

July 23, 2015

ECONOMIC DEVELOPMENT COMMITTEE
REPORT NO. 10

ALL MEMBERS PRESENT.
CHAIR MILLS PRESENT AS EX-OFFICIO MEMBER.

1. RESOLVED, the following items are hereby received and filed:
 - a. COMM. 14E-37 (2015)
RATH: "Letter to County Executive Regarding Road Design Funding in 2015 Capital Projects Budget"
(6-0)
 - b. COMM. 14M-6 (2015)
NFTA: "May 28, 2015 Board Minutes"
(6-0)
2. RESOLVED, the following item is hereby received, filed and referred to the Energy & Environment Committee:
 - a. COMM. 14E-15 (2015)
COUNTY EXECUTIVE: "One Region Forward - Charter"
(6-0)
3. COMM. 14E-10 (2015)
COUNTY EXECUTIVE
WHEREAS, the existing deteriorated boiler stack and one of the two backflow prevention devices at the Buffalo Niagara Convention Center require replacement, and are original to the building when it was constructed circa 1971; and

WHEREAS, the Erie County Department of Public Works received bids for the Buffalo Niagara Convention Center – 2014 Boiler Stack & Fire Protection Backflow Preventer Replacement project on May 14, 2015; and

WHEREAS, the Erie County Department of Public Works, along with the A/E firm, DiDonato Associates, are 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 Buffalo Niagara Convention Center – 2014 Boiler Stack & Fire Protection Backflow Preventer Replacement project for an amount not to exceed as follows:

| | | |
|---|-----------|---------------|
| <u>Mechanical Construction Work</u> | | |
| <u>Custom Sheet Metal Contracting, LLC</u> | Base Bid: | \$ 354,000.00 |
| Total Award of Construction Contract Not to Exceed: | | \$ 354,000.00 |

; and be it further

RESOLVED, that the sum of \$26,000.00 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 deduct 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 SAP Project Accounts as follows:

| | |
|---|----------------------|
| A.13003 – 2013 Buffalo Niagara Convention Center | \$ 200,000.00 |
| <u>A.14002 – 2014 Buffalo Niagara Convention Center</u> | <u>\$ 180,000.00</u> |
| For a total amount not to exceed: | \$ 380,000.00 |

; 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, and the Office of the Comptroller.
(5-0) Legislator Burke not present for vote.

4. COMM. 14E-11 (2015)
COUNTY EXECUTIVE
WHEREAS, a water management program is the cornerstone of long-term health, sustainability and playability on golf courses. Site irrigation improvements are needed at Elma Meadows golf course to keep the golf course competitive with other private and public courses within Erie County; and

WHEREAS, the Erie County Department of Public Works received bids for the Elma Meadows Golf Course – 2015 Automatic Irrigation System project on May 13, 2015; and

WHEREAS, the Erie County Department of Public Works, along with the A/E firm, Clark Patterson Lee., are recommending award of the contract to the lowest responsible bidder; and

WHEREAS, to proceed with the demolition of the pump house as part of the Elma Meadows Golf Course – 2015 Automatic Irrigation System project, a pre-demolition hazardous materials survey, design services, and air monitoring and sampling must be performed; and

WHEREAS, Clark Patterson Lee determined that the roof structure of Shelter No. 23 at Chestnut Ridge Park is structurally unsafe and is showing signs of failure. They provided a structural condition study to assess the existing structure and recommend replacement; and

WHEREAS, your Honorable Body has previously authorized Architectural/Engineering Term Agreements for several Architectural/Engineering firms; and

WHEREAS, the County Executive is requesting authorization to enter into an Agreement Amendment with the firm of Watts Architecture & Engineering to provide a pre-demolition asbestos survey, abatement design, and air monitoring and sampling for the Elma Meadows Golf Course – 2015 Automatic Irrigation System project; and

WHEREAS, Lydon Architectural Services, P.C. has submitted qualifications complying with this department’s Term Agreement and this department is requesting this firm be added to the term list of Architectural/Engineering firms for providing professional Architectural/Engineering services; and

WHEREAS, the County Executive is requesting authorization to enter into an Agreement Amendment with the firm of Lydon Architectural Services, P.C. to provide Professional A/E Design Services for reconstructing and renovating Shelter No. 23 located at Chestnut Ridge Park.

NOW, THEREFORE, BE IT

RESOLVED, that the County Executive is authorized to enter into a contract with the lowest responsible bidder for the Elma Meadows Golf Course – 2015 Automatic Irrigation System project for an amount not to exceed as follows:

| | | |
|---|----------------------|----------------|
| <u>General Construction Work</u> | | |
| George E. Ley Co. | Base Bid: | \$1,340,450.00 |
| | Alternate Bid Alt-3: | \$ 14,950.00 |
| <hr/> | | |
| Total Award of Construction Contract Not to Exceed: | | \$1,355,400.00 |

and be it further

RESOLVED, that the sum of \$144,600.00 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 deduct change orders will result in these funds being returned to the Construction Contingency Fund; and be it further

RESOLVED, that the County Executive is authorized to execute an Agreement Amendment with the firm of Watts Architecture & Engineering for providing Professional Pre-Demolition Hazardous Materials Survey, Design, and Air Monitoring and Testing Services for the Elma Meadows Golf Course – 2015 Automatic Irrigation System project for an amount not to exceed \$12,000.00, including reimbursables and a design contingency; and be it further

RESOLVED, that the firm of Lydon Architectural Services, P.C. be added to the Department of Public Work’s list of approved Architectural/Engineering Consultants; and be it further

RESOLVED, that the County Executive is authorized to execute an Agreement Amendment with the firm of Lydon Architectural Services, P.C. for providing Professional Architectural/Engineering Services for the Chestnut Ridge Park – 2015 Reconstruction of Shelter No. 23 project for an amount not to exceed \$8,000.00, including reimbursables and a design contingency; and be it further

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

| | |
|--|---------------------|
| A.15016 – 2015 Irrigation System at Elma Meadows Golf Course | \$1,500,000.00 |
| <u>A.14007 – 2014 Countywide Parks Improvements</u> | <u>\$ 20,000.00</u> |
| For a total amount not to exceed: | \$1,520,000.00 |

;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, Commissioner of Parks Recreation & Forestry, Division of Budget and Management, and the Office of the Comptroller.

(5-0) Legislator Burke not present for vote.

5. COMM. 14E-12 (2015)
COUNTY EXECUTIVE

WHEREAS, bids were taken for the Rehabilitation/Reconstruction of Penora Street CR 23, Phase 3 Project, in the Village of Depew, on February 20, 2014. The low responsible bidder was Union Concrete and Construction Corp. (UCC) of West Seneca, at a low bid amount of \$1,415,963.6; and

WHEREAS, the project was allowed to be awarded to the lowest responsible bidder via Legislative approval at the 7th Session, dated April 3, 2014, Communication 5E-11 (2014); and

WHEREAS, additional funding is required to complete payment for work already in place to pay for quantity increases for both road and bridge repairs, and to close out the contract.

NOW, THEREFORE, BE IT

RESOLVED, that the County Executive is authorized and is hereby directed to approve an increase to the Scope of Work and item quantities, and execute a Change Order for the Penora Street Rehabilitation Project No. CAP-23-14, in an amount not to exceed \$292,591.61; and be it further

RESOLVED, that the funding sources for this payment shall be utilized from B.11025, 2011 Preservation of Roads (\$49,974.28), B.13003, 2013 Preservation of Roads (\$ 32,617.33), B.14014.3, 2014 Preservation of Roads (\$50,000.00) and B.14024.20, 2014 Capital Overlay (\$160,000.00) for a Scope of Work increase to the Construction Contract with UCC for an amount not to exceed \$292,591.61; and be it further

RESOLVED, that three 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, and the Office of the Comptroller.
(5-0) Legislator Burke not present for vote.

6. COMM. 14E-13 (2015)
COUNTY EXECUTIVE AS AMENDED

WHEREAS, bids were taken for Brooklyn Street Bridge (PK-1) Replacement Project; ECDPW Project No. BR-PK1-15 (the "Project"), in the Village of Akron, Town of Newstead on July 2, 2015; and

WHEREAS, it is desired to award a construction contract to the lowest responsible bidder, Hunting Valley Construction Inc.; and

WHEREAS, it is desired to negotiate and award a contract for construction inspection and engineering services during construction of the Project to Project design engineers CHA Consulting, Inc. of Buffalo, New York.

NOW, THEREFORE, BE IT

RESOLVED, that the following authorized Project funds, SAP Account B.15017 (2015 Parks Akron Falls-Brooklyn Street Entrance) in the amount of \$600,000.00 and SAP Account A.15012 (2015 Countywide Parks Improvements) in the amount of \$150,000.00, for a total not to exceed \$750,000.00 be made available for the Project; and be it further

RESOLVED, that the County Executive is authorized and is hereby directed to execute a contract for ECDPW Project No. BR-PK1-15, between the County of Erie and the lowest responsible bidder, Hunting Valley Construction Inc.; and be it further

RESOLVED, that the County Executive is authorized to execute a contract for construction inspection and engineering services during construction of the project with project design engineers CHA Consulting, Inc.; and be it further

RESOLVED, that the County Executive is authorized to establish a project contingency and execute project related change orders; and be it further

RESOLVED, that the total cost of the contracts for construction, construction inspection and engineering services during construction and the project contingency shall not exceed \$750,000.00; and be it further

RESOLVED, that the Clerk of the Legislature is instructed to forward five (5) 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) Legislator Burke not present for vote.

7. COMM. 14E-14 (2015)
COUNTY EXECUTIVE
WHEREAS, bids will be taken for Chestnut Ridge Parks Culvert Replacement Project; ECDPW Project No. PK-CRC -12 (the "Project"), in the Town of Orchard Park sometime early Summer of 2015; and

WHEREAS, it is desired to award a construction contract to the lowest responsible bidder as soon as possible after the bid to maximize the time available for construction; and

WHEREAS, it is desired to award a contract for construction inspection and engineering services during construction of the Project to TY-LIN International of Buffalo, New York, project design engineer.

NOW, THEREFORE, BE IT

RESOLVED, that the following authorized Project funds, SAP Account B.14023 (2014 Chestnut Ridge Parks Culvert Construction) in the amount of \$500,000.00 and B.15018 (2015 Chestnut Ridge Parks Culvert Construction), in the amount of \$300,000.000, be made available for the Project; and be it further

RESOLVED, that the County Executive be authorized and is hereby directed to execute a contract for ECDPW Project No. PK-CRC-12, between the County of Erie and the lowest responsible bidder; and be it further

RESOLVED, that the County Executive be authorized to execute a contract for construction inspection and engineering services during construction of the Project with Project Design Engineer TY-LIN International; and be it further

RESOLVED, that the County Executive be authorized to establish a Project contingency and execute project related change orders; and be it further

RESOLVED, that the total cost of the contracts for construction, construction inspection and engineering services during construction and the Project contingency shall not exceed \$800,000.00; and be it further

RESOLVED, that the Clerk of the Legislature be instructed to forward five (5) 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.
(6-0)

8. **COMM. 14E-16 (2015)**
COUNTY EXECUTIVE AS AMENDED

WHEREAS, the Unified Court System Eight Judicial District ("UCS") has requested that the Erie County Department of Public Works renovate the first floor lobby of the Erie County Family Court Building; and

WHEREAS, this project will greatly improve the screening and queuing space in the Family Court building lobby and the cost of the project is 100% reimbursable to the county; and

WHEREAS, the Erie County Department of Public Works received bids for the Erie County Family Court-2015-Lobby Renovations on June 25, 2015; and

WHEREAS, the Erie County Department of Public Works along with HHL Architects are recommending award of the contract to the lowest responsible bidder; and

WHEREAS, this honorable body has previously authorized architecture/Engineering Term Agreements for several architectural/engineering firms; and

WHEREAS, the County Executive is requesting authorization to enter into an agreement amendment with the firm of HHL Architects to provide architectural/engineering services for the Erie County Family Court-2015- Lobby Renovations, and

WHEREAS, the current estimate for the project is in an amount, not to exceed \$360,000; and

WHEREAS, a new SAP capital project will be created in BA122, Fund 410, in the amount of \$360,000 the amount of the anticipated reimbursement from the UCS; and

WHEREAS, the project will be reimbursed by the UCS as a tenant request line item in the Chapter 686 cleaning and minor maintenance contract with the County, for the New York State fiscal year beginning April 1, 2015; and

NOW, THEREFORE, BE IT

RESOLVED, that in order to comply with the Unified Court System Eighth Judicial District request to improve the lobby of the Family Court Building, the County Executive is authorized to enter into a contract with the lowest responsible bidder for the Erie County Family Court Lobby Renovation project as follows:

GENERAL CONSTRUCTION WORK

| | | |
|------------------------------------|----------|--------------|
| Sicoli Construction Services, Inc. | Base Bid | \$298,000.00 |
|------------------------------------|----------|--------------|

; and be it further

RESOLVED, that the sum of \$19,000.00 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; and be it further

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

RESOLVED, that the County Executive is authorized to execute an Agreement Amendment with the firm of HHL Architects for providing professional Architectural/Engineering services for the Erie County Family Court-2015- Lobby Renovations for an amount not to exceed \$43,000.00 including approved reimbursable expenses; and be it further

RESOLVED, that the pre-approved contract authorization as designated by the Commissioner of Public Works shall not exceed an aggregate total of \$360,000; and be it further

RESOLVED, that such costs shall be recorded in a newly-created SAP project in BA122, Fund 410; and be it further

RESOLVED, that the Division of Budget and Management is authorized to make the following budgetary changes in SAP:

BA122, Fund 110, Fund Center 12220

| Revenue Account | Description | Current Budget | Increase (Decrease) | Revised Budget |
|---------------------|---------------------------|----------------|---------------------|----------------|
| 405170 | State Aid Court Facility | \$2,118,470 | \$360,000 | \$2,478,470 |
| 575000 | Interfund Exp Non-Subsidy | \$ 0 | \$360,000 | \$ 360,000 |
| Net Change Fund 110 | | | \$ 0 | |

BA122, Fund 410, New Project

| Revenue Account | Description | Current Budget | Increase (Decrease) | Revised Budget |
|---------------------|---------------------------|----------------|---------------------|----------------|
| 450000 | Interfund Rev Non-Subsidy | \$ 0 | \$360,000 | \$ 360,000 |
| CAPITALPROJECT | Capital Projects Exp | \$ 0 | \$360,000 | \$ 360,000 |
| Net Change Fund 410 | | | \$ 0 | |

; and be it further

RESOLVED, that the Comptroller's Office is directed to effectuate the release of funds for this project based on requests from the Department of Public Works from the above-noted funding sources; and be it further

RESOLVED, that certified copies of this resolution be sent to the Department of Public Works, Office of the Commissioner, Office of the County Executive, the Division of Budget and Management, the Office of the Comptroller and the Unified Court System Eighth Judicial District c/o Andrew Isenberg. (6-0)

9. COMM. 14E-43 (2015)
COUNTY EXECUTIVE

WHEREAS, the Department of Public Works, Division of Buildings and Grounds (“B&G”) maintenance group is conducting a lighting replacement project; and

WHEREAS, the project will result in a reduction in electricity expenses by replacing existing ceiling lighting with new bulbs which require 60% less energy; and

WHEREAS, National Grid has completed a site review of the Rath building and has determined that the project is eligible for rebates; and

WHEREAS, this Honorable Body has previously authorized 2014 re-appropriations to 2015 in the amount of \$250,000 for energy saving lighting in fund 110, cost center 14020, county-wide inter-fund account 570050 (Comm. 10E-31); and

WHEREAS, the B&G maintenance group has calculated annual electricity savings of \$90,000 and a payback period of less than three years.

NOW, THEREFORE, BE IT

RESOLVED, that a Rath Building Lighting Project is hereby authorized in BA122, Fund 410 in the amount of \$250,000, using the designation of 2014 funds as authorized in Comm. 10E-31; and be it further

RESOLVED, that the Division of Budget and Management be authorized to make the following budgetary changes in SAP:

BA122, Fund 410, New Project

| Revenue Account | Description | Current Budget | Increase/ (Decrease) | Revised Budget |
|---------------------|-----------------------|----------------|----------------------|----------------|
| 479100 | Other Contributions | \$ 0 | \$ 135,000 | \$ 135,000 |
| 486000 | Interfund Rev Subsidy | \$ 0 | \$ 115,000 | \$ 115,000 |
| Expense | | | | |
| CAPITAL PROJECTS | Capital Projects Exp | \$ 0 | \$ 250,000 | \$ 250,000 |
| Net Change Fund 410 | | | \$ 0 | |

; and be it further

RESOLVED, that the Department of Public Works is authorized to enter into the necessary agreements with National Grid or other parties to accept rebates for the lighting project in an anticipated amount of approximately, but not limited to \$135,000; and be it further

RESOLVED, that the Comptroller's Office is directed to effectuate the release of funds for this project based on requests from the Department of Public Works from the above-noted funding sources; and be it further

RESOLVED, that certified copies of this resolution be sent to the Department of Public Works, Office of the Commissioner, Office of the County Executive, the Division of Budget and Management and the Office of the Comptroller.

(6-0)

EDWARD A. RATH, III
CHAIR