

November 10, 2016

ECONOMIC DEVELOPMENT COMMITTEE  
REPORT NO. 18

ALL MEMBERS PRESENT.

CHAIR MILLS PRESENT AS EX-OFFICIO MEMBER.

1. RESOLVED, the following item is hereby received and filed:

a. COMM. 19M-4 (2016)

**SUPERVISOR, TOWN OF EDEN:** "Letter to County Executive Regarding County-Town Snow Plowing Contract"  
(Chair's Motion)

2. COMM. 20E-5 (2016)

**COUNTY EXECUTIVE**

WHEREAS, the New York State Department of Transportation provided Erie County a Locally Administered Federal Aid (LAFA) Agreement for the Bridge Steel & Deck Repairs (6 Bridges), Various Towns, Erie County PIN 5761.33 (the "Project") in the amount of \$1,190,000 to cover the costs associated with steel and deck repairs, localized painting, construction inspection and administration and an appropriate contingency for six (6) County Bridges; and

WHEREAS the Legislature approved accepted and approved this agreement via Comm. 14E-11(2016); and

WHEREAS, public bids were opened on August 4, 2016 for the Project, and the Department of Public Works recommends award of construction to lowest responsible bidder L.C. Whitford Co., Inc. in the amount of \$1,289,300, amending CHA Companies' design agreement for the construction inspection and engineering services in the amount of \$100,000, and establishing a Project contingency of \$128,000; and

WHEREAS, the total cost of the Project, in the amount of \$1,517,300, exceeds the Locally Administered Federal Aid agreement with NYSDOT of \$1,190,000 authorized in B.14011, 2014 Bridge Preservation Construction Program by \$327,300; and

WHEREAS, DPW is requesting authorization to supplement the Project budget with funds available in SAP Account B.15011, 2015 Preservation of Bridges, Construction Program, Fund Center 123, Fund 420.

NOW, THEREFORE, BE IT

RESOLVED, that this Honorable Body authorizes Project funds, SAP Account B.15011, 2015

Preserve Bridge Construction Fund Center 123, Fund 240, in the amount of \$327,300 be made available for the Project; and be it further

RESOLVED, that the County Executive be authorized and is hereby directed to award and execute construction contract with low bidder L.C. Whitford Co. Inc., execute construction phase amendment with project engineers CHA Companies, Inc., and establish a Project contingency for any required Change Orders to the project in the amount not to exceed \$1,517,300, \$1,190,000 from B.14011, 2014 Bridge Preservation Construction Program and \$327,300 from B.15011, 2015 Preservation of Bridges, Construction Program ; and be it further

RESOLVED, that the Clerk of the Legislature be instructed to forward three (3) certified copies of this resolution to the Commissioner of Public Works, 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. 20E-6 (2016)

**COUNTY EXECUTIVE**

WHEREAS, the New York State Department of Transportation provided Erie County a Locally Administered Federal Aid (LAFA) Agreement for the Bridge Deck Sealing (20 Bridges), Various Towns, Erie County PIN 5761.32 (the "Project") the bridge maintenance project which involves deck sealing, crack sealing, joint and deck repairs, construction inspection and administration for twenty (20) County Bridges; and

WHEREAS, public bids were opened on June 30, 2016 for the Project, and the contract was awarded to Hunting Valley Construction, Inc., and CHA Consultants' agreement for the construction inspection and engineering services; and

WHEREAS, the total cost and award of the Project, was authorized in COMM 12E-10 (2016) and funded through SAP account B.14011, 2014 Bridge Preservation Construction; and

WHEREAS, DPW is requesting authorization to supplement the Project budget with \$40,000 from funds available in SAP Account B.15011, 2015 Preservation of Bridges, Construction Program, Fund Center 123, Fund 420; and

WHEREAS, these additional monies are being used to repair unforeseen deficiencies discovered during the execution of the construction (i.e., additional quantity for crack sealing in the deck, joint repairs and partial depth concrete deck repairs).

NOW, THEREFORE, BE IT

RESOLVED, that this Honorable body authorizes Project funds, SAP Account B.15011, 2015

Preserve Bridge Construction Fund Center 123, Fund 420, in the amount of \$40,000 be made available for the Project contingency; and be it further

RESOLVED, that the County Executive be authorized and is hereby directed to increase the contingency for the project in SAP Account B.15011, 2015 Bridge Preservation Construction Program; and be it further

RESOLVED, that the Clerk of the Legislature be instructed to forward three (3) 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. 21E-5 (2016)  
**COUNTY EXECUTIVE**

WHEREAS, Houses No. 2 & 3 are being reconstructed in similar fashion to Houses 11 & 12. All of these buildings face the front of the facility and shall improve the appearance and function of the facility, as well as correct and preserve the glass structures which were failing; and

WHEREAS, there were several uncovered unforeseen conditions during construction including substantial additional structural repairs that have delayed the completion of construction six months past the original expected date due to delays for change order execution and work added by the Botanical Gardens Society to the construction contracts; and

WHEREAS, project completion delays require additional architectural and engineering consulting services during construction beyond the original scope of work; and

WHEREAS, the County Executive is requesting authorization to issue an Agreement to the firm of Foit Albert Associates for providing additional architectural and engineering consulting services during construction for the Buffalo and Erie County Botanical Gardens – 2013 – Houses 2 & 3 Renovation project.

NOW, THEREFORE, BE IT

RESOLVED, that the County Executive be authorized to enter into an Agreement with the A/E firm of Foit Albert Associates for an amount not to exceed \$18,000; 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.14024 – 2014 Buffalo & Erie County Botanical Gardens

|                                   |                    |
|-----------------------------------|--------------------|
| <u>Master Plan Implementation</u> | <u>\$18,000.00</u> |
| Total Payment Not To Exceed:      | \$18,000.00        |

;and be it further

RESOLVED, that two certified copies of this resolution shall be sent to the Commissioner of the Department of Public Works; and one copy each to the Office of the County Executive; the Director of the Division of Budget and Management, the Department of Parks, Recreation and Forestry and the Office of the Comptroller.

(6-0)

5. COMM. 21E-6 (2016)  
**COUNTY EXECUTIVE**

WHEREAS, the Erie County Legislature approved construction contracts for the new ADA Elevators on July 28, 2016; and

WHEREAS, the Department of Public Works requested a proposal for air monitoring, sampling and testing during asbestos abatement from Watts Architecture & Engineering.

NOW, THEREFORE, BE IT

RESOLVED, that the County Executive is authorized to enter into an Agreement with Watts Architecture & Engineering for providing air monitoring, sampling and testing during asbestos abatement for the Buffalo and Erie County Main Library- New ADA Elevators project in an amount not to exceed \$20,000.00, including reimbursables and contingency; and be it further

RESOLVED, that the Comptroller's Office be authorized to make payment for the above from SAP project account A.21013, BA122, Fund 410 - 2010-Buffalo and Erie County Library-New ADA Compliance Elevator for an amount not to exceed \$20,000.00; 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 Buffalo & Erie County Central Library, Ken Stone, and the Office of the Comptroller.

(6-0)

6. COMM. 21E-7 (2016)  
**COUNTY EXECUTIVE**

WHEREAS, the Buffalo and Erie County Central Library auditorium is original to the 60 year old building, and upgrades or replacement to the seating, carpeting, HVAC system, lighting, plumbing,

and technology are required. Current funds are available to renovate and rehabilitate the auditorium lobby and improve the environment, update climate controls, and increase energy efficiency of the HVAC system serving the auditorium; and

WHEREAS, the Department of Public Works received bids for the Buffalo and Erie County Main Library – 2016 Auditorium Renovations – Phase 1 project on August 29, 2016; and

WHEREAS, the Erie County Department of Public Works, along with its consultant, LaBella Associates, D.P.C., are recommending award of the contracts to the lowest responsible bidders; and

WHEREAS, LaBella Associates, D.P.C. has the necessary expertise and manpower to provide professional design and construction services for the Buffalo and Erie County Main Library – 2016 Auditorium Renovations – Phase 1 project; and

WHEREAS, the County Executive requests authorization to enter into Agreement Amendments with the firm of LaBella Associates, D.P.C. for providing Professional Architectural/Engineering Services that include construction administration and asbestos abatement air monitoring, sampling, and testing for the Buffalo and Erie County Main Library – 2016 Auditorium Renovations – Phase 1 project.

NOW, THEREFORE, BE IT

RESOLVED, that the County Executive is authorized to enter into a contracts with the lowest responsible bidders for the Buffalo and Erie County Main Library – 2016 Auditorium Renovations – Phase 1 project as follows:

General Construction Work

|  |                     |              |
|--|---------------------|--------------|
| Miller Enterprises Inc.  | Base Bid:           | \$367,000.00 |
|  | Add Alternate No. 1 | \$ 16,700.00 |
|  | Add Alternate No. 2 | \$ 25,000.00 |
| <hr/>  |                     |              |
| Total Award of General Construction Contract (F.15002 and F.16002): \$408,700.00 |                     |              |

Electrical Construction Work

|   |                     |              |
|---|---------------------|--------------|
| Weydman Electric & Communications                                       | Base Bid:           | \$ 97,700.00 |
|   | Add Alternate No. 1 | \$ 830.00    |
| <hr/>   |                     |              |
| Total Award of Electrical Construction Contract (F.16001): \$ 98,530.00 |                     |              |

Plumbing Construction Work

|   |           |              |
|---|-----------|--------------|
| MLP Plumbing & Mechanical Inc.  | Base Bid: | \$ 41,900.00 |
| <hr/>   |           |              |
| Total Award of Plumbing Construction Contract (F.16001): \$ 41,900.00 |           |              |

Mechanical Construction Work

|   |                     |              |
|---|---------------------|--------------|
| Greater Niagara Mechanical, Inc.  | Base Bid:           | \$271,600.00 |
|   | Add Alternate No. 1 | \$ 3,000.00  |
| <hr/>   |                     |              |
| Total Award of Mechanical Construction Contract (F.15001 and F.16001): \$274,600.00 |                     |              |
| <hr/>   |                     |              |
| Total Award of all Contracts:   |                     | \$823,730.00 |

and be it further

RESOLVED, that the sum of \$115,000.00 from SAP project account F.15002 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 LaBella Associates, D.P.C. for providing Professional Architectural/Engineering Services that include construction administration and asbestos abatement air monitoring, sampling, and testing for the Buffalo and Erie County Main Library – 2015 Auditorium Renovations Phase 1 project for an amount not to exceed \$26,000.00, including reimbursables and a design contingency, from SAP project account F.15002; and be it further

RESOLVED, that the Comptroller’s Office be authorized to make payment for all the above from SAP project accounts, Fund 490, BA 122, as follows:

|   |              |
|---|--------------|
| F.15001 – 2015 BECPL Mechanical Electrical & Plumbing Improvements    | \$242,735.40 |
| F.15002 – 2015 BECPL Central Library Auditorium Rehabilitation        | \$539,469.00 |
| F.16001 – 2016 BECPL Mechanical, Electrical And Plumbing Improvements | \$172,294.60 |
| F.16002 – 2016 BECPL Life Safety Improvements                         | \$ 10,231.00 |
| For a Total Amount Not to Exceed:                                     | \$964,730.00 |

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 Buffalo & Erie County Central Library, Kenneth Stone, and the Office of the Comptroller.

(6-0)

7. COMM. 21E-8 (2016)

**COUNTY EXECUTIVE**

WHEREAS, to improve the health and safety of staff and detained youth within the Youth Detention Facility, the Department of Social Services has identified the need to renovate the housing units of the Youth Detention Facility; and

WHEREAS, the NYS Office of Child and Family Services conducts regular site visits to review the physical condition of the facility and, on a repeated basis, has cited the facility for peeling paint and mold in the bathrooms; and

WHEREAS, the County Executive is requesting authorization to issue an Agreement to Zaxis Architectural, PC for providing design, construction documents and construction administration services for the Youth Detention Facility – 2016 Interior Housing Unit Renovations.

NOW, THEREFORE, BE IT

RESOLVED, that the County Executive is authorized to issue an Agreement to Zaxis Architectural, PC for providing professional A/E design, construction documents and construction administration services for the Youth Detention Facility – 2016 Interior Housing Unit Renovation, for an amount not to exceed \$38,250.00; and be it further

RESOLVED, that the Comptroller's Office be authorized to make payment for all the above from SAP Project Account A.16036 – Social Services Renovations, Fund 410, BA 122 for an amount not to exceed \$38,250.00; 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**