



ECLEG NOV02'15 AM 9:55

# COUNTY OF ERIE

**MARK C. POLONCARZ**

COUNTY EXECUTIVE

October 29, 2015

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

## **IMMEDIATE CONSIDERATION REQUESTED**

**Re: Supreme Court Law Library Renovations Budget Increase**

Dear Honorable Members:

Please find enclosed a resolution from the Department of Public Works concerning a request to increase the project budget to conduct renovations at the Supreme Court Law Library. The project has been approved previously by your Honorable Body and is requested by the New York State Office of Court Administration. This resolution is requesting pre-approval of consultants and bids for contracting said project for the amount of the increase in budget. The Court System will reimburse the County for 100% of the budget increase, up to a maximum amount of \$76,000.

Representatives from the Department of Public Works and Division of Budget and Management are available to answer questions regarding this request. Thank you for your consideration on this matter.

Sincerely,

Mark C. Poloncarz, Esq.  
Erie County Executive

MCP:jcl/dab

cc: Robert W. Keating, Director of Budget and Management  
John Loffredo, PE, Commissioner of Public Works

## MEMORANDUM

**To:** Erie County Legislature  
**From:** Department of Public Works/Office of the Commissioner  
**Re:** Supreme Court Law Library Renovations  
**Date:** October 29, 2015

---

### **SUMMARY**

A project has been requested by the Unified Court System, Eighth Judicial District ("UCS") to renovate the second floor of the Supreme Court Law Library located at 77 West Eagle St. Buffalo NY. This project will create space for the relocation of the UCS information technology unit. The project will be reimbursed by the UCS as a tenant request line item in the Chapter 686 cleaning and minor maintenance contract with the County, for the New York State fiscal year beginning April 1, 2015. The maximum reimbursement for the project budget increase is \$76,000.

The UCS has requested that the project be completed as expeditiously as possible. Reimbursement claims for project expenses paid after March 31, 2016 will be disallowed by UCS. Therefore pre-approval of all project consultant, construction contracts and contingency change orders (if any) is being requested for an amount not to exceed \$76,000.

### **FISCAL IMPLICATIONS**

The cost of the project increase is not to exceed \$76,000, and will require no local share. The project will be reimbursed by the UCS. The budget of SAP project A.15079 will be increased in the amount of \$76,000.

### **REASONS FOR RECOMMENDATION**

The lowest bid submitted for the project exceeded the original project budget.

### **CONSEQUENCES OF NEGATIVE ACTION**

The Eighth Judicial District IT Unit will remain in its current location without any improvement in operation or long-term cost savings due to insufficient funding.

### **STEPS FOLLOWING APPROVAL**

Upon approval of this resolution, the Comptroller will create a new SAP project, The Division of Budget and Management will increase the budget in SAP capital project A.15079 in the amount of \$76,000, the amount of the project funding deficit. A consultant will be selected and awarded a contract and the project will be designed and bid with contracts awarded to the lowest responsible bidders as designated by the Commissioner of Public Works and approved by the Law Department.

RESOLUTION SUBMITTED BY  
DEPARTMENT OF PUBLIC WORKS

Re: Supreme Court Law Library Renovations

WHEREAS, this Honorable has previously authorized pre-approval of design and construction contracts for the Unified Court System Eight Judicial District ("UCS) renovation of the second floor of the Supreme Court Law Library located at 77 West Eagle St. Buffalo N.Y; and

WHEREAS, the budget increase is necessary for this project to continue due to a funding deficit; and

WHEREAS, the budget for SAP capital project A.15079, in BA122, Fund 410, must be increased in the amount of \$76,000 the amount of the anticipated reimbursement from the UCS; and

WHEREAS, the project will be reimbursed by the UCS as a tenant request line item in the Chapter 686 cleaning and minor maintenance contract with the County, for the New York State fiscal year beginning April 1, 2015; and

WHEREAS, reimbursement claims for project expenses paid after March 31, 2016 will be disallowed by UCS; and

WHEREAS, in order to expedite this work, pre-approval from the Erie County Legislature is needed to award design and construction contracts for the amount of the budget increase.

NOW, THEREFORE, BE IT

RESOLVED, that in order to comply with the Unified Court System Eighth Judicial District's request to create space for the Eighth Judicial District information technology unit at the Supreme Court Law Library; the award of construction, design and testing contracts, as designated by the Commissioner of Public Works for this project, is hereby preapproved by the Erie County Legislature and the County Executive is hereby authorized and directed to execute said contracts; and be it further

RESOLVED, that pre-approval is contingent upon the advertisement and award of the construction contracts pursuant to applicable Local and New York State public bidding laws; and be it further

RESOLVED, that such costs shall be recorded SAP project A.15079, in BA122, Fund 410; and be it further

RESOLVED, that the Division of Budget and Management is authorized to make the following budgetary changes in SAP:

BA122, Fund 110, Fund Center 12220

Revenue Account	Description	Current Budget	Increase (Decrease)	Revised Budget
405170	State Aid Court Facility	\$2,478,470	\$ 76,000	\$2,554,470
Expense 575000	Interfund Exp Non-Subsidy	\$ 710,000	\$ 76,000	\$ 786,000
Net Change Fund 110			\$ <u>0</u>	

BA122, Fund 410, A.15079

Revenue Account	Description	Current Budget	Increase (Decrease)	Revised Budget
450000	Interfund Rev Non-Subsidy	\$ 350,000	\$ 76,000	\$ 426,000
Expense CAPITALPRO	Capital Projects Exp	\$ 350,000	\$ 76,000	\$ 426,000
Net Change Fund 410			\$ <u>0</u>	

; and be it further

RESOLVED, that the Comptroller's Office is directed to effectuate the release of funds for this project based on requests from the Department of Public Works from the above-noted funding sources; and be it further

RESOLVED, that certified copies of this resolution be sent to the Department of Public Works, Office of the Commissioner, Office of the County Executive, the Division of Budget and Management, the Office of the Comptroller and the Unified Court System Eighth Judicial District c/o Andrew Isenberg.