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## COUNTY OF ERIE

MARK C. POLONCARZ  
COUNTY EXECUTIVE

OPEN

April 16, 2012

Erie County Legislature  
92 Franklin Street, 4<sup>th</sup> Floor  
Buffalo, New York 14202

### **IMMEDIATE CONSIDERATION REQUESTED**

**RE: Ralph Wilson Stadium - 2011 Miscellaneous Improvements**

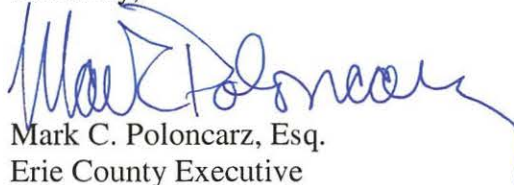
Dear Honorable Members:

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, proceed with Phase II of the capital improvements for 2011.

This resolution is requesting your honorable body's authorization for the County Executive to enter into agreements with the lowest responsible bidders for the Ralph Wilson Stadium-2011-Miscellaneous Improvements-Phase II work. Bids were received by the Department of Public Works on March 14, 2012 and 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. Thank you for your consideration on this matter.

Sincerely,



Mark C. Poloncarz, Esq.  
Erie County Executive

MCP/db  
Enclosure

Cc: John Loffredo, Department of Public Works  
Jeff Zack, Department of Public Works

8E-10

## MEMORANDUM

COMPTROLLER'S  
RECEIVED

12 APR 12 AM 9:42

**To:** Honorable Members of the Erie County Legislature  
**From:** Department of Public Works  
**Re:** Ralph Wilson Stadium  
2011 Miscellaneous Improvements – Phase II  
**Date:** April 10, 2012

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### **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 Phase II of the 2011 work. Your honorable body has previously authorized the design portion of the Phase II work; and the Department of Public Works has received bids for the Ralph Wilson Stadium-2011-Miscellaneous Improvements - Phase II – work on March 14, 2012. This resolution is requesting authorization for the County Executive to enter into contracts with the lowest responsible bidders.

### **FISCAL IMPLICATIONS**

Funds are available from the 2002 through the 2011 approved capital budgets, SAP Projects: A.00039 – 2002, A.00077 – 2003, A.00259 – 2005, A.00318 – 2008, A.20901 – 2009, A.21002 – 2010, A.11002 – 2011, all Rehabilitation of Ralph Wilson Stadium.

### **REASONS FOR RECOMMENDATION**

The Buffalo Bills have requested that the County, through the Department of Public Works, proceed with Phase II of the 2011 capital projects pursuant to the Lease between the Buffalo Bills and Erie County. This work must be started now so the design, bidding and construction can be completed prior to the 2012 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**

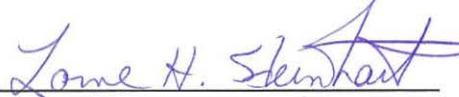
The County will be in violation of the Lease between the Buffalo Bills and Erie County.

### **STEPS FOLLOWING APPROVAL**

An Agreement Amendment will be executed by the County Executive with the lowest responsible bidders so the Phase II construction work can begin.

## 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.

 4/12/12  
LORNE H. STEINHART  
~~Acting Comptroller~~ Deputy Comptroller  
Comptroller's Office

MCP:dab

File (DPW.4.10.12.RWS.2011. Phase II.docx)

A RESOLUTION SUBMITTED BY:  
DEPARTMENT OF PUBLIC WORKS

**RE:** Ralph Wilson Stadium - 2011 Miscellaneous Improvements - Phase II

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, Department of Public Works, received bids for the Ralph Wilson Stadium – 2011 – Miscellaneous Improvements – Phase II on March 14, 2012; and

WHEREAS, the Erie County, Department of Public Works, is recommending award of contracts to the lowest responsible bidders, along with the engineer; and

WHEREAS, your honorable body has previously approved a General Architectural/Engineering Agreement with the Engineering firm of DiDonato Associates for providing professional services on County projects; and

WHEREAS, the County Executive is requesting authorization to issue an Agreement Amendment to DiDonato Associates for providing professional design services for the 2012 projects.

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 - Phase II as follows:

GENERAL CONSTRUCTION WORK

Trason Development Corporation	Base Bid	\$615,000.00
Add Alternate G-1		52,500.00
Add Alternate G-2		<u>29,500.00</u>
Total General Construction Contract		\$697,000.00

ELECTRICAL WORK

Frey Electric Construction Company	Base Bid	\$20,000.00
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MECHANICAL WORK

Northeast Mechanical, Inc.	Base Bid	\$145,900.00
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SITE WORK

Anastasi Trucking, Inc.	Base Bid	\$368,394.00
Add Alternate S-1		268,036.00
Add Alternate S-2		<u>237,322.00</u>
Total Award Site Contract		\$873,752.00
<b>TOTAL AWARD OF ALL CONTRACTS NOT TO EXCEED</b>		<b>\$1,736,652.00</b>

; and be it further

RESOLVED, that the sum of \$168,331 be allocated to a construction contingency fund with authorization for the County Executive and/or Commissioner of Public Works to approve change orders 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 County Executive be authorized to issue an Agreement Amendment to DiDonato Associates to provide this years' design work for an amount not to exceed \$45,000; 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.00039	2002 - Rehabilitation of Ralph Wilson Stadium	\$9,487.00
A.00077	2003 - Rehabilitation of Ralph Wilson Stadium	\$15,055.00
A.00259	2005 - Rehabilitation of Ralph Wilson Stadium	\$7,350.00
A.00318	2008 - Rehabilitation of Ralph Wilson Stadium	\$2,083.00
A.20901	2009 - Rehabilitation of Ralph Wilson Stadium	\$248,764.00
A.21002	2010 - Rehabilitation of Ralph Wilson Stadium	\$259,883.00
A.11002	2011 - Rehabilitation of Ralph Wilson Stadium	<u>\$1,407,361.00</u>

**TOTAL PAYMENTS NOT TO EXCEED** **\$1,949,983.00**

; and be it further

RESOLVED, that two certified copies of this resolution be sent to the Department of Public Works, Office of the Commissioner, and one copy each to the Office of the County Executive, the Division of Budget and Management, and the Office of the Comptroller.

TO: LORNE STEINHART, COMPTROLLER'S OFFICE

PROPOSED RESOLUTIONS REQUIRING RULE 55

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. (General)  
Frey Electric Construction Co. (Electrical)  
Northeast Mechanical Inc. (Mechanical)  
Anastasi Trucking Inc. (Site)  
DiDonato Associates (Architect)  
Construction Contingency

2. AMOUNT OF CONTRACT

\$697,000.00 – Trason Development Corp.  
\$ 20,000.00 – Frey Electric Construction Co.  
\$145,900.00 – Northeast Mechanical, Inc.  
\$873,752.00 – Anastasi Trucking, Inc.  
\$ 45,000.00 – DiDonato Associates  
\$168,331.00 – Construction Contingency

3. PROJECT NUMBER

A.00039 - \$ 9,487.00  
A.00077 - \$ 15,055.00  
A.00259 - \$ 7,350.00  
A.00318 - \$ 2,083.00  
A.20901 - \$ 248,764.00  
A21002 - \$ 259,883.00  
A11002 - \$1,407,361.00

4. PROJECT TITLE

Ralph Wilson Stadium – 2011 Miscellaneous  
Improvements – Phase II

5. DEPARTMENT CONTACT

Funding questions: Jeffrey P. Zack, PE at 8824  
Letter pickup: Diane Bukowski at 8301

COMPTROLLER'S OFFICE

COMPLETE ITEMS 6 AND 7

6. AVAILABILITY OF FUNDS

\$ see below

7. PERFORMED BY

Jackie Pulogier

Date Sent to Comptroller's Office:

April 10, 2012

Cash:

[55 compt\_10]

A.00039	-	\$ 9,487.96
A.00077	-	\$ 16,487.46
A.00259	-	\$ 7,350.63
A.00318	-	\$ 248,509.94
A.20901	-	\$ 249,228.47
A.21002	-	\$ 474,729.99
A.11002	-	\$ 2,800,000.00