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COUNTY OF ERIE

MARK C. POLONCARZ
COUNTY EXECUTIVE

February 15, 2019

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

RE: Budget Revision and Authorization to Contract with WNY Sustainable Business Roundtable

Dear Honorable Members:

Please find attached a resolution from the Department of Environment and Planning to request authorization for the County Executive to execute a contract with WNY Sustainable Business Roundtable, as well as authorize a budget revision and eliminate a position in the United States Environmental Protection Agency WNY Sustainable Business Roundtable Grant #162WNYSBR1618. This budget revision and contract has been approved by the USEPA Project Officer in accordance with the contract guidelines.

Should your Honorable Body require further information, I encourage you to contact Deputy Commissioner Bonnie Lawrence. Thank you for your consideration on this matter.

Sincerely yours,

Mark C. Poloncarz, Esq.
Erie County Executive

MCP/mw
Enclosure

cc: Thomas R. Hersey, Jr., Commissioner
Bonnie Lawrence, Deputy Commissioner

MEMORANDUM

To:	Honorable Members of the Erie County Legislature
From:	Erie County Department of Environment and Planning
Re:	Budget Revision and Authorization to Contract with WNY Sustainable Business Roundtable
Date:	February 15, 2019

SUMMARY

The Department of Environment and Planning (DEP) is seeking authorization for a budget revision for the WNY Sustainable Business Roundtable Grant, as well as authorization to contract with the WNY Sustainable Business Roundtable. These changes are in accordance with the current project work plan and contractual requirements set forth by the granting agency, the United States Environmental Protection Agency (USEPA). The WNY Sustainable Business Roundtable is considered a sole source for this contract for a Coordinator because they are the only known source that can fill the requirements. That is, they manage and exclusively use the services of the Coordinator, as well as will be providing the majority of the on-going funds for the position. Thus, there was not a competitive process for this contract.

FISCAL IMPLICATIONS

There will be no impact on County resources.

REASONS FOR RECOMMENDATION

The requested budget revision and contract will allow for the project to address USEPA work scope requirements, including pollution prevention support to businesses in Western New York.

CONSEQUENCES OF NEGATIVE ACTION

Without approval of the attached resolution, Erie County will be unable to complete work plan objectives to fulfill its contractual obligations with the USEPA.

STEPS FOLLOWING APPROVAL

The grant budget will be revised, one County position will be eliminated, and the County will execute a contract with the Western New York Sustainable Business Roundtable to provide the required services.

A RESOLUTION SUBMITTED BY:
DEPARTMENT OF ENVIRONMENT AND PLANNING

Re: Budget Revision of WNY Sustainable Business Roundtable Grant and Contract Authorization

WHEREAS, the Erie County Department of Environment and Planning (DEP) has played a crucial role in pollution prevention and sustainability issues throughout the region for decades and has more recently played an important role in the formation of the Western New York Sustainable Business Roundtable (WNYSBR); and

WHEREAS, DEP is committed to provide staff support and conduct work to assist and expand the WNYSBR so that it can become a stand-alone organization; and

WHEREAS, the United States Protection Agency (USEPA) awarded a grant to DEP in 2016 to provide staff and other support for the WNYSBR; and

WHEREAS, Erie County and the USEPA entered into a contract (SAP Account #162WNYSBR1618) authorized by COMM. 20E-7 (2016); and

WHEREAS, the Erie County Legislature authorized a no-cost extension (COMM 23E-15 (2018); and

WHEREAS, the WNY Sustainable Business Roundtable Coordinator position (JG-12 Senior Environmental Compliance Specialist) was recently vacated and the remaining budget is not sufficient to replace the position; and

WHEREAS, the USEPA and DEP wish to make budget adjustments that will allow for successful completion of the grant work scope by moving the WNYSBR coordinator position to be employed directly by the WNYSBR, instead of by the County; and

WHEREAS, the WNYSBR is considered a sole source for this contract for a Coordinator because they manage and exclusively use the services of the Coordinator; and

WHEREAS, such a revision requires a contract between WNYSBR and Erie County.

NOW, THEREFORE, BE IT

RESOLVED, that the grant budget for the WNYSBR Grant is hereby revised in the DEP, Business Area 162, as follows:

Western New York Sustainable Business Roundtable Project
(October 1, 2016 – September 30, 2019), SAP Grant Account #162WNYSBR1618

Account	Description	Current Budget	Revision	Revised Budget
41400	Federal Aid	$259,963	$0	$259,963
TOTAL REVENUE				$259,963
APPROPRIATIONS				
500000	Full Time Salaries	$111,352	($12,732)	$98,620
502000	Fringe Benefits	$78,081	($11,841)	$66,240
510100	Out of Area Travel	$500	($500)	$0
516020	Professional Services Contract	$70,030	$25,073	$95,103
TOTAL APPROPRIATIONS		$259,963	$0	$259,963

and be it further

RESOLVED, that the Senior Environmental Compliance Specialist (JG-12) position is eliminated from Western New York Sustainable Business Roundtable Project (October 1, 2016 – September 30, 2019), SAP Grant Account #162WNYSBR1618; and be it further

RESOLVED, that County Executive is authorized to execute a contract with WNYSBR not to exceed $25,073 to finish the remaining grant deliverables; and be it further

RESOLVED, that the Director of the Division of Budget and Management is hereby authorized to implement any budget adjustments as required to comply with Federal and local funding requirements; 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 County Attorney; the County Comptroller; Thomas R. Hersey, Jr., Commissioner of Environment and Planning; and Bonnie Lawrence, Deputy Commissioner of Environment and Planning.