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COUNTY OF ERIE

MARK C. POLONCARZ

COUNTY EXECUTIVE

November 13, 2015

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

Re: Contract with the Erie County Industrial Development Agency for Design and Engineering of New Railroads and Infrastructure on the Former Bethlehem Steel Site

Dear Honorable Members:

Enclosed please find a memorandum and proposed resolution from the Department of Environment and Planning seeking authorization for the execution of contracts with the Erie County Industrial Development Agency (ECIDA) for the design and engineering of new railroad and infrastructure within the former Bethlehem Steel site. Erie County will fund this work from Multi-Modal funds already under contract with the New York State Department of Transportation.

The Department of Environment and Planning anticipates contracting with the ECIDA which will then release a Request for Proposal for consultant services. The ECIDA will then enter into a contract for consultant engineering services.

Should your Honorable Body require further information, I encourage you to contact Christopher Pawenski, Coordinator, Industrial Assistance Program 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".

Mark C. Poloncarz, Esq.

Erie County Executive

Dpty County Exec

MCP/cw
Enclosure

Cc: Thomas J. Dearing, Commissioner

MEMORANDUM

To: Honorable Members of the Erie County Legislature
From: Department of Environment and Planning
Re: Contract with the Erie County Industrial Development Agency for Design and Engineering of New Railroads and Infrastructure on the Former Bethlehem Steel Site
Date: November 13, 2015

SUMMARY

The Department of Environment and Planning is seeking authorization for the County Executive to enter into a contract with the Erie County Industrial Development Agency (ECIDA) for the purpose of obtaining design and engineering services for rail work at the Bethlehem Steel site. The County of Erie desires to facilitate the redevelopment of brownfields within Erie County and the former Bethlehem Steel site in Lackawanna is the largest brownfield site in Erie County. The reuse of the former Bethlehem Steel property requires the installation of new roads, sewers, utilities and other related infrastructure.

FISCAL IMPLICATIONS

The proposed funding of approximately \$342,428.79 will come from the New York State Multi-Modal program. Erie County was previously awarded \$2 million of Multi-modal funding to be utilized toward rail work at the Bethlehem site. The \$342,428.79 to be placed under contract is the balance available from the New York State Multi-Modal funding. There is no direct cost to the County of Erie.

REASONS FOR RECOMMENDATION

One of the most important issues facing Erie County is the need to redevelop underutilized industrial properties and to retain and increase employment and to encourage a higher level of private investment in the re-use of brownfield properties, and to otherwise promote improvement to the general prosperity and economic welfare of the people of Erie County. The relocation of rail lines adjacent to Route 5 is the necessary first step in the redevelopment of the former Bethlehem Steel site. Once rail lines are relocated, new infrastructure can be developed to access the site.

BACKGROUND INFORMATION

The ECIDA has staff that is experienced in subcontracting with consultants and contractors specializing in railroad development and the utilization of NYS Multi-modal funds. The ECIDA has already completed this type of work for the first phase of rail work at the Bethlehem site. The ECIDA will impose no administration fees for their assistance in engineering of the rail relocation work.

CONSEQUENCES OF NEGATIVE ACTION

If a resolution to enter into a contract is not approved, Erie County will not be able to fund this

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work. Since the NYS Multi-Modal funds under contract through December 2016 and are specifically for the use on rail work on this property, the funds will not be utilized and future use of the funds may be jeopardized.

STEPS FOLLOWING APPROVAL

Upon approval of the resolution, contracts will be prepared and Request for Proposals will be issued for design and engineering work.

A RESOLUTION SUBMITTED BY:
DEPARTMENT OF ENVIRONMENT AND PLANNING

RE: Contract with the Erie County Industrial
Development Agency for Design and
Engineering of New Railroads and
Infrastructure on the Former Bethlehem Steel Site

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 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 the redevelopment of this under utilized site; and

WHEREAS, the County of Erie, City of Lackawanna, Erie County Industrial Development Agency (ECIDA), South Buffalo Railway, and Tecumseh Redevelopment Incorporated continue to work cooperatively toward achieving the redevelopment of the former Bethlehem Steel site; and

WHEREAS, Railroad tracks adjacent to Route 5 must be relocated prior to the start of redevelopment of this property; and

WHEREAS, the ECIDA has extensive experience in contracting with consultants and contractors specializing in railroad development and with utilizing NYS Multi-Modal funds for this type of work; and

WHEREAS, the County of Erie has under contract with the New York State Department of Transportation (NYSDOT), through the Multi-Modal II Program, \$2 million, with a balance of \$342,428.79, to be utilized specifically for rail related work on the former Bethlehem Steel site.

NOW, THEREFORE, BE IT

RESOLVED, that the County Executive is authorized to enter into contracts with the ECIDA, NYSDOT and other state and federal agencies, and consultants in amounts not to exceed a total of \$342,428.79, for the purpose of design, engineering and site preparation for the construction related to railroad work on the former Bethlehem Steel site; and be it further

RESOLVED, that the source of these funds shall be \$342,428.79 available in the New York State Multi-Modal I Program, PIN ME2028.30A, Contract DO21051; and be it further

RESOLVED, that the Clerk of the Legislature be directed to send certified copies of this resolution to the County Executive; the Director of the Division of Budget and Management; the Comptroller; the Commissioner of the Department of Environment and Planning; and the County Attorney.