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COUNTY OF ERIE

MARK C. POLONCARZ
COUNTY EXECUTIVE

September 17, 2012

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

RE: Request for Proposals – Final Design
WNY Stormwater Coalition:
Rainwater Harvesting Installation Project

Dear Honorable Members:

Enclosed please find a resolution and an accompanying memorandum from the Department of Environment and Planning pertaining to proposed professional services associated with the final design for the WNY Stormwater Coalition: Rainwater Harvesting Installation Project.

Should your honorable body require further information, I encourage you to contact Thomas R. Hersey, Jr., Deputy Commissioner, at the Erie County Department of Environment and Planning. Thank you for your consideration on this matter.

Sincerely yours,

Mark C. Poloncarz, Esq.
Erie County Executive

MCP/th
Enclosure

cc: Commissioner Maria R. Whyte
Deputy Commissioner Thomas R. Hersey, Jr.

MEMORANDUM

To: Honorable Members of the Erie County Legislature
From: Department of Environment and Planning
Re: Request for Proposals – Final Design
WNY Stormwater Coalition: Rainwater Harvesting Installation Project
Date: September 5, 2012

SUMMARY

Award of an agreement with Audubon Architecture, Engineering, Surveying & Landscape Architecture, P.C. (also known as Wendel), 140 John James Audubon Pkwy – Suite 201, Buffalo, New York 14228 for professional services associated with the final design of five rainwater reuse systems at municipal facilities at the Erie County Highway Garage in the Town of Aurora, the Erie County Botanical Gardens, Village of Orchard Park Highway Garage and the Town of Tonawanda Senior Center and Highway Garage. The official memorandum documenting the review and selection process is attached.

FISCAL IMPLICATIONS

There are no fiscal implications to the County's General Fund. All costs associated with the above referenced professional services will be paid for through a grant which the Department of Environment and Planning received from the New York State Environmental Facilities Corporation's Green Infrastructure Grant Program, as well as the in-kind services of all of the project partners.

REASONS FOR RECOMMENDATION

The Erie County Department of Environment and Planning issued a request for proposals for firms to develop the final engineering design and provide consultant services associated with the installation of five rainwater reuse cisterns at identified municipal facilities throughout Erie County. A total of five (5) firms responded to the open solicitation. A proposal review committee consisting of six (6) representatives: two from the Erie County Department of Environment and Planning, and one from the Erie County Department of Public Works, the Buffalo and Erie County Botanical Gardens, the Village of Orchard Park, and the Town of Tonawanda ranked the responses based on qualifications using a consistent scoring matrix. Based upon the qualifications scoring and the subsequent review of price proposals, Audubon Architecture, Engineering, Surveying & Landscape Architecture, P.C. is recommended to be retained in accordance with Section 19.08 of the Erie County Administrative Code. Attached is the memo from the Commissioner of the Department of Environment and Planning documenting the scores developed by the committee, demonstrating the review and selection process, which meet the requirements of the Administrative Code.

BACKGROUND INFORMATION

In November 2010, the Erie County Department of Environment and Planning, in its role as the coordinator of the Western New York Stormwater Coalition, in partnership with Erie County Department of Public Works, the Village of Orchard Park, and the Town of Tonawanda, submitted a grant application requesting funding to install rainwater reuse cisterns at five municipal facilities. In April 2011 the New York States Environmental Facilities Corporation (NYSEFC) awarded Erie County a $626,000 Green Infrastructure Grant to implement the cistern installation project. Through

resolutions approved by the Erie County Legislature on November 3, 2011 (comm.22E-8) and July 12, 2012 (comm.12E-11) the Department of Environment and Planning has secured the proper authorization to enter into agreements necessary with the granting agency, NYSEFC and our municipal partners to implement the grant, as well as establish the grant budget. In accordance with Section 19.08 of the Erie County Administrative Code a formal request for proposals for professional services to develop the final engineering design and associated documents and services was issued on June 4, 2012 with proposals due June 28, 2012. Five (5) proposals were received, reviewed and evaluated by the project review team. Audubon's proposal was ranked the highest by the review team and it is the team's recommendation to award the contract accordingly.

CONSEQUENCES OF NEGATIVE ACTION

Erie County will be unable to award the contract for final design of the cisterns to the firm, which was selected by the review committee following the requirements for professional services contracts outlined in Section 19.08 of the Administrative Code. Without the award of a professional services contract for the final design of these systems the County will be unable to install the cisterns and implement the grant project. Therefore, the County will be unable to fulfill their obligations with respect to the grant agreement signed with the NYSEFC, as well as the agreements signed with both the Village of Orchard Park and the Town of Tonawanda. Ultimately, the economic and environmental benefits associated with the installation of the cisterns will be forfeited.

STEPS TO FOLLOW APPROVAL

The County Executive will be requested to execute an agreement with Audubon Architecture, Engineering, Surveying & Landscape Architecture, P.C. in an amount not to exceed $101,500.00 for professional services associated with developing the final design for the Rainwater Reuse Cistern Installation Project.

A RESOLUTION SUBMITTED BY:
DEPARTMENT OF ENVIRONMENT AND PLANNING

RE: Request for Proposals – Final Design
WNY Stormwater Coalition:
Rainwater Harvesting Installation Project

WHEREAS, the County of Erie advertised for and received five (5) responses to a request for proposals from consulting firms to perform professional services associated with developing the final design of facilities for the Rainwater Harvesting Installation Project; and

WHEREAS, a review committee consisting of representatives from the Erie County Department of Environment and Planning, the Erie County Department of Public Works, the Village of Orchard Park, and the Town of Tonawanda evaluated all responses to the County's request for proposals, using a consistent scoring matrix; and

WHEREAS, the proposal review committee recommends retaining Audubon Architecture, Engineering, Surveying & Landscape Architecture, P.C. (also known as Wendel) to complete the requested consulting services.

NOW, THEREFORE, BE IT

RESOLVED, that Audubon Architecture, Engineering, Surveying & Landscape Architecture, P.C. be retained to perform professional services associated with developing the final design for the Rainwater Harvesting Installation Project; and be it further

RESOLVED, that the County Executive be, and hereby is, authorized to execute an Agreement with Audubon Architecture, Engineering, Surveying & Landscape Architecture, P.C., 140 John James Audubon Pkwy – Suite 201, Buffalo, New York 14228 for professional services associated with developing the Final Design for the WNY Stormwater Coalition: Rainwater Harvesting Installation Project in an amount not to exceed $101,500.00; and be it further

RESOLVED, that the Clerk of the Legislature send two (2) certified copies each of this resolution to Thomas R. Hersey, Jr., Division of Environmental Compliance; and one certified copy each to the County Executive; the Erie County Comptroller; the Commissioner of the Department of Environment and Planning; the Erie County Director of Budget and Management; and Kristen Walder, Assistant County Attorney.