with Bergmann; and the project contingency are \$7,813,706.77, and are available in Fund 420, Funds Center 123, Capital Project B.18023 – 2018 Various Roads Reconstruction, B.21102 – Pres of Rds - Borden Ph 1 Const, B.21162 – 2021 Pres of Rds Design Borden Ph 2&3, B.23002 – 2023 Pres of Rds Construction, and B.25009 – 2025 Pres of Rds Construct – Borden Rd.

NOW, THEREFORE, BE IT

RESOLVED, that the Erie County Legislature hereby authorizes the County Executive or Deputy County Executive to enter a construction contract with CATCO, the lowest responsible bidder, for the Rehabilitation of Borden Road (CR322) project in an amount not to exceed \$6,654,641; and be it further

RESOLVED, that authorization is hereby given for the County Executive or Deputy County Executive to execute an amendment to the agreement with Bergmann, the project design engineers, for construction period engineering services in an amount not to exceed \$771,000; and be it further

RESOLVED, that authorization is given for the sum of \$302,065.77 be allocated to a project contingency fund to be utilized on Borden Rd construction projects with authorization for the County Executive or Deputy County Executive to approve change orders and amendments; and be it further

RESOLVED, that authorization is hereby given for the County Executive or Deputy County Executive to execute an amendment to the agreement with Bergmann, the project design engineers, for additional engineering design services in an amount not to exceed \$86,000.00; and be it further

RESOLVED, that sufficient funding for the Rehabilitation of Borden Road (CR322) is available in Fund 420, Fund Center 123 in the amounts as follows:

B.18023 – 2018 Various Roads Reconstruction	\$ 102,179.24
B.21102 – Pres of Rds - Borden Ph 1 Const	\$ 16,384.31
B.21162 – 2021 Pres of Rds Design Borden Ph 2&3	\$ 86,000.00
B.23002 – 2023 Pres of Rds Construction	\$ 111,443.22
B.25009 – 2025 Pres of Rds Construct – Borden Rd	<u>\$7,497,700.00</u>
	\$7,813,706.77

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 for 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 Concrete Applied Technologies Corp. dba  
CATCO  
Bergmann Associates, Architects, Engineers,  
Landscape Architects & Surveyors, D.P.C.  
(Bergmann)
2. AMOUNT OF CONTRACT CATCO – Const. \$6,654,641.00  
Bergmann – Add. Design \$ 86,000.00  
Bergmann – Const. Serv. \$ 771,000.00  
Contingency – Ph. 2 & 3 \$ 302,065.77
3. PROJECT NUMBER B.18023 - CI/CA  
B.21102 - CI/CA  
B.21162 - Add. Design  
B.23002 - CI/CA  
B.25009 - Const., CI/CA & Contingency
4. PROJECT TITLE Rehabilitation of Borden Road (CR322)
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 \$ 7,936,059.02
7. PERFORMED BY 
- Date Sent to Comptroller's Office: April 10, 2026

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