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# COUNTY OF ERIE

**CHRIS COLLINS**  
COUNTY EXECUTIVE

January 31, 2011

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

**RE: Contract with Wendel-Duchscherer for Preparation of Community Land Use  
Techniques Training Materials**

Honorable Members:

Enclosed please find a memorandum and proposed resolution pertaining to a contract with Wendel-Duchscherer for preparation of training and presentation materials concerning innovative Community Land Use Techniques.

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

Sincerely,

CHRIS COLLINS  
Erie County Executive

## **MEMORANDUM**

To: Honorable Members of the Erie County Legislature  
From: Department of Environment and Planning  
Re: Contract with Wendel-Duchscherer for Preparation of  
Community Land Use Techniques Training Materials  
Date: January 31, 2011

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### **SUMMARY**

It is recommended that the Legislature approve the attached resolution authorizing the County Executive to execute a contract with Wendel-Duchscherer in an amount not to exceed \$20,000. Services will include preparation of training and presentation materials regarding innovative Community Land Use Techniques that will better accommodate affordable housing within the Erie County Community Development Block Grant Consortium.

### **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 County budget.

### **REASONS FOR RECOMMENDATION**

The Erie County Department of Environment and Planning has accepted a report prepared by the Center for Urban Studies – State University of New York at Buffalo entitled Analysis of Impediments to Fair Housing Choice in Erie County, NY dated November, 2008. Preparation of this document is required by federal regulations governing recipients of federal Community Development Block Grant funds.

An important finding of the report pertained to the lack of innovation in many local land use regulations. This can serve as an impediment to achieve full housing choice for area residents. In order to begin addressing this finding Erie County seeks to undertake a comprehensive training program for local officials concerning best practices in innovative land use tools.

### **BACKGROUND INFORMATION**

In accordance with provisions of Section 19.08 of the County Administrative Code, proposals for planning services for this project were solicited by the Department of Environment and Planning. A total of four firms submitted proposals. A three-person selection committee was assembled, with representatives from the Erie County Department of Environment and Planning, and the Town of Amherst.

Reference should be made to Attachment A, which documents the review process.

### **CONSEQUENCES OF NEGATIVE ACTION**

A new Request for Proposal process would be required, thereby delaying implementation of the preparation of Community Land Use Techniques Training Materials.

### **STEPS FOLLOWING APPROVAL**

The County Executive will execute a contract with Wendel-Duchscherer.

A RESOLUTION SUBMITTED BY:  
DEPARTMENT OF ENVIRONMENT AND PLANNING

RE: Contract with Wendel-Duchscherer  
for Preparation of Community  
Land Use Techniques Training  
Materials

WHEREAS, Erie County seeks to undertake a Community Land Use Technique Training Program through the federally funded Community Development Block Grant; and

WHEREAS, the objective of the Program is to educate municipal officials concerning innovative land use techniques that can be used to better accommodate affordable housing within their communities; and

WHEREAS, in order to successfully carry out the Program professional planning services are required to complete certain technical components of the training effort.

NOW, THEREFORE, BE IT

RESOLVED, that the Erie County Executive is hereby authorized to execute a contract with Wendel-Duchscherer for planning services in an amount not to exceed \$20,000; and be it further

RESOLVED, that the source of funds is money available within the Erie County Department of Environment and Planning Budget, Fund 290, Community Development Fund, Project J.00510.2.4, Economic Development – Planning; and be it further

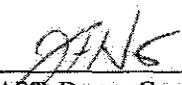
RESOLVED, that certified copies of this resolution be sent to the County Executive's Office; the Comptroller's Office; the Director of the Division of Budget and Management; the County Attorney; and the Commissioner of the Department of Environment and Planning, Rath Building, 10<sup>th</sup> Floor.

Appendix A

**QUALIFICATIONS REVIEW RATING SHEET**  
**DIVISION OF PLANNING**  
**PROPOSAL REVIEW RATING SHEET**

ITEMS		FIRMS TOTAL COMMITTEE MEMBERS' SCORES SHOWN			
CRITERIA	MAXIMUM TOTAL POINTS PER CRITERION	PJ SMITH	WENDEL	LABERGE	BEHAN
<b>A. QUALIFICATIONS</b>					
1. Location of Team(s)	30	30	30	20.5	21.5
2. Percent Minority Project Team	15	0	0	0	0
<b>EXPERTISE/EXPERIENCE</b>					
3. Special Expertise - Personnel	75	48	61.5	67.5	72
4. Similar Projects	75	47	62.5	59	65.5
5. Experience with other County Departments (if none, give middle rating)	15	15	15	10.5	12
<b>B. PROJECT</b>					
6. Evaluation of Scope of Services	90	63.6	80.8	68.8	77.8
7. MBE/WBE	30	0	0	22.5	0
8. Time of Completion	15	15	12	0	15
<b>C. FEE</b>					
9. Fee / Man Hours	90	77	84	23	21
<b>TOTAL SCORE</b>	<b>435</b>	<b>295.6</b>	<b>345.8</b>	<b>271.8</b>	<b>284.8</b>

In my opinion, in recommending Wendel Duchscherer to prepare the Training and Presentation Materials Concerning Innovative Community Zoning Techniques, the Department of Environment and Planning (DEP) has complied with all applicable provisions of Section 19.08 of the Erie County Administrative Code. Scoring sheets and other material related to this matter are available for review at the DEP offices.

  
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 JEFF HART, Deputy County Executive

  
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 KATHY KONST, Commissioner, ECDEP

1-26-2011  
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 Date

1-12-11  
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 Date