

MARCH 23, 2006

ECONOMIC DEVELOPMENT COMMITTEE
REPORT NO. 6

ALL MEMBERS PRESENT.

1. COMM. 5E-28 (2006)
COUNTY EXECUTIVE

WHEREAS, the Department of Public Works received bids on February 28, 2006, for the Ralph Wilson Stadium – 2006 – Site Work, Structural Repairs, and Miscellaneous Work, Phase 2, and

WHEREAS, the Department of Public Works is recommending award to the lowest responsible bidders for the Ralph Wilson Stadium – 2006 – Site Work, Structural Repairs, and Miscellaneous Work, Phase 2, and

WHERE, the County of Erie is required to provide annual Capital Lease Improvements to the stadium facilities pursuant to the new Lease Agreement, and

WHEREAS, DiDonato Associates has a General Architect/Engineer Agreement previously authorized by your Honorable Body, and

WHEREAS, the Department of Public Works is requesting your Honorable Body’s authorization to issue a Supplemental Agreement to DiDonato Associates for providing additional design services, including construction administration and construction inspection services.

NOW, THEREFORE, BE IT

RESOLVED, that the County Executive be authorized to enter into contracts for the Ralph Wilson Stadium – 2006 – Site Work, Structural Repairs, and Miscellaneous Work, Phase 2, as follows:

ELECTRICAL WORK

Frey Electric Construction Co.

Base Bid \$ 69,000.00

PLUMBING WORK

MKS Plumbing & Mechanical, Inc.

Base Bid \$ 58,400.00

HVAC WORK

Northeast Mechanical, Inc.

Base Bid \$156,000.00

SITE WORK

Anastasi Trucking & Paving Co.

Base Bid \$298,590.00
Alternative Bid S-1 \$153,830.00
Total for Site Work \$452,420.00

Total for all Contracts \$735,820.00

and be it further,

RESOLVED, that the sum of \$100,000 be allocated for a construction contingency fund with authorization for the Commissioner of Public Works to approve change orders not to exceed the amount of the contingency, and be it further,

RESOLVED, that deduct change orders will result in funds being returned to the contingency account, and be it further,

RESOLVED, that the Commissioner of Public Works be authorized to issue a Supplemental Agreement to DiDonato Associates for an amount not to exceed \$85,000.00, and be it further,

RESOLVED, that the Comptroller’s Office be authorized to make payment for all of the above from the following SAP accounts:

A.00039 - '02 Renovations to Ralph Wilson Stadium \$ 42,331.00
A.00077 – '03 Renovations to Ralph Wilson Stadium \$ 70,416.00
A.00232 – '04 Rehabilitation to Ralph Wilson Stadium \$ 100,547.00
A.00259 – '05 Ralph Wilson Stadium \$ 707,526.00
Total Payments \$ 920,829.00

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.
(3-0)

2. COMM. 6E-9 (2006)
COUNTY EXECUTIVE

WHEREAS, Artspace Affordable Family Housing Development Fund Company and Artspace Affordable Housing L.P. are developing housing for very low and low income households (Project), pursuant to Article XI of the New York Private Housing Finance Law; and

WHEREAS, the project will be located at 1219– 1233 Main Street, 19, 29 and 33 Northampton Street and 12 Coe Drive in the City of Buffalo, New York. The project for very- low, low and moderate income household consists of 60 rental residential apartments. An existing vacant building will be renovated for 36 of the units and the additional 24 units will be new built construction on adjacent vacant property; and

WHEREAS, Artspace Apartments will be managed by Belmont Shelter Corp.; and

WHEREAS, the Erie County Legislature adopted a policy on Payment in Lieu of Taxes (PILOT) on December 16, 1999, and this PILOT is consistent with said policy; and

WHEREAS, in order to make the Project economically feasible for very-low and low income households it is necessary to obtain tax relief from the County of Erie and the City of Buffalo.

NOW, THEREFORE, BE IT

RESOLVED that the County Executive is hereby authorized to execute a PILOT Agreement with Artspace Affordable Family Housing Development Fund Company, Artspace Affordable Housing, L. P. and the City of Buffalo relating to Artspace Apartments and all other agreements necessary to conclude this Project; and be it further

RESOLVED, that said Agreement shall include an annual payment schedule as defined on schedule A to this resolution with an amount of \$20,261 being due from Artspace Affordable Family Housing Development Fund Company and Artspace Affordable Housing, L. P. in the first year of the PILOT agreement with a three (3) percent increase annually thereafter for a fifteen (15) year period, with the County share of each annual payment being twenty-five (25) percent of the total amount; 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, Management, and Finance; the Commissioner of the Department of Environment and Planning; the County Comptroller; and the County Attorney.
(3-0)

3. COMM. 6E-16 (2006)
COUNTY EXECUTIVE

WHEREAS, on May 27, 2004, your Honorable Body authorized the County Executive to enter into contracts for Phases 1 and 2 construction at the Main Branch of the Buffalo and Erie County Library, and

WHEREAS, the funding for said project included a \$200,000 construction contingency fund, and

WHEREAS, the majority of unforeseen conditions were asbestos items.

NOW, THEREFORE, BE IT

RESOLVED, that the construction contingency fund for Phases 1 and 2 reconstruction work at the Main Branch of the Buffalo and Erie County Library be increased by \$50,000 with authorization for the Commissioner of Public Works to approve change orders, not to exceed the construction contingency, and be it further,

RESOLVED, that deduct change orders will result in funds being returned to the contingency account, and be it further,

RESOLVED, that the \$50,000 funding be taken from the Central Library Asbestos & Environmental Remediation, WBS element F.00007.98, 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.
(3-0)

4. COMM. 6E-18 (2006)
COUNTY EXECUTIVE

WHEREAS, on or about November 16, 2005, the Division of Buildings and Grounds, within the Department of Public Works, was contacted regarding water infiltrating the basement of the Erie County Home & Infirmary (ECHI), and

WHEREAS, for the following few days testing was performed by our staff that determined a waterline was leaking somewhere within the ECHI grounds, and

WHEREAS, the Erie County Water Authority was called in to determine the leak's location using their sophisticated leak detection equipment to assist us, and

WHEREAS, after many tries, they were unable to find the location of the leak, and

WHEREAS, the only solution to finding and fixing the leak was a "hit-or-miss" process of uncovering the waterline and covering it back up, and

WHEREAS, as time was getting critical, a contractor was brought in and work began, and

WHEREAS, the original estimate for work was under \$10,000 so formal bidding was not required, and

WHEREAS, as the work became more extensive than first envisioned, the cost exceeded \$10,000 and now requires legislative resolution to pay for the work completed.

NOW, THEREFORE, BE IT

RESOLVED, that the Erie County Legislature authorizes the payment of Nichols Long and Moore in an amount not to exceed \$17,500 for their emergency work at the ECHI at the end of November 2005 from account 110-122-506200-1222040, and be it further,

RESOLVED, that two certified copies of this resolution be sent to the Commissioner of Public Works, and one copy each to the Office of the County Executive, the Division of Budget, Management & Finance, the Office of the Comptroller and the Division of Purchase.

(3-0)

TIMOTHY M. KENNEDY
CHAIRMAN