



COUNTY OF ERIE

MARK C. POLONCARZ

COUNTY EXECUTIVE

July 3, 2026

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

**RE: Erie County Sewer District No. 3
Central Region Collections Facility - Construction Close Out
Contract Nos. 80-A, 80-B, 80-C, & 80-D**

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 close out of the Erie County Sewer District No. 3, Contract No. 80, Central Region Collections Facility project.

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,

A handwritten signature in blue ink that reads "Mark C. Poloncarz".

Mark C. Poloncarz, Esq.
Erie County Executive

MCP/AMH

CC: 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. 3
Central Region Collections Facility - Construction Close Out
Contract Nos. 80-A, 80-B, 80-C, & 80-D
Date: July 3, 2026

SUMMARY

Acceptance and approval of Contract No. 80-A in the final contract amount of \$5,899,000.00, together with Change Order No. 2 (Final), with no change in cost; Contract No. 80-B in the final contract amount of \$792,902.00, together with Change Order No. 3 (Final), an increase of \$4,573.00; Contract No. 80-C in the final contract amount of \$635,000.00, together with Change Order No. 2 (Final), with no change in cost; and Contract No. 80-D in the final contract amount of \$1,542,897.36, together with Change Order No. 2 (Final) a decrease of \$1,102.64, is requested. This includes a request for authorization to issue final payment to the contractors Resetarits Construction Corp. for Contract No. 80-A, Quackenbush Co. Inc. for Contract No. 80-B, MKS Plumbing Corp. for Contract No. 80-C, and CIR Electrical Construction Corp. for Contract No. 80-D.

FISCAL IMPLICATIONS

There will be no impact on the County's General Fund. The funds for these contracts were allocated from Capital Account No. C.21150 (American Rescue Plan funds), Sewer Fund Operating Budgets, and Sewer District Capital Reserve Accounts. This action finalizes the total amount of American Rescue Plan funds utilized for this project.

REASONS FOR RECOMMENDATION

All scheduled improvements required by the contract documents have been satisfactorily completed. As a result, it is the Department's recommendation to finalize this contract.

BACKGROUND INFORMATION

Contract Nos. 80-A, 80-B, 80-C, & 80-D were bid on October 24, 2024, and awarded by the Erie County Legislature on November 21, 2024, pursuant to Legislative Comm. 16E-17 (2024). The project consisted of constructing a centralized sewer collections facility for ECSD Nos. 3, 6, & 8. Construction included general, HVAC/mechanical, plumbing, and electrical contracts.

Change Order No. 1 (for all contracts) extended contract time, under a no-cost time extension, by 90 calendar days. The final change order for Contract Nos. 80-A and 80-C will amend the contract at no cost to match the contract closeout date. Change Order No. 2 for Contract No. 80-B was approved for a boiler removal that contained asbestos, with additional costs paid through the Sewer Fund Operating Budget as documented in Legislative Comm. 4E-10 (2026). The final change order

for Contract No. 80-B will increase the contract value \$4,573.00 after final adjustments. The final change order for Contract No. 80-D will decrease the Contract value by \$1,102.64 after final adjustments.

Contract No. 80 represents the last construction project using Capital Account No. C.21150 for funding. With all other construction closed out, the \$92,123.42 remaining in Capital Account No. C.21150 was re-allocated to this project to decrease the use of capital reserves in final accounting. The final amount allocated in Capital Account No. C.21150 for this project is \$3,352,045.62

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 orders and make final payment to all contractors.

A RESOLUTION SUBMITTED BY
DEPARTMENT OF ENVIRONMENT AND PLANNING

RE: Erie County Sewer District No. 3
Central Region Collections Facility - Construction Close Out
Contract Nos. 80-A, 80-B, 80-C, & 80-D

WHEREAS, pursuant to Legislative Comm. 16E-17 (2024), Contract Nos. 80-A was awarded to Resetarits Construction Corp. for General Construction, 80-B was awarded to Quackenbush Co. Inc. for HVAC/Mechanical Construction, 80-C was awarded to MKS Plumbing Corp. for Plumbing Construction, and 80-D was awarded to CIR Electrical Construction Corp. for Electrical Construction to construct the Central Region Collections Facility in Erie County Sewer District No. 3; and

WHEREAS, the Erie County Division of Sewerage Management has advised that all scheduled improvements are now complete and recommends closing out these contracts.

NOW, THEREFORE, BE IT

RESOLVED, that the Erie County Legislature hereby authorizes Contract No. 80-A between the County of Erie and Resetarits Construction Corp. (1500 Union Rd, Suite 100, West Seneca, NY 14224) be accepted in the amount of \$5,899,000.00, which includes Change Order No. 2 (final), with no cost change; and be it further

RESOLVED, that authorization is hereby given for the Erie County Comptroller to make final payment for Contract No. 80-A, to Resetarits Construction Corp. for a total amount of \$5,899,000.00; and be it further

RESOLVED, that authorization is hereby given for Contract No. 80-B between the County of Erie and Quackenbush Co. Inc. (495 Kennedy Rd, Buffalo, NY 14227) to be accepted in the amount of \$792,902.00, which includes Change Order No. 3 (final), an increase of \$4,573.00; and be it further

RESOLVED, that authorization is hereby given for the Erie County Comptroller to make final payment for Contract No. 80-B, to Quackenbush Co. Inc. for a total amount of \$792,902.00; and be it further

RESOLVED, that authorization is hereby given for Contract No. 80-C between the County of Erie and MKS Plumbing Corp. (19 Ransier Dr, West Seneca, NY 14224) to be accepted in the amount of \$635,000.00, which includes Change Order No. 2 (final), with no cost change; and be it further

RESOLVED, that authorization is hereby given to the Erie County Comptroller to make final payment for Contract No. 80-C to MKS Plumbing Corp., Inc. for a total amount of \$635,000.00; and be it further

RESOLVED, that authorization is hereby given for Contract No. 80-D between the County of Erie and CIR Electrical Construction Corp. (2517 Long Rd, Grand Island, NY 14072) to be accepted in the amount of \$1,542,897.36, which includes Change Order No. 2 (final), a decrease of \$1,102.64; and be it further

RESOLVED, that authorization is hereby given for the Erie County Comptroller to make final payment for Contract No. 80-D to CIR Electrical Construction Corp. for a total amount of \$1,542,897.36; 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, based on a final amount allocated in Capital Account No. C.21150 for Contract No. 80 of \$3,352,045.62; 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.