



COUNTY OF ERIE

MARK C. POLONCARZ
COUNTY EXECUTIVE

February 15, 2012

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

**RE: Department of Social Services
Authorization to Renew Lease – 478 Main Street**

Dear Honorable Members:

The Department of Social Services is requesting authorization to renew the lease at 478 Main Street with the Mohawk Group Limited Partnership for the purpose of housing multiple Social Services programs at the site.

The lease is for 115,909 square feet of space at an annual base rental amount of \$1,419,885.25. This rental rate reflects current market rates and provides for no increase from the past extension. All other terms and conditions of the lease shall remain in full force and effect and shall be extended for a period of five years with a termination option to the County at the end of the third and fourth year with six months written notice.

Should your honorable body require further information, I encourage you to contact the Department of Social Services. Thank you for your consideration of this matter.

Sincerely yours,

Mark C. Poloncarz, Esq.
Erie County Executive

MCP/bb
Enclosure

cc: Carol Dankert, Department of Social Services
Michael Siragusa, County Attorney

MEMORANDUM

To: Honorable Members of the Erie County Legislature
From: Department of Social Services
Re: Authorization to Renew Lease – 478 Main Street
Date: February 14, 2012

SUMMARY

The Department of Social Services is requesting authorization to renew a lease at 478 Main Street with the Mohawk Group Limited Partnership.

FISCAL IMPLICATIONS

There is no current year fiscal impact for this lease agreement, as necessary funds are available in the 2012 Adopted Budget.

REASONS FOR RECOMMENDATION

The existing lease will be expiring and continuous services to clients is required.

BACKGROUND INFORMATION

The Erie County Department of Social Services is required to lease space due to lack of space in other County-owned buildings.

CONSEQUENCES OF NEGATIVE ACTION

The County will not be able to proceed with lease renewal. The cost of moving is prohibitive due to the cost of potential tenant improvements at a new location, extensive cabling and systems installations in place at the current location, and it is very probable that the County would incur additional unforeseen and unbudgeted costs in 2012 if a move were necessary.

STEPS FOLLOWING APPROVAL

The County will enter into a lease renewal agreement with the landlord.

**RESOLUTION SUBMITTED BY:
DEPARTMENT OF SOCIAL SERVICES**

RE: Lease Renewal – 478 Main Street

WHEREAS, Erie County currently leases space used for housing multiple Social Services programs from Mohawk Group Limited Partnership (“Mohawk Group”) at 478 Main Street; and

WHEREAS, the current lease with Mohawk Group expires on March 31, 2012 and Erie County still needs space to house those programs; and

WHEREAS, a Request for Proposal for space to accommodate these programs was not issued by the previous administration; and

WHEREAS, there is inadequate time to issue a Request for Proposal before the current lease expires; and

WHEREAS, in order to avoid interruption of service to program recipients, the Department of Social Services is seeking authorization to renew the lease with Mohawk Group and continue occupancy at 478 Main Street; and

WHEREAS, the base per square foot rental renewal amount will remain the same as the previous lease agreement; and

WHEREAS, there are no additional County funds required to renew this lease, as funding for this leased space is budgeted and is available in the 2012 Adopted Budget.

NOW, THEREFORE, BE IT

RESOLVED, that the County Executive is hereby authorized to enter into a five-year lease which includes a termination option to the County at the end of the third and fourth year with six months written notice for 115,909 square feet of space at 478 Main Street, Buffalo, New York with Mohawk Group at the annual base rental rate of \$1,419,885.25 for the period April 1, 2012 through March 31, 2017; and, be it further

RESOLVED, due to the immediate need to continue occupancy the requirement for Request for Proposals is waived; and, be it further

RESOLVED, that the Erie County Executive is authorized to execute the lease renewal for 478 Main Street; and, be it further

RESOLVED, that certified copies of this resolution shall be forwarded to the Erie County Executive, the Commissioner of Social Services, the County Attorney, the Erie County Comptroller and the Director of the Division of Budget and Management.