

JUNE 28, 2007

ECONOMIC DEVELOPMENT COMMITTEE
REPORT NO. 12

ALL MEMBERS PRESENT.

1. RESOLVED, the following item is hereby received and filed:

a. COMM. 12M-8 (2007)
ECIDA: Buffalo Brownfields Redevelopment Fund
(4-0)

2. COMM. 12E-10 (2007)
COUNTY EXECUTIVE
WHEREAS, the Department of Public Works advertised and received one proposal from Troy & Banks for audit services related to Utilities, Water Billing and Telecommunications, and

WHEREAS, a selection committee was formed to review the proposal, and

WHEREAS, the selection committee has recommended that Troy & Banks be awarded a contract for the work at a rate that varies between 24% and 25% depending on the type of audit work performed.

NOW, THEREFORE, BE IT,

RESOLVED, that the Erie County Legislature authorizes the County Executive to enter into a contract with Troy & Banks for the audit work at a rate that varies between 24% and 25% depending on the type of audit work performed, and be it further,

RESOLVED, that the Erie County Legislature authorizes the County Executive to receive the refunds from exceptions found by Troy & Banks minus their fee and credit the share returned to the respective entity that overpaid the original bill, and be it further,

RESOLVED, that two certified copies of this resolution be sent to the Department of Public Works, Office of the Commissioner; and one copy each to the Office of the County Executive, the Division of Budget, Management & Finance, and the Office of the Comptroller.
(4-0)

3. COMM. 12E-11 (2007)
COUNTY EXECUTIVE

AS AMENDED

WHEREAS, the County of Erie, pursuant to Comm. 14E-11 dated June 2, 2005, relating to the control of snow and ice on County roads by towns and incorporated villages, entered into a two year agreement with local municipalities for such purposes, and

WHEREAS, the said agreement expires August 1, 2007 at a line mile reimbursement rate of \$2,532.00, and

WHEREAS, it would be in the best interests of Erie County to extend the agreement at a lane mile reimbursement rate increasing five percent each year for an additional three year period,

NOW, THEREFORE, BE IT

RESOLVED, that the Erie County Legislature hereby authorizes such extension of the said Snow and Ice Control Agreement, as modified and updated, for a period of three years, a lane reimbursement rate increasing five percent each year for an additional three-year period, to expire August 1, 2009, payable from adopted Division of Highways O & M budgets, and be it further

RESOLVED, that the County Executive of the County of Erie is hereby authorized and directed on behalf of Erie County to execute an agreement effecting such extension and modification, and be it further

RESOLVED, that the Clerk of this Legislature is hereby directed to transmit three (3) certified copies of the foregoing resolution to the Commissioner of Public Works, one (1) certified copy each to the Deputy Commissioner of Public Works - Division of Highways, County Comptroller, County Attorney, and thirty-five (35) certified copies for distribution by the Department of Public Works to the participating local municipalities.
(4-0)

4. COMM. 12E-53 (2007)
COUNTY EXECUTIVE

WHEREAS, the Town of Evans secured \$754,300 in federal funding for the Town of Evans Multi-Use Pathway in the Town of Evans, extending from Bennett Beach park to approximately Wendt Beach Park; and

WHEREAS, through an assignment agreement between Erie County and the Town of Evans executed on October 10, 2006, the project will now be constructed by Erie County; and

WHEREAS, the project's nature and funding source require provision of construction engineering and inspection services; and

WHEREAS, said services were originally to be performed by Wendel-Duchscherer Architects and Engineers through a contractual agreement with the Town of Evans; and

WHEREAS, due to Wendel-Duchscherer's knowledge of project details, prior agreement to provide said services to the Town of Evans, and nearness of estimated construction bid date, a waiver of the consultant selection process as required under Section 19.08 of the Erie County Administrative Code is appropriate.

NOW, THEREFORE, BE IT

RESOLVED, that the County Executive is hereby authorized to execute a Construction Engineering and Inspection Service Contract for the Town of Evans Multi-Use Pathway, Federal Aid Project #5756.75, with Wendel-Duchscherer; and be it further

RESOLVED, that funding for said agreement shall not exceed \$95,000 and is available in SAP Account A.00213; and be it further

RESOLVED, that a waiver is hereby granted of those consultant selection provisions as required under Section 19.08 of the Erie County Administrative Code; and be it further

RESOLVED, that certified copies of this resolution be forwarded to the County Executive; the Commissioner of the Department of Environment and Planning; the Commissioner of the Department of Public Works; the County Comptroller; the Director of the Division of Budget, Management, and Finance; and the County Attorney.

(4-0)

TIMOTHY M. KENNEDY
CHAIRMAN