

September 30, 2004

ECONOMIC DEVELOPMENT
COMMITTEE
REPORT NO. 14

ALL MEMBERS PRESENT.

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

Item Page -2004 (Comm. 7M-10)
a. **NYS COMPTROLLER:** Report on Effectiveness of Empire Zones.
(5-0)

2. Item Page -2004 (Comm. 19E-57)
COUNTY EXECUTIVE

WHEREAS, the Department of Public Works received bids on July 29,2004 for the Botanical Gardens, Houses 11 & 12 Reconstruction, and

WHEREAS, the Department of Public Works is recommending award to the lowest responsible bidder,

NOW, THEREFORE, BE It

RESOLVED, that the County Executive be authorized to enter into a contract for Botanical Gardens, Houses 11 & 12 Reconstruction as follows:

C. Nichter. Inc.. 30 Wildwood Drive. Lancaster NY 14086

Base & Total Bid \$1,647,000

and be it further,

RESOLVED, that the sum of \$190,000 be allocated to 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 these funds being returned to the contingency account, and be it further,

RESOLVED, that the Comptroller's Office be authorized to make payment from the following accounts:

A.00011	1999 Botanical Gardens Fund	\$ 17,500
A.00057	2002 Botanical Gardens Fund	\$466,413
A.00080	2003 Botanical Gardens Master Plan Reconstruction	\$500,000
A.00234	2004 Botanical Gardens Master Plan Reconstruction	\$853,087

and be it further,

RESOLVED, that two certified copies of this resolution be sent to the Department of Public Works, Office of the Commissioner; one copy to the Office of the County Executive; one copy to the Division of Budget Management & Finance; one copy to the Office of the Comptroller; and one copy to the Botanical Gardens Society.
(5-0)

3. Item Page -2004 (Comm. 20E-8)

COUNTY EXECUTIVE

WHEREAS, the County of Erie has been awarded a \$300,000 grant from the New York State Office of Parks, Recreation and Historic Preservation (NYSOPRHP) through the Clean Water/Clean Air Bond Act to design and construct improvements for Tow Path Park – Phase II; and

WHEREAS, the adopted 2004 Erie County capital budget includes \$526,000 as a required match for state grant funds for this project; and

WHEREAS, based on a review of proposals from consulting firms for design and construction inspection services, the firm of Trowbridge and Wolf, LLP has been selected by the County of Erie to undertake said services,

NOW, THEREFORE, BE IT

RESOLVED, that the Erie County Executive is hereby authorized to execute a contract with Trowbridge and Wolf, LLP for an amount not to exceed \$95,000 for the Tow Path Park – Phase II design and construction inspection services; and be it further

RESOLVED, that funds are available in SAP Account A00250, and a total of \$95,000 in funds will be allocated to the project; and be it further

RESOLVED, that the Clerk of the Legislature be directed to send certified copies of this resolution to the County Executive; the Commissioner of the Department of Environment and Planning; the Commissioner of the Department of Parks, Recreation and Forestry; the Director of the Division of Budget, Management and Finance; the County Comptroller; and the County Attorney.

ATTACHMENT A

NAME OF PROJECT: TOW PATH PARK – PHASE II IMPROVEMENTS

SKILL REQUIRED: DESIGN AND CONSTRUCTION INSPECTION SERVICES
CONSULTANT RANKINGS:

Committee Members	Peter J. Smith & Company	Wendel-Duchscherer	Trowbridge and Wolf, LLP
Thomas J. Dearing, DEP Community Planning Coordinator	3	2	1
Spencer P. Schofield, DEP Senior Planner	3	2	1
John Bis, School of Architecture and Planning – SUNYAB - Assistant Dean	3	2	1

In my opinion in recommending Trowbridge and Wolf, LLP to provide design and construction inspection services for the Tow Path Park Improvements – Phase II, the Department of Environment and Planning (DEP) has complied with all applicable provisions of Section 19.08 of Erie County Administrative Code. Scoring sheets and other material related to this matter are available for review at the DE P offices during regular business hours.

LAURENCE K. RUBIN, Commissioner
 Department of Environment and Planning
 (5-0)

MARK J. F. SCHROEDER
CHAIRMAN