

June 2, 2016

ECONOMIC DEVELOPMENT COMMITTEE
REPORT NO. 10

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

1. COMM. 10E-4 (2016)
COUNTY EXECUTIVE

WHEREAS, the Erie County Department of Environment and Planning (DEP) has played a crucial role in pollution prevention and sustainability issues throughout the region for decades and has more recently played an important role in the formation of the Western New York Sustainable Business Roundtable; and

WHEREAS, the United States Environmental Protection Agency (USEPA) provides grant assistance to state agencies to implement pollution prevention projects; and

WHEREAS, Empire State Development (ESD) applied to the USEPA and was awarded grant funds to support the Western New York Sustainable Business Roundtable (WNYSBR); and

WHEREAS, ESD and USEPA named Erie County as a sub-awardee within that grant to receive \$179,630 in funding to assist businesses in reducing their environmental impact through the WNYSBR; and

WHEREAS, the Erie County Legislature authorized the County Executive to enter into an agreement with ESD and appropriate the revenue from ESD into the DEP SAP Grant Account: #162WNYSBR1416 (Comm. 21E-18 (2014)); and

WHEREAS, it is necessary to revise the existing budget and create two summer internship positions in accordance with the current project work plan and contractual requirements set forth by the granting agency.

NOW, THEREFORE, BE IT

RESOLVED, that the grant budget for the WNY Sustainable Business Roundtable Project is hereby revised in the DEP, Business Area 162, Fund 281 as follows:

Western New York Sustainable Business Roundtable Project Grant
SAP Grant Account #162WNYSBR1416
October 1, 2014 –September 30, 2016

<u>Account</u>	<u>Description</u>	<u>Current Budget</u>	<u>Revision</u>	<u>Revised Budget</u>
414000	Federal Aid	(\$179,630)	\$0	(\$ 179,630)
TOTAL REVENUE				(\$ 179,630)

APPROPRIATIONS

<u>Account</u>	<u>Description</u>	<u>Current Budget</u>	<u>Revision</u>	<u>Revised Budget</u>
500000	Full Time Salaries	\$98,000	(\$5,300)	\$92,700
500030	Seasonal Emp Wages	\$0	\$5,870	\$5,870
502000	Fringe Benefits	\$62,230	\$14,255	\$76,485
505000	Office Supplies	\$400	(\$100)	\$300
510100	Out of Area Travel	\$2,000	(\$755)	\$1,245
516020	Professional Services			
	Contractual & Fees	\$16,000	(\$13,770)	\$2,230
530000	Other Expenses	<u>\$1,000</u>	<u>(\$200)</u>	<u>\$800</u>
TOTAL APPROPRIATIONS		\$179,630	\$0	\$179,630

and be it further

RESOLVED, that the following two (2) seasonal internship positions (not to exceed \$5,870 in total), for which sufficient funding is available through ESD grant funding for personal services and fringe benefits exists, will be created in the above grant:

Two (2) Seasonal Interns (JG-1)
B-100 No. 8682
Budgeted Annual Salary: \$5,870

and be it further

RESOLVED, that Director of the Division of Budget and Management is hereby authorized to implement any budget adjustments as required to comply with State and local funding requirements; and be it further

RESOLVED, that certified copies of this resolution shall be forwarded to the County Executive; the Director of the Division of Budget and Management; the County Attorney; the County Comptroller; the Commissioner of the Department of Environment and Planning; and the Deputy Commissioner of the Division of Environmental Compliance.

(6-0)

2. COMM. 10E-5 (2016)
COUNTY EXECUTIVE

WHEREAS, the November 2014 “Knife” snowstorm caused widespread damage to Erie County’s transportation infrastructure; and

WHEREAS, FEMA has approved Project Worksheet (PW) 371 listing transportation infrastructure work eligible for reimbursement under FEMA’s Public Assistance program as a result of the “Knife” snowstorm (the “Project”); and

WHEREAS, the consulting firms of CHA Consulting, Inc. (CHA) and Clark Patterson Lee (CPL) performed the post storm inspection, assessment and documentation of the damages for structures and roadways respectively and developed the cost estimates on which PW 371 is based: and

WHEREAS, both CHA and CPL are still under contract with the County for the inspection, documentation, and estimate phase of the work and are intimately familiar with the work required; and

WHEREAS, it is desired to amend the current engineering services contracts for both CHA and CPL to include design and construction phase engineering services; and

WHEREAS, it is anticipated that 75% of the cost of the engineering services contracts for both CHA and CPL will be eligible for full reimbursement from FEMA and that the remaining 25% of the engineering services contract costs will be eligible for full reimbursement from New York State

NOW, THEREFORE, BE IT

RESOLVED, that the County Executive is authorized and directed to execute all necessary contract amendments for the November 2014 Winter Storm “Knife”, FEMA Disaster DR 4204, Consultant Services - Project Worksheet (PW) 371 Project with CHA Consulting, Inc. (CHA) and Clark Patterson Lee (CPL); and be it further

RESOLVED, that the Comptroller’s Office be authorized to make payments to CHA and CPL respectively from SAP Fund 251, Fund Center 1231010, GL Account 516020 for an amount not to exceed the adjusted contract amounts of \$225,000.00 for CHA and \$275,000.00 for CPL; and be it further

RESOLVED, that two 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.

(6-0)

3. COMM. 10E-6 (2016)
COUNTY EXECUTIVE

WHEREAS, the Erie County Department of Public Works received bids for the Buffalo Niagara Convention Center – 2016 – Various Renovations to the Exhibit Hall project on March 3, 2016; and

WHEREAS, the Erie County Department of Public Works, along with the A/E firm, BHNT Architects, 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 – 2016 – Various Renovations to the Exhibit Hall project for an amount not to exceed as follows:

General Construction Work
Miller Enterprises, Inc

Base Bid:	\$ 97,000.00
Add Alternate No. 1	\$ 29,000.00
Add Alternate No. 2	\$ 4,000.00
Total Award Not to Exceed:	\$130,000.00

and be it further

RESOLVED, that the sum of \$15,000.00 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	\$ 111,817.00
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A.14002 – 2014 Buffalo Niagara Convention Center \$ 33,183.00
For a total amount not to exceed: \$ 145,000.00

;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.
(6-0)

4. **COMM.10E-18 (2016)**
 COUNTY EXECUTIVE

WHEREAS, the Erie Community College City Campus Old Post Office building was constructed circa 1890, is listed on the State Historic Preservation Office register of historic structures, and was renovated in the 1980’s for use as a college facility. In the almost 40 years since its transformation, much of the exterior components of the building have deteriorated to the point where water is infiltrating the building and causing substantial damage to infrastructure; and

WHEREAS, in 2011 the Porte-cochère at the East side of the building and the main entrance at the West side were restored. This project will continue the work, reconstruct the North entrance of the building and make needed repairs to the South façade; and

WHEREAS, restoring the exterior components of this Gothic Revival architectural gem will preserve the building and its historic features for years to come as well as maintain public; and

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

WHEREAS, the Erie County Department of Public Works received bids for the Erie Community College City Campus – 2016 – Exterior Restoration - Old Post Office Masonry Repairs project on February 25, 2016; and

WHEREAS, the Erie County Department of Public Works, is recommending award of a contract to the lowest responsible bidder, along with the Architect; and

NOW, THEREFORE, BE IT

RESOLVED, that the County Executive is authorized to enter into a contract with the lowest responsible bidder for Erie Community College City Campus – 2016 - Exterior Restoration - Old Post

Office Masonry Repairs project to Morris Masonry for General Construction Work for a total not to exceed \$629,750.00; and be it further

RESOLVED, that the sum of \$145,250.00 be allocated to the 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 E.11004 2011 Erie Community College – Masonry Project – City Campus in the amount not to exceed \$775,000.00; 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, Erie Community College, William Reuter, Director of Finance and the Office of the Comptroller.
(6-0)

5. **COMM. 10E-20 (2016)**
 COUNTY EXECUTIVE

WHEREAS, the Department of Public Works has received a cost proposal from DV Brown and Associates for the Rath Building – AHU Intake Louver Repair project; and

WHEREAS, DV Brown and Associates is the original installer of the louver and is familiar with the work involved because some of the equipment was not prefabricated, but rather customized by DV Brown; and

WHEREAS, as temperatures rise outside, increased moisture exists inside the building; and

WHEREAS, increased moisture can cause poor air quality for employees and can also potentially cause other mechanical problems; and

WHEREAS, the warmer weather, the challenge of air quality, and the potential for other mechanical problems creates an increased urgency with fixing the AHU Intake Louver Repair; and

WHEREAS, the County Executive is seeking authorization to award a contract to DV Brown and Associates as they customized and installed the equipment and are best prepared to fix the problem.

NOW, THEREFORE, BE IT

RESOLVED, that the County Executive is authorized to issue a contract to DV Brown and Associates so the work can proceed for a total contract, including construction contingency, not to exceed \$25,000.00; and be it further

RESOLVED, the Erie County Legislature hereby waives the procedures, as impractical, provided for in Section 19.08 of the Erie County Administrative Code for purposes of securing the services of DV Brown and Associates to be retained to provide services associated with the repair of air handling intake louvers, frame, and damper motor/ actuator and assembly at the Rath Building; 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.15003 – 2015 Countywide Code and Environmental Compliance	\$ 9,000.00
A.15005 – 2015 Countywide Mechanical, Electrical, and Plumbing Improvements	\$ 16,000.00
<u>Total Payments Not to Exceed</u>	<u>\$ 25,000.00</u>

; 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.
(6-0)

6. COMM. 10E-21 (2016)
COUNTY EXECUTIVE

WHEREAS, the existing door and window systems at Erie County Community College North Campus Bretschger Hall are 50 plus years old and leaking, causing damage to the building interior spaces and components; and

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

WHEREAS, the Erie County Department of Public Works received bids for the Erie Community College North Campus - 2016 Bretschger Hall Door & Window Replacement project on March 7, 2016; and

WHEREAS, the Erie County Department of Public Works and its architect, is recommending award of a contract to the lowest responsible bidder; 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, your Honorable Body has previously authorized the County Executive to enter into an Agreement with Stohl Environmental, LLC to provide Environmental Consulting Services on Erie County projects; and

WHEREAS, the County Executive is requesting authorization to issue an Agreement Amendment to the firm of Stohl Environmental, LLC to provide Abatement Monitoring Services during construction for the Erie Community College North Campus - 2016 Bretschger Hall Door & Window Replacement project; and

WHEREAS, the legislature has previously authorized the County Executive to enter into a General Architectural/Engineering Services Agreement with the architectural firm of BHNT Architects, PC for design related services on Erie County projects; and

WHEREAS, the County Executive is requesting authorization from the Legislature to issue an Agreement Amendment to BHNT Architects, PC to cover additional costs incurred for hazardous materials testing during the masonry evaluation phase of the ongoing Erie Community College – North Campus Exterior Restoration Project.

NOW, THEREFORE, BE IT

RESOLVED, that the County Executive is authorized to enter into a contract with the lowest responsible bidder for the Erie Community College North Campus - 2016 Bretschger Hall Door & Window Replacement project as follows:

General Construction Work

Allstate General, Inc.	Base Bid:	\$ 370,000.00
Add 600 Wing	Alternate No. 1 Bid:	\$ 171,300.00
Add 500 Wing	Alternate No. 2 Bid:	\$ 360,700.00
Add 400 Wing	Alternate No. 3 Bid:	\$ 165,000.00
Add 300 Wing	Alternate No. 4 Bid:	\$ 379,000.00
Add 200 Wing	Alternate No. 5 Bid:	\$ 159,000.00
Add 100 Wing	Alternate No. 6 Bid:	<u>\$ 344,000.00</u>

Total contract award not to exceed \$1,949,000.00

; and be it further

RESOLVED, that the sum of \$351,000.00 be allocated to the 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 be authorized to enter into an Agreement Amendment with Stohl Environmental, LLC for an amount not to exceed \$15,000.00; and be it further

RESOLVED, that the County Executive is authorized to execute an Agreement Amendment with the firm of the BHNT Architects, PC to cover additional costs incurred for hazardous materials testing during the previous masonry evaluation phase of the ongoing Erie Community College – North Campus Exterior Restoration Project for an amount not to exceed \$6,810.00 including reimbursables; and be it further

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

E.15004 – 2015 ECC Code Compliance Collegewide	\$ 21,810.00
E.14003 – 2014 Window and Door Replacement Collegewide	\$ 939,808.40
<u>E.15003 – 2015 ECC Roof Replacement & Waterproofing Collegewide</u>	<u>\$1,360,191.60</u>
Total Amount Not To Exceed:	\$2,321,810.00

; 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, Erie Community College (c/o William Reuter, CFO) and the Office of the Comptroller.

(6-0)

EDWARD A. RATH, III
CHAIR