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COUNTY OF ERIE

CHRIS COLLINS

COUNTY EXECUTIVE

March 1, 2011

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

RE: Ralph Wilson Stadium – 2011 – Miscellaneous Improvements

Honorable Members:

The Lease between the Buffalo Bills and the County of Erie requires that the County provide capital improvements to Ralph Wilson Stadium on an annual basis. The Buffalo Bills have requested that the County, through the Department of Public Works, Division of Real Estate and Asset Management proceed with the capital improvements for 2011. The Division of Real Estate and Asset Management received bids for this work on February 28, 2011 and is requesting authorization for the County Executive to enter into contracts with the lowest responsible bidders.

A copy of the bid tabulations are attached for your reference.

Should your honorable body require further information, I encourage you to contact the Department of Public Works, Division of Real Estate and Asset Management. Thank you for your consideration on this matter.

Sincerely,

CHRIS COLLINS
Erie County Executive

MEMORANDUM

To: Honorable Members of the Erie County Legislature
From: Division of Real Estate and Asset Management
Re: Ralph Wilson Stadium – 2011 – Miscellaneous Improvements
Date: March 1, 2011

SUMMARY

The Lease between the Buffalo Bills and Erie County requires that the County provide annual capital maintenance and repairs to the Stadium. The Buffalo Bills have requested that the County proceed with the 2011 work. In order for the County to accomplish this, the County Executive is requesting authorization to award contracts to the lowest responsible bidders.

FISCAL IMPLICATIONS

Funds are available from the 2010 approved, as amended, capital budget SAP Project A.21002.12 – 2010 – Rehabilitation of Ralph Wilson Stadium.

REASONS FOR RECOMMENDATION

The Buffalo Bills have requested that the County, through the Department of Public Works, Division of Real Estate and Asset Management proceed with the 2011 capital projects pursuant to the Lease between the Buffalo Bills and Erie County. This work must be completed prior to the 2011 football season.

BACKGROUND INFORMATION

The County is required pursuant to the Lease between the Buffalo Bills and Erie County to provide annual capital projects. This work complies with the Lease.

CONSEQUENCES OF NEGATIVE ACTION

The County will be in violation of the Lease between the Buffalo Bills and Erie County.

STEPS FOLLOWING APPROVAL

Contracts will be executed by the County Executive with the lowest responsible bidders so the work can be started.

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.

Ⓢ Cash in project/Availability of Funds: \$2,010,765.31.

Lorne H. Steinhart

LORNE H. STEINHART
Deputy Comptroller
Comptroller's Office

MM/JPZ/lis

File Copy (REAM.3.1.11-2.RWS 2011 Miscellaneous Improvements.docx)

A RESOLUTION SUBMITTED BY:
DIVISION OF REAL ESTATE AND ASSET MANAGEMENT

RE: Ralph Wilson Stadium – 2011 –
Miscellaneous Improvements

WHEREAS, the County is required pursuant to the Lease Agreement between the Buffalo Bills and Erie County to provide capital improvements to Ralph Wilson Stadium on an annual basis; and

WHEREAS, the Erie County Division of Real Estate and Asset Management received bids for the Ralph Wilson Stadium – 2011 – Miscellaneous Improvements on February 28, 2011; and

WHEREAS, the Erie County Division of Real Estate and Asset Management is recommending award of contracts to the lowest responsible bidders, along with the engineer.

NOW, THEREFORE, BE IT

RESOLVED, that the County Executive be authorized to enter into contracts with the lowest responsible bidders for the Ralph Wilson Stadium – 2011 – Miscellaneous Improvements as follows:

GENERAL CONSTRUCTION WORK

Trason Development Corporation	Base Bid	\$289,900.00
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ELECTRICAL WORK

Frey Electric Construction Company	Base Bid	\$212,000.00
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MECHANICAL WORK

MKS Plumbing, Inc.	Base Bid	\$382,000.00
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PLUMBING WORK

MLP Plumbing, Inc.	Base Bid	<u>\$122,000.00</u>
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TOTAL AWARD OF ALL CONTRACTS NOT TO EXCEED		\$1,005,900.00
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and be it further

RESOLVED, that the sum of \$75,000.00 be allocated to a construction contingency fund with authorization for the County Executive to approve change orders in an amount not to exceed the contingency; and be it further

RESOLVED, that deduct change orders will result in these funds returned to the contingency fund; and be it further

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

A.21002.12	2010 – Rehabilitation of Ralph Wilson Stadium	\$1,080,900.00
TOTAL PAYMENTS NOT TO EXCEED		\$1,080,900.00

and be it further

RESOLVED, that two certified copies of this resolution be sent to the Division of Real Estate and Asset Management, and one copy each to the Office of the County Executive, the Division of Budget and Management, and the Office of the Comptroller.

BIDDER	BASE BID
Patrick Construction, LLC	\$362,900.00
C Nichter Construction, Inc.	\$414,000.00
Trason Development Corporation	\$289,900.00
Wilsandra Construction Company, Inc.	\$298,800.00

Erie County
Division of Real Estate and Asset Management

Information Included In This Report Does Not Indicate Award of Contract. For Informational Purposes Only.

A.21002

1

OFFICE OF THE COMPTROLLER REVIEW

DATE: 3/4/11

PROJECT TITLE: A.21002 2010 Rehabilitation of Ralph Wilson Stadium

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 \$ 3,000,000.00

TOTAL PROJECT APPROPRIATIONS \$ 3,000,000.00

LESS: TOTAL EXPENDITURE TO DATE \$ 1,019,790.52

TOTAL COMMITMENTS \$ 55,333.40

AVAILABLE APPROPRIATIONS AS OF DATE OF REQUEST \$ 1,924,876.08

LESS: CONTRACT AMOUNT: 1,080,900.00

NET AVAILABLE APPROPRIATIONS \$ 843,976.08

COMMENTS: Cash in project: 2,010,765.31

REQUEST APPROVED: Lorne H. Steinhart

REQUEST DENIED: _____

DATE: 3/4/2011

Fund/Group 410..520
 Funds Center * (*)
 Funded Program A.21002 (2010 Rehabilitation of Ralph Wilson Stadium ()

Commitment Item	Original Budget	Adjustments	Current Budget	Commitment	Actuals
445070 Prem On Obligations					270,021.37-
475000 Gen Oblig Bond Proc	3,000,000.00-		3,000,000.00-		2,729,978.63-
* Revenue	3,000,000.00-		3,000,000.00-		3,000,000.00-
516020 Pro Ser Cnt And Fees				55,333.40	1,000,001.52
562000 Capital Labor Trans					19,789.00
CAPITALPROJECTS Capital Project Exp	3,000,000.00		3,000,000.00		
* Expense	3,000,000.00		3,000,000.00	55,333.40	1,019,790.52
** Commitment Item				55,333.40	1,980,209.48-

Fund(s): 400..599

Fiscal Year: 2011

Project(s):A.21002

2010 Rehabilitation of Ralph Wilson Stadium (O.P)

Period: 1 to 16

Account	Prev. Yr.	YTD Debit	YTD Credit	End Bal
117000 CASH CONTROL ACCOUNT	2,069,556.59		58,791.28-	2,010,765.31
200000 ACCOUNTS PAYABLE CONTROL ACCT	5,035.00-	58,791.28	55,455.88-	1,699.60-
200200 GR/IR ACCOUNT		59,519.37	61,186.37-	1,667.00-
205100 RETAINED PERCENTAGE PAYABLE	23,125.74-		4,063.49-	27,189.23-
389999 UNRESERVED/UNDESIGNATED FUND BALANCE				
* Balance Sheet	2,041,395.85	118,310.65	179,497.02-	1,980,209.48
445070 PREMIUM ON OBLIGATIONS - BONDS	270,021.37-			270,021.37-
475000 GENERAL OBLIGATION BOND PROCEEDS	2,729,978.63-			2,729,978.63-
* Revenues	3,000,000.00-			3,000,000.00-
516020 PROFESSIONAL SERVICE CONTRACTS AND FEES	938,815.15	65,249.86	4,063.49-	1,000,001.52
562000 CAPITAL LABOR TRANSFER	19,789.00			19,789.00
* Expenditures	958,604.15	65,249.86	4,063.49-	1,019,790.52
** Total		183,560.51	183,560.51-	

2010 CONSOLIDATED RESO

ATTACHMENT B:		2010 CAPITAL BUDGET BOND RESOLUTION - PROJECT COMPONENTS								
		Reso # 25-2010 Dtd. 2/4/10 Comm. 3E-5 (as amended 2010)								
COLUMN #	A	A-1	B	C	D	E	F	G		
LINE NO.	SAP PROJ. NO.	PROJECT DESCRIPTION (object or purpose)	SPECIFIC OR CLASS	ESTIMATED MAXIMUM COST	AMOUNT OF BONDS AUTHORIZED	STATE or FEDERAL AID EXPECTED	LOCAL SOURCE REVENUE	PPU Sec. 11.00a reference	PROJECT DETAILS	CAPITAL BUDGET PAGE REFERENCE
1	A.21002	2010 REHABILITATION OF RALPH WILSON STADIUM (ORCHARD PARK)	S	\$ 3,000,000	\$ 3,000,000			15 yrs. Par. 19(c)	The County must provide annual capital maintenance and repairs to the County owned stadium facilities pursuant to the terms of the Lease Agreement between the Erie County Stadium Corporation and the Buffalo Bills. Funding in the 2010 Capital Budget continues the rehabilitation program at the Stadium, including paving work, plumbing, electrical, HVAC and general construction work.	B-107, 109 & 118
2	A.21003	2010 BOTANICAL GARDEN MASTER PLAN IMPLEMENTATION AND REHABILITATION (BUFFALO)	S	\$ 1,000,000	\$ 1,000,000			15 yrs. Par. 19(e)	As per the agreement signed by the County in 2004, the County is committed to provide capital funding to implement the Master Plan Implementation for the Gardens totaling \$9 million during the period of 2005-2013. Funding in the 2010 Capital budget continues funding the next but not limited to phase, construction of the Growing House and miscellaneous work.	B-107, 109 & 118
3	A.21004	2010 BUFFALO NIAGARA CONVENTION CENTER REHABILITATION (BUFFALO)	S	\$ 1,000,000	\$ 1,000,000			15 yrs. Par. 12(a)(2)	This phase of work is the continuation of County capital projects started in 1994. This phase will fund, but not be limited to, the renovations to the kitchen, marquee sign & front entrance, exhibition hall renovation and miscellaneous furniture, fixtures & equipment.	B-107, 109 & 118
4	A.21005	2010 COURT FACILITY EXTERIOR ENVELOPE, WATERPROOFING AND REPAIRS (BUFFALO)	S	\$ 1,250,000	\$ 1,250,000			15 yrs. Par. 12(a)(2)	This project will continue to fund the next phase of the construction and design, but not be limited to, exterior waterproofing and sealant work at Erie County Court building and exterior masonry, waterproofing and sealant work at Old County Hall, site work & miscellaneous work.	B-107, 109 & 118
5										
6	B.21001	2010 CAPITAL OVERLAY PROGRAM (COUNTYWIDE)	C	\$ 6,000,000	\$ 1,800,000		\$ 4,200,000	15 yrs. Par. 20	The 2010 capital overlay program provides for rehabilitation work to include, but not limited to, pavement and shoulder widening, drainage improvements, sight distance and safety improvements. Completion of these projects will result in future operating and maintenance savings.	B-107, 110 & 118
7	B.21002 B.21003 B.21004 B.21005 B.21006 B.21007 B.21008 B.21009 B.21010 B.21011	2010 BRIDGE AND ROAD RECONSTRUCTION PROJECTS - FEDERAL AID PROGRAM (COUNTYWIDE)	C	\$ 30,036,549	\$ 3,962,330	\$ 26,074,219		15 yrs. Par. 91	This project provides \$3,962,330 to finance the County share of various road projects which are eligible for State and Federal aid. The State and Federal share of this project totals \$26,074,219. Total project cost is \$30,036,549. Roads and bridges scheduled include: Colvin Blvd. Signals; Como Park Blvd.; Wehrle Drive; Cemetery Road Bridges; Cedar Street Bridge; North Forest Road; Seneca Street Bridge; Pavement Road Bridges; Maple Road Intersections; and bridge painting.	B-107, 110 & 118
7 a	B.21002	2010 BRIDGE AND ROAD RECONSTRUCTION PROJECTS - FEDERAL AID PROGRAM - COLVIN SIGNALS CONSTRUCTION	C		\$ 158,000			15 yrs. Par. 91	This project provides \$3,962,330 to finance the County share of various road projects which are eligible for State and Federal aid. The State and Federal share of this project totals \$26,074,219. Total project cost is \$30,036,549. Roads and bridges scheduled include: Colvin Blvd. Signals; Como Park Blvd.; Wehrle Drive; Cemetery Road Bridges; Cedar Street Bridge; North Forest Road; Seneca Street Bridge; Pavement Road Bridges; Maple Road Intersections; and bridge painting.	B-107, 110 & 118

TO: LORNE STEINHART, COMPTROLLER'S OFFICE

COMPTROLLER'S RECEIVED

PROPOSED RESOLUTIONS REQUIRING RULE 55
11 MAR -3 PM 2: 33

CONTRACT APPROVAL CHECKLIST
CONFIRMATION OF AVAILABILITY OF FUNDS IN CAPITAL PROJECTS

REQUESTING DEPARTMENT

COMPLETE ITEMS 1 THROUGH 5

- 1. CONTRACTOR'S NAME
Trason Development Corp.
Frey Electric Construction
MKS Plumbing (Mechanical)
MKS Plumbing (Plumbing)
- 2. AMOUNT OF CONTRACT
Trason Development Corp. - \$289,900.00
Frey Electric Construction - \$212,000.00
MKS Plumbing (Mechanical) - \$382,000.00
MKS Plumbing (Plumbing) - \$122,000.00
Construction Contingency - \$75,000.00
Total Not to Exceed - \$1,080,900.00
- 3. PROJECT NUMBER
A.21002.12
- 4. PROJECT TITLE
2010 Rehabilitation of Ralph Wilson Stadium
- 5. DEPARTMENT CONTACT
Funding questions: Jeffrey P. Zack, PE at 8824
Letter pickup: Lynn Sacha at 8301

COMPTROLLER'S OFFICE

COMPLETE ITEMS 6 AND 7

- 6. AVAILABILITY OF FUNDS
\$ 2,010,765.31
- 7. PERFORMED BY
Jackie Pulzifer
- Date Sent to Comptroller's Office:
March 3, 2011

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