



COUNTY OF ERIE

MARK C. POLONCARZ

COUNTY EXECUTIVE

March 17, 2014

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

RE: Planning and Engineering Services Agreement Bethlehem Steel Rail Utilization Plan

Dear Honorable Members:

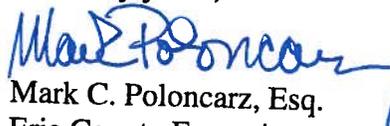
Enclosed please find a proposed resolution requesting authorization to execute an agreement with C&S Companies for a feasibility analysis, preliminary planning and engineering services for the rail relocation and improvements at the former Bethlehem Steel site.

C&S has just completed engineering and construction management services for the initial phase of the Rail Improvements Project at the Bethlehem Steel site under contract to the Erie County Industrial Development Agency (ECIDA). Erie County desires to continue onto the next phase of site improvements which include the relocation of the remainder of rail tracks along NYS Route 5 and a new entry road onto the site.

Erie County, in partnership with the ECIDA, recently completed the construction of the \$4.7 million of the Phase 1 of rail improvements last year. The initial work included removal of 7,000 lf of rail tracks along Route 5 and the installation of a new 2 ½ mile rail corridor in the center of the property. The Erie County Department of Environment & Planning and the Department of Public Works desire to continue with the planning of infrastructure improvements.

Should your Honorable Body require any further information, I encourage you to contact Commissioner Maria R. Whyte in the Department of Environment and Planning or Commissioner John Loffredo in the Department of Public Works. Thank you for your consideration on this matter.

Sincerely yours,


Mark C. Poloncarz, Esq.
Erie County Executive

MCP/cp
Enclosure

MEMORANDUM

To: Honorable Members of the Erie County Legislature
From: Department of Environment and Planning
Re: Planning and Engineering Services Agreement – Bethlehem Steel Rail Utilization Plan
Date: March 17, 2014

SUMMARY

It is recommended that the Erie County Legislature approve the attached resolution authorizing the County Executive to execute an agreement for planning and engineering services with C&S Companies. The consultant services pertain to a rail utilization study on the former Bethlehem Steel property.

FISCAL IMPLICATIONS

The proposed resolution requests that a total amount of \$65,000 be allocated from the available funds in the SAP Account A. 20911 Bethlehem Steel Redevelopment. The sources of funding for this project are from Erie County General Obligation Bonds approved in 2009.

REASON FOR RECOMMENDATION

Erie County desires to continue the facilitation of redevelopment on the former Bethlehem Steel site. It will be necessary to relocate additional rail tracks in order to have new infrastructure installed for redevelopment. Erie County wishes to conduct a utilization study that will determine the best area to relocate existing rail facilities that will also assist in attracting new companies to the site. C&S Companies' proposal scored the highest of five firms that responded to the County's Request for Proposals.

BACKGROUND INFORMATION

Erie County, along with the ECIDA, recently completed Phase 1 of rail improvements on the former Bethlehem Steel site, a \$4.7 million project. This project helped convince Welded Tube of Canada to build a new \$75 million manufacturing facility on the site. Although rail service has been improved to the Port of Buffalo and has freed up 200 acres for redevelopment, the remaining rail along Route 5 still blocks access for new infrastructure to portions of the site.

The Rail Utilization Study will help determine short and long term rail implementation plans that will assist in the redevelopment of the site and attract manufacturing that is in need of rail service.

CONSEQUENCES OF NEGATIVE ACTION

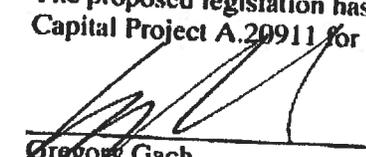
Delays will be encountered in the redevelopment of the Bethlehem Steel site and momentum from recently completed projects will be lost. Future development of the site may interfere with increased rail use thus deterring the possible interest of manufacturing.

STEPS FOLLOWING APPROVAL OF RESOLUTION

A consultant services agreement with C&S Companies for planning and engineering services will be executed by the County Executive.

COMPTROLLERS OFFICE REVIEW

The proposed legislation has been reviewed by the Office of the Comptroller and is related to an authorized Capital Project A.20911 for which there are sufficient account balances for the action proposed.



Gregory Gach
Deputy Commissioner

**A RESOLUTION SUBMITTED BY:
DEPARTMENT OF ENVIRONMENT AND PLANNING**

RE: Planning and Engineering Services Agreement Bethlehem Steel Rail Utilization Plan

WHEREAS, the County of Erie is interested in the fostering of business growth and job creation within Erie County; and

WHEREAS, Erie County desires to encourage the sound reuse of urban brownfields for productive use, be it industrial, commercial or recreational; and

WHEREAS, the former Bethlehem Steel site in the City of Lackawanna is now owned by Tecumseh Redevelopment Inc. and that Tecumseh Redevelopment Inc., the City of Lackawanna and the County of Erie entered into a Memorandum of Understanding on April 12, 2005, to work cooperatively toward the goal of redevelopment of this underutilized site; and

WHEREAS, the relocation of existing rails are necessary to install new roads and infrastructure to service new and future companies on the site; and

WHEREAS, it is necessary to retain C&S Companies to perform necessary planning and engineering work to determine the best approach to relocating existing rail facilities that will spur future redevelopment of the site; and

WHEREAS, the County Legislature has previously approved the sale of the General Obligation Bonds (Comm.7E-7, 2009) for improvements at this site and funds are available for the project in question.

NOW, THEREFORE, BE IT

RESOLVED, that the County Executive be authorized to execute a contract for Planning and Engineering services with C&S Companies for a Rail Utilization Study, in an amount not to exceed \$57,845; and be it further

RESOLVED, that an amount of \$57,845.00 be allocated for Planning and Engineering Services and an additional amount of \$7,155.00 be allocated for a Department of Environment and Planning design contingency fund from SAP Account A.20911 (Bethlehem Steel Redevelopment) with authorization for the County Executive to approve contract amendments with C&S Companies, not to exceed a total contract amount of \$65,000.00; and be it further

RESOLVED, that certified copies of this resolution shall be forwarded to the Office of the County Executive; the Commissioner of the Department of Environment and Planning; the Commissioner of the Department Public Works; the Director of the Division of Budget and Management; the Comptroller's Office and the County Attorney.