

May 15, 2003

ECONOMIC DEVELOPMENT
COMMITTEE
REPORT NO. 6

ALL MEMBERS PRESENT.

1. Item Page -2002 **AS AMENDED**
(Comm. 3E-29)
COUNTY EXECUTIVE

WHEREAS, bids were taken for the Replacement of Hall Road Bridge 333-1, over Little Buffalo Creek, BIN 3-32729-0, in the Towns of Lancaster and Elma, on April 14, 2003, and the low bidder was Lakestone Development Incorporated, of Williamsville, New York, at a low bid amount of \$542,009.01, and

WHEREAS, a contract was previously awarded for design and engineering services for the above noted project to the engineering firm of Foit Albert Associates and it has been determined that the contract must be increased to include additional engineering and 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 333-1-03 (NYS PIN 5755.92) for the Replacement of Hall Road Bridge 333-1, over Little Buffalo Creek, BIN 3-32729-0, in the Towns of Lancaster and Elma, and the low bidder, Lakestone Development Incorporated, at a low bid amount of \$542,009.01, and be it further

RESOLVED, that an amount of \$542,009.01 be allocated from the 2002 Federal Aid Bridge Projects Program (SFG 420-321), and be it further

RESOLVED, that an additional amount of \$67,988.00 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 \$67,988.00 from the 2002 Federal Aid Bridge Projects Program (SFG 420-321), and be it further

RESOLVED, that an amount of \$60,000.00 be allocated from the 2002 Federal Aid Bridge Projects Program (SFG 420-321), for a change order to the contract for additional engineering services and construction inspection with Foit Albert Associates, 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.
(5-0)

2. Item Page -2003 (Comm. 9E-26)

COUNTY EXECUTIVE

WHEREAS, design services are required for the Botanical Gardens Implementation of the Master Plan, Architectural/Engineering Agreement, and

WHEREAS, the firm of URS Corporation Group presently has a General Engineering contract with the County of Erie to provide design services, and

WHEREAS, the firm of URS Corporation Group has the Architectural/Engineering expertise to provide the required services to implement the long-range master plan,

NOW, THEREFORE, BE IT,

RESOLVED, that the Commissioner of Public Works be authorized to enter into a supplemental agreement with URS Corporation Group with a maximum fee not-to-exceed \$200,000, including testing, reimbursables, and miscellaneous expenses relative to the design services for master plan implementation, and be it further,

RESOLVED, that the \$200,000 fee allocation be taken from the 2001 Botanical Gardens, Project 203, 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 and Finance; one copy to the Office of the Comptroller; and one copy to the Department of Parks and Recreation. (5-0)

AS AMENDED

3. Item Page -2003 (Comm. 9E-27)

COUNTY EXECUTIVE

WHEREAS, the Department of Public Works, Division of Buildings & Grounds, uses Work for Relief Supervisors to supervise the work of the Welfare workers, and

WHEREAS, AFSCME Local 1095 grieved the work assigned by the Division of Buildings & Grounds to the Work for Relief Supervisors when they had few or no people to supervise, and

WHEREAS, as part of the settlement, it was agreed that the Department would seek authorization to add six RPT Grade 3 Laborers to the budget, and

WHEREAS, these six additional positions are expected to be 80% reimbursed through the Courts,

NOW, THEREFORE, BE IT,

RESOLVED, that the Erie County Legislature authorizes the creation of six RPT Grade 3 Laborer positions to the Department of Public Works, Division of Buildings & Grounds, as settlement of various grievances, and be it further,

RESOLVED, that two certified copies of this resolution shall be forwarded to the Commissioner of Public Works; one copy to the Department of Public Works, Division of Buildings & Grounds; the Commissioner of Personnel; the Director of Budget Management & Finance, and the Office of the Comptroller.
(5-0)

4. Item Page -2003 (Comm. 9E-39)
COUNTY EXECUTIVE

WHEREAS, a Project for the Pavement Rehabilitation (Multi-Course Overlay) of CR 137, Ridge Road from I-190, the New York State Thruway, to Seneca Street and Seneca Street (CR 215) from Ridge Road to Route 78, Transit Road, in the Town of West Seneca, Erie County, PIN 5755.85, (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 5755.85, and

WHEREAS, the current Master Superceding Agreement decreases the total project amount by \$500.00, and includes an allocation of \$336,825 in Marchiselli aid toward the non-Federal cost of the Project PIN 5755.85.

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 cost of the 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 \$1,199,200 has been appropriated from the 2000 Multi-Course Overlay Program \$61,200 previously appropriated for the Project's Preliminary Engineering (Scoping and Design I-VI) Phase via County Resolution No. 16E-10 adopted on the 13th day of July, 2000 and \$1,138,000 previously appropriated for the Project's Construction & Construction Inspection Phase via County Resolution No. 16E-22 adopted on the 12th day of July 2001) and made available to cover the cost of Erie County's share to participate in the above phases of the Project, and be it further

RESOLVED, that Erie County adjusts the current Federal project total from \$2,246,000 to \$2,245,500, a decrease of \$500.00 and accept \$336,825 in Marchiselli aid toward the non-Federal cost of the Project PIN 5755.75, 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 Preliminary Engineering (Scoping and Design I-VI) and Construction and Construction Inspection Phases exceeds the amount appropriated \$1,199,200 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 Inspection Phase exceeds \$2,245,500, 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 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 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 and one copy to the Commissioner of Public Works and one copy to the Erie County Comptroller.

(5-0)

5. Item Page -2003 (Comm. 9E-42)

COUNTY EXECUTIVE

WHEREAS, a project for the Replacement of the East Church Street Bridge, BR 488-1, over the South Branch of Eighteen Mile Creek, BIN 3-32781-0, in the Town of Eden, Erie County, PIN 5754.59, (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 cost of the Construction & Construction Inspection Phase of the Project, PIN 5754.59.

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 shares of the cost of the Construction & Construction Inspection Phase of the Project or portions thereof, and be it further

RESOLVED, that the sum of \$395,800 has been appropriated from 2001 East Church Street Bridge Reconstruction Program (SFG 420-214) for the Project's Construction & Construction Inspection Phase via County Resolution No. 3E-29, adopted on March 21, 2002, 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 & Construction Inspection Phase exceeds the amount appropriated \$395,800 and/or 100% of the full Federal and non-Federal shares of the costs of the Project's Construction & Construction Inspection Phase exceeds \$1,637,000, 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 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 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 and one copy each to the Commissioner of Public Works and to the County Comptroller.

(5-0)

6. Item Page -2003 (Comm. 9E-57)

COUNTY EXECUTIVE

WHEREAS, a Project for the Reconstruction of the Youngs Road (CR 554) and Aero Drive (CR 324) Intersection, in the Town of Cheektowaga, Erie County, PIN 5756.46 (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 Project by making a commitment of 100% of the non-Federal share of the costs of the Preliminary Engineering (Scoping and Design V-V1) and Right-of-Way Incidentals Phases of the Project, PIN 5756.46.

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 shares of the cost of the Preliminary Engineering (Scoping and Design V-V1) and Right-of-Way Incidentals Phases of the project or portions thereof, and be it further

RESOLVED, that a sum of \$122,000 is hereby appropriated from the 2002 Federal Aid Road and Bridge Projects Program (SFG 420-317) 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 full Federal and non-Federal shares of the cost of the project's Preliminary Engineering (Scoping and Design V-V1) and Right-of-Way Incidentals Phases exceeds the amount appropriated above, 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, Highways, to be forwarded to the New York State Department of Transportation and one copy each to the Commissioner of Public Works and the Erie County Comptroller.

(5-0)

7. Item Page -2003 (Comm. 9E-58)

COUNTY EXECUTIVE

WHEREAS, a project for the Pavement Rehabilitation (Multi-Course Overlay) of Abbott Road (CR 4) from US Route 20A, Big Tree Road to Milestrip Road (CR 460), in the Towns of Hamburg and Orchard Park, Erie County, PIN 5755.84, (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 5755.84.

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 cost of the 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 \$192,000 has been appropriated from the 2001 Highway Reconstruction Project – Federal Aid Program (SFG 420-204) \$38,800 previously appropriated for the project's Preliminary Engineering (Scoping and Design I - VI) Phase via County Resolution No. 16E-11 adopted on the 13th day of July 2000 and \$153,200 previously appropriated for the project's Construction and Construction Inspection Phase via County Resolution No. 15E-12 adopted on the 12th day of July 2001, 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 costs of the project's Preliminary Engineering (Scoping and Design I - VI) and Construction and Construction Inspection Phases exceeds the amount appropriated \$192,000 and/or 100% of the full Federal and non-Federal shares of the cost of the Preliminary Engineering (Scoping and Design I - VI) and Construction and Construction Inspection Phases exceeds \$890,000, 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 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, Highways, to be forwarded to the New York State Department of Transportation and one copy each to the Commissioner of Public Works and the Erie County Comptroller.

(5-0)

8. Item Page -2003 (Comm. 9E-59)

COUNTY EXECUTIVE

WHEREAS, a Project for Intersection Reconstruction at Maple Road (CR 192) @ Flint Road, North Forest Road (CR 294) and Hopkins Road (CR 87), in the Town of Amherst, Erie County, PIN 5755.33 (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 Project by making a commitment of 100% of the non-Federal share of the costs of the Preliminary Engineering (Scoping and Design I-V1), Right-of-Way Incidentals and Right-of-Way Acquisition Phases of the Project, PIN 5755.33, and

WHEREAS, the design and engineering services contract for the project was awarded to Hatch Mott MacDonald for a sum not to exceed the original project cost of \$2,140,000 on July 15, 1999, Communication No. 13D-11.

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 shares of the cost of the Preliminary Engineering (Scoping and Design I-V1), Right-of-Way Incidentals and Right-of-Way Acquisition Phases of the project or portions thereof, and be it further

RESOLVED, that a sum of \$19,000 is hereby appropriated from the 1999 Federal Aid Various Road and Bridge Design Projects (SFG 420-134) in addition to \$428,000 previously appropriated for the project's Preliminary Engineering (Scoping and Design I-V1) Phase via County Resolution No. 6D-26 adopted April 29, 1999 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-V1), Right-of-Way Incidentals and Right-of-Way Acquisition Phases exceeds the amount appropriated \$447,000 and/or 100% of the full Federal and non-Federal shares of the cost of the Preliminary Engineering (Scoping and Design I-V1), Right-of-Way Incidentals and Right-of-Way Acquisition Phases exceeds \$2,235,000, 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, the design and engineering services contract with change orders for the project, awarded to Hatch Mott MacDonald, be proportionately increased for a sum not to exceed the new project cost of \$2,235,000, 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 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 and one copy each to the Commissioner of Public Works and the Erie County Comptroller.

(5-0)

MICHAEL H. RANZENHOFER
CHAIRMAN