

June 30, 2016

ECONOMIC DEVELOPMENT COMMITTEE
REPORT NO. 12

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

1. COMM. 12E-9 (2016)
COUNTY EXECUTIVE

WHEREAS, Maple Road, from Hopkins Road to North Forest Road, experiences one of the highest traffic counts (23,100 ADT) for a County road and has one of the highest number of complaints concerning its condition; and

WHEREAS, the road consists of a concrete slab with an asphalt overlay which results in the concrete slab's expansion joints to cause reflective cracking through the asphalt wearing surface; and

WHEREAS, due to this type of road construction, a very rough surface had developed over a period of time; and

WHEREAS, the Department of Public Works is now scheduling to receive competitive bids by mid-August 2016 for the Maple Road Joint Rehabilitation Project, the "Project", and

WHEREAS, it is desired to amend an agreement with project designer Urban Engineers of NY DPC's to include design and construction phase engineering and inspection services.

NOW, THEREFORE, BE IT

RESOLVED, that funds from Fund 420, BA 123, SAP B.15019 - 2015 Capital Overlay Program Countywide in an amount not to exceed \$112,000 shall be made available for the Maple Road joint rehabilitation project for this phase; and be it further

RESOLVED, that the County Executive is authorized to issue a Contract Amendment for design and construction phase engineering and inspection services with project design engineer Urban Engineers of NY DPC; and be it further

RESOLVED, that the total cost of the Contract Amendment shall not exceed \$112,000.00 as follows:

Design (A/E Amendment A)	\$ 54,000.00
Construction Phase Engineering & Inspection (A/E Amendment B)	\$ 56,000.00
Misc. advertising, permits, etc.	\$ 2,000.00

; 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.
(6-0)

2. COMM. 12E-10 (2016)
COUNTY EXECUTIVE

WHEREAS, the Bridge Deck Sealing (20 Bridges) PIN 5761.32, (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 \$255,000 of which \$51,000 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 \$255,000.

NOW, THEREFORE, BE IT

RESOLVED, that the Erie County Legislature hereby approves the Locally Administered Federal Aid Project for Bridge Deck Sealing NYS PIN 5761.32 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 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.14011, 2014 Bridge Preservation Programs, fund center 123, fund 420, be adjusted for the actual anticipated Federal revenue in the amount of \$204,000 as follows:

REVENUES	CURRENT	INCREASE/	REVISED
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Account	Description	BUDGET	DECREASE	BUDGET
414000	Federal Aid	\$ 916,800	\$ (712,800)	\$ 204,000.00
445070	Prem on Obligation	\$ 30,638.48	\$ 0	\$ 30,638.48
475000	Gen Oblig Bond Proc	\$198,561.52	\$ 0	\$ 198,561.52
TOTAL REVENUES		<u>\$1,146,000</u>	<u>\$ (712,800)</u>	<u>\$ 433,200.00</u>
APPROPRIATIONS				
Capital Projects	Capital Project Exp	<u>\$1,146,000</u>	<u>\$ (712,800)</u>	<u>\$ 433,200.00</u>
TOTAL APPROPRIATIONS		<u>\$1,146,000</u>	<u>\$ (712,800)</u>	<u>\$ 433,200.00</u>

; and be it further

RESOLVED, that the estimated total sum of the construction and construction inspection Phase of the Project, \$255,000, is hereby appropriated from B.14011 – 2014 Bridge Preservation 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 \$255,000; 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, \$255,000 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. 12E-11 (2016)

COUNTY EXECUTIVE

WHEREAS, The Town of Cheektowaga (“Town”) intends to design and construct wheelchair ramps on several County owned roadways, including Cayuga Creek Road (CR 165) at Henry Street (TR), William Street (CR 207) near Girard Avenue (front of Roosevelt Elementary School), and Maryvale Drive (CR 199) near Kathleen Drive (Maryvale School access road); and

WHEREAS, said wheelchair ramps shall be designed and constructed in compliance with the Americans with Disabilities Act; and

WHEREAS, the Town shall be responsible for any and all maintenance aspects related to the wheelchair ramps; and

WHEREAS, an agreement between the Town and the County will be necessary to allow the Town to proceed with the design and construction of the wheelchair ramps.

NOW, THEREFORE, BE IT

RESOLVED, that the County Executive be authorized to execute an agreement between the County of Erie and the Town of Cheektowaga, allowing the Town to design, construct, and maintain wheelchair ramps located on several County roadways; and be it further

RESOLVED, that the Clerk of the Legislature be directed to send one certified copy of the resolution to the County Executive, the County Attorney, the Division of Budget and Management, and the Department of Public Works. (6-0)

4. COMM. 12E-12 (2016)

COUNTY EXECUTIVE

WHEREAS, The Town of Holland (“Town”) intends to design and construct a sidewalk on a County owned roadway at Holland-Glenwood Road (CR 240), known in the Town as Capitol Heights Road; and

WHEREAS, said sidewalk shall be designed and constructed in compliance with the Americans with Disabilities Act and with Federal and Town funds; and

WHEREAS, the Town shall be responsible for any and all maintenance aspects related to the sidewalks; and

WHEREAS, an Agreement between the Town and the County will be necessary to allow the Town to proceed with the design and construction of the sidewalks.

NOW, THEREFORE, BE IT

RESOLVED, that the County Executive be authorized to execute an agreement between the County of Erie and the Town of Holland, allowing the Town to design, construct, and maintain sidewalks located on Holland – Glenwood Road (CR 240) known in the Town as Capitol Heights Road; and be it further

RESOLVED, that the Clerk of the Legislature be directed to send one certified copy of the resolution to the County Executive, the County Attorney, and the Department of Public Works.
(6-0)

5. COMM. 12E-13 (2016)

COUNTY EXECUTIVE

WHEREAS, the existing storage building at Ellicott Creek Park is in poor condition and requires replacement by installing a new pre-fabricated storage building as a stand-alone structure; and

WHEREAS, Advanced Architecture and Planning, P.C. has the necessary expertise and manpower to provide professional design and construction services for the Ellicott Creek Park – 2016 New Storage Building and Gas Pump Relocation project; and

WHEREAS, this Honorable Body has previously authorized the County Executive to enter into a General Architectural/Engineering Services Agreement with Advanced Architecture and Planning, P.C. for providing Professional Design Services on Erie County projects; and

WHEREAS, the County Executive requests authorization to enter into Agreement Amendments with the firm of Advanced Architecture and Planning, P.C. for providing Professional Architectural/Engineering Services for the Ellicott Creek Park – 2016 New Storage Building and Gas Pump Relocation project.

NOW, THEREFORE, BE IT

RESOLVED, that the County Executive is authorized to execute an Agreement Amendment with the firm of Advanced Architecture and Planning, P.C. for providing Professional Architectural/Engineering Services for the Ellicott Creek Park – 2016 New Storage Building and Gas Pump Relocation project for an amount not to exceed \$25,000.00, including reimbursables and a design contingency; and be it further

RESOLVED, that the Comptroller’s Office be authorized to make payment for the above from SAP Project A.15012 – 2015 Countywide Parks Improvements; 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, the Office of the Comptroller, and the Department of Parks, Recreation, and Forestry.
(6-0)

6. COMM. 12E-14 (2016)

COUNTY EXECUTIVE

WHEREAS, the County of Erie received bids for the Chestnut Ridge Park – 2016 Reconstruction of Shelter #23 project on April 1, 2016; and

WHEREAS, the lowest responsible bidder is Horizon Masonry Restoration Inc.; and

WHEREAS, the Erie County Department of Public Works, along with Lydon Architectural Services, P.C., are recommending award of the contract to the lowest responsible bidder; and

WHEREAS, your Honorable Body has previously authorized the County Executive to enter into a General Architectural/Engineering Services Agreement with Lydon Architectural Services, P.C. for providing Professional Design Services on Erie County projects; and

WHEREAS, the County Executive requests authorization to enter into Agreement Amendments with the firm of Lydon Architectural Services, P.C. for providing construction administrating services for the Chestnut Ridge Park – 2016 Reconstruction of Shelter #23 project.

NOW, THEREFORE, BE IT

RESOLVED, that the County Executive is authorized to enter into a contract with the lowest responsible bidder for the Chestnut Ridge Park – 2016 Reconstruction of Shelter #23 project for an amount not to exceed as follows:

Horizon Masonry Restoration Inc. Base Bid: \$ 98,000.00

;and be 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 County Executive is authorized to execute Agreement Amendments with the firm of Lydon Architectural Services, P.C. for providing construction administrating services for Chestnut Ridge Park – 2016 Reconstruction of Shelter #23 project for an amount not to exceed \$11,000.00, including reimbursables and a 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.15012 – 2015 Countywide Parks Improvements	\$113,000.00
<u>A.14007 – 2014 Countywide Parks Improvements</u>	<u>\$ 11,000.00</u>
Total not to exceed:	\$124,000.00

;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, the Office of the Comptroller, and the Department of Parks, Recreation, and Forestry.
(6-0)

7. COMM. 12E-15 (2016)
COUNTY EXECUTIVE

WHEREAS, this Honorable Body has previously authorized the County Executive to enter into a General Architectural/Engineering Services Agreement with Watt’s Architecture & Engineering, P.C. for providing professional design and construction document services on Erie County projects; and

WHEREAS, the County Executive is requesting authorization from this Honorable Body to issue an Agreement Amendment to Watt’s Architecture & Engineering, P.C. for providing design and construction documents services for an asbestos abatement project at the Rath Building – 6th Floor fitness center.

NOW, THEREFORE, BE IT

RESOLVED, that the County Executive is authorized to issue an Agreement Amendment to Watt’s Architecture & Engineering, P.C. for providing professional design and construction document services for the asbestos abatement project at the Rath Building – 6th Floor Employee Fitness Center for an amount not to exceed \$22,000.00; and be further

RESOLVED, that the Comptroller’s Office be authorized to make payment for the following SAP project accounts:

A.15003-2015-Countywide Code & Environmental Compliance	\$6,839.23
A.00051-2002-Abatement & Environment Remediation	\$9,973.59
A.00309-2007-Code Compliance	<u>\$5,187.18</u>
Total Amount Not to Exceed	\$22,000.00

; 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.
(6-0)

8. COMM. 12E-16 (2016)
COUNTY EXECUTIVE

WHEREAS, on June 18, 1934 Congress approved an Act “to provide for the establishment, operation, and maintenance of foreign-trade zones in ports of entry of the United States to expedite and encourage foreign commerce and for other purposes” (hereafter the Foreign-Trade Zones Act”); and

WHEREAS, in accordance with the Foreign-Trade Zones Act and regulations relating thereto, the County of Erie did apply to the Foreign Trade Zones Board (“Board”) for a GRANT to establish, operate

and maintain Foreign-Trade Zone No. 23 at Buffalo, New York and received such GRANT pursuant to Board Order No. 110 on March 31, 1976; and

WHEREAS, the County of Erie has determined, that it would be in the Community's best interest for the Erie County Industrial Development Agency (ECIDA) to assist in the administration and management of Foreign Trade Zone No. 23; and

WHEREAS, the County of Erie and the ECIDA are currently under contract for ECIDA management of the Foreign Trade Zone and that such contract runs from September 1, 2011 to August 31, 2016.

NOW, THEREFORE, BE IT

RESOLVED, that the County of Erie and the County Executive, Grantee of Foreign-Trade Zone No. 23, is hereby duly authorized to enter into agreements with the ECIDA for administration and management services for Foreign Trade Zone No. 23 beginning September 1, 2016; and be it further

RESOLVED, that such agreement will be for a period not to exceed five years; and be it further

RESOLVED, that this Resolution takes effect from and after its date of adoption; and be it further

RESOLVED, that certified copies of this resolution be sent to the County Executive's Office; the Director of the Division of Budget and Management; the Comptroller's Office; the Commissioner of the Department of Environment and Planning, and the County Attorney.
(6-0)

9. COMM. 12E-31 (2016)
COUNTY EXECUTIVE

WHEREAS, to improve the efficiency within the Department of Social Services, the County of Erie desires to renovate office space on the seventh floor of the Erie County Rath Building; and

WHEREAS, your Honorable Body has previously authorized the County Executive to enter in a General Architectural Services Agreement with the firm of HHL Architects for providing design, construction documents and project monitoring services on Erie County projects; and

WHEREAS, the County Executive is requesting authorization to issue an Agreement Amendment to HHL Architects for providing design, construction documents and project monitoring services for the Rath Building seventh floor, Social Service renovations.

NOW, THEREFORE, BE IT

RESOLVED, that the County Executive is authorized to issue an Agreement Amendment to HHL Architects for providing design, construction documents and project monitoring services for the Rath Building, seventh floor Social Services renovation, for an amount not to exceed \$41,000.00; and be it further

RESOLVED, that the Comptroller's Office be authorized to make payment for all the above from SAP Project Account BA 122, Fund 410, A.16035 – Social Services Renovations, for an amount not to exceed \$41,000.00; 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, Department of Social Services and the Office of the Comptroller.
(6-0)

EDWARD A. RATH, III
CHAIR