



# COUNTY OF ERIE

**MARK C. POLONCARZ**

COUNTY EXECUTIVE

May 22, 2015

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

**Re: Legal Name Correction to the Engineering Firm Approved for the Town of Evans Multi-Use Pathway – Phase III, PIN 575802 – Preliminary Design Agreement (Original resolution was Communication 2E-16)**

Dear Honorable Members:

Enclosed please find a memorandum and proposed resolution pertaining to the execution of a contract for preliminary design services relative to the Town of Evans Multi-Use Pathway – Phase III project. It corrects an error in the legal name noted in Communication 2E-16 (2015), previously approved by the Legislature on May 14, 2015.

Should your Honorable Body require further information, I encourage you to contact Deputy Commissioner Thomas J. Dearing at the Department of Environment and Planning. Thank you for your consideration on this matter.

Sincerely yours,

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/cw  
Enclosure

Cc: Maria R. Whyte, Commissioner  
Thomas J. Dearing, Deputy Commissioner

## **MEMORANDUM**

**To:** Honorable Members of the Erie County Legislature  
**From:** Department of Environment and Planning  
**Re:** Legal Name Correction to the Engineering Firm Approved for the Town of Evans  
Multi-Use Pathway – Phase III, PIN 575802 – Preliminary Design Agreement  
**Date:** May 22, 2015

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### **SUMMARY**

The resolution corrects an error in the legal name of the firm approved by the Erie County Legislature to undertake the preliminary design services for the Town of Evans Multi-Use Pathway – Phase III, PIN 575802 – Preliminary Design Agreement. Communication 2E-16 (2015), dated May 14, 2015 authorized the County Executive to execute a contract with Wendel in an amount not to exceed \$230,230 for the above noted services.

The correct, legal name of the firm is Wendel WD Architecture, Engineering, Surveying and Landscape Architecture, PC.

### **FISCAL IMPLICATIONS**

None

### **REASONS FOR RECOMMENDATION**

The contract would not be valid unless the correct legal name of the firm is included on the agreement.

### **BACKGROUND INFORMATION**

See Summary above.

### **CONSEQUENCES OF NEGATIVE ACTION**

The initiation of the Design Phase would be delayed a minimum of one month, thus straining the targeted completion schedule.

### **STEPS FOLLOWING APPROVAL**

The contracts will be prepared and executed by all parties.

A RESOLUTION SUBMITTED BY:  
DEPARTMENT OF ENVIRONMENT AND PLANNING

RE: Legal Name Correction to the Engineering Firm Approved for the Town of Evans Multi-Use Pathway – Phase III, PIN 575802 – Preliminary Design Agreement

WHEREAS, Erie County is desirous of engaging engineering services for Phase III to the Evans Multi-Use Pathway; and

WHEREAS, the Erie County Legislature approved Communication 2E-16 (2015), on May 14, 2015 wherein the County Executive was authorized to execute a contract with Wendel in an amount not to exceed \$230,230, for the purposes of conducting Engineering Design Services which are necessary prior to construction of Phase III to the Evans Multi-Use Pathway; and

WHEREAS, it has been determined that the legal name of Wendel is Wendel WD Architecture, Engineering, Surveying and Landscape Architecture, PC; and

WHEREAS, a new resolution is necessary to include the legal name noted above.

NOW, THEREFORE, BE IT

RESOLVED, that the County Executive be authorized to execute a contract with Wendel WD Architecture, Engineering, Surveying and Landscape Architecture, PC, in an amount not to exceed \$230,230, for the purposes of conducting Engineering Design Services which are necessary prior to construction of Phase III to the Evans Multi-Use Pathway; and be it further

RESOLVED, that the County Executive be authorized to execute contract amendments to the aforementioned contract in a cumulative amount not to exceed \$56,000; and be it further

RESOLVED, that said funding amounts shall be allocated from SAP Account No. A.14079, Evans Multi-Use Pathway; and be it further

RESOLVED, that the Clerk of the Legislature be instructed to forward certified copies of this resolution to the Department of Environment and Planning, 10<sup>th</sup> Floor, Rath Building; the Office of the County Executive; the Director of the Division of Budget and Management; the Office of the Comptroller; and the Office of the County Attorney.