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COUNTY OF ERIE

MARK C. POLONCARZ
COUNTY EXECUTIVE

November 27, 2012

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

IMMEDIATE CONSIDERATION REQUESTED

RE: Design and Engineering for New Road and Other Public Infrastructure on Former Bethlehem Steel Site

Dear Honorable Members:

Attached please find a memorandum and proposed resolution authorizing the execution of contracts for the design, engineering and site preparation of new roads and infrastructure within the former Bethlehem Steel site. Erie County will initially fund this work from General Obligation Bonds approved in 2009.

We are proposing to enter into a contract for professional consultant services with Wendel Companies, Architects and Engineers, for necessary design services.

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

Sincerely,

Mark C. Poloncarz, Esq
Erie County Executive

MCP/JCL/dab

cc: John C. Loffredo, Department of Public Works
William Geary, Deputy Commissioner Highways

COMPTROLLER'S
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MEMORANDUM

To: Honorable Members of the Erie County Legislature
From: Department of Public Works
Re: Design and Engineering for New Road and Other Public Infrastructure on the Former Bethlehem Steel Site
Date: November 20, 2012

SUMMARY

The County of Erie desires to facilitate the redevelopment of brownfields within Erie County. The former Bethlehem Steel site in the City of Lackawanna is the largest brownfield site in Erie County. The redevelopment of the former Bethlehem Steel requires the rehabilitation of roads and construction of other related infrastructure.

The property owner, Tecumseh Redevelopment, Inc., is providing private funding for the entire property remediation and has entered said property into the New York State Brownfield Cleanup Program. The engineering of this roadway is required to allow one of the first major companies, Welded Tube, proper access to its property.

The County of Erie signed a Memorandum of Understanding (MOU) with the City of Lackawanna and Tecumseh Redevelopment Inc., on April 12, 2005. This MOU indicates the County's desire to work cooperatively with the City and property owner toward the creation of new jobs and a tax base on the former industrial site. It is recommended that your Honorable Body authorize the County to enter into an agreement with the firm of Wendel Companies Architects and Engineers, for the necessary engineering work on this roadway.

FISCAL IMPLICATIONS

The proposed funding, not to exceed $499,000, will come from County bond financing that was previously authorized by this Honorable Body on April 23, 2009 (Comm.7E-7, Line 33) and is A.20911 - Bethlehem Steel Redevelopment

REASONS FOR RECOMMENDATION

Some of the most important reasons for this recommendation include the need to redevelop underutilized industrial properties, to retain/increase employment, to encourage a higher level of private investment in the re-use of brownfield properties and to otherwise promote improvement to the general prosperity and economic welfare of the people of Erie County.

Erie County already secured $4.42 million in New York State funding to be utilized toward design and construction of the required relocation of the existing railroad tracks. This railway project was necessary to install new public roadways. The railway relocation project had commenced with the State funding, and was completed in 2010. New public infrastructure may

now be developed to access the site for private investment.
Tecumseh Redevelopment Incorporated had entered Business Park I into the New York State Brownfield Cleanup Program and received a Certificate of Completion from the New York State Department of Conservation in the fall of 2009. Tax incentives offered by the Brownfield Cleanup Program for new private investment on the site will expire five years from the date of the Certificate of Completion. Retaining a qualified firm to perform the engineering services for the road rehabilitation and construction of the infrastructure is necessary to allow Welded Tube proper access to their property in order for manufacturing to begin. This action follows the successful implementation model utilized in the nearby Buffalo Lakeside Commerce Park development.

CONSEQUENCES OF NEGATIVE ACTION

If a resolution authorizing the County to enter into an agreement with Wendel Companies Architects & Engineers is not approved, design and construction of the roadway will be delayed, thereby jeopardizing startup operations of Welded Tube, potential funding sources, tax incentives and private investment. Companies seeking to build new facilities and create employment would find other alternative vacant properties outside of Erie County.

STEPS FOLLOWING APPROVAL

Upon approval of the resolution, the Department of Public Works will negotiate a contract with Wendel Companies Architects & Engineers, for design and engineering work on the public infrastructure project.

COMPTROLLER'S OFFICE REVIEW

The proposed legislation has been reviewed by the Office of the Comptroller and is related to an authorized capital project for which there are sufficient appropriations for the action proposed.

Lorne Steinhart

Cash available: $499,092.61

Lorne Steinhart
Deputy Comptroller
Comptroller's Office

JCL/CAS/cas

File Copy (HGWY.Bethlehem Steel Site 11-16-12)

A RESOLUTION SUBMITTED BY:
DEPARTMENT OF PUBLIC WORKS, DIVISION OF HIGHWAYS

RE: Design and Engineering of New Road and Other Public Infrastructure on the Former Bethlehem Steel Site

WHEREAS, the County of Erie is interested in the fostering of business growth and job creation within Erie County; and

WHEREAS, Erie County desires to encourage the sound reuse of urban brownfields for productive use, be it industrial, commercial or recreational; and

WHEREAS, the former Bethlehem Steel site in the City of Lackawanna is now owned by Tecumseh Redevelopment Inc., and that Tecumseh Redevelopment Inc., the City of Lackawanna and the County of Erie entered into a Memorandum of Understanding on April 12, 2005, to work cooperatively toward the goal of the redevelopment of this underutilized site; and

WHEREAS, the County of Erie, City of Lackawanna, Lackawanna Community Development Corporation, Erie County Industrial Development Agency, South Buffalo Railway, Gateway Trade Corporation and Tecumseh Redevelopment Incorporated have worked and continue to work cooperatively toward achieving the redevelopment of the former Bethlehem Steel Site; and

WHEREAS, rehabilitation of the roadway and construction of the infrastructure is necessary for Welded Tube to start productive operations by Aug. 1, 2013; and

WHEREAS, it is necessary to retain Wendel Companies Architects & Engineers, to perform the necessary design and engineering work for the rehabilitation and construction of the access road and infrastructure; and

WHEREAS, the County of Erie has previously approved the sale of the General Obligation Bonds (Comm.7E-7, 2009) specifically for this design and engineering work and received said funds which are available for appropriation.

NOW, THEREFORE, BE IT

RESOLVED, that the County Executive is authorized to enter into a contract with Wendel Companies Architects & Engineers, in an amount not to exceed a total of $499,000 for the purpose of design and engineering for the construction related to rehabilitation of the Welded Tube access road on the former Bethlehem Steel site, with project funds coming from capital account A.20911; and be it further

RESOLVED, that five (5) 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, Department of Environment and Planning, the Office of the Comptroller and the Division of Purchase.

OFFICE OF THE COMPTROLLER REVIEW **DATE:** 11/21/12

PROJECT TITLE: A.20911 2009 Bethlehem Steel Redevelopment

1) IS THE REASON FOR THIS CONTRACT CONSISTENT WITH THE PURPOSE OF THE PROJECT: YES ✓ **NO** _____

IF NO, RETURN THIS REQUEST TO THE DEPARTMENT

IF YES, COMPLETE THE FOLLOWING VERIFICATION

2) PROJECT AVAILABLE APPROPRIATION

TOTAL PROJECT REVENUES	$ 500,000.00
TOTAL PROJECT APPROPRIATIONS	$ 500,000.00
LESS: TOTAL EXPENDITURE TO DATE	$ 907.39
TOTAL COMMITMENTS	$ 0
AVAILABLE APPROPRIATIONS AS OF DATE OF REQUEST	$ 499,092.61 ✓
LESS: CONTRACT AMOUNT:	499,000.00
NET AVAILABLE APPROPRIATIONS	$ 92.61

COMMENTS: Available cash: $499,092.61

REQUEST APPROVED: Lorne H. Steinhart

REQUEST DENIED: _____

DATE: November 21, 2012

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	Wendel Companies, Architects & Engineers
2. AMOUNT OF CONTRACT	Not to exceed $499,000
3. PROJECT NUMBER	SAP Fund A.20911
4. PROJECT TITLE	Design and Engineering of New Road and Other Public Infrastructure on the Former Bethlehem Steel Site
5. DEPARTMENT CONTACT	Funding questions: John Loffredo, P.E. (7555) Letter pickup: Diane Bukowski at 8301

COMPTROLLER'S OFFICE	COMPLETE ITEMS 6 AND 7
6. AVAILABILITY OF FUNDS	$ 499,042.61
7. PERFORMED BY	Jackie Pulsifer
Date Sent to Comptroller's Office:	November 20, 2012

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