



COUNTY OF ERIE

MARK C. POLONCARZ
COUNTY EXECUTIVE

February 3, 2014

Erie County Legislature
92 Franklin Street – 4th Floor
Buffalo, New York 14202

**RE: Rath Building – EECBG Grant – Mechanical and Electrical Renovations
Construction Contingency Increase**

Dear Honorable Members:

Your Honorable Body has previously awarded construction contracts for the Rath Building Mechanical and Electrical Energy Improvement project, including a construction contingency. This resolution is requesting your Honorable Body's authorization to increase the construction contingency for the installation of new motorized control valves on both the new and existing chillers, replacement of vibration isolators on the existing chiller and replacement of the air handling units located on the second floor of the Rath Building.

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,

A handwritten signature in black ink, appearing to read "Mark C. Poloncarz", is written over a faint, larger version of the same signature.

Mark C. Poloncarz, Esq.
Erie County Executive

MCP/dab
Enclosure

cc: John C. Loffredo, PE – Commissioner Public Works

MEMORANDUM

To: Honorable Members of the Erie County Legislature
From: Department of Public Works
Re: Rath Building-EECBG Grant-Mechanical and Electrical Renovations
Construction Contingency Increase
Date: February 3, 2014

SUMMARY

In 2009 the County received an Energy Improvement & Conservation Grant from the US Department of Energy (EECBG) for implementing energy conservation measures in County owned facilities. A majority of the grant was used to replace the forty (40) plus years old, six (6) air handling units, located on the 5th floor of the Rath Building. At the time the project was bid, there were insufficient funds to perform all the work, including replacing the 40 plus year old redundant Chiller in the Rath Building, and the units supplying HVAC to the Rath Building Lobby. The County is purchasing replacement HVAC units through the Division of Purchase and is seeking authorization to increase the construction contingency so a change order can be executed by the County Executive to have DV Brown & Associates install the new equipment.

FISCAL IMPLICATIONS

Funds for the project are available from the previously approved, as amended Capital Budget for 2013, SAP Project Account A.13006 – 2013 - Countywide, Mechanical, Electrical and Plumbing Improvements.

BACKGROUND INFORMATION

In 2009 the County received a grant from the US Department of Energy for implementing energy conservation measures in County owned buildings and to replace old equipment to further reduce energy costs and repair costs.

CONSEQUENCES OF NEGATIVE ACTION

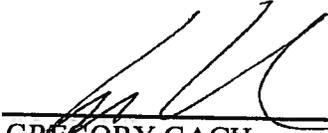
If the Rath Building units are not replaced, air quality in the building may become compromised. If the vibration isolators on the existing chiller piping are not replaced, they could fail during hot and humid summer months when the chillers are most needed.

STEPS FOLLOWING APPROVAL

Upon approval by the Erie County Legislature, the Construction Contingency for the Rath Building – EECBG Grant-Mechanical & Electrical Renovations project will be increased so Contract Amendments can be issued to DV Brown so the 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.



GREGORY GACH
Deputy Comptroller
Comptroller's Office

RESOLUTION SUBMITTED BY:
DEPARTMENT OF PUBLIC WORKS

RE: Rath Building – EECBG Grant – Mechanical and Electrical Renovations – Construction Contingency Increase

WHEREAS, this Honorable Body has previously authorized the County Executive to enter into a contract with DV Brown & Associates for providing Mechanical and Electrical Energy Improvements to the mechanical equipment located on the fifth floor of the Rath Building; and

WHEREAS, replacing the old worn out vibration isolators on the existing chiller and for providing motorized control valves on both the new and old Rath Building chillers will improve and reduce energy costs; and

WHEREAS, the Construction Contingency must be increased in order to fund the installation of the second floor HVAC units serving the Rath Building Lobby via a change order to DV Brown & Associates' contract; and

WHEREAS, this Honorable Body has previously authorized the County Executive to enter into a General Architectural/Engineering services agreement with the firm of Buffalo Engineering, PC, 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 Buffalo Engineering, PC for providing design and construction document services for the Rath Building Lobby HVAC equipment replacement.

NOW, THEREFORE, BE IT

RESOLVED, that the County Executive is hereby authorized to increase the current construction contingency fund by \$100,000.00 from \$283,000.00 to \$383,000.00; and be it further

RESOLVED, that the deduct change orders will result in these funds returned to the Contingent Fund; and be it further

RESOLVED, that the County Executive is authorized to execute an Agreement Amendment with the firm of Buffalo Engineering, PC for providing professional design and construction services for the Rath Building Lobby HVAC equipment replacement for an amount not to exceed \$15,000.00, including reimbursables; and be it further

RESOLVED, that the Comptroller's office be authorized to make payment for the above from SAP Project Account A.13006-2013-Countywide Mechanical, Electrical and Plumbing Improvements for an amount to exceed \$115,000.00; 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 Buffalo Engineering PC
2. AMOUNT OF CONTRACT Buffalo Engineering PC \$ 15,000.00
Construction Contingency \$100,000.00
3. PROJECT NUMBER A.13006
4. PROJECT TITLE Countywide Mechanical, Electrical & Plumbing Improvements
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 \$ 405,240.85
7. PERFORMED BY Don Wilson
8. Date sent to Comptroller's Office: January 27, 2014

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