ECLEG MAY08'12 AM10:22

COUNTY OF ERIE

MARK C. POLONCARZ
COUNTY EXECUTIVE

May 8, 2012

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

IMMEDIATE CONSIDERATION REQUESTED

RE: Buffalo Niagara Convention Center - Health and Safety Improvements

Dear Honorable Members:

This resolution is seeking your Honorable Body's authorization for the County to enter into an Agreement Amendment with the following architectural/engineering firms for architectural/engineering services to provide design and construction documents for health and safety related issues at the Buffalo Niagara Convention Center:

- DiDonato Engineers – Electric service vault repairs.
- Watts Architecture and Engineers – Asbestos abatement project for removal of the carpeting, vinyl tile and mastic, in the meeting rooms on the north and south side of the facility.
- BHNT Architects – Replacement of the existing flooring in the ballroom.

If you have any questions, please 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/tc
Enclosure

cc: John C. Loffredo, Department of Public Works

COMPTROLLER'S
RECEIVED
12 MAY -3 AM 10: 19

MEMORANDUM

To: Honorable Members of the Erie County Legislature
From: Department of Public Works
Re: Buffalo Niagara Convention Center
Health and Safety Improvements
Date: May 3, 2012

SUMMARY

This resolution is seeking your honorable body's authorization for the County Executive to enter into an Agreement Amendment for design services with the following Architectural/Engineering firms:

DiDonato Engineering – Electrical service vault repairs

Watts Architecture & Engineering – Asbestos abatement project for removal of the carpeting, vinyl tile and mastic, at the meeting rooms on the north and south side of the facility.

BHNT Architects – Replacement of the existing flooring in the Ballroom.

FISCAL IMPLICATIONS

Funds for the project are currently available from the approved and adopted 2010 and 2011 County Budgets. The SAP project accounts are delineated as such:

A.21004 – 2010- Buffalo Niagara Convention Center Rehabilitation	$16,500.00
A.11003 - 2011- Countywide Code and Environmental Compliance	$29,100.00
	$45,600.00

REASON FOR RECOMMENDATION

These improvements will correct various health and safety issues at the Buffalo Niagara Convention Center. The County has been notified by National Grid that major structural deficiencies exist in the sidewalk vaults and the walls are crumbling. If not immediately corrected, National Grid may have to turn off the building's power.
The Ballroom flooring is continuously heaving and causing tripping problems. One area had to be temporarily corrected prior to the 2012 Auto and Home shows. Correcting the problem will eliminate possible law suits against the County.

The carpet is being replaced in the Meeting Rooms on the north and south ends of the first floor. The removal of the existing carpet and original VCT floor tile revealed mastic that contains ACM materials which must be abated.

BACKGROUND INFORMATION

The Consultant will prepare plans and specifications in accordance with all codes and regulations to correct these deficiencies. All work must be performed this summer during the lowest schedule of Convention Center use.

CONSEQUENCES OF NEGATIVE ACTION

Health and safety issues will not be corrected. The County could be sued from tripping hazards and unsafe conditions.

STEPS FOLLOWING APPROVAL

The County Executive will enter into an Agreement Amendment with the Architectural/ Engineering firms of DiDonato Engineering, Watts Architectural & Engineering, and BHNT Architects for providing Architectural/Engineering services to provide the design and construction documents so work can commence.

COMPTROLLER'S OFFICE REVIEW

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.

Lorne H. Steinhart

LORNE H. STEINHART 5/3/2012
Deputy Comptroller
Comptroller's Office

CASH IN PROJECTS/Availability of Funds:
- A.21004: ~~$24,000.00~~ $49520.19
- A.11003: $1,246,625.00

A RESOLUTION SUBMITTED BY
DEPARTMENT OF PUBLIC WORKS

RE: Buffalo Niagara Convention Center – Health and Safety Improvements

WHEREAS, this Honorable Body has previously authorized the County Executive to enter into a General Architectural/Engineering Services Agreement with DiDonato Engineering, Watts Architecture & Engineering and BHNT Architects for providing professional design and construction document services on Erie County projects; and

WHEREAS, the County Executive is requesting authorization from your honorable body to issue an Agreement Amendment to DiDonato Engineering for electrical service vault repairs; Watts Architecture & Engineering for the asbestos abatement project for removal of the carpeting, vinyl tile and mastic in the meeting rooms on the north and south side of the facility; and BHNT Architects for the replacement of the existing flooring in the Ballroom; and

NOW, THEREFORE, BE IT

RESOLVED, that the County Executive is authorized to issue an Agreement Amendment to the following architectural/engineering firms for providing professional design and construction document services for the Buffalo Niagara Convention Center, health and safety issues, including reimbursement as follows:

DiDonato Engineers – electrical service vault repairs	$18,500.00
Watts Architectural & Engineering – Asbestos Abatement project for removal of carpeting, vinyl tile and mastic and the meeting rooms on the north and south side of the facility	$10,600.00
BHNT Architects – replacement of the existing flooring in the Ballroom;	$16,500.00
For a total amount not to exceed; and be it further	$45,600.00

RESOLVED, that the Comptroller's Office be authorized to make payment for all the above from SAP Project Accounts:

• A.21004 – 2010 – BNCC Rehabilitation	$16,500.00
• A.11003 – 2011 – Countywide Code Compliance and Environmental Compliance;	$29,100.00
For a total amount not to exceed; and be it further	$45,600.00

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.

OFFICE OF THE COMPTROLLER REVIEW **DATE:** 5/3/12

PROJECT TITLE: A.21004 2010 Bflo Niagara Convention Center Rehabilitation

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	$ 1,000,000.00
TOTAL PROJECT APPROPRIATIONS	$ 1,000,000.00
LESS: TOTAL EXPENDITURE TO DATE	$ 959,479.81
TOTAL COMMITMENTS	$ .05
AVAILABLE APPROPRIATIONS AS OF DATE OF REQUEST	$ 40,520.14
LESS: CONTRACT AMOUNT:	16,500.00
NET AVAILABLE APPROPRIATIONS	$ 24,020.14

COMMENTS: Available cash in project: $40,520.19

REQUEST APPROVED: Lorne H. Steinhart

REQUEST DENIED: _____

DATE: May 3, 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

DiDonato Engineering	$18,500.00	A.21004
Watts Architecture & Engineering	$10,600.00	
BHNT Architects	$16,500.00	A.11003

2. AMOUNT OF CONTRACT Not to exceed $45,600.00

3. PROJECT NUMBER A.21004–2010- Buffalo Niagara Convention Center
A.11003-2011-Countywide Code and Environmental Compliance

4. PROJECT TITLE Buffalo Niagara Convention Center

Health and Safety Issues

Funding questions: Jeffrey P. Zack #8824

5. DEPARTMENT CONTACT — Letter pickup: Diane Bukowski at 8301

COMPTROLLER'S OFFICE — COMPLETE ITEMS 6 AND 7

A. 21004 = $40,520.19

6. AVAILABILITY OF FUNDS — $ A. 11003 = $1,246,625.00

7. PERFORMED BY — Jackie Rubejka

Date sent to Comptroller's Office: May 3, 2012

[55 compt_08]