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COUNTY OF ERIE

MARK C. POLONCARZ

COUNTY EXECUTIVE

October 28, 2016

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

**Re: Buffalo and Erie County Botanical Gardens–2013-Houses 2 & 3 Renovation
A/E Additional Services During Construction**

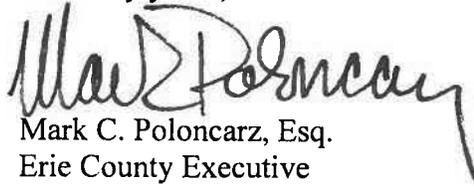
Dear Honorable Members:

This resolution is requesting authorization for the County Executive to enter into an Agreement with the A/E firm of Foit Albert Associates for additional architectural and engineering consulting services during construction for the Buffalo and Erie County Botanical Gardens – 2013 – Houses 2 & 3 Renovation project.

The fees are to cover construction administration services six months past the original expected date of construction completion due to delays for change order execution, unforeseen conditions, and work added by the Botanical Gardens Society to the construction contracts.

Should your Honorable Body require further information, I encourage you to 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/eg

cc: John C. Loffredo, Commissioner of Public Works

MEMORANDUM

To: Honorable Members of the Erie County Legislature
From: Department of Public Works
Re: Buffalo and Erie County Botanical Gardens – 2013 – Houses 2 & 3 Renovation
A/E Additional Services During Construction
Date: October 28, 2014

SUMMARY

This resolution is requesting authorization for the County Executive to enter into an Agreement with the A/E firm of Foit Albert Associates for additional architectural and engineering consulting services during construction for the Buffalo and Erie County Botanical Gardens – 2013 – Houses 2 & 3 Renovation project.

The additional fees are to cover construction administration services six months past the original expected date of construction completion due to delays for change order execution, unforeseen conditions, and work added as required by the Botanical Gardens to the construction contracts.

FISCAL IMPLICATIONS

Funds for the project are currently available from the approved and adopted 2014 capital budget, SAP project account is A.14024 – 2014 Buffalo & Erie County Botanical Gardens Master Plan Implementation.

REASONS FOR RECOMMENDATION

Houses No. 2 & 3 are being be reconstructed in similar fashion to Houses 11 & 12. All of these buildings face the front of the facility and will improve the appearance and looks of the facility, not to mention correct and preserve the glass structures which were failing. There were several uncovered unforeseen conditions during construction including substantial additional structural repairs that have delayed the completion of construction and require additional architectural and engineering consulting services during construction beyond the original scope of work.

BACKGROUND INFORMATION

The multi-phased master plan objective is to rehabilitate, reconstruct and restore the buildings at the Botanical Gardens to preserve their existence and function. Foit Albert Associates provided project design and construction administration services.

CONSEQUENCES OF NEGATIVE ACTION

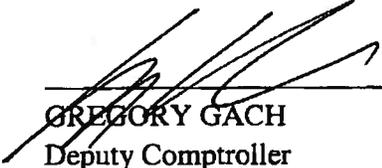
Close out of the construction activities and contracts will not be possible without continued support and coordination from the consultants that designed the work and provided construction administration services to date.

STEPS FOLLOWING APPROVAL

Upon Legislative approval, the County Executive will execute an Agreement with the firm of Foit Albert Associates to close out the construction work.

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. 14024

BOTANICAL GARDENS
HOUSES 2 & 3 RENOVATIONS

A RESOLUTION SUBMITTED BY:
DEPARTMENT OF PUBLIC WORKS

RE: Buffalo and Erie County Botanical Gardens – 2013 – Houses 2 & 3 Renovation
A/E Additional Services During Construction

WHEREAS, Houses No. 2 & 3 are being reconstructed in similar fashion to Houses 11 & 12. All of these buildings face the front of the facility and shall improve the appearance and function of the facility, as well as correct and preserve the glass structures which were failing; and

WHEREAS, there were several uncovered unforeseen conditions during construction including substantial additional structural repairs that have delayed the completion of construction six months past the original expected date due to delays for change order execution and work added by the Botanical Gardens Society to the construction contracts; and

WHEREAS, project completion delays require additional architectural and engineering consulting services during construction beyond the original scope of work; and

WHEREAS, the County Executive is requesting authorization to issue an Agreement to the firm of Foit Albert Associates for providing additional architectural and engineering consulting services during construction for the Buffalo and Erie County Botanical Gardens – 2013 – Houses 2 & 3 Renovation project.

NOW, THEREFORE, BE IT

RESOLVED, that the County Executive be authorized to enter into an Agreement with the A/E firm of Foit Albert Associates for an amount not to exceed \$18,000; 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 & Erie County Botanical Gardens	
<u>Master Plan Implementation</u>	<u>\$18,000.00</u>
Total Payment Not To Exceed:	\$18,000.00

;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.

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 Foit Albert Associates
2. AMOUNT OF CONTRACT Not to Exceed \$18,000.00
3. PROJECT NUMBER A.14024 – 2014 Buffalo & Erie County Botanical Gardens Master Plan Implementation
4. PROJECT TITLE Buffalo and Erie County Botanical Gardens – 2016 – Houses 2 & 3 Renovation
5. DEPARTMENT CONTACT Funding questions: Jeffrey P. Zack, PE at x8824
Letter pickup: Diane Bukowski at x8301

COMPTROLLER'S OFFICE

COMPLETE ITEMS 6 AND 7

6. AVAILABILITY OF FUNDS \$ 430,089.56
7. PERFORMED BY *John P. McNeill*
- Date Sent to Comptroller's Office: October 19, 2016

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