

July 15, 2010

ECONOMIC DEVELOPMENT COMMITTEE  
REPORT NO. 6

ALL MEMBERS PRESENT, EXCEPT LEGISLATOR KOZUB  
CHAIR MILLER-WILLIAMS PRESENT AS EX-OFFICIO MEMBER.

1. RESOLVED, the following items are hereby received and filed:
  - a. COMM. 21E-23 (2009)  
**WALTER:** "Letter to Commissioner of Public Works Regarding a Traffic Study at the Intersection of County and Strickler Roads, Clarence"  
(5-0)
  - b. COMM. 11M-2 (2010)  
**NFTA:** "Minutes from Meeting Held 4/26/2010"  
(5-0)
  - c. COMM. 13M-5 (2010)  
**NFTA:** "Copy of Financial Statements for Fiscal Year Ended 3/31/10"  
(5-0)
  - d. COMM. 13M-7 (2010)  
**NFTA:** "Minutes of Meeting Held 5/24/10"  
(5-0)
  - e. COMM. 13M-8 (2010)  
**NFTA:** "Copy of Annual PARIS Report"  
(5-0)
  - f. COMM. 13M-9 (2010)  
**NFTA:** "Copy of Annual 17A Report"  
(5-0)
2. COMM. 13E-21 (2009)  
**COUNTY EXECUTIVE AS AMENDED**  
WHEREAS, the Erie County Department of Public Works, Division of Highways works closely with many of the towns and villages throughout Erie County; and

WHEREAS, many times, the local municipalities require the services of Erie County and vice versa; and

WHEREAS, it is cost effective for Erie County to work jointly with the local municipalities; and

WHEREAS, an executed Intermunicipal Agreement between the local municipality and Erie County should be in effect before these cooperative services are undertaken.

NOW, THEREFORE, BE IT

RESOLVED, that the County Executive is hereby authorized to execute no cost Intermunicipal Agreements with various municipal entities within Erie County whereby the Division of Highways may exchange services with such municipalities; and be it further

RESOLVED, that the Erie County Legislature receive a copy of all Intermunicipal Agreements entered into with various municipalities and Erie County involving the no cost exchange of services with the Division of Highways and municipal entities; 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 Office of the Erie County Attorney, the Division of Budget, Management and Finance, and the Office of the Comptroller.  
(5-0)

3. INTRO 5-2 (2010)  
**KENNEDY, MILLER-WILLIAMS, AS AMENDED**  
**BOVE & MARINELLI**

WHEREAS, the County of Erie recognizes and respects the Seneca Nation of Indians as an independent and sovereign nation, recognized by treaties entered into with the United States government; and

WHEREAS, the Seneca Nation of Indians has two territories within the County of Erie, including the Cattaraugus Territory and the Buffalo Creek Territory; and

WHEREAS, the Seneca Nation of Indians and the County of Erie have in the recent past maintained a respectful relationship, and that the County seeks to maintain that relationship into the future; and

WHEREAS, the Seneca Nation of Indians has contributed greatly to the economy of Western New York, employing over 6,000 people and playing an important role in the economic development of the region; and

WHEREAS, the State of New York and the Seneca Nation of Indians are currently at odds over several issues, including the imposition of State taxes on commerce taking place on the Nation's territories; and

WHEREAS, given the sovereignty of the Seneca Nation of Indians and its recognition by federal law, New York State must respect the Nation's sovereignty and treaty rights and negotiate any disputes that now or in the future may arise.

NOW, THEREFORE, BE IT

RESOLVED, that the Erie County Legislature calls for New York State to acknowledge and abide by the treaties recognizing and protecting the sovereign rights of the Seneca Nation of Indians that are currently in place; and be it further

RESOLVED, that this Legislative Body believes that a process of negotiation and open dialogue between the State of New York and the Seneca Nation of Indians should be employed to address outstanding disputes; and be it further

RESOLVED, that copies of the resolution be forwarded to Governor Paterson, the State Senate Finance Committee, the State Department of Taxation and Finance, and the Seneca Nation.  
(3-2) Legislators Walter & Rath voted in the negative.

4. COMM. 11E-7 (2010)  
**COUNTY EXECUTIVE**

WHEREAS, Erie County formed a Consortium (Erie County HOME Consortium) with the Towns of West Seneca and Hamburg for the purpose of obtaining funding under the HOME Investment Partnership Act (HOME); and

WHEREAS, the Erie County HOME Consortium has been awarded a HOME grant of \$1,195,159 for fiscal year 2009 and \$1,192,338 for fiscal year 2010 by the U. S. Department of Housing and Urban Development; and

WHEREAS, a minimum of fifteen percent of said funds made available pursuant to the HOME Investment Partnership Act are to be provided to eligible Community Housing Development Organizations (CHDOs).

NOW, THEREFORE, BE IT

RESOLVED, that the County Executive, on behalf of the Erie County Community Development Block Grant and Town of Hamburg/Erie County HOME Consortia is hereby authorized to enter into all

necessary agreements with New Opportunities (CHDO) to develop affordable rental housing for low-income households in the Village of Alden; and be it further

RESOLVED, that said agreement shall provide for the transfer of an amount not to exceed \$250,000 to New Opportunities; and be it further

RESOLVED, that disbursement of said funds shall be conditioned on the following:

1. Completion of all state and federal environmental review requirements relative to the housing projects.
2. Completion of all necessary subsidy layering analyses as required by the federal Department of Housing and Urban Development; and be it further

RESOLVED, that all Community Housing Development Corporations within the HOME Consortium were informed regarding the availability of HOME funds and a summary of the selection process is included as Attachment B to this resolution; and be it further

RESOLVED, that copies of this resolution shall be forwarded to the County Executive; the Commissioner of the Department of Environment and Planning; the County Comptroller; the County Attorney; and the Director of the Division of Budget and Management.  
(5-0)

5. COMM. 12E-20 (2010)  
**COUNTY EXECUTIVE**

WHEREAS, the County of Erie, pursuant to Comm. 12E-11 dated July 12, 2007, 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 31, 2010 at a lane mile reimbursement rate of \$2,931.11; 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, at a lane mile reimbursement rate increasing five

percent each year for an additional three year period, to expire August 31, 2013, payable from adopted Division of Highways O & M budgets, indicated below:

September 1, 2010 through August 31, 2011	\$3,077.67 per lane mile
September 1, 2011 through August 31, 2012	\$3,231.55 per lane mile
September 1, 2012 through August 31, 2013	\$3,393.13 per lane mile

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 four (4) certified copies of the foregoing resolution to the Commissioner of Public Works, one (1) certified copy each to the Office of the County Executive, the Division of Budget and Management, the County Attorney and the Office of the Comptroller. An additional thirty-five (35) certified copies are required for distribution by the Department of Public Works to the participating local municipalities.  
(5-0)

6. COMM. 12E-23 (2010)  
**COUNTY EXECUTIVE**

WHEREAS, the County is required pursuant to the Lease Agreement between the Buffalo Bills and Erie County to provide capital improvements to Ralph Wilson Stadium on an annual basis; and

WHEREAS, your honorable body has previously approved a General Architectural/Engineering Agreement with the Engineering firm of DiDonato Associates for providing professional services on County projects; and

WHEREAS, the County Executive is requesting authorization to issue an Agreement Amendment to DiDonato Associates for providing professional design services for the 2010 – Phase III projects.

NOW, THEREFORE, BE IT

RESOLVED, that the County Executive be authorized to issue an Agreement Amendment with DiDonato Associates to provide design work for the Phase III of the capital improvements for an amount not to exceed \$140,000.00; and be it further

RESOLVED, that the Comptroller's Office be authorized to make payment for all the above from SAP Project accounts A.20901 – 2009 – Rehabilitation of Ralph Wilson Stadium for an amount not to exceed \$140,000.00; and be it further

RESOLVED, that two certified copies of this resolution be sent to the Division of Real Estate and Asset Management, and one copy each to the Office of the County Executive, the Division of Budget and Management, and the Office of the Comptroller.  
(5-0)

7. COMM. 12E-24 (2010)  
**COUNTY EXECUTIVE**

WHEREAS, your honorable body has previously authorized the County Executive to enter into a General Architectural/Engineering Services Agreement with Lauer-Manguso, PC for providing professional design services on Erie County projects; and

WHEREAS, Lauer-Manguso, PC has the necessary expertise and manpower to perform the design services for the Clock Tower Steeple Roof and Window Replacement Project.

NOW, THEREFORE, BE IT

RESOLVED, that the County Executive is authorized to execute an Agreement Amendment with the firm of Lauer-Manguso, PC for providing Professional Architectural/Engineering Services for the Clock Tower Steeple Roof and Window Replacement Project for Old County Hall for an amount not to exceed \$40,000.00; and be it further

RESOLVED, that the Comptroller's Office be authorized to make payment for all the above from SAP Project A.00327 – 2008 – Exterior Waterproofing of Old County Hall for an amount not to exceed \$40,000.00; and be it further

RESOLVED, that two certified copies of this resolution be sent to the Department of Public Works, Division of Real Estate and Asset Management, and one copy each to the Office of the County Executive, the Division of Budget and Management, and the Office of the Comptroller.  
(5-0)

8. COMM. 12E-25 (2010)  
**COUNTY EXECUTIVE**

WHEREAS, your honorable body has previously authorized the County Executive to enter into a General Architectural/Engineering Services Agreement with Wendel Duchscherer for providing professional design services on Erie County projects; and

WHEREAS, New York State has approved the above project and will reimburse the County for 50% of the total costs; and

WHEREAS, Wendel Duchscherer has the necessary expertise and manpower to provide professional design services for the roof replacement and HVAC upgrades; and

WHEREAS, your honorable body has previously authorized Architectural/Engineering Agreements for several Architectural/Engineering firms; and

WHEREAS, RCS Architecture, Architectural Resources, ANPRA Architecture, PLLC, Left Coast Design Studio, McGuire Group and Caley & Company Architects have recently submitted qualifications complying with this department's Term Agreement and this department is requesting these firms be added to the term list of Architectural/Engineering firms for providing professional Architectural/Engineering services.

NOW, THEREFORE, BE IT

RESOLVED, that the County Executive is authorized to execute an Agreement Amendment with the firm of Wendel Duchscherer for providing Professional Architectural/Engineering Services for replacing the HVAC Equipment and Roofing System for the Erie Community College Burt Flickinger Athletic Center for an amount not to exceed \$270,000.00; and be it further

RESOLVED, that the firms of RCS Architecture, Architectural Resources, ANPRA Architecture, PLLC, Left Coast Design Studio, McGuire Group and Caley & Company Architects be added to this department's Architectural/Engineering list of Term Agreements; and be it further

RESOLVED, that the Comptroller's Office be authorized to make payment for all the above from SAP Project E.00073 – 2008 – ECC – Flickinger Athletic Facility – Roof Replacement and HVAC Upgrades for an amount not to exceed \$270,000.00; and be it further

RESOLVED, that two certified copies of this resolution be sent to the Department of Public Works, Division of Real Estate and Asset Management, and one copy each to the Office of the County Executive, the Division of Budget and Management, Erie Community College – Chief Financial Officer, and the Office of the Comptroller.  
(5-0)

9. COMM. 12E-26 (2010)  
**COUNTY EXECUTIVE**

WHEREAS, your honorable body has previously authorized the County Executive to enter into a General Architectural/Engineering Services Agreement with the firm of Watts Architecture & Engineering, PC for providing professional design services on Erie County projects; and

WHEREAS, the County Executive is requesting authorization to issue an Agreement Amendment to Watts Architecture & Engineering, PC for providing design services for the ECC – North and South Campus Elevator Upgrade Project; and

WHEREAS, New York State has approved the above project and will reimburse the County for 50% of the total costs.

NOW, THEREFORE, BE IT

RESOLVED, that the County Executive be authorized to execute an Agreement Amendment with the firm of Watts Architecture & Engineering, PC to provide design work for ECC – North and South Campus Elevator Upgrade Project for an amount not to exceed \$50,000.00; and be it further

RESOLVED, that the Comptroller's Office be authorized to make payment for all the above from SAP Project E.00064 – 2006 – ECC Elevator Safety Upgrades for an amount not to exceed \$50,000.00; and be it further

RESOLVED, that two certified copies of this resolution be sent to the Department of Public Works, Division of Real Estate and Asset Management, and one copy each to the Office of the County Executive, the Division of Budget and Management, Erie Community College – Chief Financial Officer, and the Office of the Comptroller.  
(5-0)

10. COMM. 13E-10 (2010)  
**COUNTY EXECUTIVE**

WHEREAS, The Buffalo and Erie County Public Library desires to conduct a use analysis of the Central Library, which is the necessary step for Central Library Rehabilitation; and

WHEREAS, in 2009 the Library submitted an Erie County Capital request to allow this project; and

WHEREAS, the County approved the request in 2009 in the amount of \$200,000; bonded the funds earlier this year and made funds available for this project in SAP project # F.20901; and

WHEREAS, the Library is ready to commence work on the project.

NOW, THEREFORE, BE IT

RESOLVED, that Erie County, pursuant to the request of the Buffalo and Erie County Public Library, authorize the Director of Budget and Management and the Erie County Comptroller to make any budget and accounting adjustments required to allocate \$200,000 in the capital funds in SAP project #F.20901 for this use to be administered by the Library; and be it further

RESOLVED, that certified copies of this resolution shall be forwarded to the County Executive, Comptroller, Director of Budget and Management, Buffalo and Erie County Public Library Director, and the County Attorney.  
(5-0)

11. COMM. 13E-11 (2010)  
**COUNTY EXECUTIVE**

WHEREAS, Erie County is desirous of using monies from the New York State Affordable Housing Corporation for a home improvement/housing rehabilitation project within the Lake Erie Beach neighborhood in the Town of Evans and the First Ward area in the City of Lackawanna; and

WHEREAS, said neighborhoods have been identified as target areas for community revitalization within the 2010-14 Erie County/Town of Hamburg Community Development Consolidated Plan as so submitted to the United States Department of Housing and Urban Development on February 14, 2010; and

WHEREAS, the AHC monies will be matched with \$120,000 (J.00101) in federal Community Development Block Grant funds administered by the Erie County Department of Environment and Planning, thereby allowing the rehabilitation of 20 residential structures.

NOW, THEREFORE, BE IT

RESOLVED, that the Erie County Executive is hereby authorized to execute all necessary contracts/agreements for an amount not to exceed \$180,000 with the New York State Affordable Housing Corporation and/or related organizations under their Housing Rehabilitation/Home Improvement Program; and be it further

RESOLVED, that authorization is hereby provided to establish a grant for the period September 15, 2010 to September 14, 2012, in Project J.00101, as follows:

Revenue:

New York State Affordable Housing Corporation	\$180,000
GL 409000 SA Revenues	
Total Revenue:	\$180,000

<u>Appropriations:</u>	
Housing Contractor Services	\$180,000
CDBG Exp.	
Total Appropriations:	\$180,000

and be it further

RESOLVED, that the Director of the Division of Budget and Management is hereby authorized to implement any budget adjustments required to comply with Federal and State approved funding requirements; and be it further

RESOLVED, that certified copies of this resolution be sent to the County Executive's Office; the Comptroller's Office; the Director of the Division of Budget and Management; the County Attorney; and the Commissioner of the Department of Environment and Planning, Rath Building, 10th Floor.  
(5-0)

12. COMM. 13E-16 (2010)  
**COUNTY EXECUTIVE**

WHEREAS, the Holtz Drive and Aero Drive Intersection Improvements Project will be bid and ready for award of construction contract to the responsible low bidder during Legislative recess; and

WHEREAS, your honorable body will be on Legislative recess during the month of August when it will be necessary to award this work in order to meet deadlines during the short construction season; and

WHEREAS, funding for this project was approved in the 2010 Capital budget and is available in 2010 Capital Overlay Program (B.21001).

NOW, THEREFORE, BE IT

RESOLVED, that the County Executive be authorized and is hereby directed to award and execute a Contract for the Holtz Drive and Aero Drive Intersection Improvements Project between the County of Erie and the lowest responsible bidder, in an amount not to exceed \$500,000.00 including construction contingency; and be it further

RESOLVED, that the funds for the Holtz Drive and Aero Drive Intersection Improvements Project be allocated from the 2010 Capital Overlay (B.21001) in an amount not to exceed \$500,000.00 including construction contingency; and be it further

RESOLVED, that the Department of Public Works will inform the Erie County Legislature, for information only, as to what contractor was the successful lowest responsible bidder for the Holtz Drive and Aero Drive Intersection Improvements Project; and be it further

RESOLVED, that the Clerk of the Legislature be instructed to forward three (3) certified copies of this resolution to the Department of Public Works, Office of the Commissioner, and one copy each to the Office of the County Executive, the Office of Budget and Management, and the Office of the Comptroller.  
(5-0)

13. COMM. 13E-18 (2010)  
**COUNTY EXECUTIVE**

WHEREAS, your honorable body has previously authorized a General Architectural/Engineering Agreement with the firm of Buffalo Engineering, P.C. to provide Professional Design Services on County building projects; and

WHEREAS, Buffalo Engineering, P.C. has the necessary expertise and manpower to provide Professional A/E Design Services for the primary electrical upgrades at the Erie Community College North Campus; and

WHEREAS, the County Executive is requesting authorization to enter into an Agreement Amendment with the firm of Buffalo Engineering, P.C. to provide Professional A/E Design Services for this project; and

WHEREAS, New York State has approved the above project and will reimburse the County for 50% of the total costs.

NOW, THEREFORE, BE IT

RESOLVED, that the County Executive is authorized to execute an Agreement Amendment with the firm of Buffalo Engineering, P.C. for providing Professional A/E Services for the Erie Community College North Campus Primary Electrical Service Upgrades for an amount not to exceed \$70,000.00; and be it further

RESOLVED, that the Comptroller's Office be authorized to make payment for all the above from SAP Project E.21003 – 2010 – ECC Electrical Upgrades; and be it further

RESOLVED, that two certified copies of this resolution be sent to the Division of Real Estate and Asset Management, and one copy each to the Office of the County Executive, the Division of Budget and Management, and the Office of the Comptroller.  
(5-0)

14. COMM. 13E-19 (2010)  
**COUNTY EXECUTIVE**

WHEREAS, the Department of Public Works, Division of Real Estate and Asset Management received bids on June 18, 2010 for the Emery Park – 2010 – Ski Lodge Roof Replacement; and

WHEREAS, the Erie County Division of Real Estate and Asset Management, along with the project consultant, Stievater + Hearn: Architects, is recommending award of Contract to the lowest responsible bidder.

NOW, THEREFORE, BE IT

RESOLVED, that the County Executive be authorized to enter into a Contract with Grove Roofing, Inc. for the Emery Park – 2010 – Ski Lodge Roof Replacement as follows:

**GENERAL CONSTRUCTION CONTRACT**

Base Bid	
Grove Roofing, Inc.	\$160,800.00
Add Alternate G-2 for Replacing Tow House Roof	\$16,500.00
Total Award of Contract Not to Exceed	\$177,300.00

and be it further

RESOLVED, that the sum of \$25,700.00 be allocated to a construction contingency fund with authorization for the County Executive to approve change orders in an amount not to exceed the contingency; and be it further

RESOLVED, that deduct change orders will result in these funds returned to the contingency fund; and be it further

RESOLVED, that the Comptroller's Office be authorized to make payment for all the above from SAP Project A.20913 – 2010 – Countywide Parks Improvements; and be it further

RESOLVED, that two certified copies of this resolution be sent to the Department of Public Works, Division of Real Estate and Asset Management, and one copy each to the Office of the County Executive, the Division of Budget and Management, the Department of Parks, Recreation and Forestry, and the Office of the Comptroller.

(5-0)

15. COMM. 13E-21 (2010)  
**COUNTY EXECUTIVE**

WHEREAS, your honorable body has previously authorized the County Executive to enter into a General Architectural/Engineering Services Agreement with BHNT Architects, P.C. for providing Professional Design Services on Erie County projects; and

WHEREAS, BHNT Architects, P.C. has the necessary expertise and manpower to provide Professional A/E Design Services for the Kitchen Renovation and Equipment Replacement Project; and

WHEREAS, the County Executive is requesting authorization to enter into an Agreement Amendment with the firm of BHNT Architects, P.C. to provide Professional A/E Design Services for this project.

NOW, THEREFORE, BE IT

RESOLVED, that the County Executive is authorized to execute an Agreement Amendment with the firm of BHNT Architects, P.C. for providing Professional Architectural/Engineering Services for the Kitchen Renovation and Equipment Replacement Project for the Erie County Correctional Facility for an amount not to exceed \$80,000.00; and be it further

RESOLVED, that the Comptroller's Office be authorized to make payment for all the above from SAP Project A.21008 – 2010 Jail Management Division Food Services & Equipment for an amount not to exceed \$80,000.00; and be it further

RESOLVED, that two certified copies of this resolution be sent to the Department of Public Works, Division of Real Estate and Asset Management, and one copy each to the Office of the County Executive, the Division of Budget and Management, and the Office of the Comptroller.

(5-0)

16. COMM. 13E-22 (2010)  
**COUNTY EXECUTIVE**

WHEREAS, your honorable body has previously authorized a Professional Term Agreement with the firm of Empire-Geo Service, Inc. for testing and inspections services on County projects; and

WHEREAS, the New York State Building Code, Chapter 17, Structural Tests and Special Inspections requires the testing of building construction and materials; and

WHEREAS, the County Executive is requesting authorization to enter into an Agreement Amendment with the firm of Empire Geo-Services, Inc. for providing the required special inspections and testing on County projects.

NOW, THEREFORE, BE IT

RESOLVED, that the County Executive is authorized to execute an Agreement Amendment with the firm of Empire Geo-Services, Inc. for an amount not to exceed \$35,000.00; and be it further

RESOLVED, that the Comptroller's Office be authorized to make payment for all the above from SAP Project A.00309 – 2007 Code Compliance; and be it further

RESOLVED, that two certified copies of this resolution be sent to the Division of Real Estate and Asset Management, and one copy each to the Office of the County Executive, the Division of Budget and Management, and the Office of the Comptroller.

(5-0)

17. COMM. 13E-23 (2010)  
**COUNTY EXECUTIVE**

WHEREAS, there is a need for Bridge and Culvert Engineering Services performed by firms specializing in the provision of such services; and

WHEREAS, after careful review of each firm's capabilities by the Department of Public Works, multiple firms were selected having the necessary expertise, experience and manpower to provide the required service.

NOW, THEREFORE, BE IT

RESOLVED, that the County Executive be authorized to enter into an agreement with each of the following firms to provide Bridge and Culvert Engineering Services for the following projects:

Bergmann Associates	Allen Road Bridge (BR 27-2) Town of Sardinia	\$139,162.00	B.21029
C & S Engineers	Goodrich Road Bridge (BR 216-3) Town of Clarence	\$130,000.00	B.21029
Clark Patterson Lee	Chestnut Ridge Park Bridge (PK -13) Town of Orchard Park	\$149,906.00	B.21036
Erdman Anthony	Warner Gulf Road Culvert (BR405-2) Town of Sardinia	\$841.43 \$109,158.57	B.21029 B.00191
Fisher Associates	North Creek Road Culvert (BR 467-1) Town of Hamburg	\$39,000.00	B.21029
Foit-Albert Associates	Pontiac Road Bridge (BR 490-2) Town of Evans	\$149,679.00	B.21029
FRA	Akron Park Valley Bridge (PK-2) Town of Newstead	\$151,040.00	B.21036
Greenman-Pedersen, Inc.	Trevett Road Bridge (BR 420-3) Town of Boston	\$100,165.00	B.21029
Hatch Mott MacDonald	North Ellicott Creek Road Bridge (BR 232-1) Town of Amherst	\$236,161.57	B.21029
LiRo Engineers	Four Rod Road Culvert (BR 356-5) Town of Marilla	\$83,700.00	B.21029
Nussbaumer & Clarke, Inc.	Ketchum Road Bridge (BR 501-1) Town of Collins	\$150,335.00	B.21029
Wm. Schutt & Associates Eng & Land Surveying, PC	Emery Park Culvert (PK-20) Town of Aurora	\$75,946.00	B.00191

TVGA Consultants	Four Rod Road Bridge (BR 356-1) Town of Marilla	\$195,000.00	B.21029
Urban Engineers	Lake Shore Road Culvert (BR127-5) Town of Hamburg	\$19,951.00	B.21029
Urban Engineers	Springville Boston Road Culvert (BR 228-13) Town of Concord	\$50,545.00	B.21029
Watts Architecture & Engineering, PC	Heise Road Bridge (BR283-1) Town of Clarence	\$155,500.00	B.21029
Wendel Duchscherer	Lake Shore Road Culvert (BR 111-8) Town of Evans	\$49,960.00	B.21029
TOTAL OF ALL CONTRACTS NOT TO EXCEED		<u>\$2,010,104.57</u>	

and be it further

RESOLVED, that the fees for the contracts to the above noted Engineering firms have been negotiated with a not to exceed amount placed on the work; and be it further

RESOLVED, that the contract duration will be for one year, with a clause to renew the contract for one additional year at the discretion of the Commissioner of Public Works; and be it further

RESOLVED, that funding for such services is identified separately for each such project that is to be accomplished; and be it further

RESOLVED, that fees will be appropriated from B.00191, 2008 Preservation of Bridges, Culverts and Dams, B.21029, 2010 Preservation of Bridges & Culverts (Design), and 2010 Parks Bridges and Culverts (Design) in individual amounts which will not exceed the total within these accounts of \$185,104.57, \$1,500,000.00 and \$325,000.00, respectively; and be it further

RESOLVED, that three (3) 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 and Management, and the Office of the Comptroller.  
(5-0)



18. COMM. 13E-24 (2010)

**COUNTY EXECUTIVE**

WHEREAS, bids were taken for the Capital Project for the Rehabilitation of George Urban Boulevard Bridge, in the Town of Cheektowaga, on June 24, 2010, and the low bidder was Nichols, Long and Moore Construction Company, of Lancaster, New York at a low bid amount of \$182,795.00; and

WHEREAS, a Contract for construction design and construction inspection service for the above noted project to the engineering firm of PB Americas, of Buffalo, New York is required at a cost not to exceed \$30,000.00.

NOW, THEREFORE, BE IT

RESOLVED, that the County Executive be authorized and is hereby directed to execute a Contract for Erie County Project No. BR 316-2-09 for the Rehabilitation of George Urban Boulevard Bridge, between the County of Erie and the low bidder, Nichols, Long and Moore Construction Company, of Lancaster, New York at a low bid amount of \$182,795.00; and be it further

RESOLVED, that an amount of \$182,795.00 be allocated from 2008 Preservation of Bridges, Culverts and Dams Program (SAP Account B.00191), and an additional amount of \$20,000.00 be allocated for a Department of Public Works, Division of Highways construction contingency fund with authorization for the County Executive to approve change orders in an amount not to exceed \$20,000.00, also to be allocated from 2008 Preservation of Bridges, Culverts and Dams Program (SAP Account B.00191); and be it further

RESOLVED, that an amount of \$30,000.00 be allocated from 2008 Preservation of Bridges, Culverts and Dams Program (SAP Account B.00191) for a Contract for construction design and construction inspection services with PB Americas, Inc., of Buffalo, New York; and be it further

RESOLVED, that the Clerk of the Legislature be instructed to forward three (3) certified copies of this resolution 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 and Management, and the Office of the Comptroller.

(5-0)

**TIMOTHY M. KENNEDY**  
**CHAIR**