

February 16, 2017

ECONOMIC DEVELOPMENT COMMITTEE
REPORT NO. 3

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

1. RESOLVED, the following items are hereby received and filed:
 - a. COMM. 19E-7 (2016)
RATH: “Letter to County Executive Regarding Maintenance of Conner Road”
(6-0)
 - b. COMM. 21E-25 (2016)
LORIGO: “Letter to County Executive Regarding Meeting to Discuss Road Safety Concerns
Maple Rd, Elma and East Aurora”
(6-0)
 - c. COMM. 3E-26 (2017)
COUNTY EXECUTIVE: “Initiatives for a Smart Economy - 2016 Bi-Annual Reports”
(6-0)
2. COMM. 3E-6 (2017)
COUNTY EXECUTIVE
WHEREAS, the existing Maintenance Building is over 100 years and has ongoing issues with roof leaks, the building is energy inefficient and does not meet current safety, OSHA & Building Code standards; and

WHEREAS, it is more cost effective and prudent to construct a new building that will be energy efficient and comply with all current safety, OSHA & Building Code standards; and

WHEREAS, the County Executive is requesting authorization to enter into an Agreement with the firm of Advanced Architecture & Planning for providing professional architectural/engineering services for the Erie County Clarence Highway Facility-2017-New Maintenance Facility.

NOW, THEREFORE, BE IT

RESOLVED, that the County Executive is authorized to execute an Agreement with the firm of Advanced Architecture & Planning for providing professional Architectural/Engineering services for the Erie County Clarence Highway Facility – 2017 – New Maintenance Facility for an amount not to exceed \$100,000.00, including a design contingency; and be it further

RESOLVED, that the Comptroller’s office be authorized to make payments for the above from SAP accounts as follows:

A.20918-2009-Countywide Roof Replacement & Waterproofing	\$ 30,000
A.16004-2016-Countywide Code Compliance & Environmental	\$ 55,000
A.16009-2016-Countywide Environmental Regulatory Compliance	<u>\$ 15,000</u>
Amount Not To Exceed	\$100,000

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)

3. COMM. 3E-7 (2017)
COUNTY EXECUTIVE
WHEREAS, the Elmwood Ave. Pedestrian/Bicycle Improvements Project, PIN 5761.03 (the “Project”) is eligible for funding under the Federal Transportation Alternatives Program (TAP) administered by the New York State Department of Transportation (NYSDOT), such funding being apportioned as stated in Title 23 U.S. Code, as amended, that calls for the costs of such program to be borne at the ratio of 80% Federal funds and 20% Non-Federal funds; and

WHEREAS, under TAP the federal cost share is limited to the amount set forth in the agreement with NYSDOT with any additional costs being borne 100% by the local sponsor; and

WHEREAS, the County of Erie has agreed to act as sponsor of the Project at the request of the Village of Kenmore; and

WHEREAS, the Village of Kenmore through an Inter-Municipal Agreement (IMA) has agreed to reimburse the County of Erie for the entire local (non-federal) cost share, including 100% of any overruns up to a maximum of \$225,000 in local funds; and

WHEREAS, in Comm. 7E-5 of April 23, 2015 and Comm. 10E-16 of May 28, 2015 this Honorable Body approved this project and participation in the Preliminary Engineering (Scoping & Design I-VI) and Right of Way Incidentals phases of the project; and

WHEREAS, the County of Erie would like to advance the Project’s Supplemental Agreement No.1 with NYSDOT which includes the addition of the Construction and Construction Inspection phases of the Project, by making a commitment of 100% of the Non-Federal share of the costs; and

WHEREAS, the NYSDOT supplemental agreement is in the total amount of \$935,000 an increase of \$815,000 over the County's existing Project agreement with NYSDOT; and

WHEREAS, the \$815,000 increase includes a \$50,000 100% locally funded share the estimated local share for the increase in Project cost is in the amount of \$187,000 which is available from the SAP projects hereinafter noted; and

WHEREAS, the \$187,000 increase in local share results in a total local share for the project of \$227,000 which is \$2,000 more than the limit of \$225,000 agreed to in the IMA; and

WHEREAS, the County desires to advance the project without amending the existing IMA to meet a letting schedule agreed to by NYSDOT; and

WHEREAS, the Village has provided a letter from the Mayor and a Village Board resolution agreeing to reimburse the County for the additional \$2,000 in local share.

NOW, THEREFORE, BE IT

RESOLVED, that the Erie County Legislature hereby approves the above subject Project and Supplemental Agreement No. 1; 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 Construction and Construction Inspection phases of the Project or portions thereof; and be it further

RESOLVED, that the Project budget be adjusted to reflect the anticipated federal revenue for the Construction and Construction Inspection phases as follows:

Fund 420, BA 123, B.15077, 2015 Elmwood Ped Bike Improvements, PIN 5761.03:

REVENUES		CURRENT BUDGET	INCREASE/ DECREASE	REVISED BUDGET
Account	Description			
414000	Federal Aid	\$80,000.	\$628,000.	\$708,000.
420499	OthLocal Source Rev	<u>\$40,000.</u>	<u>\$185,000.</u>	<u>\$225,000.</u>
TOTAL REVENUES		<u>\$120,000.</u>	<u>\$813,000.</u>	<u>\$933,000.</u>

APPROPRIATIONS

Capital Projects	Capital Project Exp	\$120,000.	\$813,000.	\$933,000.
Unallocated	Unallocated Capital	<u>\$0.</u>	<u> </u>	<u>\$0.</u>
TOTAL APPROPRIATIONS		<u>\$120,000.</u>	<u>\$813,000</u>	<u>\$933,000.</u>

; and be it further

RESOLVED, that the Erie County Office of Budget and Finance adjust the accounts noted to accept additional federal revenue in the amount of \$628,000 and additional funds from the Village of Kenmore in the amount of \$185,000; and be it further

RESOLVED, that \$2,000 be made available from BA 123, Fund 420, SAP Project B.16050 – 2016 Capital Overlay to provide the additional local share required that is currently not covered by the IMA with the Village of Kenmore but which will be included in a future amendment; 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 Phases as described above exceed the amounts noted the County of Erie shall convene its Legislature as soon as possible to appropriate said excess amount; 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, (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 County's first instance funding of Project costs and 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.

(6-0)

4. COMM. 3E-8 (2017)
COUNTY EXECUTIVE

WHEREAS, the Department of Public Works (DPW) is in the process of implementing the latest Information and Communication Technology (ICT) tools available in order to provide improved services to the Public; and

WHEREAS, this effort is multi-faceted and will be utilized by all sections of DPW (Divisions of Highways, Buildings & Grounds, Fleet and Weights and Measures); and

WHEREAS, the Department of Public Works asked for and received proposals to review, analyze, and assist in the implementation of Information and Communication Technology; and

WHEREAS, the objective of the ICT assessment is to summarize the strategic goals and the current status of ICT in DPW; and

WHEREAS, a DPW Selection Committee has recommended that the Global Dynamic Group (GDP) provide the requested services.

NOW, THEREFORE, BE IT

RESOLVED, that the County Executive is authorized to issue a contract to Global Dynamic Group, LLC (GDP) to review, analyze, and assist in the implementation of Information and Communication Technology in Department of Public Works; and be it further

RESOLVED, that the Comptroller's Office be authorized to make payments to GDP from SAP Project B.16003, Fund 420, Business Area 123, for an amount not to exceed \$149,200; and be it further

RESOLVED, that two 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, and the Office of the Comptroller.
(6-0)

5. COMM. 3E-24 (2017)
COUNTY EXECUTIVE

WHEREAS, the County of Erie had previously entered into a contract with the Erie County Soil and Water Conservation District who have the necessary expertise and personnel to perform the necessary inspections and evaluations as well as to carry out administrative responsibilities related to the delivery of various technical services including stream bank maintenance, bridge and culvert scour maintenance; and

WHEREAS, it has become necessary to implement the County-wide Stream Maintenance Program to continue to reduce erosion and localized flood-related risk to roads, bridges, culverts and rights-of-way by removing gravel bars and vegetative debris obstructing or diverting the natural flow of streams, repair bridge and culvert scour or prevention of same; and

WHEREAS, Article 5-G of the General Municipal Law authorizes municipalities and districts to contract to perform together that which each public entity is authorized to perform individually; and Article 5, Section 99-R of the same General Municipal Law authorizes Erie County and the District to contract by direct negotiations for services of government not regularly provided to the public as part of general government services; and

WHEREAS, the Legislative Body of Erie County and the Board of Directors of the Erie County Soil and Water Conservation District have previously authorized a municipal agreement on September 22, 2016, at Meeting Number 18, Communication Number 14E-13 for the purpose of performing a County-wide Stream Maintenance Program and renewing these services.

NOW, THEREFORE, BE IT

RESOLVED, that the Agreement between the County of Erie and the Erie County Soil and Water Conservation District be renewed in an amount of \$100,000.00 to be allocated from Business Area 123, Cost Center 1231010, Fund 210, General Ledger Account 516020 – Professional Services, for technical services to reduce erosion, scour and localized flooding related risks to roads, bridges, culverts and rights-of-way at various locations; and be it further

RESOLVED, that three (3) 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, Management and Finance, and the Office of the Comptroller.
(6-0)

6. COMM. 3E-25 (2017)
COUNTY EXECUTIVE

WHEREAS, the Department of Public Works, Division of Highways has accepted bids for the Locally Administrated Federal Aid Project, Bridge Painting and Repairs (4 bridges), FA-5761.30-16 ; and

WHEREAS, as the County of Erie desires to advance the construction phase of this project by making a commitment for construction inspection and

WHEREAS, via Comm. 14E-12 of September 22, 2016 the Legislature approved CHA Consultants, Inc., as Project Engineer; and

WHEREAS, a contract amendment to CHA Consultant Inc. project contract is necessary to progress the construction inspection and construction administration; and

WHEREAS, the Department of Public Works, Division of Highways, determined that CHA Consultants, Inc. has the appropriate expertise and experience to respond in a timely manner;

NOW, THEREFORE, BE IT

RESOLVED, that the County Executive be authorized to execute an amendment with CHA Consultants, Inc. project contract, for the heretofore required services in the amount of \$105,000. from 2016 Preservation of Bridges and Culverts Program-Construction Inspection, Fund 420, BA123, SAP Account B.16015.3; 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)

JOSEPH C. LORIGO
CHAIR