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COUNTY OF ERIE

CHRIS COLLINS
COUNTY EXECUTIVE

April 29, 2011

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

**RE: Phase 1 Engineering Services – Black Rock Canal Park
(aka Ontario Street Boat Launch)**

Honorable Members:

Enclosed please find a memorandum and proposed resolution pertaining to the execution of a contract for Phase 1 engineering services at the County's Black Rock Canal Park in the City of Buffalo.

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: Phase 1 Engineering Services – Black Rock Canal Park
(aka Ontario Street Boat Launch)
Date: April 29, 2011

SUMMARY

Erie County has been awarded \$500,000 in state funds to design and construct Phase 1 improvements to Black Rock Canal Park in the City of Buffalo.

The effort includes preparation of design drawings and completion of construction management services for Phase 1 improvements.

The resolution authorizes the County Executive to execute a consultant contract with Nussbaumer and Clarke, Inc. of Hamburg, New York and the County of Erie for engineering and construction management services.

FISCAL IMPLICATIONS

The proposed resolution requests that the total amount of \$107,621 be allocated from available funds in the SAP Account A.21016. Additionally, it is requested that \$10,762 from the same SAP Account be allocated for design and construction management contingencies.

REASONS FOR RECOMMENDATION

Erie County owns and operates an interconnected series of waterfront recreational facilities near the western terminus of Ontario Street with the Niagara River in the City of Buffalo. These include Cornelius Creek Park, Ontario Street Boat Launch and a .25 mile linear foot segment of the Erie County Riverwalk.

Due to the unrealized recreational potential of the site and its declining physical condition, the Black Rock – Riverside Good Neighbors Planning Alliance prepared an ambitious concept plan for the area. The Department of Environment and Planning is seeking to engage Nussbaumer and Clarke, Inc. to perform engineering services for Phase I improvements.

BACKGROUND INFORMATION

A request for proposal was issued for the analysis and twelve firms responded to the document. The result of the consultant review is included as Attachment A to the resolution.

CONSEQUENCES OF NEGATIVE ACTION

Failure to undertake the feasibility analysis would delay any comprehensive park improvement effort for the Ontario Street Boat Launch.

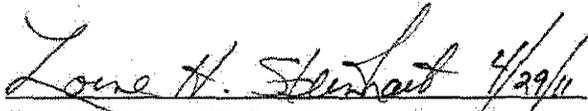
STEPS FOLLOWING APPROVAL

Funding agreements with City of Buffalo and New York State will be executed and contract negotiations with Nussbaumer and Clarke, Inc. will be initiated by the Department of Environment and Planning.

COMPTROLLER'S REVIEW

The proposed legislation has been reviewed by the office of the Comptroller and is related to a capital project, included in the 2010 Capital Budget, Capital Project #A.21016 for which there are sufficient capital appropriations for the action proposed.

Claims will need to be filed to receive the state reimbursements (\$500,000 available).



LORNE STEINHART, Deputy Commissioner
Office of the Comptroller

A RESOLUTION SUBMITTED BY:
DEPARTMENT OF ENVIRONMENT AND PLANNING

RE: Phase 1 Engineering Services –
Black Rock Canal Park (aka Ontario
Street Boat Launch)

WHEREAS, Erie County is desirous of engaging engineering and construction management services for Phase 1 improvements for the Erie County Black Rock Canal Park (aka Ontario Street Boat Launch) in the City of Buffalo; and

WHEREAS, in compliance with Section 19.08 of the Erie County Administrative Code a consultant selection process was undertaken to evaluate responses to Request for Proposal #106186BC.

NOW, THEREFORE, BE IT

RESOLVED, that the County Executive be authorized to execute a Contract for Engineering and Construction Management Services for Phase 1 Improvements to Black Rock Canal Park (aka Ontario Street Boat Launch) in an amount not to exceed \$107,621 with Nussbaumer and Clark, Inc., and be it further

RESOLVED, that an amount of \$107,621 be allocated from SAP Account A.21016 for Engineering and Construction Management Services (GL Account 516020 Professional Services, Contracts and Fees) and an additional amount of \$10,762 be allocated for a Department of Environment and Planning design contingency fund with authorization for the County Executive to approve contract amendments with Nussbaumer and Clark, Inc., not to exceed \$10,762, also to be allocated from SAP Account A.21016; and be it further

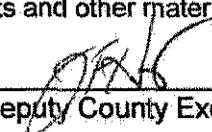
RESOLVED, that certified copies of this resolution be sent to the County Executive's Office; the Comptroller's Office; the Director of the Division of Budget and Management; the County Attorney; and the Commissioner of the Department of Environment and Planning, Rath Building, 10th Floor.

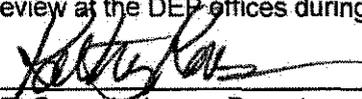
ATTACHMENT A

Attachment A
 Consultant Selection Summary-
 Engineering Services Black Rock Canal Park

Reviewer/ Firm	C&S Companies	TVGA	CHA Companies	Peter J. Smith	T.Y. Lin International	Urban Engineers	Nussbaumer & Clarke	Fisher Associates	Hatch Mott MacDonald	DiDonato Associates	Wendel Duchscherer	Tredo Engineers
Margaret Szczepaniec, Black Rock Canal Park Advisory Committee	122.2	112.0	129.4	125.3	112.5	133.5	131.2	114.0	130.5	110.0	115.3	121.8
Dan Milovich, Black Rock Neighborhood Representative	132.0	126.0	126.0	137.0	121.0	140.0	135.0	120.0	143.0	116.0	119.0	114.5
Matt Salah, Erie County Department of Sewers	111.0	101.0	122.0	112.0	98.0	120.0	119.0	94.0	110.0	97.0	102.0	96.0
Tom Dearing, Erie County Department of Environment and Planning	83.2	81.5	105.4	100.8	79.5	107.0	114.2	69.8	95.9	88.0	100.3	95.8
Mark Rountree, Erie County Department of Environment and Planning	112.0	109.0	116.0	126.0	100.0	116.0	126.0	112.0	124.0	101.0	113.0	119.5
TOTAL	560.4	529.5	598.8	601.1	511.0	616.4	625.4	509.8	603.4	512.0	549.6	547.6

In my opinion in recommending Nussbaumer & Clarke to provide engineering services for Phase I improvements to Black Rock Canal Park, 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 during regular business hours.


 JEFF HART, Deputy County Executive


 KATHY KONST, Commissioner - Department of Environment and Planning

ATTACHMENT B
QUALIFICATIONS REVIEW RATING SHEET
Summary of Total Firm Score by Criteria
DIVISION OF PLANNING
PROPOSAL REVIEW RATING SHEET
Black Rock Phase I

FIRM NAME	1. LOCATION OF TEAM(S)	2. SPECIAL EXPERTISE - PERSONNEL	3. SIMILAR PROJECTS	4. EXPERIENCE WITH OTHER COUNTY DEPARTMENTS (IF NONE, GIVE 2.5)	5. EVALUATION OF SCOPE OF SERVICES	6. MAN HOURS	7. MBE/WBE	8. TIME OF COMPLETION	9. FEE	TOTAL SCORE
MOST POSSIBLE POINTS	30	125	125	25	150	50	50	25	150	750
C&S Companies	46	103.5	99.5	23	111	41	23.4	23	90	560.4
TVGA	46	106	99.5	23	106	39	13	22	75	529.5
CHA Companies	43.5	95.5	102	23	108	42	26.8	23	135	598.8
Peter J. Smith	46	105.5	109	20	122	41	29.6	23	105	601.1
T.Y. Lin International	42	102.5	101.5	24	131	28	29	23	30	511
Urban Engineers	40	111	101.5	23	119	40	23.9	23	135	616.4
Nussbaumer & Clark	39	116	108	23	130	40	27.4	22	120	625.4
Fisher Associates	47	103.5	99.5	23	96	35	25.8	20	60	509.8
Hatch Mott MacDonald	38	100.5	111	24	117	29	25.9	23	135	603.4
DiDonato Associates	37	110	111	24	127	21	30	22	30	512
Wendel Duchscherer	41	115	118	23	126	35	24.6	22	45	549.6
Tredo Engineers	47	97.5	91.5	15	114	38	18.6	21	105	547.6