

March 13, 2003

ECONOMIC DEVELOPMENT  
COMMITTEE  
REPORT NO. 3

ALL MEMBERS PRESENT. CHAIRMAN SWANICK PRESENT AS EX-OFFICIO MEMBER.

1. Item Page -2003 **AS AMENDED**  
(Comm. 4E-23)  
**COUNTY EXECUTIVE**

WHEREAS, the Department of Public Works received bids on February 4, 2003 for the Buffalo Convention Center Interior Renovations and Snow-melting System, and

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

NOW, THEREFORE, BE IT,

RESOLVED, that the County Executive be authorized to enter into the following contracts for the Buffalo Convention Center Interior Renovations & Snow-melting System:

GENERAL CONSTRUCTION WORK

Cloverbank Construction	Base Bid	\$164,000
-------------------------	----------	-----------

ELECTRICAL WORK

IPL Electric	Base Bid	\$ 56,700
--------------	----------	-----------

MECHANICAL WORK

Parise Mechanical, Inc.	Base Bid	<u>\$118,800</u>
-------------------------	----------	------------------

Total of all contracts:		\$339,500
-------------------------	--	-----------

and be it further,

RESOLVED, that the sum of \$40,000 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 additional Architectural/Engineering fees for Barton, Hovey, Nardini, Tries be allocated for additional services for design work in the 2003 budget for the Buffalo

Convention Center to be negotiated by the Commissioner of Public Works in an amount not to exceed \$60,000, and be it further,

RESOLVED, that the Comptroller's Office be authorized to make payments for all of the above from the 2003 Buffalo Convention Center Capital Funds, and be it further,

RESOLVED, the two certified copies of this resolution be sent to the Department of Public Works, Office of the Commissioner; one copy to Budget Management & Finance; and one copy to the Comptroller's Office.

(6-0) Chairman Swanick present as Ex-Officio Member.

2. Item Page -2003 (Comm. 5E-18)

**COUNTY EXECUTIVE**

WHEREAS, bids were taken for the Reconstruction of Bullis Road Bridge 330-7, over Little Buffalo Creek, in the Town of Marilla on January 30, 2003, and the low bidder was UCC Constructors, Incorporated of West Seneca, New York, at a low bid amount of \$529,736.30, and

WHEREAS, a contract was previously awarded for design and engineering services for the above noted project to the engineering firm of Watts Engineers and it has been determined that the contract must be increased to include construction inspection services.

NOW, THEREFORE, BE IT

RESOLVED, That the County Executive be authorized and is hereby directed to execute a contract for Project Number FA 330-7-03 for the Reconstruction of Bullis Road Bridge 330-7, over Little Buffalo Creek, in the Town of Marilla, between the County of Erie and the low bidder UCC Constructors, Incorporated at its low bid amount of \$529,736.30, and be it further

RESOLVED, that an amount of \$529,736.30 be allocated from the 2002 Federal Aid Road and Bridge Projects Program (SFG 420-319), and be it further

RESOLVED, that an additional amount of \$75,000.00 be allocated for a construction contingency fund with authorization for the Commissioner of Public Works to approve change orders in an amount not to exceed \$75,000.00 from the 2002 Federal Aid Road and Bridge Projects Program (SFG 420-319), and be it further

RESOLVED, that an amount of \$80,000.00 be allocated from the 2002 Federal Aid Road and Bridge Projects Program (SFG 420-319) for a change order to the contract for engineering services with Watts Engineers, and be it further

RESOLVED, that the Clerk of the Legislature be instructed to forward three (3) certified copies of this resolution to the Deputy Commissioner - Highways, Department of Public Works and one copy to the Commissioner of Public Works and one copy to the Erie County Comptroller.

(6-0) Chairman Swanick present as Ex-Officio Member.

3. Item Page -2003 (Comm. 5E-19)

**COUNTY EXECUTIVE**

WHEREAS, a project for the replacement of the Hall Road Bridge 333-1, over Little Buffalo Creek, BIN 3-32729-0, in the Towns of Lancaster and Elma, PIN 5755.92 (the "Project") is eligible for funding under Title 23, U.S. Code, as amended, that calls for the apportionment of the costs of such program to be borne at the ratio of 80% Federal funds and 20% non-Federal funds, and

WHEREAS, the County of Erie desires to advance the above Project by making a commitment of 100% of the non-Federal share of the costs of the Preliminary Engineering (Scoping and Design I-VI) and Construction and Construction Inspection Phases of the Project, PIN 5755.92.

NOW, THEREFORE, the County Legislature of the County of Erie, duly convened does hereby

RESOLVE, that the Erie County Legislature hereby approves the above subject project, and be it further

RESOLVED, that the Erie County Legislature hereby authorizes the County of Erie to pay in the first instance 100% of the Federal and non-Federal share of the costs of Preliminary Engineering (Scoping and Design I-VI) and Construction and Construction Inspection Phases of the Project or portions thereof, and be it further

RESOLVED, that the sum of \$136,000.00 has been appropriated from the 2002 Federal Aid Bridge Projects Program (SFG 420-321) in addition to \$242,000 previously appropriated for the project's Preliminary Engineering (Scoping and Design I-VI) and Right-of-Way Incidentals Phases via County Resolution No. 14E-20© adopted on the 6<sup>th</sup> day of July 2000 and made available to cover the cost of participation in the above phases of the Project, and be it further

RESOLVED, that in the event the amount required to pay in the first instance 100% of the Federal and non-Federal shares of the cost of the project's Preliminary Engineering (Scoping and Design I-VI) and Construction & Construction Inspection Phases exceeds the amount appropriated \$378,000 and/or 100% of the full Federal and non-Federal shares of the cost of the project's Preliminary Engineering (Scoping and Design I-VI) and Construction & Construction Inspection phase exceeds \$911,000, the County of Erie shall convene its Legislature as soon as possible to appropriate said excess amount immediately upon the notification by the New York State Department of Transportation thereof, and be it further

RESOLVED, that the County Executive of the County of Erie be and is hereby authorized to execute all necessary agreements, certifications or reimbursement requests for Federal Aid and/or Marchiselli Aid on behalf of the County of Erie with the New York State Department of Transportation in connection with the advancement or approval of the Project and providing for the administration of the Project and the Municipality's first instance funding of Project costs and permanent funding of the local share of Federal-aid and State-aid eligible Project costs and all Project costs within appropriations therefor that are not so eligible, and be it further

RESOLVED, that a certified copy of this resolution be filed with the New York State Commissioner of Transportation, by attaching it to any necessary Agreement in connection with the Project, and be it further

RESOLVED, that the Clerk of the Legislature forward ten (10) certified copies of this Resolution to the Deputy Commissioner of Highways, to be forwarded to the New York State Department of Transportation, one copy to the Commissioner of Public Works and one copy to the Erie County Comptroller.

(6-0) Chairman Swanick present as Ex-Officio Member.

4. Item Page -2003 (Comm. 5E-20)

**COUNTY EXECUTIVE**

WHEREAS, a Project for the Replacement of the CR 30, NY Route 240X, Glenwood Road Bridge 30-2, over Spencer Brook, BIN 3-04248-0 in the Town of Concord, P.I.N. 5754.53 (the "Project") is eligible for funding under Title 23, U.S. Code as amended, that calls for the apportionment of the costs such program to be borne at the ratio of 80% Federal funds and 20% non-Federal funds, and

WHEREAS, the County of Erie desires to advance the Project by making commitment of 100% of non-Federal share of the costs the Construction & Construction Inspection Phase of the Project, PIN 5754.53.

NOW, THEREFORE, the County Legislature of the County of Erie, duly convened does hereby

RESOLVE, that the County Legislature of the County of Erie hereby approves the above subject Project, and be it further

RESOLVED, that the County Legislature of the County of Erie hereby authorizes the County of Erie to pay in the first instance 100% of the Federal and non-Federal share of the costs of Construction and Construction Inspection Phase of the project or portions thereof, and be it further

RESOLVED, that the sum of \$172,600 has been appropriated from the 1996 Federal Aid Various Road and Bridge Design Program (SFG 420-727) for the project's Construction & Construction Inspection Phase via County Resolution No. 15E-14 adopted on the 5<sup>th</sup> day of July, 2001 and made available to cover the cost of participation in the above phase of the project, and be it further

RESOLVED, that in the event the amount required to pay in the first instance 100% of the Federal and non-Federal shares of the costs of the project's Construction and Construction Inspection Phase exceeds the amount appropriated above \$172,600 and/or 100% of the full Federal and Non-Federal shares of the cost of the project's Construction and Construction Inspection Phase exceeds \$775,000, the County of Erie shall convene its Legislature as soon as possible to appropriate said excess amount immediately upon the notification by the New York State Department of Transportation thereof, and be it further

RESOLVED, that the County Executive of the County of Erie be and is hereby authorized to execute all necessary agreements, certifications or reimbursement requests for Federal Aid and/or Marchiselli Aid on behalf of the County of Erie with the NYSDOT in connection with the advancement or approval of the Project and providing for the administration of the Project and the Municipality's first instance funding of project costs and permanent funding of the local share of Federal-aid and State-aid eligible Project costs and all Project costs within appropriations therefore that are not so eligible, and be it further

RESOLVED, that a certified copy of this resolution be filed with the New York State Commissioner of Transportation, by attaching it to any necessary Agreement in connection with the Project, and be it further

RESOLVED, that the Clerk of the Legislature forward ten (10) certified copies of this Resolution to the Deputy Commissioner, Highways, to be forwarded to the New York State Department of Transportation, one copy to the Commissioner of Public Works, and one copy to the Erie County Comptroller.

(6-0) Chairman Swanick present as Ex-Officio Member.

5. Item Page -2003 (Comm. 5E-21)

**COUNTY EXECUTIVE**

WHEREAS, the Department of Public Works has a General Architectural/Engineering Agreement with the firm of Buffalo Engineering, P.C. for providing architectural and engineering services, and

WHEREAS, during the Construction Phase of the above-mentioned project, additional design work was required by the Department of Public Works,

NOW, THEREFORE, BE IT,

RESOLVED, that the Commissioner of Public Works be authorized to issue a change order to Buffalo Engineering, P.C.'s General Architectural/Engineering Agreement for providing architectural/ engineering services for an amount not to exceed \$16,000, including reimbursables, and be it further,

RESOLVED, that the Comptroller's Office be authorized to make payment for all of the above from the 2002 EC Library Building Improvements, Fund 490, Project 326, in an amount not to exceed \$16,000, including reimbursables, 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 Division of Budget Management and Finance; and one copy to the Comptroller's Office.

(6-0) Chairman Swanick present as Ex-Officio Member.

6. Item Page -2003 (Comm. 5E-22)

**COUNTY EXECUTIVE**

WHEREAS, the Department of Public Works received bids for the Medium Voltage Switch Replacement project on April 17, 2002, and

WHEREAS, your Honorable Body has previously awarded a contract to the lowest responsible bidder, Ferguson Electric Construction Co., in the amount of \$280,800.00, and

WHEREAS, during construction it was discovered the service feeder switchgear is badly corroded and should be replaced,

NOW, THEREFORE, BE IT,

RESOLVED, that the construction contingency fund be increased by \$12,000.00 to a new total amount of \$40,000.00, with authorization for the Commissioner of Public Works to approve change orders, 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 Comptroller's Office be authorized to make payments for all of the above from Project 813, Fund 480, in the amount of \$12,000.00, and be it further,

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

(6-0) Chairman Swanick present as Ex-Officio Member.

7. Item Page -2003 (Comm. 5E-23)

**COUNTY EXECUTIVE**

WHEREAS, Bart Ciambella was terminated from County service in December 2001 as a Senior Civil Engineer, and

WHEREAS, in the 2002 O&M budget the position held by Mr. Ciambella was eliminated, and

WHEREAS, Mr. Ciambella challenged the termination and now a settlement of reinstating him into County government must be made, and

WHEREAS, no unfilled Senior Civil Engineer position exists,

NOW, THEREFORE, BE IT,

RESOLVED, that the Erie County Legislature authorizes the creation of a Senior Civil Engineer position, grade 14, step 5, to be used as settlement for Mr. Ciambella, and be it further,

RESOLVED, that two certified copies of this resolution shall be forwarded to the Commissioner of Public Works, the Commissioner of Personnel, the Director of Budget Management & Finance, and the Office of the Comptroller.

(6-0) Chairman Swanick present as Ex-Officio Member.

8. Item Page -2003 (Comm. 5E-24)

**COUNTY EXECUTIVE**

WHEREAS, the Erie County Main Library is in need of exterior building rehabilitation, and

WHEREAS, the firm of Trautman Associates is already engaged by the Department of Public Works under an Architect/Engineer contract for Phases 1 thru 4 work at the Central Library, and

WHEREAS, it is now also desired to start design of the exterior building rehabilitation and sitework of this project so it can be bid in 2003,

NOW, THEREFORE, BE IT,

RESOLVED, that the Commissioner of Public Works be authorized to issue a supplemental agreement to Trautman Associates, on a percentage of construction basis, not to exceed \$50,000, including testing, reimbursables, and miscellaneous expenses relative to the engineering design services required for the Erie County Main Library Exterior Building Rehabilitation and Sitework, and be it further,

RESOLVED, that the \$50,000 fee allocation be taken from Project 290, Fund 410, 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 Division of Budget Management & Finance; one copy to the Office of the Comptroller; and one copy to the Erie County Library.

(6-0) Chairman Swanick present as Ex-Officio Member.

9. Item Page -2003 (Comm. 5E-25)

**COUNTY EXECUTIVE**

WHEREAS, Erie Community College has determined a need for Erie Community College, City Campus – Athletic Facility Locker Room renovations, and

WHEREAS, the firm of Carmina & Wood, P.C. has completed the Project Initiation Report for the renovations to the locker room at the Athletic Facility, and

WHEREAS, it is now desired to start design of this project so it can be bid in 2003,

NOW, THEREFORE, BE IT,

RESOLVED, that the County Executive be authorized to issue a contract to Carmina & Wood, P.C. to prepare contract documents and construction administration services for the

renovations to the Erie Community College, City Campus – Athletic Facility Locker Room, and be it further,

RESOLVED, that the total amount paid for consulting services be a fee not to exceed \$20,000.00, including reimbursables, and be it further,

RESOLVED, that the fee allocation be from Project 293, Fund 410, and be it further,

RESOLVED, that fifty percent (50%) of the funding will be reimbursed by New York State Aid, 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 Erie Community College; one copy to the Division of Budget Management & Finance; and one copy to the Comptroller's Office.

(6-0) Chairman Swanick present as Ex-Officio Member.

10. Item Page -2003 (Comm. 5E-26)

**COUNTY EXECUTIVE**

WHEREAS, Erie County has been working with NYSERDA to receive an incentive for equipment installed at the New Family Court Building, and

WHEREAS, after meeting NYSERDA's requirements, they have offered an incentive to Erie County of \$104,378, and

WHEREAS, the Department of Public Works has investigated a new power treatment technology which may save electricity if installed in our buildings, and

WHEREAS, the next step in evaluating this new technology is to commence a pilot project, and

WHEREAS, as part of the pilot project, a comprehensive monitoring program must be present to verify the result even though the manufacturer guarantees the energy savings results, and

WHEREAS, C.J. Brown has the ability to implement and then verify the savings this new technology could bring,

NOW, THEREFORE, BE IT,

RESOLVED, that the Erie County Legislature authorizes acceptance of the funds from NYSERDA for the New Family Court Building revenues and to increase appropriations in Project 750, Fund 410, in the amount of \$104,378.00, and be it further,

RESOLVED, that the Erie County Legislature authorizes a supplemental agreement be awarded to C.J. Brown to install and evaluate EASI's technology for potentially saving electricity at an amount not to exceed \$45,000, and be it further,

RESOLVED, that if the pilot project proves successful, the Erie County Legislature authorizes another supplemental agreement be awarded to C.J. Brown to install EASI's technology for potentially saving electricity in the remainder of the building at an amount not to exceed \$59,378, 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 Division of Budget Management & Finance; and one copy to the Office of the Comptroller.  
(6-0) Chairman Swanick present as Ex-Officio Member.

11.	Item	Page	-2003	<b>AS AMENDED</b> (Comm. 5E-27)
-----	------	------	-------	------------------------------------

**COUNTY EXECUTIVE**  
WHEREAS, the contract for Phase I was awarded to NC Contracting, Inc., and

WHEREAS, the Commissioner of Parks & Recreation has requested that Phase II work be implemented prior to the golf season, and

WHEREAS, NC Contracting, Inc. has provided a quotation to complete the Phase II waterline installation, and

WHEREAS, the Department of Public Works and the Architect/Engineer Consultant for Phase II find the quotation fair and reasonable, and

WHEREAS, the work can be started immediately to assure completion as soon as possible,

NOW, THEREFORE, BE IT,

RESOLVED, that the sum of \$82,000 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 sum of \$12,000 be allocated for testing, additional engineering services, and miscellaneous expenses for Donald Gallo, P.E. with authorization for the Commissioner of Public Works to expend said funds, and be it further,

RESOLVED, that the Comptroller's Office be authorized to make payment for all of the above from 2003 Grover Cleveland Waterline, Phase II budget, 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 Division of Budget Management & Finance; one copy to the Office of the Comptroller; and one copy to the Department of Parks & Recreation.  
(6-0) Chairman Swanick present as Ex-Officio Member.

**AS AMENDED**  
(Comm. 5E-28)

12. Item Page -2003

**COUNTY EXECUTIVE**

WHEREAS, the 2003 budget contains \$1,500,000 for Roof Replacement & Waterproofing of Various County Facilities, and

WHEREAS, the firm of Stievater & Associates: Architects is already engaged by the Department of Public Works under an Architect/Engineer contract for the Roof Replacement, Waterproofing & Exterior Rehabilitation of Various County Facilities, and

WHEREAS, it is now also desired to start design of this project immediately so it can be bid in May of 2003,

NOW, THEREFORE, BE IT,

RESOLVED, that the County Executive be authorized to issue a supplemental agreement to Stievater & Associates: Architects to prepare contract documents and provide inspection services for the Roof Replacement, Waterproofing and Exterior Building Rehabilitation of Various County Facilities, and be it further,

RESOLVED, that the total amount paid for consulting services will be on a percentage of construction basis, not to exceed \$120,000.00, including reimbursables, and be it further,

RESOLVED, that the fee allocation be taken from the 2003 Roofing & Waterproofing capital funds, 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 Budget Management & Finance; and one copy to the Comptroller's Office.

(6-0) Chairman Swanick present as Ex-Officio Member.

**MICHAEL H. RANZENHOFER**  
**CHAIRMAN**