

July 20, 2017

ECONOMIC DEVELOPMENT COMMITTEE
REPORT NO. 12

ALL MEMBERS PRESENT.

CHAIR MILLS PRESENT AS EX-OFFICIO MEMBER.

1. RESOLVED, the following items are hereby received and filed:
 - a. COMM. 4E-11 (2017)
MILLER-WILLIAMS: “Letter from Visit Buffalo Niagara Regarding Proposed Study of the Convention Center”
(Chair’s Motion)
 - b. COMM. 12E-11 (2017)
COUNTY EXECUTIVE: “EC Youth Detention Facility - 2016 Interior Housing Unit Renovations”
(Chair’s Motion)
2. RESOLVED, the following item hereby failed by a majority or tie vote:
 - a. COMM. 13E-11 (2017)
COUNTY EXECUTIVE: “Retaining a Consultant to Perform a Market Analysis and Feasibility Study for a New or Expanded Buffalo Niagara Convention Center”
(3-3) Legislators Burke, Dixon and Mills voted in the negative.
3. COMM. 10E-24 (2017)
COUNTY EXECUTIVE AS AMENDED
WHEREAS, bids will be taken on July 13, 2017, for the Goodrich Road (CR 216) Reconstruction Project; ECDPW Project No. CAP-216-17 in the Town of Clarence.; and

WHEREAS, it is necessary to award a construction contract to the lowest responsible bidder as soon as possible to maximize the time available for construction, for an amount not to exceed \$6,500,000; and

WHEREAS, it is necessary to award a contract for construction inspection and engineering services during construction of the Project to Clark Patterson Lee for an amount not to exceed \$250,000; and

WHEREAS, it is necessary to establish a Construction Contingency of \$250,000 for the Project with authorization to execute related Change Orders; and

WHEREAS, it is necessary to enter into an agreement with Erie County Soil and Water Conservation District to implement mitigation required by State and Federal permits for an amount not to exceed \$60,000; and

WHEREAS, the estimated cost of the Project in the amount of \$7,060,000 is available in Fund 420, SAP B.16001, B.17001 and B.17050; and

WHEREAS, Erie County was awarded \$2,566,800.46 in additional highway aid through the PAVE-NY program; and

WHEREAS, the Department of Public Works wishes to utilize PAVE-NY funds to advance highway projects.

NOW, THEREFORE, BE IT

RESOLVED, that the County Executive be authorized to award and execute a contract for ECDPW Project No. CAP-216-17, 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 Clark Patterson Lee; 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 Commissioner of Public Works be authorized to enter into any necessary agreements, with the Utility Companies, to expedite the execution of the Utility Companies work and/or acknowledgement of Erie County Department of Public Works complying with the Utility Companies required rules/regulations; and be it further

RESOLVED, that Erie County is authorized to accept PAVE-NY funding in the amount of 2,566,800.46; and be it further

RESOLVED, that the total cost of the contracts for construction, construction inspection, engineering services during construction, the Project contingency and Mitigation Services shall not exceed \$7,060,000; and be it further

RESOLVED, the Project Funds, in the amount of \$7,060,000 be made available as follows: Fund 420, SAP Project B.16001- 2016 Preservation of Roads - Construction - Goodrich Road (Clarence) (\$2,000,000), SAP Project B.17002 - 2017 Preservation of Roads - Construction - Goodrich Road (Clarence) (\$2,500,000) and SAP Project B.17050 - 2017 Capital Overlay Program (\$2,560,000)); 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)

4. COMM. 10E-24 (2017)

COUNTY EXECUTIVE AS AMENDED

WHEREAS, construction of the Federal Aid Elmwood Avenue Pedestrian & Bicycle Improvements Project, Project No. TAP-119-17, PIN 5761.03 (the "Project") is currently ongoing along Elmwood Avenue; and

WHEREAS, a safety concern was raised by the Village of Kenmore regarding the location of a crosswalk on Elmwood Avenue; and

WHEREAS, upon investigation it was deemed appropriate to re-locate the crosswalk; and

WHEREAS, the scope of the Project was already set and it is not possible to include the crosswalk re-location in the scope of the Project; and

WHEREAS, it is desired to proceed with the crosswalk re-location; and

WHEREAS, to properly re-locate the crosswalk design engineering services are required; and

WHEREAS, DiDonato Associates is already under contract for engineering services for the design and construction phases of the Elmwood Avenue Pedestrian & Bicycle Improvements Project; and

WHEREAS, under a prior resolution authority was sought to execute an amendment to DiDonato Associates current contract for the design engineering services necessary to re-locate the crosswalk; and

WHEREAS, due to a subsequent change in location of the re-located crosswalk additional funds have been determined to be necessary for the design of the re-located crosswalk; and

WHEREAS, it is desired to execute a supplemental amendment to DiDonato Associates current contract for design engineering services for the crosswalk re-location as a 100% County funded share; and

WHEREAS, it is estimated that the cost of the required supplemental design engineering services will not exceed \$3,000

NOW, THEREFORE, BE IT

RESOLVED, that the following authorized Project funds, Fund 420, BA 123, SAP Project B.16002 (2016 Preservation of Roads Design (Countywide)) in a not to exceed amount of \$3,000 be made available for the required supplemental design engineering services; and be it further

RESOLVED, that the County Executive be authorized to execute a supplemental amendment to DiDonato Associates current contract for the Project as a 100% County funded share for the design engineering services required for the crosswalk re-location in a not to exceed amount of \$3,000; 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)

5. COMM. 13E-4 (2017)

COUNTY EXECUTIVE

WHEREAS, engineering services are required for five projects which are recipients of Federal Aid and the Bridge NY Funding Program; and

WHEREAS, the Department of Public Works desires to advance these projects; and

WHEREAS, the Department of Public Works is in receipt of Proposals for these three projects using the Local Design Services Agreement (LDSA) process; and

WHEREAS, the County of Erie desires to enter into Engineering Services Agreements with the most qualified consultants; and

WHEREAS, the Department of Public Works wishes to amend the engineer of record's agreement, Greenman-Pedersen Inc. to complete the partially designed project, NYS PIN 5762.15; and

WHEREAS, the Department of Public Works wishes to retain the engineer of record CHA to complete the partially designed project NYS PIN 5762.22; and

WHEREAS, these projects have Erie County authorized agreements with New York State Department of Transportation.

NOW, THEREFORE, BE IT

RESOLVED, that the County Executive be authorized to in enter into Engineering Services Agreements with the most qualified firms presently under review by the Selection Committee for the following projects:

AE - To Be Determined

SAP B.17078	Bridge Replacement	COMM 8E-6 (2017)	\$130,000
	Cedar Street over Ledge Creek – Town of Newstead		

AE – To Be Determined

SAP B.17080	Bridge Replacement	COMM 8E-10 (2017)	\$180,000
	Quaker Road over Clear Creek – Town of Collins		

Greenman-Pederson Inc.

SAP B.17079	Bridge Replacement	COMM 8E-9 (2017)	\$160,000
	Trevett Road over Eighteen Mile Creek – Town of Boston		

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SAP B.17076	Culvert Replacement	COMM 8E-12 (2017)	\$ 24,750
	Warner Hill over Trib. Cazenovia Creek –Town of Wales		

AE To Be Determined

SAP B.17075	Culvert Replacement	COMM 8E-11 (2017)	\$ 50,000
	<u>Amsdell Road over Drainage Structure – Town of Hamburg</u>		
	For Amount Not To Exceed		\$544,750

and be it further;

RESOLVED, that the fees for these contracts will not exceed the amount designated in each of the respective New York State agreements previously approved by the Legislature; 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, to be forwarded to the New York State Department of Transportation.

(6-0)

6. COMM. 13E-5 (2017)

COUNTY EXECUTIVE

WHEREAS, there is a need for Large Culvert/Small Bridge and Pedestrian Bridge Condition Inspections to be performed by engineering firms specializing in such services; and

WHEREAS, the Interim Commissioner is presently soliciting requests for proposals; and

WHEREAS, the most qualified firm will be selected by a selection committee.

NOW, THEREFORE, BE IT

RESOLVED, that the County Executive be authorized to enter into an agreement with the most qualified firm to perform the condition inspections for 2017 and 2018 large culverts and pedestrian bridges; and be it further

RESOLVED, that the fees for the contract to the above noted Engineering firms will be negotiated with a not to exceed amount placed on the work; and be it further

RESOLVED, that fees will be appropriated from SAP Project B.14013, Small Bridge Inspections and will not exceed the \$390,000 in this account; and be it further

RESOLVED, that three (3) 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)

7. COMM. 13E-6 (2017)

COUNTY EXECUTIVE

WHEREAS, the Department of Public Works, Division of Highways, and the Department of Environment and Planning GIS host and maintain GIS ERSI database; and

WHEREAS, as a result of this software and services, Erie County DPW will operate more efficiently as well as respond to the public with consistent and accurate data; and

WHEREAS, the Department of Public Works, Division of Highways, determined that Bergmann and Associates has the appropriate experience in design, construction management, technical services and implementation services to perform the Needs Assessment; and

WHEREAS, in order for the Department of Public Works, Division of Highways, to urgently respond to these cited County deficiencies with asset repairs and construction, Legislature approval is required to enter into a contract with Bergmann and Associates to perform this work.

NOW, THEREFORE, BE IT

RESOLVED, that the County Executive is authorized to execute a contract with Bergmann and Associates for an amount not to exceed \$9,500 with funding from SAP Project B.16004 Asset Management Software; 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.
(6-0)

8. COMM. 13E-7 (2017)
COUNTY EXECUTIVE

WHEREAS, to improve the efficiency within the Department of Social Services, the County of Erie desires to renovate 12,000 square feet of attorney office space on the 7th floor of the Erie County Rath Building; and

WHEREAS, the Erie County Department of Public Works received bids for the Rath Building – Department of Social Services 7th Floor Renovations project on March 17, 2017 and June 13, 2017; and

WHEREAS, this project is eligible for partial State and Federal reimbursement through the Department of Social Services; and

WHEREAS, the Erie County Department of Public Works and its consultant are recommending award of the contract to the lowest responsible bidders.

NOW, THEREFORE, BE IT

RESOLVED, that the County Executive is authorized to enter into contracts with the lowest responsible bidders for the Rath Building – 2017 Department of Social Services 7th Floor Renovations project as follows:

General Construction Work
Galbo Construction Inc.

Base Bid: \$344,200

Electrical Construction Work

Weydman Electric, Inc. Base Bid: \$200,000
Total Amount of Contracts Not to Exceed: \$544,200
and be it further

RESOLVED, that the sum of \$60,000 be allocated to a Construction Contingency Fund for the project 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 change order reductions will result in such 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 account as follows:

BA122, Fund 410 - A.16035 – Social Services Project Office Space
Renovation and Purchase of Equipment and Furnishings \$604,200
For a Total Amount Not to Exceed: \$604,200
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 Social Services.
(6-0)

9. COMM. 13E-8 (2017)
COUNTY EXECUTIVE

WHEREAS, the Department of Public Works received bids for the Erie County Medical Examiner’s Toxicology Laboratory Renovations, Phase 4, on May 31, 2017; and

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

WHEREAS, the Erie County Department of Public works received A/E professional design proposals for the Erie County Medical Examiners Toxicology Laboratory renovations on September 9, 2016; and

WHEREAS, the County Executive is requesting authorization to issue an Agreement Amendment to the firm of Trautman Associates for providing additional asbestos design and air monitoring services.

NOW, THEREFORE, BE IT

RESOLVED, that the County Executive is authorized to enter into a contract with the lowest responsible bidders for the Erie County Medical Examiner's Toxicology Laboratory Renovations – Phase 4, as follows:

General Construction Work

Javen Construction Co, Inc.	Base Bid	\$ 628,000
	Deduct Alt G-2	16,000
	Deduct Alt G-3	<u>1,500</u>
		\$ 610,500

Mechanical Work

DV Brown & Associates	Base Bid:	\$ 181,000
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Electrical Work

Goodwin Electric Corp	Base Bid:	\$ 195,400
	Deduct Alt E-2	\$ 3,700
	Deduct Alt E-3	<u>\$ 6,600</u>
		\$ 185,100

Plumbing Work

MLP Plumbing & Mechanical	Base Bid:	\$ 125,500
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Asbestos Abatement

Mark Cerrone, Inc.	Base Bid	\$ 97,377
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Equipment Work

Kraftwerks	Base Bid:	\$ 94,537
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Lab Casework/Office Furniture Work

Prentice Office Environments	Base Bid:	\$ 154,607
	Add Alt #1	<u>39,938</u>
		\$ 194,545

Total Amount Not To Exceed \$1,488,559

and be it further

RESOLVED, that the sum of \$140,000 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 change order reductions 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 Trautman Associates, for additional asbestos design and air monitoring services for an amount not to exceed \$30,000; and be it further

RESOLVED, that the Comptroller's Office be authorized to make payment for all the above from SAP Projects:

A.16024 – 2016 - Renovations to Toxicology Lab	\$1,550,000.00
A.20904 -2009 - Space Allocation	\$ 50,135.37
A.20903 -2009 - Countywide Fire Alarm & Security	\$ 15,176.38
A.12011 – 2012 - Morgue & Toxicology Improvements	\$ 7,932.33
A.14013 – 2014 - Renovations to Toxicology Lab	\$ 10,000.00
A.13005 -2013 - Roof & Waterproofing	\$ 25,314.92
Total amount not to exceed	\$1,658,559.00

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)

10. COMM. 13E-9 (2017)
COUNTY EXECUTIVE

WHEREAS, the low level outlets (LLO) at Como Park Lake Dam are no longer fully functional due to deterioration and damage; and

WHEREAS, the reduced functionality impairs the ability to control flow over the Dam; and

WHEREAS, it is desired to repair the LLO in order to restore full functionality and the ability to control flow over the dam (the "Project"); and

WHEREAS, this work is best accomplished mid to late summer when the flows in Cayuga Creek are generally low; and

WHEREAS, in order to accommodate that timing to the extent possible it is desired to obtain advance authorization to award a construction contract to the lowest responsible bidder and execute a contract with the project designer, Bergmann Associates for engineering services during construction; and

WHEREAS, Bergmann Associates has been determined to possess the appropriate experience in design, construction management and technical services to provide the required engineering services during construction through utilizing their New York State Office of General Services professional services contract.

WHEREAS, it is estimated that the construction cost will not exceed \$200,000 and that engineering services during construction will not exceed \$75,000.

NOW, THEREFORE, BE IT

RESOLVED, that the following authorized Project funds, Fund 420, BA 123 SAP Project B.14020, 2014 Dam Preservation, Rehabilitation and Regulatory Compliance Construction (\$175,000), and SAP Project B.15014, 2015 Dam Preservation, Rehabilitation and Regulatory Compliance Construction (\$25,000) for a not to exceed total of \$200,000 be made available for construction of the Project; and be it further

RESOLVED, that the County Executive be authorized to award a construction contract for the Project to the lowest responsible bidder in an amount not to exceed \$200,000; and be it further

RESOLVED, that the following authorized Project funds, Fund 420, BA 123, SAP Project B.15014, 2015 Dam Preservation, Rehabilitation and Regulatory Compliance Construction (\$75,000) be made available for engineering services during construction; and be it further

RESOLVED, that the County Executive be authorized to execute a contract for engineering services during construction for the Project with Bergmann Associates in a not to exceed amount of \$75,000; 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)

11. COMM. 13E-10 (2017)
COUNTY EXECUTIVE

WHEREAS, the County park known as Black Rock Canal Park is within the City of Buffalo; and

WHEREAS, Erie County was recently awarded a \$700,000 reimbursable grant through the Niagara River Greenway funding process for Phase 3 improvements to Black Rock Canal Park; and

WHEREAS, Erie County is completing the Phase 3 improvements, which include enhancements to the boat basin area to improve the utilization of the public boat launch and public safety improvements, including security cameras; and

WHEREAS, the security cameras are now connected to the Buffalo Police Department security camera system and are monitored by the Buffalo Police Department; and

WHEREAS, Erie County desires to continue working with the City of Buffalo and Buffalo Police Department in providing public safety in the Black Rock Canal Park; and

WHEREAS, in order for the Buffalo Police Department to continue monitoring and maintaining the security cameras at no cost to Erie County, the City of Buffalo requires ownership of the security cameras.

NOW, THEREFORE, BE IT

RESOLVED, that the County Executive is hereby authorized to enter into contracts with the City of Buffalo to transfer the ownership of the security cameras at Black Rock Canal Park to the City of Buffalo for the sum of one dollar (\$1.00); and be it further

RESOLVED that the Buffalo Police Department will continue to monitor and maintain said security cameras at no cost to Erie County; and be it further

RESOLVED, that certified copies of this resolution be sent to the County Executive's Office; the Comptroller's Office; the Director of the Division of Budget and Management; the County Attorney; and the Commissioner of the Department of Environment and Planning, Rath Building, 10th Floor.
(6-0)

12. COMM. 13E-14 (2017)
COUNTY EXECUTIVE AS AMENDED

WHEREAS, the Erie County Department of Public Works received bids for the Erie County Youth Detention Facility - 2016 Parking Lot Expansion and Paving project on June 30, 2017; and

WHEREAS, the Erie County Department of Public Works is recommending the award of the construction 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 Erie County Youth Detention Facility - 2016 Parking Lot Expansion and Repaving project for an amount not to exceed as follows:

General Construction Work:

Anastasi Trucking and Paving Co.	Base Bid	\$ 40,850
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;and be it further

RESOLVED, that the sum of \$5,000 from SAP Project A.16036 be allocated to a Construction Contingency Fund with authorization for the County Executive to approve change orders in an amount not to exceed the amount of this Contingency Fund; and be it further

RESOLVED, that change order reductions 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 A.16036 - Renovation to Secure Youth Detention Facility, for an amount not to exceed \$45,850; 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)

13. COMM. 13E-42 (2017)
COUNTY EXECUTIVE

WHEREAS, Erie County has engaged Greenman-Pederson, Inc. for engineering services for the Bethlehem Steel Shoreline trail; and

WHEREAS, Erie County is desirous of expanding the services for the Bethlehem Steel Shoreline Trail to include development of the final Plans, Specifications & Estimate, and construction inspection services; and

WHEREAS, in compliance with Section 19.08 of the Erie County Administrative Code, a consultant selection process was undertaken to evaluate responses to a Request for Supplemental Information to Expression of Interest Document dated March 20, 2015.

NOW, THEREFORE, BE IT

RESOLVED, that the County Executive is hereby authorized to execute a contract amendment with Greenman-Pedersen, Inc. for an additional amount not to exceed \$230,000 to be added to the existing contract of \$300,000, for a total amount not to exceed of \$530,000 for the purposes of developing the final Plans, Specifications and Estimate which are necessary prior to start of construction and construction inspection services of the Bethlehem Steel Shoreline Trail; and be it further

RESOLVED, that the County Executive be authorized to execute additional contract amendments for contingencies to the aforementioned contract in a cumulative amount not to exceed \$50,000; and be it further

RESOLVED, that said funding amounts shall be allocated from capital project A.13012, 2013 Industrial Redevelopment Projects; and be it further

RESOLVED, that the Clerk of the Legislature be instructed to forward certified copies of this resolution to Thomas R. Hersey, Jr., Commissioner of the Department of Environment and Planning, 10th Floor, Rath Building; the Office of the County Executive; the Director of the Division of Budget and Management; the Office of the Comptroller; the Office of the County Attorney; and Christopher S. Pawenski, Coordinator, Industrial Assistance Program.
(6-0)

JOSEPH C. LORIGO
CHAIR