



# COUNTY OF ERIE

**MARK C. POLONCARZ**

COUNTY EXECUTIVE

July 17, 2014

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

**Re: Buffalo Niagara Convention Center (BNCC)-2014-Boiler Stack Replacement  
and Loading Dock Trench Drain Repairs  
IMMEDIATE CONSIDERATION REQUESTED**

Dear Honorable Members:

The Department of Public Works will be receiving bids for the Buffalo Niagara Convention Center (BNCC)-2014-Boiler Stack Replacement and Loading Dock Trench Drain Repairs project during the Legislature's summer recess period. This resolution is seeking authorization for the County Executive to enter into construction contracts with the lowest responsible bidders so construction may proceed during the summer months.

These projects will replace the existing deteriorated boiler stack which is original to the building when it was constructed circa 1971 and repair the existing loading dock drains that have deteriorated over time from the use of de-icing chemicals and heavy truck traffic.

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/mc  
Enclosure  
cc: John C. Loffredo, Commissioner of Public Works

## **MEMORANDUM**

**To:** Honorable Members of the Erie County Legislature  
**From:** Department of Public Works  
**Re:** Buffalo Niagara Convention Center - 2014- Boiler Stack Replacement  
and Loading Dock Trench Drain Repairs  
**Date:** July 17, 2014

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### **SUMMARY**

The Department of Public Works will be receiving bids for the Buffalo Niagara Convention Center (BNCC)-2014-Boiler Stack Replacement and Loading Dock Trench Drain Repairs project during the Legislature's summer recess period. This resolution is seeking authorization for the County Executive to enter into construction contracts with the lowest responsible bidders so construction may proceed during the summer months for the boiler stack replacement and loading dock trench drain repairs.

### **FISCAL IMPLICATIONS**

Funds for the project are available from the approved, as adopted, 2013 Capital Budget Project – A.13003-2013-Buffalo Niagara Convention Center.

### **REASON FOR RECOMMENDATION**

The concrete trench drains at the north and south entrances to the loading dock are crumbling and caving in. The condition poses a health and safety hazard and the drains need to be reconstructed. The exterior boiler stack has deteriorated to the point where it will become unsafe during the winter months when the building needs to be heated. If the boiler stack is not replaced during the summer months, the BNCC could be left without heat.

All work that will disturb the BNCC's operations must be performed during the summer months which are typically the slowest time of the year for use of the Convention Center.

### **BACKGROUND INFORMATION**

The Consultant will prepare plans and specifications in accordance with all codes and regulations to correct these deficiencies. All work must be performed during the summer which is typically the slowest time of the year for use of the Convention Center.

### **CONSEQUENCES OF NEGATIVE ACTION**

If the necessary repairs and correction are not done during the summer months, the trench drains will continue to deteriorate to the point where the loading dock may no longer be used for deliveries, etc. and the BNCC will be without heat if the existing boiler stack collapses due to its deterioration.

## **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

File: (BG.07.8.14bncc.boiler stack.loading dock repairs)

A RESOLUTION SUBMITTED BY:  
DEPARTMENT OF PUBLIC WORKS

RE: Buffalo Niagara Convention Center  
-2014- Boiler Stack Replacement and  
Loading Dock Trench Drain Repairs

WHEREAS, the Department of Public Works will be receiving bids for the Buffalo Niagara Convention Center-2014-Boiler Stack Replacement and Loading Dock Trench Drain Repair project during Legislative recess period; and

WHEREAS, the last Legislative meeting before summer recess will not allow for the normal award process of construction contracts after bids are received; and

WHEREAS, the County Executive is seeking prior authorization to award contracts to the lowest responsible bidders.

NOW, THEREFORE, BE IT

RESOLVED, that the County Executive is authorized to award contracts to the lowest responsible bidders so the work can proceed during the summer months for a total contract, including construction contingency, not to exceed \$260,000.00; and be it further

RESOLVED, that the Department of Public Works will report to the Legislature the value of the contracts awarded and to whom; and be it further

RESOLVED, that the Comptroller's Office be authorized to make payment for all the above from SAP Project Account: A.13003- 2013 Buffalo Niagara Convention Center, for a total amount not to exceed \$260,000.00; and be it further

RESOLVED, that two certified copies of this resolution be sent to the Department of Public Works, Commissioner's Office, and one copy each to the Office of the County Executive, the Division of Budget and Management, 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. CONTRACTOR'S NAME Lowest Responsible Bidder- General Construction
2. AMOUNT OF CONTRACT Construction Contingency \$260,000.00
3. PROJECT NUMBER A.13003
4. PROJECT TITLE Buffalo Niagara Convention Center-2014-Boiler Stack Replacement & Loading Dock Trench Drain Repairs
5. DEPARTMENT CONTACT Funding questions: Jeffrey P. Zack #8824  
Letter pickup: Diane Bukowski at 8301

COMPTROLLER'S OFFICE

COMPLETE ITEMS 6 AND 7

6. AVAILABILITY OF FUNDS \$ 490,221.04
7. PERFORMED BY Don Libson

Date sent to Comptroller's Office: July 8, 2014

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OFFICE OF THE COMPTROLLER REVIEW

DATE: 7-9-14

PROJECT TITLE: A.13003 2013 BUFFALO NIAGARA CONVENTION CTR. REHAB

1) IS THE REASON FOR THIS CONTRACT CONSISTENT WITH THE PURPOSE  
OF THE PROJECT: YES X NO       

IF NO, RETURN THIS REQUEST TO THE DEPARTMENT

IF YES, COMPLETE THE FOLLOWING VERIFICATION

2) PROJECT AVAILABLE APPROPRIATION

TOTAL PROJECT REVENUES \$ 500,000.00

TOTAL PROJECT APPROPRIATIONS \$ 500,000.00

LESS: TOTAL EXPENDITURE TO DATE \$ 0.00

TOTAL COMMITMENTS \$ 9,778.96

AVAILABLE APPROPRIATIONS AS OF DATE OF REQUEST \$ 490,221.04

LESS: CONTRACT AMOUNT: #1 103,000.00  
CONTRACT AMOUNT #2 260,000.00

NET AVAILABLE APPROPRIATIONS \$ 127,221.04

COMMENTS: \$500,000.00 project A.13003 cash balance.

REQUEST APPROVED: 

REQUEST DENIED: \_\_\_\_\_

DATE: 7/10/14