

January 12, 2017

ECONOMIC DEVELOPMENT COMMITTEE
REPORT NO. 1

ALL MEMBERS PRESENT.

- 1. RESOLVED, the following items are hereby received and filed:
 - a. COMM. 1M-4 (2017)
INVEST BUFFALO NIAGARA “Lead Generation Campaign - Jun. 2015 - Oct. 2016 Report”
(4-0) Legislator Burke not present for vote.

- 2. COMM. 1E-4 (2017)
COUNTY EXECUTIVE
WHEREAS, the Erie County Department of Public Works requires consulting services for abatement monitoring, sampling and testing for removal of hazardous materials at various Erie Community College Projects; and

WHEREAS, the County will receive 50% reimbursement from New York State for this project; and

WHEREAS, removal of existing asbestos containing material requires NYS Certified Asbestos Project Monitoring Services to ensure contractor compliance per NYS ICR 56-9.1(d)(1); and

WHEREAS, the County Executive is requesting authorization from the Legislature to enter into an Agreement with Watts Architecture & Engineering to provide abatement monitoring, sampling and testing services, for the Erie Community College – 2016 – Collegewide Hazardous Materials Abatement Testing and Monitoring project.

NOW, THEREFORE, BE IT

RESOLVED, that the County Executive is authorized to enter into an Agreement with Watts Architecture & Engineering to provide abatement monitoring, sampling and testing services, for Erie Community College – 2016 – Collegewide Hazardous Materials Abatement Testing, Sampling and Monitoring for an amount not to exceed \$25,000.00; and be it further

RESOLVED, that the Comptroller’s Office be authorized to make payment for all the above from SAP Project: E.15004 - 2015 - Erie Community College – Code Compliance Collegewide, Fund 480, BA 122 for an amount not to exceed \$25,000.00; and be it further

RESOLVED, that two certified copies of this resolution be sent to the Department of Public Works, Commissioner’s Office, and one copy each to the Office of the County Executive, the Division of Budget and Management, William Reuter, CAFO of Erie Community College, and the Office of the Comptroller.

(4-0) Legislator Loughran not present for vote.

- 3. COMM. 1E-5 (2017)
COUNTY EXECUTIVE

WHEREAS, the Office of the Sheriff requires the expansion of the current mental health space within the Erie County Correctional Facility in order to adequately serve the needs of inmates with mental illness; and

WHEREAS, the Department of Public Works received bids for the Erie County Correctional Facility (ECCF) -2015- Mental Health Renovations project on September 14, 2016; and

WHEREAS, the Erie County Department of Public Works, along with the Consultant, is recommending award of the contract to the lowest responsible bidder.

NOW, THEREFORE, BE IT

RESOLVED, that the County Executive is authorized to enter into a contract with the lowest responsible bidder for the Erie County Correctional Facility (ECCF) -2015- Mental Health Renovations project as follows:

| | |
|---|---------------------|
| <u>General Construction Work</u> | |
| Northern Dreams Construction Inc. Base Bid: | \$237,000.00 |
| Alt Bid No 1 | <u>\$156,000.00</u> |
| Total Contracts Not To Exceed | \$393,000.00 |

;and be it further

RESOLVED, that the sum of \$38,000.00 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 Fund; and be it further

RESOLVED, that the deduction change orders will result in these funds being returned to the Construction Contingency Fund; and be it further

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

| | |
|---|--------------|
| A.15028 - Sheriff’s Improvements to Holding Center & Correctional Facility - Countywide | \$138,508.00 |
|---|--------------|

A.16032 - Sheriff's Improvements to Holding Center &
Correctional Facility – Countywide \$292,492.00
Total Amount Not to Exceed \$431,000.00

;and be it further

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

4. COMM. 1E-6 (2017)
COUNTY EXECUTIVE

WHEREAS, the Department of Public Works, Division of Highways, and the New York State Department of Transportation (NYSDOT) perform annual and biannual inspections of County-owned bridges and culverts; and

WHEREAS, as a result of these inspections and taxpayer notifications, Erie County desires to respond to conditions which may restrict access to the traveling public with a plan of action as soon as practicable; and

WHEREAS, engineering and design services are necessary for the annual Bridge Inspection and Maintenance Program; and

WHEREAS, your Honorable Body has previously authorized the County Executive to enter into a Term Agreement for providing professional engineering services via Comm. 10E-18 adopted May 28,2015; and

WHEREAS, the Department of Public Works, Division of Highways, determined that CHA Consultants, Inc. has the appropriate expertise and experience in emergency bridge design, technical/engineering services, construction management and inspection, and bridge maintenance design; and

WHEREAS, in order for the Department of Public Works, Division of Highways, to respond to these cited County bridge deficiencies with appropriate action, Legislature approval is required to authorize the County Executive to extend the existing contract with CHA Consultants, Inc. to perform this work through a Change Order.

NOW, THEREFORE, BE IT

RESOLVED, that the County Executive be authorized to execute a Change Order to increase the existing contract funding with CHA Consultants, Inc. for providing engineering and design services for the

annual Bridge Inspection and Maintenance Program by the amount of \$147,633.54. from Fund 420, BA 123, SAP Account B.15019, 2015 Capital Overlay Program (PAYGO); and be it further

RESOLVED, that five (5) 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 and Management, the Office of the Comptroller and the Division of Purchase.
(4-0) Legislator Burke not present for vote.

5. COMM. 1E-7 (2017)
COUNTY EXECUTIVE

WHEREAS, Erie County authorized the replacement of the Brooklyn Street Bridge Project for bridge construction with Hunting Valley Construction, Inc., and construction inspection and administration with CHA Consulting Inc. in the amount of \$750,000 via Comm. 14E-13 of July 30, 2015; and

WHEREAS, public bids were opened on July 2, 2015 for the Project, and the contract was awarded to Hunting Valley Construction, Inc. in the amount of \$648,602.00., and CHA Consulting, Inc. agreement for the construction inspection and engineering services in the amount of \$85,000; and

WHEREAS, unforeseen deficiencies discovered during construction including, additional quantity for demolition of concrete substructures, winter concrete and engineering inspection services that exceed the project budget; and

WHEREAS, DPW is requesting authorization to increase the Project budget in the amount of \$29,719.98 from funds available in SAP Account A.15012, 2015 Countywide Parks Improvements, Fund Center 164, Fund 410; and

WHEREAS, DPW is requesting authorization for the County Executive to execute Change Orders with the aforementioned vendors for unforeseen deficiencies discovered during construction including, additional quantity for demolition of concrete substructures, winter concrete and engineering inspection services in the amount of \$29,719.98;

NOW, THEREFORE, BE IT

RESOLVED, that this Honorable body authorizes an increase in the Project budget in the amount of \$29,719.98 from available funds in SAP Account A.15012, 2015 Countywide Parks Improvements, Center 164, Fund 410; and be it further

RESOLVED, that the County Executive be authorized and is hereby directed to executed change orders with Hunting Valley Construction and CHA Consulting; 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. (4-0) Legislator Burke not present for vote.

6. COMM. 1E-8 (2017)
COUNTY EXECUTIVE

WHEREAS, it is desired to acquire the ROW necessary for the repair and/or replacement of a total of 18 culverts on the County road network in the Towns of Alden, Boston, Colden, Holland, Lancaster, Marilla, Wales and West Seneca, the "Project"; and

WHEREAS, in order to facilitate construction of the Project it will be necessary for the County to acquire by easement and/or fee, such parcels as may become necessary for construction, including parcels that are portions of real property in the vicinity of the project as follows:

| <u>PORTIONS OF TAX MAP SBL NUMBER</u> | <u>TOWNSHIP</u> |
|---------------------------------------|-----------------|
| SBL 217.00-4-22.211 | Holland |
| SBL 231.00-3-18.11 | Holland |
| SBL 231.00-3-17 | Holland |
| SBL 246.00-1-19 | Holland |
| SBL 246.00-1-20.11 | Holland |
| SBL 243.00-4-16 | Colden |
| SBL 210.00-3-1.1 | Boston |
| SBL 211.00-1-3 | Boston |
| SBL 211.00-1-4 | Boston |

Such property necessary to be acquired by the County is herein referred to as the "Subject Properties"; and

WHEREAS, the acquisition of the portions of the Subject Properties is expected to be de minimis in nature so the public interest will not be prejudiced by the construction of the Project; and

WHEREAS, should one or more owners of the Subject Properties refuse to convey such portion of their real property to the County for an amount not exceeding fair market value, it will be necessary for the County to acquire the Subject Property by commencing eminent domain proceedings.

NOW, THEREFORE, BE IT

RESOLVED, that the Erie County Legislature hereby approves the acquisition of the ROW required to construct the Project; and be it further

RESOLVED, that a sum not to exceed \$75,000 from SAP B.16006 2016 Capital Right of Way, Fund 420, BA123 be made available to cover all costs of ROW acquisition; and be it further

RESOLVED, that the County of Erie is authorized to acquire the necessary real property interests from the aforementioned Subject Properties for the purpose of constructing the Project; and be it further

RESOLVED, that the County of Erie is authorized to enter into all necessary contracts and agreements for the acquisition of the required ROW to construct the Project; and be it further

RESOLVED, that the Commissioner of Public Works, or his authorized representatives, including CHA Consulting, Inc., are hereby authorized to establish the amounts which he believes to represent just compensation for the real property interests to be acquired; and be it further

RESOLVED, that the Commissioner of Public Works, or his authorized representatives, including CHA Consulting Inc., are hereby authorized to negotiate and offer just compensation amounts to the owners of the Subject Properties for the purpose of acquiring the necessary real property interest in portions of their respective parcels of real property by easement and/or fee, which acquisition is necessary for construction of the Project; and be it further

RESOLVED, that the Commissioner of Public Works, or his authorized representatives, including CHA Consulting Inc., are authorized to act on behalf of the County of Erie in connection with the acquisition of the required ROW from the owners of the Subject Properties; and be it further

RESOLVED, that the County Attorney shall prepare and the County Executive shall execute all appropriate documents relating to acquiring easement and/or fee interests in the necessary ROW; and be it further

RESOLVED, should one or more owners of the Subject Properties refuse to convey such portions of their real property to the County for an amount not to exceed the just compensation determined by the Commissioner of Public Works, or his authorized representatives, including CHA Consulting, Inc., the County is authorized to commence eminent domain procedures; and be it further

RESOLVED, that the Clerk of the Legislature forward three (3) certified copies of this resolution to the Department of Public Works, Office of the Commissioner, and also one copy each to the Office of the County Executive, the Division of Budget and Management, and the Office of the Comptroller. (4-0) Legislator Burke not present for vote.

JOSEPH C. LORIGO
CHAIR