

October 12, 2017

ECONOMIC DEVELOPMENT COMMITTEE
REPORT NO. 15

ALL MEMBERS PRESENT.

CHAIR MILLS PRESENT AS EX-OFFICIO MEMBER.

1. COMM. 18E-2 (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 service, Erie County Department of Public Works will operate more efficiently as well as respond to NYS DEC and US EPA; 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 utilizing the NYS OGS professional service contract; and

WHEREAS, in order for the Department of Public Works, Division of Highways, to urgently respond to these cited County deficiencies with electronic processes and mapping, 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 be authorized to execute a contract with Bergmann and Associates for an amount not to exceed \$150,000 with funding from SAP B.11032 Environmental Compliance SPDES; 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)

2. COMM. 18E-13 (2017)
COUNTY EXECUTIVE

WHEREAS, the Erie County Shoreline Trail Bethlehem Steel Project, Transportation Alternatives Program 2014, in the Cities of Buffalo and Lackawanna, Erie County, PIN 5761.04 (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 80.0% Federal funds and 20.0% Non-Federal funds; and

WHEREAS, the County of Erie desires to advance the Project by making a commitment of 100% of the Non-Federal share of the costs of the Final Engineering (Design V-VI) and Construction Phases of the Project, PIN 5761.04; and

WHEREAS, the total Final Design, ROW Acquisition and Construction Phases of the Project are estimated to be \$915,200, and the County is required to provide the local share portion of these Project Phases in the amount of \$183,040.

NOW, THEREFORE, BE IT

RESOLVED, the County Legislature of the County of Erie does hereby approve the Erie County Shoreline Trail Bethlehem Steel – Final Engineering (Design V-VI), ROW Acquisition and Construction Phases 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 the Final Engineering (Design Phase V-IV), ROW Acquisition and Construction phases of the Project or portions thereof; 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 cost of the project's Final Engineering (Design I-VI), ROW Acquisition and Construction phases exceeds the amount appropriated above, the County of Erie shall convene its County 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 be and 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 with the New York State Department of Transportation 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, the local share of Federal-Aid Eligible Project costs, and all Project costs within appropriations therefore that are not so eligible; and be it further

RESOLVED, that the County Executive is authorized to appropriate and make available \$183,040 to cover the local share cost of participation in the Final Engineering (Design V-VI), ROW Acquisition and Construction Phases of the Project, with said funds are available within the Erie County Department of Environment and Planning Budget SAP Account A.13012, Bethlehem Steel Redevelopment; and be it further

RESOLVED, that authorization is hereby provided to accept funding in an amount not to exceed \$732,160 from New York State and to increase the capital budget for A.13012 as follows:

<u>Revenue</u>	<u>Current Budget</u>	<u>Increase</u>	<u>New Budget</u>
Bond Proceeds – 475000/445070	\$1,900,000	\$ 0	\$1,900,000
<u>Federal Aid Funds- 414000</u>	<u>\$ 0</u>	<u>\$732,160</u>	<u>\$ 732,160</u>
Total Revenue	\$1,900,000	\$732,160	\$2,632,160
<u>Expense</u>			
Capital Projects Expense	<u>\$1,900,000</u>	<u>\$732,160</u>	<u>\$2,632,160</u>
Total Expense	\$1,900,000	\$732,160	\$2,632,160

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 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; the Commissioner of the Department of Environment and Planning, Rath Building, 10th Floor; and 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, this Resolution shall take effect immediately.

(6-0)

JOSEPH C. LORIGO
CHAIR