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COUNTY OF ERIE

MARK C. POLONCARZ
COUNTY EXECUTIVE

July 10, 2012

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

RE: Buffalo Niagara Convention Center – Electric Vault Repairs

Dear Honorable Members:

This resolution is seeking authorization for the County Executive to enter into a contract with the lowest responsible bidder for electrical vault repairs at the Buffalo Niagara Convention Center. Bids were received by the Department of Public Works on June 21, 2012 and a copy of the bid tabulations is attached for your reference.

Should your Honorable Body require further information, I encourage you to contact John C. Loffredo at the Department of Public Works. Thank you for your consideration on this matter.

Sincerely,

Mark. C. Poloncarz, Esq.
Erie County Executive

MCP/bb
Enclosure

cc: John C. Loffredo, Department of Public Works

COMPTROLLER'S
RECEIVED
12 JUN 27 AM 10:01

MEMORANDUM

To: Honorable Members of the Erie County Legislature
From: Department of Public Works
Re: Buffalo Niagara Convention Center – Electrical Vault Repairs
Date: June 26, 2012

SUMMARY

The County has been notified by National Grid that major structural deficiencies exist in the sidewalk electrical vaults and the walls are crumbling. If not immediately corrected, National Grid may have to turn off the building's power. This resolution is requesting the Legislature's authorization for the County Executive to enter into a contract with the lowest responsible bidder so the work can begin.

FISCAL IMPLICATIONS

Funds for the project are available from the 2007, 2008, 2009, 2010, and 2012 approved capital budgets, SAP Projects: A.00306 – 2007, A.00320 – 2008, A.20916 – 2009, A.21004 – 2010, all Buffalo Convention Center, A.12003 – 2012, Countywide Environmental Code Compliance

REASON FOR RECOMMENDATION

The County has been notified by National Grid of structural deficiencies in the electrical vault, and if not corrected National Grid may have to turn off the electrical service to the building. This would preclude having any events at the Buffalo Niagara Convention Center and loss of revenue to Erie County.

BACKGROUND INFORMATION

The existing steel beams and supporting walls under Pearl Street have deteriorated to the point where the vault could collapse and National Grid will have to turn off power to the building resulting in cancellation of events at the Buffalo Niagara Convention Center and loss of revenue to Erie County.

CONSEQUENCES OF NEGATIVE ACTION

The electrical service vault supporting beams and walls will continue to deteriorate to the point where they will collapse and National Grid will turn off power to the building.

STEPS FOLLOWING APPROVAL

A contract will be entered into by the County Executive with the lowest responsible bidder so the electrical vault corrective work can begin.

COMPTROLLER'S OFFICE REVIEW

For bonds previously sold, 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.

For proposed 2012 bonds, the proposed legislation has been reviewed by the Office of the Comptroller and is related to an authorized capital project for which there will be sufficient funding once the 2012 bonds are sold. This project is included in the agreed upon list of 2012 projects to advance.

Cash Available/Availability of funds:
A. 00306 – $51,484.57
A. 00320 – $16,086.78
A. 20916 – $10,670.10
A. 21004 – $40,232.39
A. 12003 – Cash advance re: 2012 Capital Bonds. There will be enough funding for the proposed action once the bonds are sold for 201

Lorne H. Steinhart 6/27/12
LORNE H. STEINHART
Deputy Comptroller
Comptroller's Office

A RESOLUTION SUBMITTED BY:

A RESOLUTION SUBMITTED BY:
DEPARTMENT OF PUBLIC WORKS

RE: Buffalo Niagara Convention Center
Electrical Vault Repairs

WHEREAS, the County has been notified by National Fuel that major structural deficiencies exist in the sidewalk electrical vault and the walls are crumbling. If not immediately corrected, National Grid has informed the Buffalo Niagara Convention Center personnel and the County, that power to the facility could be turned of; and

WHEREAS, the Erie County, Department of Public Works, received bids for the Buffalo Niagara Convention Center - 2012 – Electrical Vault Repairs on June 21, 2012; and

WHEREAS, the Erie County, Department of Public Works, is recommending award of a contract to the lowest responsible bidder, along with the engineer.

NOW, THEREFORE, BE IT

RESOLVED, that the County Executive be authorized to enter into a contract with the lowest responsible bidder, Paul J. Gallo Contracting, Inc. for the Buffalo Niagara Convention Center – 2012 – Electrical Vault Repairs for an amount not to exceed $202,000.00; and be it further

RESOLVED, that the sum of $21,968.79 be allocated to a Construction Contingency Fund with authorization for the County Executive and/or Commissioner of Public Works to approve change orders in an amount not to exceed the contingency; and be it further

RESOLVED, that deduct change orders will result in these funds being returned to the contingency fund; and be it further

RESOLVED, that the Comptroller's Office be authorized to make payment for all the above from SAP project accounts as follows:

A.00306 – 2007 Convention Center Renovations	$ 51,484.57
A.00320 – 2008 Convention Center Renovations	$ 16,086.78
A.20916 – 2009 Convention Center Renovations	$10,070.10
A.21004 – 2010 Convention Center Renovations	$23,732.34
A.12003 – 2012 County Wide & Environmental Code Compliance	$122,595.00
Total Payment Not To Exceed:	$223,968.79

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 Office of the County Executive, the Division of Budget and Management, and the Office of the Comptroller.

TO: LORNE STEINHART, 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
	Paul J. Gallo Contracting, Inc.
1. CONTRACTOR'S NAME	Contingency Fund
	$202,000.00 Paul J. Gallo
2. AMOUNT OF CONTRACT	$ 21,968.79 Contingency Fund
3. PROJECT NUMBER	A.00306 – 2007 $51,484.57
	A.00320 – 2008 $16.086.78
	A.20916 – 2009 $10,070.10
	A.21004 – 2010 $23,732.34
	A.12003 - 2012 $122,595.00
4. PROJECT TITLE	Buffalo Niagara Convention Center
	2012- Electrical Vault Repairs
	Funding questions: Jeffrey P. Zack #8824
5. DEPARTMENT CONTACT	Letter pickup: Diane Bukowski at 8301

COMPTROLLER'S OFFICE

COMPLETE ITEMS 6 AND 7

6. **AVAILABILITY OF FUNDS** $ A.00306 - $51,484.57
A.00320 - $16,086.78
A.20916 - $10,070.10
A.21004 - $40,232.39
A.12003 - see below *

7. **PERFORMED BY** Jackie Pulliges

Date sent to Comptroller's Office: June 26, 2012

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COMMENTS: There will be enough funding for the action proposed once the bonds are sold for 2012. This project was included in the agreed upon list of projects to cash advance prior to the bond sale.

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