

A RESOLUTION TO BE SUBMITTED BY
LEGISLATOR RATH

Re: Indemnifying ECC from Cost-Overruns for STEM building Capital Project

WHEREAS, Erie County Community College along with the County of Erie have joined together in raising funds for the construction of new development on ECC's North Campus, called the STEM project; and

WHEREAS, the STEM building is intended to make the County's Community College more competitive and attractive to students in the areas of Science, Technology, Engineering and Math; and

WHEREAS, to secure additional funding from the State of New York Erie County asked the college to help raise funds for this project so that the entire burden wasn't on the taxpayers of Erie County; and

WHEREAS, ECC complied with this honorable body's request and worked tirelessly to raise their half of the funding for the capital development project, an undertaking not typically done by a county entity; and

WHEREAS, while the funding and planning stages are largely completed and there is currently no expected cost overruns ECC does acknowledge that they could occur, as they can with any multi-million dollar investment; and

WHEREAS, ECC has done what was as asked of them and any surprise costs incurred during the construction phase of the project could significantly harm ECC's financial status; and

WHEREAS, it is the County's responsibility to maintain and develop its assets, including ECC, and as a result the County will exclude ECC against any additional financial liability that might arise during the final construction phase of their new campus building.

NOW, THEREFORE, BE IT

RESOLVED, that the Erie County Legislature hereby seeks to indemnify and hold harmless Erie County Community College Corporation from cost overruns associated with the construction of the STEM building on their Amherst Campus; and be it further

RESOLVED, that this honorable body requests that the County Executive and the Erie County Comptroller work with ECC corp. to ensure that ECC does not have to come up with additional funding, beyond what they have already pledged in support of the STEM Project; and be it further

RESOLVED, that certified copies of this resolution be sent to County Executive Mark Poloncarz, Comptroller Mychajliw, the Erie County Community College Corporation Board of Directors, and all other parties deemed necessary and proper.

Fiscal Impact: The County would be responsible for cost overruns associated with the STEM development project.