

November 12, 2013

ECONOMIC DEVELOPMENT COMMITTEE
REPORT NO. 18

ALL MEMBERS PRESENT, EXCEPT LEGISLATOR MARINELLI.

1. RESOLVED, the following items are hereby received and filed:

a. COMM. 19M-2 (2013)
NFTA: "Notice of Proposed Rulemaking"
(4-0)

b. COMM. 19M-4 (2013)
NFTA: "Minutes of Meeting Held 9/26/2013"
(4-0)

c. COMM. 19M-6 (2013)
NFTA: "Copy of 17A Report & Capital Expenditure Reports for the Second Quarter of Fiscal Year Ending 3/31/2014"
(4-0)

2. COMM. 19E-10 (2013)
COUNTY EXECUTIVE

WHEREAS, a Project for replacement of the Salt Road (CR 560) bridges over Beeman Creek (BIN 3326800 & BIN 3326810), Town of Clarence, PIN 5759.91 (the Project) is eligible for funding under Title 23 U.S. Code, as amended, that calls for the appointment of the costs of such program to be borne at the ratio of 80% Federal funds and 20% 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 Preliminary Engineering (Scoping and Design I-VI) and ROW Incidentals phases of the Project: PIN 5759.91; and

WHEREAS, the total for the Project phases noted is currently estimated at \$236,000.00 and the County is required to pay the estimated local share for the Project in the amount of \$47,200.00 which is available from Project B.13008, 2013 Salt Road Bridge Design, fund center 123, fund 420; and

WHEREAS, your Honorable Body has previously authorized Watts Architecture and Engineering, PC as a qualified, Term Agreement General Architectural/Engineering firm via Comm.13E-26 of July 18, 2013.

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 the Preliminary Engineering (Scoping and Design I-VI) and ROW Incidentals phases of the Project or portions thereof; and be it further

RESOLVED, that the Project B.13008, 2013 Salt Road Bridge Design, fund center 123, fund 420, be increased by the anticipated Federal revenue in the amount of \$188,800. as follows:

		CURRENT BUDGET	INCREASE/DECREASE	REVISED BUDGET
REVENUES				
Account	Description			
414000	Federal Aid	\$ 0	\$188,800	\$188,800
475000	Gen Oblig Bond Proc	<u>\$70,000</u>	<u>\$ 0</u>	<u>\$70,000</u>
TOTAL REVENUES		\$70,000	\$188,800	\$258,800
APPROPRIATIONS				
Capital Projects	Capital Project Exp	<u>\$70,000</u>	<u>\$188,800</u>	<u>\$258,800</u>
TOTAL APPROPRIATIONS		\$70,000	\$188,800	\$258,800

and be it further

RESOLVED, that should New York State Marchiselli funds be made available, the Project, the budget be adjusted to reflect an increase in revenue, and decrease in local share; and be it further

RESOLVED, that the estimated total sum for design engineering of the noted Project phases, \$236,000.00 is hereby appropriated from B.13008, 2013 Salt Road Bridge Design and made available to cover the cost of participation in the above phases of the Project; and be it further

RESOLVED that the County Executive be authorized to execute a negotiated Contract in an amount not to exceed the allowable Project design engineering amount between the County of Erie and Watts Architecture and Engineering, PC as Project Design Engineers; 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 Preliminary Engineering (Scoping & Design I-VI) and ROW Incidentals phases exceeds \$236,000.00 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 is hereby authorized to execute all necessary Agreements, certifications or reimbursement requests for Federal Aid on behalf of the County of Erie, (subject to the County of Erie Attorney's approval as to form and content), with the New York State Department of Transportation in connection with the advancement or approval of the Project identified in the State/Local Agreement; 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 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 ten (10) certified copies of this resolution be forwarded 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 County Attorney, and the Office of the Comptroller.
(4-0)

3. **COMM. 19E-11 (2013)**
COUNTY EXECUTIVE

WHEREAS, a Project for Reconstruction of Clarence Center Road Bridge over Gott Creek (BR 217-1), Town of Clarence, NYS PIN 5757.28 (the Project) is eligible for funding under Title 23 U.S. Code, as amended, that calls for the appointment of the costs of such program to be borne at the ratio of 80% Federal funds and 20% Non-Federal funds; and

WHEREAS, the County of Erie desires to advance the Project by making a commitment of 100% of the Federal share and Non-Federal share of the costs of the Preliminary Engineering (Scoping & Design I-VI) of the Project: PIN 5757.28; and

WHEREAS, the total Project is currently estimated at \$225,000.00 and the County is required to pay the local share for the Project in the amount of \$11,250.00; and

WHEREAS, your Honorable Body has previously authorized Hatch Mott MacDonald, as a qualified, Term Agreement General Architectural/Engineering firm via Comm. Comm.13E-26 of July 18, 2013.

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 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 Preliminary Engineering (Scoping & Design I-VI) phase of the Project or portions thereof; and be it further

RESOLVED, that the Project Fund B.00210, 2008 Clarence Center Road Bridge Design, Fund Center 123, Fund 420, be increased by the anticipated Federal and Marchiselli revenue in the amount of \$213,750.00 as follows:

REVENUES		CURRENT BUDGET	INCREASE/ DECREASE	REVISED BUDGET
Account	Description			
414000	Federal Aid	\$ 0	\$180,000	\$180,000
405160	NYS Marchiselli	\$ 0	\$33,750	\$33,750
475000	Gen Oblig Bond Proc	\$16,840	\$ 0	\$ 16,840
TOTAL REVENUES		\$16,840	\$213,750	\$230,590
APPROPRIATIONS				
Capital Projects	Capital Project Exp	\$16,840	\$213,750	\$230,590
TOTAL APPROPRIATIONS		\$16,840	\$213,750	\$230,590

and be it further

RESOLVED, that the estimated total sum of Project phase, \$225,000.00 is hereby appropriated from B.00210, 2008 Clarence Center Road Bridge Design and made available to cover the cost of participation in the above phases of the Project; and be it further

RESOLVED that the County Executive be authorized to execute a negotiated contract in an amount not to exceed the allowable Project design amount between the County of Erie and Hatch Mott MacDonald as Project Design Engineers; 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 Preliminary Engineering (Scoping & Design I-VI) phase exceeds \$225,000.00 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 ten (10) certified copies of this resolution be forwarded 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 County Attorney, and the Office of the Comptroller.

(4-0)

THOMAS A. LOUGHRAN
CHAIR