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# COUNTY OF ERIE

**MARK C. POLONCARZ**

COUNTY EXECUTIVE

July 9, 2013

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

**Re: Buffalo and Erie County Botanical Gardens–2013-Houses 2 & 3 Renovation**

Dear Honorable Members:

This resolution is requesting authorization for the County Executive to enter into an agreement amendment with the A/E firm of Foit Albert Associates for architectural and engineering consulting services for the Buffalo and Erie County Botanical Gardens – 2013 – Houses 2 and 3 Renovation project.

Additionally, this resolution is requesting authorization for the County Executive to enter into an agreement amendment with the A/E firm of Trautman Associates for architectural and engineering consulting services to study the storm and sanitary sewers at the Buffalo and Erie County Botanical Gardens facility.

Should your Honorable Body require further information, I encourage you to contact Commissioner John C. Loffredo at the Department of Public Works. Thank you for your consideration on this matter.

Sincerely yours,

Mark C. Poloncarz, Esq.  
Erie County Executive

MCP/dab

cc: John C. Loffredo, Commissioner of Public Works

## MEMORANDUM

COMPTROLLER'S  
RECEIVED

**To:** Honorable Members of the Erie County Legislature  
**From:** Department of Public Works  
**Re:** Buffalo and Erie County Botanical Gardens – 2013 – Houses 2 & 3 Renovation  
**Date:** June 26, 2013

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### **SUMMARY**

This resolution is requesting authorization for the County Executive to enter into an agreement amendment with the A/E firm of Foit Albert Associates for architectural and engineering consulting services for the Buffalo and Erie County Botanical Gardens – 2013 – Houses 2 & 3 Renovation project.

Additionally, this resolution is requesting authorization for the County Executive to enter into an agreement amendment with the A/E firm of Trautman Associates for architectural and engineering consulting services to study the storm and sanitary sewers at the Buffalo and Erie County Botanical Gardens facility.

### **FISCAL IMPLICATIONS**

Funds for the project are currently available from the approved and adopted 2013 capital budget. The SAP project account is A.13002 – 2013 Buffalo & Erie County Botanical Gardens Master Plan Implementation.

### **REASONS FOR RECOMMENDATION**

Houses No. 2 & 3 will be reconstructed in similar fashion to Houses 11 & 12. All of these buildings face the front of the facility and would improve the appearance and looks of the facility, not to mention correct and preserve the glass structures which are failing. Currently, House No. 3 is closed when wind velocities exceed 40 mph. Also, a study will be performed on the storm and sanitary sewers as there are flooding conditions present.

### **BACKGROUND INFORMATION**

The multi-phased master plan objective is to rehabilitate, reconstruct and restore the buildings at the Botanical Gardens to preserve their existence and function. The magnitude of the master plan will range from buildings and use studies to total reconstruction of the buildings. This work is commensurate with the Botanical Gardens Master Plan Implementation.

### **CONSEQUENCES OF NEGATIVE ACTION**

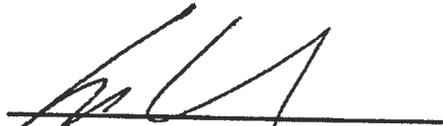
If renovations to these buildings are not made, the glass structures will continue to deteriorate to the point where they will be unsafe for the public and will have to be closed. Without the storm and sanitary sewer study, the grounds and the facility will have continued risk of flooding, costing more if flood damage occurs.

**STEPS FOLLOWING APPROVAL**

Upon Legislative approval, the County Executive will execute an Agreement Amendment with each of the firms of Foit Albert Associates and Trautman Associates so that design work can proceed.

**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.



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GREGORY GACH  
Deputy Comptroller  
Comptroller's Office

**A RESOLUTION SUBMITTED BY:  
DEPARTMENT OF PUBLIC WORKS**

**Re: Buffalo and Erie County Botanical Gardens – 2013 – Houses 2 & 3 Renovation**

WHEREAS, Houses No. 2 & 3 will be reconstructed in similar fashion to Houses 11 & 12. All of these buildings face the front of the facility and would improve the appearance and looks of the facility, not to mention correct and preserve the glass structures which are failing. Currently, House No. 3 is closed when wind velocities exceed 40 mph. Also, a study will be performed on the storm and sanitary sewers as there are flooding conditions present; and

WHEREAS, your Honorable Body has previously authorized the County Executive to enter in a General Architectural/Engineering services agreements with the firms of Foit Albert Associates and Trautman Associates for providing professional design and construction document services on Erie County projects; and

WHEREAS, the County Executive is requesting authorization to issue an Agreement Amendment to the firm of Foit Albert Associates for providing design and construction administration services for the Buffalo and Erie County Botanical Gardens – 2013 – Houses 2 & 3 Renovation project; and

WHEREAS, the County Executive is requesting authorization to issue an Agreement Amendment to the firm of Trautman Associates for providing design and construction administration services to study the flooding conditions of the storm and sanitary sewers at the Buffalo and Erie County Botanical Gardens facility.

NOW, THEREFORE, BE IT

RESOLVED, that the County Executive be authorized to enter into an Agreement Amendment with the A/E firm of Foit Albert Associates for an amount not to exceed \$180,000; and be it further

RESOLVED, that the County Executive be authorized to enter into an Agreement Amendment with the A/E firm of Trautman Associates for an amount not to exceed \$25,000; and be it further

RESOLVED, that the Comptroller's Office be authorized to make payment for the additional funding from SAP project account A.13002 – 2013 Buffalo & Erie County Botanical Gardens, Master Plan Implementation, total amount not to exceed \$205,000.00; and be it further

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

TO: GREGORY GACH, 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. CONSULTANT'S NAME	Foit Albert Associates \$180,000.00 Trautman Associates \$ 25,000.00
2. AMOUNT OF CONTRACT	Not to Exceed \$205,000.00
3. PROJECT NUMBER	A.13002 – 2013 Buffalo & Erie County Botanical Gardens Master Plan Implementation \$205,000.00
4. PROJECT TITLE	Buffalo and Erie County Botanical Gardens – 2013 – Houses 2 & 3 Renovation
5. DEPARTMENT CONTACT	Funding questions: Jeffrey P. Zack, PE at x8824 Letter pickup: Diane Bukowski at x8301

COMPTROLLER'S OFFICE

COMPLETE ITEMS 6 AND 7

6. AVAILABILITY OF FUNDS	\$ 795,000.00
7. PERFORMED BY	
Date Sent to Comptroller's Office:	June 26, 2013

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