

March 19, 2015

ECONOMIC DEVELOPMENT COMMITTEE
REPORT NO. 3

ALL MEMBERS PRESENT.

1. RESOLVED, the following items are hereby received and filed:
 - a. COMM. 2E-33 (2015)
GRANT: “Letter Requesting Wesley Hicks Speak at Committee Meeting Regarding NFTA Board”
(5-0)
 - b. COMM. 5M-1 (2015)
NFTA: “January 22, 2015 Board Minutes”
(5-0)
 - c. COMM. 5M-2 (2015)
NYS ECONOMIC DEVELOPMENT COUNCIL: “Memorandum in Opposition to Executive Control Over Local IDAs”
(5-0)
 - d. COMM. 5M-3 (2015)
NYS ECONOMIC DEVELOPMENT COUNCIL: “Testimony Regarding Governor's Proposed State Budget”
(5-0)
2. COMM. 5E-7 (2015)
COUNTY EXECUTIVE
WHEREAS, this Honorable Body has previously authorized construction contracts for the Rath Building – Social Services – Second Floor Renovations project; and

WHEREAS, additional asbestos abatement and extra electrical work requested by Social Services is required to complete the project; and

WHEREAS, the Construction Contingency must be increased to fund the additional work.

NOW, THEREFORE, BE IT

RESOLVED, that the County Executive is authorized to increase the current construction contingency fund for the Social Services capital project A.00308 Social Services Renovation to Office Space by \$42,000.00; and be it further

RESOLVED, that deduct change orders will result in these funds being returned to the construction contingency fund; and be it further

RESOLVED, that Contract Amendments will be negotiated and issued to the previously approved contractors on site to complete the additional work; and be it further

RESOLVED, that the Comptroller’s Office be authorized to make payment for all the above from SAP project A.00308 Social Services Renovation to Office Space, for a total not to exceed \$42,000.00; and be it further

RESOLVED, that two certified copies of this resolution be sent to the Department of Public Works, Commissioner’s Office, and one copy each to the Office of the County Executive, the Division of Budget and Management, and the Office of the Comptroller.
(5-0)

3. COMM. 5E-8 (2015)
COUNTY EXECUTIVE

WHEREAS, the Department of Public Works received bids for the Buffalo and Erie County Botanical Gardens-2015-Houses 2 and 3 Renovation on January 22, 2015; and

WHEREAS, all of these buildings face the front of the facility and would improve the appearance of the Botanical Gardens, as well as correct and preserve the glass structures which are failing; and

WHEREAS, the House 2 and 3 Reconstruction Package was bid out September 2014, but there were insufficient funds available to award the project; and

WHEREAS, after rebidding the project, the Department of Public Works received lower bids for the Buffalo and Erie County Botanical Gardens 2015 Houses 2 and 3 Renovation project on January 22, 2015; and

WHEREAS, the Department of Public Works along with consultant Foit Albert Associates are recommending award of contract to the lowest responsible bidder.

NOW, THEREFORE, BE IT

RESOLVED, that the County Executive be authorized to enter into contracts with the lowest responsible bidders for the Buffalo and Erie County Botanical Gardens 2015 Houses 2 and 3 Renovation project for an amount not to exceed as follows:

General Construction Work

Telco Construction	Base Bid:	\$2,332,700.00
House 3 - Refurbish Vestibule doors	Alternate No. 3 Bid:	\$ 9,300.00
House 3 - Ice Baffle Replacement	Alternate No. 4 Bid:	\$55,700.00
House 3 - Finial Replacement	Alternate No. 5 Bid:	<u>\$18,907.00</u>
Total General Construction Contract:		\$2,416,607.00

Electrical Construction Work

Goodwin Electric Corporation	Base Bid:	\$ 57,600.00
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Mechanical Construction Work

Quackenbush Co. Inc.	Base Bid:	<u>\$ 68,000.00</u>
Total Award of Construction Contracts		\$ 2,542,207.00

; and be it further

RESOLVED, that the sum of \$470,791.52 be allocated to a Construction Contingency Fund with authorization for the County Executive to approve change orders in an amount not to exceed the Contingency Fund; and be it further

RESOLVED, that deduct change orders will result in these funds being returned to the Construction Contingency fund; and be it further

RESOLVED, that the Comptroller's Office be authorized to make payment for all the above from SAP project accounts as follows:

A.14024 – 2014 Buffalo and Erie County Botanical Gardens Master Plan Implementation		\$ 2,000,000.00
A.13002 – 2013 Buffalo and Erie County Botanical Gardens Master Plan Implementation		\$ 718,272.45
A.00234 – 2004 Botanical Gardens Master Plan Construction		<u>\$ 294,726.07</u>
Total Amount Not To Exceed:		\$ 3,012,998.52

; and be it further

RESOLVED, that two certified copies of this resolution shall be sent to the Commissioner of the Department of Public Works; and one copy each to the Office of the County Executive; the Director of the Division of Budget and Management, the Department of Parks, Recreation and Forestry and the Office of the Comptroller.
(5-0)

4. COMM. 5E-9 (2015)
COUNTY EXECUTIVE

WHEREAS, this Honorable Body has previously authorized Architectural/Engineering Term Agreements for several Architectural/Engineering firms; and

WHEREAS, Hamilton, Houston, Lownie Architects (HHL) has submitted qualifications complying with the Department of Public Works' (DPW) Term Agreement and DPW is requesting this firm be added to the term list of Architectural/Engineering firms for providing professional Architectural/Engineering services; and

WHEREAS, the County Executive is requesting authorization to enter into an Agreement Amendment with the firm of HHL Architects to provide Professional A/E Design Services for the new elevators for the Buffalo and Erie County Central Library Project.

NOW, THEREFORE, BE IT

RESOLVED, that the firm of HHL Architects be added to the Department of Public Work's list of approved Architectural/Engineering Consultants; and be it further

RESOLVED, that the County Executive is authorized to execute an Agreement Amendment with the firm of HHL Architects for providing Professional Architectural/Engineering Services for the Buffalo and Erie County Central Library – 2015 – New ADA Elevators Project for an amount not to exceed \$155,000.00, including reimbursables and a design contingency; and be it further

RESOLVED, that the Comptroller's Office be authorized to make payment for all the above from SAP Project A.21013 – 2010 – Buffalo and Erie County Library – New ADA Compliant Elevators; and be it further

RESOLVED, that two certified copies of this resolution be sent to the Department of Public Works, Commissioner's Office and one copy each to the Office of the County Executive, the Division of Budget and Management, and the Office of the Comptroller.

(5-0)

5. COMM. 5E-10 (2015)

COUNTY EXECUTIVE

WHEREAS, Waterfront Phase I LLC is developing housing for low and very low income households pursuant to Article XI of the New York Private Housing Finance Law; and

WHEREAS, Waterfront Apartments Phase I will consist of the development of 48 rental residential units; and

WHEREAS, the Project is located on Carolina Street between 7th and Niagara Streets in the City of Buffalo with thirty of the housing units being affordable to households with income between 51% to 60% of the area median income and eighteen of the units affordable to households with income at and below 50% of the area median income; and

WHEREAS, the Erie County Legislature adopted a policy on Payment in Lieu of Taxes (PILOT) on December 16, 1999, and the PILOT is consistent with said policy; and

WHEREAS, in order to make the Project economically feasible for Waterfront Phase I LLC to operate the housing project it is necessary to obtain tax relief from the County of Erie and the City of Buffalo.

NOW, THEREFORE, BE IT

RESOLVED, that the County Executive is hereby authorized to execute a Payment in Lieu of Taxes (PILOT) Agreement with Waterfront Phase I LLC, Waterfront Housing Development Fund Corp., and the City of Buffalo relating to Waterfront Apartments Phase I and all other agreements necessary to conclude this housing project; and be it further

RESOLVED, that 37% of the units remain affordable to and occupied by households earning no greater than 50% of the area median income, adjusted for family size, and 63% of the units remain affordable to and occupied by households with income between 51% to 60% of the area median income, adjusted for family size, as determined by the U. S. Department of Housing and Urban Development for the period of the Agreement; and be it further

RESOLVED, that said Agreement shall include an annual PILOT in the amount of taxes due as set forth on Schedule A attached hereto. Payment under the Agreements will be for fifteen (15) years with the County share of each annual payment being twenty-five (25) percent of the total amount; and be it further

RESOLVED, that certified copies of this resolution shall be forwarded to the County Executive; the Director of the Division of Budget and Management; the Director of Real Property Tax Services; the Commissioner of the Department of Environment and Planning; the County Comptroller; and the County Attorney.

SCHEDULE A

Waterfront Apartments PILOT			
Schedule of Payments			
Year	Total	City	County
1	18,814.55	14,110.91	4,703.64
2	19,378.99	14,534.24	4,844.75
3	19,960.36	14,970.27	4,990.09
4	20,559.17	15,419.38	5,139.79
5	21,175.94	15,881.96	5,293.99
6	21,811.22	16,358.42	5,452.81
7	22,465.56	16,849.17	5,616.39
8	23,139.52	17,354.64	5,784.88
9	23,833.71	17,875.28	5,958.43
10	24,548.72	18,411.54	6,137.18
11	25,285.18	18,963.89	6,321.30
12	26,043.74	19,532.80	6,510.93
13	26,825.05	20,118.79	6,706.26
14	27,629.80	20,722.35	6,907.45
15	28,458.70	21,344.02	7,114.67

(5-0)

6. COMM. 5E-11 (2015)

COUNTY EXECUTIVE

WHEREAS, the Department of Public Works received bids for the Erie County Highways Department – 2014- Concord Highway Facility Building Repairs project on February 10, 2015; and

WHEREAS, the lowest responsible bidder for the General Construction work is Ed Hulme, Inc.; and

WHEREAS, the Erie County Department of Public Works, along with its Consultant, is recommending award of the contract to the lowest responsible bidder; and

WHEREAS, your Honorable Body has previously authorized the County Executive to enter into a General Architectural/Engineering Services Agreement with Advanced Architecture & Planning for providing Professional Design Services on Erie County Projects; and

WHEREAS, the County Executive requests authorization to enter into an Agreement Amendment with the firm of Advanced Architecture & Planning for providing Professional Architectural/Engineering Services for the Erie County Highways Department – 2014- Concord Highway Facility Building Repairs project.

NOW, THEREFORE, BE IT

RESOLVED, that the County Executive is authorized to enter into a contract with the lowest responsible bidders for the Erie County Highways Department – 2014- Concord Highway Facility Building Repairs project for an amount not to exceed as follows:

General Construction Work

Ed Hulme, Inc.	Base Bid:	\$151,000.00
	Alternate #1:	<u>\$ 71,920.00</u>
Total Award of Construction Contract:		\$222,920.00

;and be it further

RESOLVED, that the sum of \$33,438.00 be allocated to a Construction Contingency Fund with authorization for the County Executive to approve change orders in an amount not to exceed the Contingency Fund; and be it further

RESOLVED, that deduct change orders will result in these funds being returned to the Construction Contingency Fund; and be it further

RESOLVED, that the County Executive is authorized to execute an Agreement Amendment with the firm of Advanced Architecture & Planning for providing Professional Architectural/Engineering

Services for the Erie County Highways Department – 2014- Concord Highway Facility Building Repairs project, for an amount not to exceed \$20,000.00, including a design contingency; and be it further

RESOLVED, that The Comptroller's office is authorized to make payments for all the above from SAP Accounts as follows:

B.12012 2012- Countywide Highway Facility Building Improvements	\$148,528.42
A.14003 2014- Countywide Code and Environmental Compliance	<u>\$127,829.58</u>
Total amount not to exceed	\$276,358.00

; and be it further

RESOLVED, that certified copies of this resolution will be forwarded to the County Executive, the Division of Budget and Management, two (2) copies to the Department of Public Works and one copy to the Erie County Comptroller.
(5-0)

EDWARD A. RATH, III
CHAIR