COUNTY OF ERIE

MARK C. POLONCARZ
COUNTY EXECUTIVE

June 13, 2016

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

RE: Erie Community College – Science, Technology, Engineering and Math (STEM) Building – Construction

Dear Honorable Members:

This resolution is requesting authorization for the County Executive to enter into contracts with the lowest responsible bidders for the Erie Community College – Science, Technology, Engineering and Math (STEM) Building project. Bids were received by the Department of Public Works on June 7, 2016 and a copy of the bid tabulations are attached for your reference. In addition, authorization is being requested to amend the Construction Manager's contract. A portion of the project will be reimbursed by New York State and partially funded by Erie Community College and Erie County.

This resolution supplements a letter previously submitted which is currently an open item in the Community Enrichment Committee; reference item number 11E-6 (2016), copy attached.

Should your Honorable Body require further information, please contact Commissioner John C. Loffredo at the Department of Public Works. Thank you for your consideration on this matter.

Sincerely yours,

Mark C. Poloncarz, Esq.
Erie County Executive

MCP/ecg/dab
Enclosures

cc: John C. Loffredo, Commissioner of Public Works

MEMORANDUM

To:	Honorable Members of the Erie County Legislature
From:	Department of Public Works
Re:	Erie Community College – Science, Technology, Engineering and Math (STEM) Building – Construction
Date:	June 13, 2016

SUMMARY

This resolution is requesting authorization for the County Executive to enter into contracts with the lowest responsible bidders for the Erie Community College – Science, Technology, Engineering and Math (STEM) Building project and also to amend the Construction Manager's contract. This project involves the construction of a 57,000 square foot new Academic Building on Erie Community College's North Campus.

FISCAL IMPLICATIONS

Funds for the project are currently available from the approved, as adopted Erie County capital budgets, SAP projects as follows:

BA 122, Fund 480 E.12002 2012 ECC – New Academic Building: $24,599,337

This project is 50% reimbursed by New York State. 25% funded by Erie Community College (ECC) and 25% funded by Erie County. In the event of shortfalls in ECC's share of the project, in order to maintain the construction schedule, the County is prepared to cover the college's share of construction and related costs in 2016 or 2017 via County bond proceeds for college projects.

REASONS FOR RECOMMENDATION

The project is necessary to assist Erie County Community College to improve their student and faculty base and to provide critically important academic space for the strategic expansion of existing ECC programs already located at the North Campus that align with regional workforce needs in sectors of the economy with strong growth potential. This building will integrate new and expanded workforce training and education that respond to the needs of area employers.

BACKGROUND INFORMATION

The County of Erie and Erie County Community College have been aware of the need to keep pace with nationwide and global trends regarding training and education in the fields of science, technology, engineering and mathematics. A study commissioned by Erie County and Erie Community College in 2013 entitled "ECC Program Needs Analysis and Space Utilization Assessment" recommended the construction of a New Academic Building in order to attract the regions potential students and remain competitive.

CONSEQUENCES OF NEGATIVE ACTION

If this project is not completed, Erie Community College may continue to lose prospective students to other area higher education institutions and consequently the County may also incur higher costs from community college chargebacks from other counties where Erie County residents attend college.

STEPS FOLLOWING APPROVAL

Upon Legislative approval, the County Executive will enter into Contracts with the lowest responsible bidders for the Erie Community College – Science, Technology, Engineering and Math (STEM) Building project and the Construction Manager's contract will be amended from a "Guaranteed Maximum Price" (GMP) contract to an Agency contract.

COMPTROLLER'S OFFICE REVIEW

The proposed legislation has been reviewed by the Comptroller's Office and is related to an authorized capital project for which there are sufficient appropriations for the action proposed.

GREGORY GACH
Deputy Comptroller
Comptroller's Office

A RESOLUTION SUBMITTED BY:
DEPARTMENT OF PUBLIC WORKS

RE: Erie Community College – Science, Technology, Engineering and Math (STEM) Building – Construction

WHEREAS, Erie Community College's existing buildings, are worn and outdated, and the spaces are not scalable to accommodate new technology and training; and

WHEREAS, the construction of a New Academic Building is recommended for Science, Technology, Engineering and Math (STEM) and advanced technical program spaces; and

WHEREAS, this new flagship facility will provide opportunities for interdisciplinary collaboration, shared resources and will showcase the programs needed to attract and educate the region's future innovators; and

WHEREAS, 50% of the project will be reimbursed by New York State and 25% funded by Erie Community College and the remaining 25% funded by Erie County; and

WHEREAS, the project may be eligible for rebates and incentives from various agencies such as NYPA, NYSERDA and/or utility companies; and

WHEREAS, the Erie County Department of Public Works received bids for the Erie Community College – Science, Technology, Engineering and Math (STEM) Building project on June 7, 2016; and

WHEREAS, it is now being recommended to amend the Construction Manager's contract from a "Guaranteed Maximum Price" (GMP) contract to an Agency model due to legal concerns; and

WHEREAS, the Erie County Department of Public Works, the Project Architect, Kideney Architects, and the Construction Manager, Turner Construction are recommending award of contracts to the lowest responsible bidders.

NOW, THEREFORE, BE IT

RESOLVED, that the County Executive is authorized to enter into contracts with the lowest responsible bidders for the Erie Community College – Science, Technology, Engineering and Math (STEM) Building project as follows:

<u>Bid Package 1 - General Construction Work</u>

Scrufari Construction Co., Inc.	Base Bid:	$	7,335,000.00
Add Height of Clerestory	Alternate No. 6 Bid:	$	2,000.00
Add Rooftop Equipment Screen and Structure	Alternate No. 07 Bid:	$	35,000.00

Add Flooring	Alternate No. 16 Bid:	$ 184,800.00
Add Casework	Alternate No. 25 Bid:	$ 17,000.00
Add Corridor Wainscot	Alternate No. 30 Bid:	$ 70,300.00
Total General Construction Contract:		$ 7,644,100.00

Bid Package 2 - Masonry Construction Work

Manning Squires Henning Co., Inc.	Base Bid:	$ 450,000.00
Add Exterior Masonry	Alternate No. 12 Bid:	$ 160,000.00
Total Masonry Construction Contract:		$ 610,000.00

Bid Package 3 – Exterior Wall Construction Work

Hogan Glass LLC	Base Bid:	$ 1,269,900.00
Add Height of Clerestory	Alternate No. 06 Bid:	$ 26,855.00
Add Rooftop Equipment Screen and Structure	Alternate No. 07 Bid:	$ 80,795.00
Add Horizontal Sun Shades	Alternate No. 27 Bid:	$ 13,995.00
Add Vertical Sun Shades – Part 1	Alternate No. 28 Bid:	$ 14,630.00
Add Vertical Sun Shades – Part 2	Alternate No. 29 Bid:	$ 22,995.00
Total Exterior Wall Construction Contract:		$ 1,429,170.00

Bid Package 4 – Interior Wall Assemblies Construction Work

Scrufari Construction Co., Inc.	Base Bid:	$ 2,054,000.00
(No Alternates)		
Total Interior Wall Assemblies Construction Contract:		$ 2,054,000.00

Bid Package 5 – Plumbing and Fire Protection Construction Work

John W. Danforth Company	Base Bid:	$ 1,215,000.00
(No Alternates)		
Total Plumbing and Fire Protection Construction Contract:		$ 1,215,000.00

Bid Package 6 – HVAC & HVAC Controls Construction Work

Quackenbush Co., Inc.	Base Bid:	$ 3,447,000.00
Add Panel Radiation	Alternate No. 40 Bid:	$ 47,000.00
Total HVAC & HVAC Controls Construction Contract:		$ 3,494,000.00

Bid Package 7 - Electrical & Fire Alarm Construction Work

Goodwin Electric Corporation	Base Bid:	$ 2,298,000.00
Add Electrical Duct Bank	Alternate No. 08 Bid:	$ 85,000.00
Add Cable Trays	Alternate No. 36 Bid:	$ 19,000.00
Total Electrical & Fire Alarm Construction Contract:		$ 2,402,000.00

Total Award of Construction Contracts:	$ 18,848,270.00

; and be it further

RESOLVED, that the following not to exceed amount be allocated to the Project Contingency Fund:

Previously authorized project contingency spent to date	$30,256.00
Project contingency amount authorized in this resolution	$5,720,811.00
Total Project contingency authorized to date	$5,751,067.00

with authorization for the County Executive, to approve change orders in an amount not to exceed the total amount in the Project Contingency Fund; and be it further

RESOLVED, that the Project Contingency Fund is authorized to be used to fund change orders to the following contracts:

1. Kideney Architects contract
2. Turner contract
3. Any or all constructions contracts or utility companies
4. Any Furniture, Fixtures and Equipment (FF&E) contracts including security cameras, computers, swipe system, phones, data raceways, wiring and any other necessary building operating system equipment

; and be it further

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

RESOLVED, that the Erie County Executive be authorized to amend the Construction Manager's contract (Turner Construction) from a "Guaranteed Maximum Price" (GMP) contract to an Agency model in an amount not to exceed $1,746,986: and be it further

RESOLVED, that the Erie County Executive be authorized to accept rebates and incentives associated with this project from various agencies such as NYSERDA, NYPA or utility companies for an amount to be determined, with such revenue to be recorded in the overall project budget to be used, if necessary, for any project contingencies or work on this project; and be it further

RESOLVED, that the appropriations and revenues be increased in Business Area 122, Fund 480, SAP Project account E.12002 – 2012 – ECC New Academic Building for an amount not to exceed the rebates and incentives received from the various agencies such as NYSERDA, NYPA &/or utility companies; and be it further

RESOLVED, that in the event of shortfalls in ECC's share of the project, in order to maintain the construction schedule, the County is authorized to cover the college's share of

construction and related costs in 2016 or 2017 via County-issued bond proceeds authorized for college projects; and be it further

RESOLVED. that the Comptroller's Office be authorized to make payment for the above from SAP project accounts: BA122, Fund 480 E.12002 2012 ECC – New Academic Building, with total payments not to exceed $24,599,337; 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 Commissioner of the Department of Environment and Planning, the Division of Budget and Management, the Office of the County Comptroller, and one copy to Erie Community College Office of the Chief Administrative and Financial Officer.

TO: GREGORY GACH, COMPTROLLER'S OFFICE

PROPOSED RESOLUTIONS REQUIRING RULE 55
CONTRACT APPROVAL CHECKLIST
CONFIRMATION OF AVAILABILITY OF FUNDS IN CAPITAL PROJECTS

REQUESTING DEPARTMENT — COMPLETE ITEMS 1 THROUGH 5

1. CONSULTANT'S NAME:

Scrufari Construction Co., Inc.	$7,644,100.00
Manning Squires Henning Co., Inc.	$ 610,000.00
Hogan Glass LLC	$1,429,170.00
Scrufari Construction Co., Inc.	$2,054,000.00
John W. Danforth	$1,215,000.00
Quackenbush Co., Inc.	$3,494,000.00
Goodwin Electric Corporation	$2,402,000.00
Project Contingency	$5,751,067.00

2. AMOUNT OF CONTRACT: Not to Exceed $24,599,337.00

3. PROJECT NUMBER: BA 122, Fund 480, E.12002

4. PROJECT TITLE: Erie Community College – Science, Technology, Engineering and Math (STEM) Building

5. DEPARTMENT CONTACT: Funding questions: Dave Capodagli at x8833
Letter pickup: Diane Bukowski at x8301

COMPTROLLER'S OFFICE — COMPLETE ITEMS 6 AND 7

6. AVAILABILITY OF FUNDS $ _____

7. PERFORMED BY _____

8. Date sent to Comptroller's Office: June 10, 2016

[55 compt_10]

TO: GREGORY GACH, COMPTROLLER'S OFFICE

PROPOSED RESOLUTIONS REQUIRING RULE 55

CONTRACT APPROVAL CHECKLIST

CONFIRMATION OF AVAILABILITY OF FUNDS IN CAPITAL PROJECTS

REQUESTING DEPARTMENT — COMPLETE ITEMS 1 THROUGH 5

1. CONSULTANT'S NAME:

Scrufari Construction Co., Inc.	$7,644,100.00
Manning Squires Henning Co., Inc.	$ 610,000.00
Hogan Glass LLC	$1,429,170.00
Scrufari Construction Co., Inc.	$2,054,000.00
John W. Danforth	$1,215,000.00
Quackenbush Co., Inc.	$3,494,000.00
Goodwin Electric Corporation	$2,402,000.00
Project Contingency	$5,751,067.00

2. AMOUNT OF CONTRACT: Not to Exceed $24,599,337.00

3. PROJECT NUMBER: BA 122, Fund 480, E.12002

4. PROJECT TITLE: Erie Community College – Science, Technology, Engineering and Math (STEM) Building

5. DEPARTMENT CONTACT: Funding questions: Dave Capodagli at x8833
Letter pickup: Diane Bukowski at x8301

COMPTROLLER'S OFFICE — COMPLETE ITEMS 6 AND 7

6. AVAILABILITY OF FUNDS $ 25,847,866.55

7. PERFORMED BY [signature]

8. Date sent to Comptroller's Office: June 10, 2016

[55 compt_10]

OFFICE OF THE COMPTROLLER REVIEW **DATE:** 6/10/2016

PROJECT TITLE: E.12002 2012 ECC - New Academic Building

1) IS THE REASON FOR THIS CONTRACT CONSISTENT WITH THE PURPOSE OF THE PROJECT: **YES** X **NO** ____

2) PROJECT AVAILABLE APPROPRIATION

Total Project Revenues	$ 15,743,330.20
Total Project Appropriations	$ 29,751,323.00
Less: Total Expenditure To Date	$ 1,763,386.40
Total Commitments	$ 2,388,746.79
Available Appropriations As Of Date Of Request	$ 25,847,866.55
Less: Contract Amount	$ 24,599,337.00
Net Available Appropriations	$ 1,248,529.55

Comments: $11,246,551.97 cash is available in the project. This project is 50% reimbursable by New York State.

Request Approved: [signature]

Request Denied: ____

Date: 6/10/16

Project Name: Erie Community College – Science Technology Engineering and Math (STEM) Building
DPW Project #: EG-14-19

Bid Date: June 7, 2016
Bid Time: 2.00 PM

BID TABULATION SHEET
FOR
BP-01: GENERAL CONSTRUCTION WORK

BIDDER	BASE BID	Add Alt. Bid #06 Add Clerestory Height	Add Alt. Bid #07 Rooftop Equipment Screen and Structure	Add Alt. Bid #16 Flooring	Add Alt. Bid #25 Casework	Add Alt. Bid #30 Corridor Wainscot	Add Alt. Bid #30.1 Corridor Wainscot (w/ deduct a alt. #49)	Deduct Alt. Bid #49 Delete P-Lam Accents (w/ alt. #30.1)	Deduct Alt. Bid #50 Delete Autoclave
*Scrufari Construction	$7,335,000	$2,000	$35,000	$184,800	$17,000	$70,300	$67,000	($14,220)	($47,000)
LP Ciminelli	$7,295,000	$1,000	$23,000	$191,300	$42,000	$115,500	$148,000	($16,000)	($50,000)
Manning Squires Henning	$8,250,000	$2,000	$36,000	$205,000	$20,000	$49,000	$49,000	($17,000)	($20,000)
Huber Construction	$8,598,000	$2,000	$35,000	$198,000	$18,000	$59,000	$55,500	($26,400)	($50,000)

*apparent low bidder with add alternates.

DEPARTMENT OF PUBLIC WORKS
OFFICE OF THE COMMISSIONER

DPW Rev. 06/2015

Project Name: Erie Community College – Science Technology Engineering and Math (STEM) Building
DPW Project #: EG-14-19

Bid Date: June 7, 2016
Bid Time: 2:00 PM

BID TABULATION SHEET
FOR
BP-02. MASONRY CONSTRUCTION WORK

BIDDER	BASE BID	Add Alt. Bid #12 Exterior Masonry
Manning Squires Henning	$450,000	$160,000
Thomas Johnson, Inc.	$479,000	$200,000
Highland Masonry	$495,000	$225,000

DEPARTMENT OF PUBLIC WORKS
OFFICE OF THE COMMISSIONER

DPW Rev. 06/2015

Project Name: Erie Community College – Science Technology Engineering and Math (STEM) Building
DPW Project #: EG-14 19

Bid Date. June 7, 2016
Bid Time: 2:00 PM

BID TABULATION SHEET
FOR
BP-03: EXTERIOR WALL CONSTRUCTION WORK

BIDDER	BASE BID	Add Alt. Bid #06 Add Clerestory Height	Add Alt. Bid #07 Rooftop Equipment Screen and Structure	Add Alt. Bid #27 Horizontal Sun Shades	Add Alt. Bid #28 Vertical Sun Shades – Part 1	Add Alt. Bid #29 Vertical Sun Shades – Part 2	TOTAL With Alternates
Hogan Glass	$1,269,900	$26,855	$80,795	$13,995	$14,630	$22,995	$1,429,170
RE Krug Corp	$1 392,900	$6,900	$61,750	$19,600	$46,850	$6,500	$1,534,500
Sterling Glass Inc	$1,579,000	$6,000	$69,000	$52,000	$57,000	$60,000	$1,823 000

DEPARTMENT OF PUBLIC WORKS
OFFICE OF THE COMMISSIONER

DPW Rev 06/2015

Project Name: Erie Community College – Science Technology Engineering and Math (STEM) Building
DPW Project #: EG-14 19

Bid Date: June 7, 2016
Bid Time: 2:00 PM

BID TABULATION SHEET
FOR
BP-04: INTERIOR WALL ASSEMBLIES (Framing and Finishes) CONSTRUCTION WORK

BIDDER	BASE BID	Deduct Alt. Bid #49 Delete P-Lam Accents	TOTAL With Alternates
Scrufari Construction	$2,054,000	($5,200)	$2,048,800
Mader Construction	$2,354,500	($4,000)	$2,350,500
Huber Construction	$2,599,000	($3,500)	$2,595,500

DEPARTMENT OF PUBLIC WORKS
OFFICE OF THE COMMISSIONER

DPW Rev. 06/2015

Project Name: Erie Community College – Science Technology Engineering and Math (STEM) Building
DPW Project #: EG-14-19

Bid Date: June 7, 2016
Bid Time: 2:00 PM

BID TABULATION SHEET
FOR
BP-05: PLUMBING & FIRE PROTECTION CONSTRUCTION WORK

BIDDER	BASE BID
JW Danforth	$1,215,000
OV Brown and Assoc.	$1,330,000
MLP Plumbing and Mech.	$1,440,000
MKS Plumbing	$1,632,000
Ackerman Plumbing	$1,884,907

DEPARTMENT OF PUBLIC WORKS
OFFICE OF THE COMMISSIONER

DPW Rev. 06/2015

Project Name: Erie Community College – Science Technology Engineering and Math (STEM) Building
DPW Project #: EG-14-19

Bid Date: June 7, 2016
Bid Time: 2:00 PM

BID TABULATION SHEET
FOR
BP 06: HVAC & HVAC CONTROLS PROTECTION CONSTRUCTION WORK

BIDDER	BASE BID	Add Alt. Bid #40 Panel Radiation	Deduct Alt. Bid #48 Delete DCV Sensors
Quackenbush	$3,447,000	$47,000	($11,000)
DV Brown	$3,714,000	$50,000	($12,000)
MLP Plumbing	$3,759,000	$60,000	($5,450)
JW Danforth	$3,766,000	$61,000	($11,000)
Mollenberg-Betz	$4,090,000	$63,000	($7,000)

DEPARTMENT OF PUBLIC WORKS
OFFICE OF THE COMMISSIONER

DPW Rev. 06/2015

Project Name: Erie Community College – Science Technology Engineering and Math (STEM) Building
DPW Project #: EG-14-19

Bid Date: June 7, 2016
Bid Time: 2:00 PM

BID TABULATION SHEET
FOR
BP-07: ELECTRICAL & FIRE ALARM PROTECTION CONSTRUCTION WORK

BIDDER	BASE BID	Add Alt. Bid # 08 Duct Bank	Add Alt. Bid #36 Cable Trays
Goodwin Electric	$2,298,000	$85,000	$19,000
IPL	$2,484,000	$49,700	$29,800
Ferguson Electric	$2,667,000	$30,000	$16,500
Weydman Electric	$2,678,000	$73,000	$22,200
CIR Electric	$2,727,270	$46,460	$23,230
O'Connell Electric	$3,746,000	$67,350	$30,900

DEPARTMENT OF PUBLIC WORKS
OFFICE OF THE COMMISSIONER

DPW Rev. 06/2015