



MEMORANDUM

COUNTY OF ERIE DEPARTMENT OF ENVIRONMENT AND PLANNING

TO: CHAIRMAN JOHN J. MILLS, Erie County Legislature;
CHAIRMAN STEPHEN BOYD, Erie Community College (ECC) Board of Trustees

FROM: THOMAS J. DEARING, Deputy Commissioner

DATE: January 16, 2015

SUBJECT: Bi-Monthly Report – ECC Academic Building

This document represents the seventh in a series of bi-monthly reports pertaining to the design and construction of the new academic building for Erie Community College (ECC). The Memorandum of Understanding (MOU) executed on August 27, 2013 between ECC and Erie County provided for the preparation of such reports. The reports are distributed to the Erie County Legislature as well as the ECC Board of Trustees. Information describing previous work, scheduling, upcoming activity and other matters are described in this document.

A. **PREVIOUS WORK:** The following activities have occurred since the previous report.

1. An initial request for proposal (RFP) for architectural services was issued by the Department of Environment and Planning on August 29, 2014. Although twelve responses were received a recommendation was not brought forward due to one of the selection committee members having a potential conflict of interest.
2. A new selection committee was formed and the review results of the RFP responses have been forwarded to the County Executive for his consideration.
3. A resolution is expected to be before the Legislature seeking approval of an A/E contract in early February, 2015.
4. On October 24, 2014 an Article 78 Proceeding was filed with the New York State Supreme Court by Attorneys representing petitioners Wilfred Turner, Joel Giambra, and Joseph Golombek, Jr. The petition sought a halt to further planning for the design of the STEM Building at ECC North until Erie County and ECC complied with the requirements of the New York State Environmental Quality Review Act.

5. On January 8, 2015 the court, after hearing arguments, determined that the petitioners would not be harmfully impacted by the decision not to conduct a full environmental review of siting the proposed building at ECC – North. The case was then dismissed.
 6. A request for proposal was issued by the Department of Public Works on December 22, 2014 for construction management services. Responses are due January 20, 2015. It is anticipated that a resolution seeking approval of a contract will be acted on by the Erie County Legislature in late February, 2015.
- B. SCHEDULE: A Fall semester, 2017 opening remains on target.
- C. IMPORTANT MILESTONES / ACTIONS ANTICIPATED IN THE UPCOMING TWO MONTHS:
1. Contract execution with the selected A/E firm and initiation of design work.
 2. Contract execution with the selected CM firm and initiation of work.
 3. Transfer of project budget from the Department of Environment and Planning to the Department of Public Works.

Cc: County Executive Mark C. Poloncarz
Deputy County Executive Richard M. Tobe
Commissioner Maria R. Whyte
Commissioner John C. Loffredo
ECC President Jack Quinn
ECC Chief Administrative and Financial Officer William D. Reuter

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