

September 24, 2015

ECONOMIC DEVELOPMENT COMMITTEE
REPORT NO. 11

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

1. RESOLVED, the following items are hereby received and filed:
 - a. COMM. 15M-2 (2015)
NFTA: "Public Authorities Reporting Information System Report"
(6-0)
 - b. COMM. 16M-6 (2015)
BUFFALO NIAGARA CONVENTION AND VISITORS BUREAU: "2nd Quarter 2015 Report"
(6-0)
 - c. COMM. 16M-7 (2015)
NFTA: "June 25, 2015 Board Minutes"
(6-0)
 - d. COMM. 16M-8 (2015)
NFTA: "17A Report and Capital Expenditure Reports for Fiscal Year Ending March 31, 2016"
(6-0)
 - e. COMM. 17M-5 (2015)
NFTA: "Audited Financial Statement for Fiscal Year Ended March 31, 2015"
(6-0)
 - f. COMM. 17M-6 (2015)
NFTA: "Annual 17A Report"
(6-0)
2. COMM. 17E-8 (2015)
COUNTY EXECUTIVE

WHEREAS, the Bridge Painting Project, Bullis Road over Buffalo Creek, PIN 5760.54, (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, depending upon the Federal Aid Funding Program; and

WHEREAS, the County of Erie desires to advance the Construction phase of the Projects by making a commitment for the Federal and Non-Federal share of the costs of the project; and

WHEREAS, in order to facilitate the Construction and Construction Inspection Phases for the Project, it will be necessary for the County to execute an Agreement with New York State Department of Transportation in the total amount of \$675,000 of which \$33,750 is the required local share, for the construction and construction inspection phase of the Project; and

WHEREAS, the Department of Public Works would like to successfully implement the Project in a timely manner, it will be necessary for the County to execute the construction contract with the responsible low bidder, enter an into a construction phase engineering services agreement with CHA Consultants, and establish a construction contingency in an amount not to exceed \$675,000.

NOW, THEREFORE, BE IT

RESOLVED, that the Erie County Legislature 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 Construction and Construction Inspection Phases of the Project or portions thereof; and be it further

RESOLVED, that the Project Fund B.13002, 2013 Bridge Enhancement Programs, fund center 123, fund 420, be increased by the anticipated Federal and New York State revenue in the amount of \$641,250 as follows:

		CURRENT	INCREASE/	REVISED
REVENUES		BUDGET	DECREASE	BUDGET
Account	Description			
405160	NYS Marchiselli	\$ 147,750	\$ 101,250	\$ 249,000.00
414000	Federal Aid	\$ 980,000	\$ 540,000	\$1,520,000.00
445070	Prem on Obligation	\$54,162.12	\$ 0	\$ 54,162.12
475000	Gen Oblig Bond Proc	\$345,837.88	\$ 0	\$ 345,837.88
TOTAL REVENUES		<u>\$1,527,750</u>	<u>\$ 641,250</u>	<u>\$2,169,000.00</u>
APPROPRIATIONS				
Capital Projects	Capital Project Exp	<u>\$1,527,750</u>	<u>\$ 641,250</u>	<u>\$2,169,000</u>
TOTAL APPROPRIATIONS		<u>\$1,527,750</u>	<u>\$ 641,250</u>	<u>\$2,169,000</u>

; and be it further

RESOLVED, that the estimated total sum of the construction and construction inspection Phase of the Project, \$675,000, is hereby appropriated from B.13002 – 2013 Bridge Enhancement Programs and made available to cover the cost of participation in the Construction and Construction Inspection phase of the Project; and be it further

RESOLVED, the County Executive is hereby authorized to execute the construction contract with the responsible low bidder, enter an into a construction phase engineering services agreement with CHA Consultants, and establish a construction contingency in an amount not to exceed \$675,000; 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 phases exceeds the amount appropriated, \$675,000 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 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 six (6) certified copies of this Resolution to the Department of Public Works, Office of the Commissioner, to be forwarded to the New York State Department of Transportation; and be it further

RESOLVED, that the Clerk of the Legislature forward one (1) 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.
(6-0)

3. COMM. 17E-9 (2015)
COUNTY EXECUTIVE

WHEREAS, the Bridge Vertical Down, Bearings, Railings and Joints (8 bridges) Project, (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, depending upon the Federal Aid Funding Program; and

WHEREAS, the County of Erie desires to advance the Construction phase of the Projects by making a commitment for the Federal and Non-Federal share of the costs of the project; and

WHEREAS, in order to facilitate the Construction and Construction Inspection Phases for the Project, it will be necessary for the County to execute an Agreement with New York State Department of Transportation in the total amount of \$700,000 of which \$35,000 is the required local share, for the construction and construction inspection phase of the Project; and

WHEREAS, the Department of Public Works would like to successfully implement the Project in a timely manner, it will be necessary for the County to execute the construction contract with the responsible low bidder, enter an into a construction phase engineering services agreement with CHA Consultants, and establish a construction contingency in an amount not to exceed \$700,000.

NOW, THEREFORE, BE IT

RESOLVED, that the Erie County Legislature 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 Construction and Construction Inspection Phases of the Project or portions thereof; and be it further

RESOLVED, that the Project Fund B.13002, 2013 Bridge Enhancement Programs, fund center 123, fund 420, be increased by the anticipated Federal and New York State revenue in the amount of \$665,000 as follows:

REVENUES		CURRENT BUDGET	INCREASE/ DECREASE	REVISED BUDGET
Account	Description			
405160	NYS Marchiselli	\$ 147,750	\$ 105,000	\$ 252,750.00
414000	Federal Aid	\$ 980,000	\$ 560,000	\$1,540,000.00
445070	Prem on Obligation	\$54,162.12	\$ 0	\$ 54,162.12

475000	Gen Oblig Bond Proc	<u>\$345,837.88</u>	\$ _____	<u>\$ 345,837.88</u>
TOTAL REVENUES		<u>\$1,527,750</u>	<u>\$ 665,000</u>	<u>\$2,192,750.00</u>
APPROPRIATIONS				
Capital Projects	Capital Project Exp	<u>\$1,527,750</u>	<u>\$ 665,000</u>	<u>\$2,192,750.00</u>
TOTAL APPROPRIATIONS		<u>\$1,527,750</u>	<u>\$ 665,000</u>	<u>\$2,192,750.00</u>

; and be it further

RESOLVED, that the estimated total sum of the construction and construction inspection Phase of the Project, \$700,000, is hereby appropriated from B.13002 – 2013 Bridge Enhancement Programs and made available to cover the cost of participation in the Construction and Construction Inspection phase of the Project; and be it further

RESOLVED, the County Executive is hereby authorized to execute the construction contract with the responsible low bidder, enter an into a construction phase engineering services agreement with CHA Consultants, and establish a construction contingency in an amount not to exceed \$700,000; 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 phases exceeds the amount appropriated, \$700,000 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 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 six (6) certified copies of this Resolution to the Department of Public Works, Office of the Commissioner, to be forwarded to the New York State Department of Transportation; and be it further

RESOLVED, that the Clerk of the Legislature forward one (1) 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. (6-0)

4. **COMM. 17E-10 (2015)**
COUNTY EXECUTIVE

WHEREAS, the Bridge Washing (240 Bridges) and Deck Sealing (18 Bridges) PIN 5760.55, (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, depending upon the Federal Aid Funding Program; and

WHEREAS, the County of Erie desires to advance the Construction phase of the Projects by making a commitment for the Federal and Non-Federal share of the costs of the project; and

WHEREAS, in order to facilitate the Construction and Construction Inspection Phases for the Projects, it will be necessary for the County to execute an Agreement with New York State Department of Transportation in the total amount of \$500,000 of which \$100,000 is the required local share, for the construction and construction inspection phase of the Project; and

WHEREAS, the Department of Public Works would like to successfully implement the Project in a timely manner, it will be necessary for the County to execute the construction contract with the responsible low bidder, enter an into a construction phase engineering services agreement with CHA Consultants, and establish a construction contingency in an amount not to exceed \$500,000.

NOW, THEREFORE, BE IT

RESOLVED, that the Erie County Legislature 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 Construction and Construction Inspection Phases of the Project or portions thereof; and be it further

RESOLVED, that the Project Fund B.13002, 2013 Bridge Enhancement Programs, fund center 123, fund 420, be increased by the anticipated Federal and New York State revenue in the amount of \$400,000 as follows:

REVENUES		CURRENT	INCREASE/	REVISED
Account	Description	BUDGET	DECREASE	BUDGET
405160	NYS Marchiselli	\$ 147,750	\$ 0	\$ 147,750
414000	Federal Aid	\$ 980,000	\$ 400,000	\$ 1,380,000
445070	Prem on Obligation	\$54,162.12	\$ 0	\$ 54,162.12
475000	Gen Oblig Bond Proc	<u>\$345,837.88</u>	<u>\$ 0</u>	<u>\$ 345,837.88</u>
TOTAL REVENUES		<u>\$1,527,750</u>	<u>\$ 400,000</u>	<u>\$1,927,750</u>
APPROPRIATIONS				
Capital Projects	Capital Project Exp	<u>\$1,527,750</u>	<u>\$ 400,000</u>	<u>\$1,927,750</u>
TOTAL APPROPRIATIONS		<u>\$1,527,750</u>	<u>\$ 400,000</u>	<u>\$1,927,750</u>

; and be it further

RESOLVED, that the estimated total sum of the construction and construction inspection Phase of the Project, \$500,000, is hereby appropriated from BA123, Fund 420, SAP Fund B.13002–2013 Bridge Enhancement Programs and made available to cover the cost of participation in the Construction and Construction Inspection phase of the Project; and be it further

RESOLVED, the County Executive is hereby authorized to execute the construction contract with the responsible low bidder, enter an into a construction phase engineering services agreement with CHA Consultants, and establish a construction contingency in an amount not to exceed \$500,000; 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 phases exceeds the amount appropriated, \$500,000 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 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 six (6) certified copies of this Resolution to the Department of Public Works, Office of the Commissioner, to be forwarded to the New York State Department of Transportation; and be it further

RESOLVED, that the Clerk of the Legislature forward one (1) 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. (6-0)

EDWARD A. RATH, III
CHAIR