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# COUNTY OF ERIE

**MARK C. POLONCARZ**

COUNTY EXECUTIVE

February 15, 2016

Erie County Legislature  
92 Franklin Street, 4<sup>th</sup> Floor  
Buffalo, New York 14202

**Re: Bethlehem Steel Shoreline Trail, PIN 5761.04 – Amendment to Preliminary Design Agreement – Greenman-Pedersen, Inc.**

Dear Honorable Members:

Enclosed please find a memorandum and proposed resolution pertaining to the execution of a contract amendment for complete design and right-of-way acquisition services relative to the Bethlehem Steel Shoreline Trail project.

Should your Honorable Body require further information, I encourage you to contact Christopher Pawenski, Coordinator of Industrial Assistance at the Department of Environment and Planning. Thank you for your consideration on this matter.

Sincerely yours,

Mark C. Poloncarz, Esq.  
Erie County Executive

MCP/cw  
Enclosure

Cc: Thomas J. Dearing, Commissioner

## **MEMORANDUM**

**To:** Honorable Members of the Erie County Legislature  
**From:** Department of Environment and Planning  
**Re:** Bethlehem Steel Shoreline Trail, PIN 5761.04 – Amendment to Preliminary Design Agreement – Greenman-Pedersen, Inc.  
**Date:** February 15, 2016

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### **SUMMARY**

The resolution authorizes the County Executive to execute a consultant contract amendment with Greenman-Pedersen, Inc. for complete design and right-of-way acquisition services relative to the Bethlehem Steel Shoreline Trail project.

### **FISCAL IMPLICATIONS**

The proposed resolution requests that an additional amount not to exceed \$150,000 be added to the existing contract of \$150,000 for a total amount not to exceed \$300,000. The additional funds shall be allocated from available funds in the SAP Account A.13012, Bethlehem Steel Redevelopment. An additional \$ 30,000 is being requested from the same account for contract contingencies. The source of funding is being shared between Erie County (20%) and New York State (80%).

### **REASONS FOR RECOMMENDATION**

The selected firm has broad experience in engineering design work for bicycle/pedestrian trails, especially within the parameters of the Federal Aid procedures, as well as experience working on projects within brownfields. Greenman-Pedersen, Inc. will provide a seamless approach to the engagement given their in-house capacity in environmental analysis, engineering, and federal aid contract management. The consultants presented a sound proposal which reflected a thorough understanding of the scope of services defined by the Department of Environment and Planning. Given the federal aid nature of this project, the consultant selection process was guided by those procedures outlined in New York State Department of Transportation (NYSDOT) documents pertinent to locally administered federal aid projects. Thus a cost proposal was only solicited from the recommended firm.

### **BACKGROUND INFORMATION**

Greenman-Pedersen, Inc. was the unanimous number one rated firm by each member of the review committee and selected to perform the work. As preliminary design has been progressing, NYSDOT has asked us to speed the work by enlisting the services of a right-of-way specialist at this time. The Federal Aid process requires additional design scope of work earlier in the design process than anticipated. The County desires to contract with Greenman-Pedersen, Inc. through final design and construction.

### **CONSEQUENCES OF NEGATIVE ACTION**

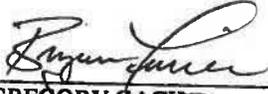
The completion of the Design Phase could be delayed a minimum of three months, thus straining the targeted completion schedule.

### **STEPS FOLLOWING APPROVAL**

The contract amendment will be prepared and executed by all parties.

**COMPTROLLERS OFFICE REVIEW**

The proposed legislation has been reviewed by the Office of the Comptroller and is related to an authorized Capital Project for which there is sufficient account balances for the action proposed.

 1/27/14  
Date

GREGORY GACH  
Deputy Commissioner

BRYAN FLUME  
Associate Deputy Comptroller

A RESOLUTION SUBMITTED BY:  
DEPARTMENT OF ENVIRONMENT AND PLANNING

RE: Bethlehem Steel Shoreline Trail, PIN 5761.04 – Amendment to Preliminary Design Agreement – Greenman-Pedersen, Inc.

WHEREAS, Erie County has engaged Greenman-Pedersen, Inc. for engineering services for the Bethlehem Steel Shoreline trail; and

WHEREAS, Erie County is desirous of expanding the services for the Bethlehem Steel Shoreline Trail to include right-of-way acquisition and final design; and

WHEREAS, in compliance with Section 19.08 of the Erie County Administrative Code, a consultant selection process was undertaken to evaluate responses to a Request For Supplemental Information to Expression of Interest Document dated March 20, 2015.

WHEREAS, the Erie County Legislature approved entering into a contract with Greenman Pedersen, Inc. for engineering services on July 16, 2015, through Comm. 13E-7 (2015).

NOW, THEREFORE, BE IT

RESOLVED, that the County Executive be authorized to execute a contract amendment with Greenman-Pedersen, Inc. for an additional amount not to exceed \$150,000 to be added to the existing contract of \$150,000 for a total amount not to exceed \$300,000 for the purposes of completing final engineering design services and right-of-way acquisition which are necessary prior to construction of the Bethlehem Steel Shoreline Trail; and be it further

RESOLVED, that the County Executive be authorized to execute additional contract amendments for contingencies to the aforementioned contract in a cumulative amount not to exceed \$30,000; and be it further

RESOLVED, that said funding amounts shall be allocated from SAP Account No. A.13012, Bethlehem Steel Redevelopment; and be it further

RESOLVED, that the Clerk of the Legislature be instructed to forward certified copies of this resolution to the Department of Environment and Planning, 10<sup>th</sup> Floor, Rath Building; the Office of the County Executive; the Director of the Division of Budget and Management; the Office of the Comptroller; and the Office of the County Attorney.