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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: Ralph Wilson Stadium – Underground Utility Locating Services & Hazardous Materials Testing

Dear Honorable Members:

The Lease between the Buffalo Bills and the County of Erie requires that the County provide capital improvements to Ralph Wilson Stadium on an annual basis. The Buffalo Bills have requested that the County, through the Department of Public Works, provide underground utility locating services and hazardous materials testing for 2012.

This resolution is requesting authorization for the County Executive to execute an Agreement Amendment with the Engineering firm of Nussbaumer & Clarke, Inc. for underground utility locating services and Stohl Environmental LLC, for hazardous materials testing.

Should your Honorable Body require further information, I encourage you to contact John 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 Loffredo, Department of Public Works

COMPTROLLER'S RECEIVED
12 JUN 26 AM 10: 12

MEMORANDUM

To: Honorable Members of the Erie County Legislature
From: Department of Public Works
Re: Ralph Wilson Stadium – 2012- Underground Utility Locating Services & Hazardous Materials Testing
Date: June 26, 2012

SUMMARY

The Lease between the Buffalo Bills and Erie County requires that the County provide annual capital maintenance and repairs to the Stadium. The Buffalo Bills have requested that the County proceed with Underground Utility Locating Services & Hazardous Materials Testing for 2012. In order for the County to accomplish this, the County Executive is requesting authorization to execute an Agreement Amendment with the Engineering firm of Nussbaumer & Clark, Inc. for Underground Utility Locating Services & Stohl Environmental LLC for Hazardous Materials Testing.

FISCAL IMPLICATIONS

Funds are available from the 2012 approved capital budget, Project A.12001 – 2012- Rehabilitation of Ralph Wilson Stadium.

REASONS FOR RECOMMENDATION

The Buffalo Bills have requested that the County, through the Department of Public Works, proceed with the Underground Utility Locating Services & Hazardous Materials Testing.

BACKGROUND INFORMATION

The County is required pursuant to the Lease between the Buffalo Bills and Erie County to provide annual capital projects. This work complies with the Lease.

CONSEQUENCES OF NEGATIVE ACTION

The County will be in violation of the Lease between the Buffalo Bills and Erie County.

STEPS FOLLOWING APPROVAL

Agreement Amendment will be executed by the County Executive with the Engineering firm of Nussbaumer & Clark, Inc. and Stohl Environmental LLC.

COMPTROLLER'S OFFICE REVIEW

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.

Lorne H. Steinhart 6/27/12

LORNE H. STEINHART
Deputy Comptroller
Comptroller's Office

MCP:dab

Project A.12001 (2012)

- OK to cash advance this capital project until 2012 Capital Borrowing is complete (proceeds received).
- There will be enough funding for the proposed action once the bonds for 2012 are sold.

LH

A RESOLUTION SUBMITTED BY:
DEPARTMENT OF PUBLIC WORKS

RE: Ralph Wilson Stadium-2012 Underground Utility Locating Services & Hazardous Materials Testing

WHEREAS, the County is required pursuant to the Lease Agreement between the Buffalo Bills and Erie County to provide capital improvements to Ralph Wilson Stadium on an annual basis; and

WHEREAS, your Honorable Body has previously approved a general Engineering agreement with the firms of Nussbaumer & Clark, Inc. & Stohl Environmental LLC for providing professional services on County projects; and

WHEREAS, the County Executive is requesting authorization to issue an Agreement Amendment with Nussbaumer & Clarke, Inc. and Stohl Environmental LLC.

NOW, THEREFORE, BE IT

RESOLVED, that the County Executive be authorized to issue into an Agreement Amendment with Nussbaumer & Clark, Inc. for Underground Utility Locating Services in an amount not to exceed $80,000 including reimbursables & Stohl Environmental LLC in an amount not to exceed $40,000.00 including reimbursables; and be it further

RESOLVED, that the Comptroller's Office be authorized to make payment for all the above from SAP Project Account A.12002-2012 - Rehabilitation of Ralph Wilson Stadium for an amount not to exceed $120,000; and be it further

RESOLVED, that two certified copies of this resolution be sent to the Department of Public Works, Office of the Commissioner, 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
1. CONTRACTOR'S NAME	Nussbaumer & Clarke Inc. Stohl Environmental LLC
2. AMOUNT OF CONTRACT	$80,000.00 – Nussbaumer & Clarke Inc. $40,000.00 - Stohl Environmental LLC
3. PROJECT NUMBER	A.12001
4. PROJECT TITLE	Rehabilitation of Ralph Wilson Stadium
5. DEPARTMENT CONTACT	Funding questions: Jeffrey P. Zack, PE at 8824 Letter pickup: Diane Bukowski at 8301

COMPTROLLER'S OFFICE	COMPLETE ITEMS 6 AND 7
6. AVAILABILITY OF FUNDS	$* See below
7. PERFORMED BY	Jackie Pulsifer
Date Sent to Comptroller's Office:	June 26, 2012

[55 compt_10]

*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.