

OCTOBER 18, 2007

ENERGY & ENVIRONMENT COMMITTEE
REPORT NO. 14

ALL MEMBERS PRESENT.

- 1. RESOLVED, the following items are hereby received and filed:
 - a. COMM. 12E-47 (2007)
COUNTY EXECUTIVE: ECSD No. 3 – Contract No. 20 – Boston State Road Sanitary Sewer Extension – Bid Opening (4-0)

- 2. COMM. 14E-39 (2007)
COUNTY EXECUTIVE
WHEREAS, the Erie County Department of Environment and Planning has received the following lowest responsible bid for the Erie County Sewer District No. 3, Boston Valley-2 (BV-2) Sanitary Sewer Extension Project, Contract 29W, at 2:00 P.M. on September 21, 2007.

<u>Contract</u>	<u>Lowest Responsible Bidder</u>	<u>Amount Bid</u>
Contract 29W	ML Smith Construction, Inc. PO Box 250 Springview, New York 14140	\$206,820.00

and

WHEREAS, the aforementioned lowest responsible bidder has successfully performed similar work in Erie County.

NOW, THEREFORE, BE IT

RESOLVED, that the Boston Valley-2 (BV-2) Sanitary Sewer Extension Project, Contract 29W, be awarded to ML Smith Construction, Inc., PO Box 250, Springview, New York 14140, in the not-to-exceed amount of \$206,820.00; and be it further

RESOLVED, that the County Executive be , and hereby is, authorized to execute the Contract with the aforementioned lowest, responsible bidder subject to approval as to form by the County Attorney and certification of availability of funds from the Project Fund Balance or an authorized advance from the General Fund by the Comptroller’s Office; and be it further

RESOLVED, that the Comptroller is authroized and directed to allocate \$206,820.00 from Sewer Capital, Erie County Sewer District No. 3, Account C.00066 for Contract 29W; and be it further

RESOLVED, that the Clerk of the Legislature be directed to send one certified copy each of this Resolution to the County Executive; Director of Budget, Management and Finance; Erie County Comptroller’s Office; Gregory Dudek, Assistant County Attorney and two (2) certified copies to Thomas J. Whetham, P.E., Department of Environment and Planning. (4-0)

- 3. COMM. 18E-12 (2007)
COUNTY EXECUTIVE
WHEREAS, the 2007 Budget for Erie County Sewer District No. 2’s Debt Service Budget contains sufficient funds for payment of their annual debt service costs; and

WHEREAS, when the 2007 Budget was prepared, the bond sale had not taken place and said budgeted funds were already approved and in place; and

WHEREAS, funds need to be transferred from the Principal Code, where there are sufficient funds, into the Interest Code to make interest payments required for the remainder of the year.

NOW, THEREFORE, BE IT

RESOLVED, that the following amounts be transferred from each respective Account in the Debt Service Fund by the Budget Office as appropriate and placed into the proper Sewer District No. 2 Debt Service Fund Accounts as follows:

<u>Fund</u>	<u>Cost Center</u>	<u>Account</u>	<u>Amount</u>
310	1740010	550800	-\$135,000
310	1740010	550000	\$135,000

and any other adjustments in the Operating and/or Debt Service Fund if required by the Budget Office; and be it further

RESOLVED, that the Clerk of the Legislature be authorized and directed to send certified copies of this resolution to Thomas J. Whetham, P.E., Deputy Commissioner, Department of Environment and Planning, the Erie County Executive, the Erie County Comptroller, and the Director, Budget and Management. (4-0)

**THOMAS J. LOUGHRAN
CHAIRPERSON**