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# COUNTY OF ERIE

**MARK C. POLONCARZ**

COUNTY EXECUTIVE

May 7, 2013

Erie County Legislature  
92 Franklin Street, 4<sup>th</sup> Floor  
Buffalo, New York 14202

**Re: First Amendatory Agreement – Clinton Brown Company Architecture, P.C.  
– Commercial Center Improvement Program – Architectural Services**

Dear Honorable Members:

Enclosed please find a memorandum and proposed resolution authorizing execution of a first amendatory agreement to the August 11, 2010 contract with Clinton Brown Company Architecture, P.C. The firm will provide architectural tasks associated with the Erie County Community Development Commercial Center Improvement Program.

Should your honorable body require any further information, I encourage you to contact Thomas J. Dearing at the Department of Environment and Planning. Thank you for your consideration on this matter.

Sincerely yours,

Mark C. Poloncarz, Esq.  
Erie County Executive

MCP/cw  
Enclosure

C: Maria R. Whyte  
Thomas J. Dearing

## MEMORANDUM

**To:** Honorable Members of the Erie County Legislature  
**From:** Department of Environment and Planning  
**Re:** First Amendatory Agreement – Clinton Brown Company Architecture, P.C. – Commercial Center Improvement Program – Architectural Services  
**Date:** April 26, 2013

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### **SUMMARY**

The resolution authorizes the County Executive to execute a first amendatory agreement to the 8/11/2010 contract with Clinton Brown Company Architecture, P.C. The firm will undertake the architectural services necessary to implement a Commercial Center Improvement Program (CCIP) within the Erie County Community Development Consortium communities. The amendment increases the authorized contract amount from \$45,000 to \$60,000.

### **FISCAL IMPLICATIONS**

The funds are available in the Erie County Community Development Block Grant budget. Such monies are all federal dollars, thus there will be no impact on the Erie County Budget.

### **REASONS FOR RECOMMENDATION**

The Erie County Department of Environment and Planning requires architectural services from Clinton Brown Company Architecture, P.C. to complete certain technical components of a Commercial Center Improvement Program. The objective of the Program is to financially assist owners of commercial properties operating retail/business establishments within certain city, village, and hamlet retail centers located in the Erie County Community Development Consortium. Eligible improvements are limited to exterior work that brings an improved visual appearance to the retail/business center.

### **BACKGROUND INFORMATION**

The amendatory agreement to the Clinton Brown Company Architecture, P.C. contract will allow the CCIP program to continue while a new Request for Proposal process moves to completion. The RFP will be issued by late May, 2013 with a recommendation to the Legislature in June. This will be in compliance with Section 19.08 of the County Administrative Code.

### **CONSEQUENCES OF NEGATIVE ACTION**

The Commercial Center Improvement Program would be suspended for approximately 2 months pending completion of a new RFP process.

### **STEPS FOLLOWING APPROVAL**

The County Executive will execute a contract amendment with Clinton Brown Company Architecture, P.C.

A RESOLUTION SUBMITTED BY:  
DEPARTMENT OF ENVIRONMENT AND PLANNING

RE: First Amendatory Agreement – Clinton  
Brown Company Architecture, P.C. –  
Commercial Center Improvement Program  
– Architectural Services

WHEREAS, Erie County has undertaken a Commercial Center Improvement Program through the federally funded Community Development Block Grant; and

WHEREAS, the objective of the Program is to financially assist owners of commercial properties operating retail/business establishments within city, village, and hamlet retail centers located in Erie County Community Development Consortium communities; and

WHEREAS, in order to successfully carry out the Program professional architectural services are required to complete certain technical components of the Commercial Center Improvement Program.

WHEREAS, an agreement with Clinton Brown Company Architecture, P.C. was executed on August 11, 2010 for an amount not to exceed \$45,000; and

WHEREAS, due to the high volume of commercial façade services within the Consortium municipalities since August, 2010 an increase to the authorized fee amount is necessary; and

WHEREAS, said increase will allow the Program to continue while a new Request for Proposal process is undertaken by the Department of Environment and Planning.

NOW, THEREFORE, BE IT

RESOLVED, that the source of funds is money available within the Erie County Department of Environment and Planning Budget, Project J.00510, Commercial Center Improvement Program; and be it further

RESOLVED, that the Erie County Executive is hereby authorized to increase the 8/11/2010 contract amount with Clinton Brown Company Architecture, P.C. for commercial façade architectural services from \$45,000 to an amount not to exceed \$60,000; and be it further

RESOLVED, that the Clerk of the Erie County Legislature be directed to forward certified copies of this resolution to the County Executive; the Commissioner of the Department of Environment and Planning; the Director of the Division of Budget and Management; the County Attorney; and the Erie County Comptroller.