



FILED 2019 JAN 14 2 07

COUNTY OF ERIE

MARK C. POLONCARZ

COUNTY EXECUTIVE

January 14, 2019

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

RE: Rath Building – Sub-Basement Asbestos Abatement Project

Dear Honorable Members:

Please find enclosed a resolution from the Department of Public Works seeking authorization for the County Executive to enter into an Agreement Amendment with the engineering firm of Watts Architecture & Engineering, for providing professional Architectural/Engineering services for an asbestos abatement project located at the Rath Building – Sub-Basement. The Department of Public Works received professional Architectural/Engineering design services proposals for the project on November 16, 2018.

Should your Honorable Body require further information, I encourage you to contact Commissioner William E. Geary Jr. at the Department of Public Works. Thank you for your consideration on this matter.

Sincerely yours,

Mark. C. Poloncarz, Esq.
Erie County Executive

MCP/jk
Enclosure

Cc: William E. Geary, Jr., Commissioner, Department of Public Works

MEMORANDUM

To: Honorable Members of the Erie County Legislature
From: Department of Public Works
Re: Rath Building – Sub-Basement Asbestos Abatement
Date: January 14, 2019

SUMMARY

This resolution is seeking authorization for the County Executive to enter into an Agreement Amendment with the engineering firm of Watts Architecture & Engineering for providing professional Architectural/Engineering design and construction administration services for an asbestos abatement project located at the Rath Building – Sub-Basement.

FISCAL IMPLICATIONS

Funds for the project are currently available from the approved as amended 2017 and 2018 Capital budgets, Funds Center 122; Fund 410, SAP Projects as follows:

A.17004 – Countywide Code & Environmental Compliance	\$ 95,006.45
<u>A.18004 – Countywide Code & Environmental Compliance</u>	<u>\$ 13,193.55</u>
For a Total Amount Not to Exceed:	\$108,200.00

REASON FOR RECOMMENDATION

The abatement project is recommended to address asbestos and fire-protection hazards. Abatement project is also recommended to facilitate inspections and repairs in the project area.

BACKGROUND INFORMATION

The County is planning an asbestos abatement project that involves removal of spray applied fireproofing on structural members in the Sub-Basement of the Rath building. Years of migration of salt and moisture from the parking deck above into the sub-basement has caused the spray applied fireproofing to de-bond from the structural members. Portions of the asbestos-containing fireproofing have fallen from the beams above which exposes a hazard to the county employees in the basement. Also, salt and moisture breaks down the fireproofing and accelerates corrosion of the exposed steel. Asbestos containing materials must be removed before further deterioration occurs. Fire-proofing must be re-applied to maintain fire-resistance rating.

The Consultant is to prepare plans and specifications for abatement of asbestos in the project area in accordance to all New York State Department of Labor (NYSDOL) Code Rule 56, Environmental Protection Agency (EPA) and Occupational Safety and Health Administration (OSHA) regulations.

CONSEQUENCES OF NEGATIVE ACTION


If the asbestos abatement is not completed the fireproofing will continue to de-bond from structural members and result in asbestos and fire protection hazards. Building elements will continue to deteriorate.

STEPS FOLLOWING APPROVAL

The County Executive will enter into an Agreement Amendment with the engineering firm of Watts Architecture & Engineering so that design work can proceed.

COMPTROLLER'S OFFICE REVIEW

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



GREGORY GACH
Deputy Comptroller
Comptroller's Office

A.17004 – Countywide Code & Environmental Compliance
A.18004 – Countywide Code & Environmental Compliance
Rath Building – Sub-Basement Asbestos Abatement

A RESOLUTION SUBMITTED BY:
DEPARTMENT OF PUBLIC WORKS

RE: Rath Building – Sub-Basement Asbestos Abatement

WHEREAS, the structural members in the Sub-basement are coated with spray-applied asbestos containing fireproofing from the original construction; and

WHEREAS, years of moisture and salt from the parking deck above is causing the spray-applied fireproofing to de-bond from the structural members; and

WHEREAS, asbestos containing materials must be removed and structural members must be re-fireproofed to maintain fire-resistance rating; and

WHEREAS, Watts Architecture & Engineering has the necessary expertise and manpower to provide professional design services for the project; and

WHEREAS, authorization is required for the County Executive to issue an Agreement Amendment to Watts Architecture & Engineering for providing professional design and construction administration services for an asbestos abatement project located in the Rath Building – Sub-Basement.

NOW, THEREFORE, BE IT

RESOLVED, that the County Executive is hereby authorized to issue an Agreement Amendment to Watt’s Architecture & Engineering, P.C. for providing professional design and construction administration services for the asbestos abatement project at the Rath Building – Sub-Basement Asbestos Abatement for an amount not to exceed \$108,200, including design contingency; and be further

RESOLVED, that the Comptroller’s Office be authorized to make payment from the following SAP projects in Funds Center 122, Fund 410:

A.17004-2017-Countywide Code & Environmental Compliance	\$ 95,006.45
A.18004-2018- Countywide Code & Environmental Compliance	<u>\$ 13,193.55</u>
Total Amount Not to Exceed	\$108,200.00

; 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.

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

1. CONTRACTOR'S NAME Watt's Architecture & Engineering, P.C.
2. AMOUNT OF CONTRACT Not to exceed \$108,200.00
3. PROJECT NUMBER A.17004 \$95,006.45
A.18004 \$13,193.55
4. PROJECT TITLE Rath Building – Sub-Basement Asbestos Abatement
Funding questions: Kristofer Straus #7294
5. DEPARTMENT CONTACT Letter pickup: Christy Weber at 8301

COMPTROLLER'S OFFICE

COMPLETE ITEMS 6 AND 7

6. AVAILABILITY OF FUNDS A.17004 \$ 505,288.89 A.18004 966,632.02
7. PERFORMED BY 

Date sent to Comptroller's Office: January 10, 2019

[55 compt_08]

OFFICE OF THE COMPTROLLER REVIEW

DATE: 1/11/2019


PROJECT TITLE: A.17004 2017 CTYWD CODE & ENVIRONMENT COMPLIANCE

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

2) PROJECT AVAILABLE APPROPRIATION

Total Project Revenues	\$ 1,000,000.00
Total Project Appropriations	\$ 1,000,000.00
Less: Total Expenditure To Date	\$ 366,353.67
Total Commitments	\$ 128,357.44
Available Appropriations As Of Date Of Request	\$ 505,288.89
Less: Contract Amount	\$ 95,006.45
Net Available Appropriations	\$ 410,282.44

Comments: \$634,848.33 cash is in the project.

Request Approved: 

Request Denied: _____

Date: 1/14/19

OFFICE OF THE COMPTROLLER REVIEW

DATE: 1/11/2019

PROJECT TITLE: A.18004 2018 Code & Environ Compliance Cntywide

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

2) PROJECT AVAILABLE APPROPRIATION

Total Project Revenues	\$ <u>1,000,000.00</u>
Total Project Appropriations	\$ <u>1,000,000.00</u>
Less: Total Expenditure To Date	\$ <u> -</u>
Total Commitments	\$ <u>33,367.98</u>
Available Appropriations As Of Date Of Request	\$ <u>966,632.02</u>
Less: Contract Amount	\$ <u>13,193.55</u>
Net Available Appropriations	\$ <u><u>953,438.47</u></u>

Comments: \$1,000,000.00 cash is in the project.

Request Approved: 

Request Denied: _____

Date: 1/14/19



**ERIE COUNTY DEPARTMENT OF PUBLIC WORKS - BUILDINGS & GROUNDS
18-816-01 Rath Building - 2018 Sub-Basement Abatement
PROPOSAL REVIEW COMMITTEE RATINGS - SUMMARY**

Proposer	Evaluation Criteria													Weighted Average Qualifications Score (0 - 10)	Qualifications Ranking							
	Understanding of Work to be Done			Staff Experience / Qualifications			Firm Experience with Similar Projects, and Quality of Any Past Experience with County			Organization and Scheduling			Percentage of M/WBE Participation									
	Weight = 30%			Weight = 30%			Weight = 20%			Weight = 15%			Weight = 5%									
	Committee Member Rank Score (0 - 10)	Avg. Score	#	Committee Member Rank Score (0 - 10)	Avg. Score	#	Committee Member Rank Score (0 - 10)	Avg. Score	#	Committee Member Rank Score (0 - 10)	Avg. Score	#	Committee Member Rank Score (0 - 10)			Avg. Score	#					
Uro Engineers	9	8.67	9	8	9	9	8.67	8	9	8.67	9	8	9	9.00	5	2	8	5.00	8.63	2		
Watts A/E	10	9.67	10	7	9	9	8.67	9	8	9	8.67	10	8	10	9.33	9	6	10	8.33	8.85	1	

It is my opinion in recommending Firm Name, Address, City, NY ZIP, The Erie County Department of Public Works has complied with all applicable provisions of Section 19.08 of the Erie County Administrative Code. Scoring sheets and other materials related to this matter are available for review at the Department of Public Works' office during regular business hours.

[Signature]
 William E. Geary
 Commissioner of Public Works
 Date: 18 Dec 2018

[Signature]
 Maria R. Whyte
 Deputy County Executive
 Date: 12/26/18