

July 21, 2014

ENERGY & ENVIRONMENT COMMITTEE
REPORT NO. 11

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

- 1. RESOLVED, the following item is hereby received and filed:
 - a. COMM. 12E-22 (2014)
COUNTY EXECUTIVE: "EC Sewer District No. 5, Clarence Research Park STP Improvements, Contract No. 19"
(6-0)

- 2. COMM. 13E-13 (2014)
COUNTY EXECUTIVE **AS AMENDED**
WHEREAS, the Tribute Garden will honor those whose lives have been affected by domestic violence and give survivors and their families a safe place to reflect and find solace; and

WHEREAS, the Erie County Department of Public Works received bids for the Isle View Park – 2014 – Tribute Garden – Phase I on July 8, 2014 and is recommending award of a contract, along with the Architect, 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, Scott Lawn Yard, Inc. for an amount not to exceed \$33,550.00; and be it further

RESOLVED, that the sum of \$6,450.00 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 Comptroller's Office be authorized to make payment for all the above from SAP project account and Erie County Operating Budget as follows:

A.14007 –2014- Countywide Parks Improvements	\$15,000.00
Fund 110, Fund Center 10910, Account 513060	<u>\$25,000.00</u>

For An Amount Not To Exceed \$40,000.00

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, Department of Public Advocacy, the Division of Budget and Management and the Office of the Comptroller.
(6-0)

- 3. COMM. 14E-13 (2014)
COUNTY EXECUTIVE
WHEREAS, the Erie County Department of Environment and Planning has received the following lowest responsible bid for the Erie County Sewer District No. 5, Clarence Research Park STP Improvements, Contract No. 19 at 2:00 P.M. on June 10, 2014:

<u>Contract</u>	<u>Low Bidder</u>	<u>Amount</u>
Contract No. 19	NFP and Sons, Inc. 7311 Ward Road North Tonawanda, NY 14120	\$453,300.00

WHEREAS, the aforementioned lowest responsible bidder has successfully completed similar sized construction contracts in Erie County; and

WHEREAS, there is available cash in the County Sewer District No. 5 Capital Reserve Account C.00005.

NOW, THEREFORE BE IT

RESOLVED, the Clarence Research Park STP Improvement project, Contract No. 19, be awarded to NFP and Sons, Inc. in the not to exceed amount of \$453,300.00; and be it further

RESOLVED, that the County Executive be, and hereby is, authorized to execute the Contract with the aforementioned lowest responsible bidder subject to approval as to content by the Commissioner of the Department of Environment and Planning and approval as to form by the County Attorney's office; and be it further

RESOLVED, that the Erie County Comptroller and Director of Budget and Management be authorized and directed to establish a new Capital Project – C.14501 – "ECSD5 CRP STP Upgrades .453M", with estimated revenues of \$453,300.00 ((486000), Interfund Transfer from Capital Reserve) and

appropriations of \$453,300.00 (Professional Services (516020)), and to establish all budgetary accounts necessary to facilitate transfer of funds; and be it further

RESOLVED, that the Erie County Comptroller and Director of Budget and Management be authorized to establish budgets as necessary and directed to transfer \$453,300.00 from Erie County Sewer District No. 5 Capital Reserve Account C.00005 to Erie County Sewer District No. 5 Capital Account C.14501; and be it further

RESOLVED, that the Erie County Comptroller be authorized and directed to allocate \$453,300.00 from Erie County Sewer District No. 5 Capital Account C.14501 for this project, and be it further;

RESOLVED, that the Clerk of the Legislature be directed to send one (1) certified copy each of this resolution to the County Executive, the County Comptroller, the Director of Budget and Management, and Kristen Walder, Assistant County Attorney; and send two (2) certified copies of this resolution to Joseph L. Fiegl, P.E., Department of Environment and Planning.
(6-0)

4. COMM. 14E-15 (2014)
COUNTY EXECUTIVE

WHEREAS, the Sprague Brook Park Dam #1, Sprague Brook Park Dam #2, and Erie County Forestry Dam Rehabilitation Project will be advertised, bid, and ready for award of construction contract to the responsible low bidder; and

WHEREAS, the Sprague Brook Park Dam #1, Sprague Brook Park Dam #2, and Erie County Forestry Dam Rehabilitation Project will rehabilitate three (3) dams; and

WHEREAS, funding for this Project was approved and is available in Fund 420, Business Area 123, Project B.11029.1 – 2011 Dam Safety and Preservation, Construction in the amount of \$284,914.51; and in Fund 420, Business Area 123, Project B.12010.1 – 2012 Dam Safety and Preservation, construction in the amount of \$150,000.00.

WHEREAS, it is necessary that this approval be granted, so that the contract can be awarded to allow the contractor to order material as soon as possible by the County executing the construction contract with the responsible low bidder and by establishing a Construction Contingency; and

WHEREAS, a contract must be negotiated with Bergmann Associates, for construction inspection and engineering services during construction for this project.

NOW, THEREFORE, BE IT

RESOLVED, that the County Executive be authorized and is hereby directed to award and execute a contract for the Sprague Brook Park Dam #1, Sprague Brook Park Dam #2, and Erie County Forestry Dam Rehabilitation Project between the County of Erie and the lowest responsible bidder, establish a Construction Contingency and execute a negotiated contract between the County of Erie and project engineers Bergmann Associates; and be it further

RESOLVED, that funding for the Sprague Brook Park Dam #1, Sprague Brook Park Dam #2, and Erie County Forestry Dam Rehabilitation Project be allocated from Fund 420, Business Area 123, Project B.11029.1 – 2011 Dam Safety and Preservation, Construction in an amount not to exceed \$284,914.51, and from Fund 420, Business Area 123, Project B.12010.1 – 2012 Dam Safety and Preservation, Construction; and be it further

RESOLVED, that the Department of Public Works will inform the Erie County Legislature, for information only, as to what contractor was the successful low responsible bidder for the Sprague Brook Park Dam #1, Sprague Brook Park Dam #2, and Erie County Forestry Dam Rehabilitation Project; 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 Division of Budget and Management, and the Office of the Comptroller.
(6-0)

TED B. MORTON
CHAIR