

February 5, 2015

ENERGY & ENVIRONMENT COMMITTEE
REPORT NO. 2

ALL MEMBERS PRESENT.

1. RESOLVED, the following items are hereby received and filed:
 - a. COMM. 2E-21 (2015)
COUNTY EXECUTIVE: "EC Sewer District No. 3 - Change Order No. 1 to Contracts, Southtowns Influent Pumping Station and ORF Improvements Project"
(5-0)
 - b. COMM. 2M-3 (2015)
COUNTY EXECUTIVE: "Cleanup Requirements Achieved at Brownfield Webster Block Site, 75 Main St, Buffalo"
(5-0)
 - c. COMM. 2M-4 (2015)
NYSDEC: "Cleanup Requirements Achieved at Brownfield Site, 822 Seneca St, Buffalo"
(5-0)
 - d. COMM. 2M-5 (2015)
NYSDEC: "Cleanup Requirements Achieved at Brownfield Site, 1001/979 Main St, Buffalo"
(5-0)
 - e. COMM. 2M-6 (2015)
NYSDEC: "Remedy Proposed for Brownfield Site, 295 Maryland St, Buffalo"
(5-0)
 - f. COMM. 2M-7 (2015)
NYSDEC: "Draft Investigation Work Plan for Brownfield Site, 73-79 W. Huron St, Buffalo"
(5-0)
 - g. COMM. 2M-8 (2015)
NYSDEC: "Cleanup and Remedial Measures Proposed, 500 Seneca St, Buffalo"
(5-0)
 - h. COMM. 2M-9 (2015)
NYSDEC: "Brownfield Cleanup Program Public Notice, Northtown Inc. Site, Amherst"
(5-0)

- i. COMM. 2M-10 (2015)
NYSDEC: "Funding to Complete Cleanup of 13 Municipally Owned Contaminated Sites"
(5-0)
 - j. COMM. 2M-11 (2015)
NYS DEPARTMENT OF PUBLIC SERVICE: "Reforming the Energy Initiative"
(5-0)
2. COMM. 2E-18 (2015)
COUNTY EXECUTIVE
WHEREAS, the Department of Public Works received bids for the Elma Meadows Golf Course - 2014- Club House Roof Replacement project on December 15, 2014; and

WHEREAS, the lowest responsible bidder is Javen Construction Co., Inc.; and

WHEREAS, the Erie County Department of Public Works and its consultant is recommending award of the contract 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, Javen Construction Co., Inc., for the Elma Meadows Golf Course -2014- Club House Roof Replacement project for an amount not to exceed \$339,000.00; and be it further

RESOLVED, that the sum of \$36,000.00 be allocated to a Construction Contingency Fund for the Elma Meadows Golf Course -2014- Club House Roof Replacement project 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 A.20918- 2009 Countywide Roof Replacement & Waterproofing for an amount not to exceed \$375,000.00, 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, and the Office of the Comptroller.

(5-0)

3. COMM. 2E-19 (2015)

COUNTY EXECUTIVE

WHEREAS, the Erie County Legislature through Communication 19E-7 (2014) authorized the Erie County Executive to enter into easements with the New York State Department of Transportation (NYSDOT) and National Grid allowing said State and utility to undertake necessary work related to rehabilitation of culvert number 530266, Niagara Street over Two Mile Creek in the City of Tonawanda; and

WHEREAS, said culvert is located on lands under the ownership of the County of Erie; and

WHEREAS, the NYSDOT has established a value of said easement at \$7,100.

NOW, THEREFORE, BE IT

RESOLVED, that authorization is hereby provided to accept funding in an amount not to exceed \$7,100 from the NYSDOT and to adjust the 2015 Erie County Department of Parks, Recreation and Forestry budget accordingly; and be it further

RESOLVED, that the following account within the 2015 Erie County budget shall incorporate the additional \$7,100 noted above:

Fund 110 – Fund Center 16410, GL 420520 – Rent for Real Property
– ROW – Easements

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 the Commissioner of the Department of Parks, Recreation, and Forestry, Rath Building, 13th Floor.
(5-0)

4. COMM. 2E-20 (2015)

COUNTY EXECUTIVE

WHEREAS, the Erie County Legislature had awarded Contract No. 52 to Progressive Roofing, Inc.; and

WHEREAS, the Erie County Department of Environment and Planning, Division of Sewerage Management has advised the Legislature that all scheduled improvements are now completed; and

WHEREAS, the Erie County Department of Environment and Planning, Division of Sewerage Management has recommended the final acceptance of Contract No. 52 in the final contract amount of \$117,217.50, which includes Change Order No. 1 (final), a decrease of (\$6,782.50).

NOW, THEREFORE BE IT

RESOLVED, that Contract No. 52 between the County of Erie and Progressive, Inc., 331 Grote Street, Buffalo, N.Y. 14207, is accepted in the amount of \$117,217.50 which includes Change Order No. 1 (final), a decrease of (\$6,782.50); and be it further

RESOLVED, that the Erie County Comptroller is hereby authorized and directed to finalize Contract No. 52 between the County of Erie and Progressive Roofing, Inc. in the amount of \$117,217.50 and make final payment from Erie County Sewer District No. 6 Account C.00064 and return the unused balance in Account C.00064; and be it further

RESOLVED, that the Clerk of the Legislature be directed to send one certified copy each of this Resolution to the County Executive; Erie County Comptroller’s Office; Kristen Walder, Assistant County Attorney; and two (2) certified copies to Joseph L. Fiegl, P.E. Department of Environment and Planning, Division of Sewerage Management, Rath Building, 10th floor.
(5-0)

5. COMM. 2E-31 (2015)

COUNTY EXECUTIVE

WHEREAS, the Commissioner of Parks, Recreation and Forestry has requested a study that analyzes site irrigation and drainage improvements of the Elma Meadows and Grover Cleveland golf courses. A qualified design professional consultant is required to properly design an irrigation system and water source at Elma Meadows golf course and to improve the golf course drainage at Grover Cleveland golf course; and

WHEREAS, the County is required, pursuant to the 2014 Lease Agreement between the Buffalo Bills, Erie County Stadium Corporation, dba Empire State Development (ESD) and Erie County to provide Capital Improvement Allowance projects to Ralph Wilson Stadium on an annual basis; and

WHEREAS, the existing roof system located at the west end suites of Ralph Wilson Stadium is past its useful life and actively leaking into the building interior space and systems; and

WHEREAS, your Honorable Body has previously approved a General Architectural/Engineering agreement with the engineering firm of DiDonato Associates for providing professional A/E services on County projects; and

WHEREAS, the County Executive is requesting authorization to issue Agreement Amendment to DiDonato Associates for providing professional A/E services for an irrigation and drainage study for the Elma Meadows and Grover Cleveland Golf Courses – 2014 - Site Irrigation and Drainage Improvement project and for the design and construction of the Ralph Wilson Stadium-2014-West End Suites Roof Replacement project.

NOW, THEREFORE, BE IT

RESOLVED, that the County Executive is hereby authorized to enter into an Agreement Amendment with the A/E firm of DiDonato Associates for providing professional A/E services for an irrigation and drainage study of the Elma Meadows and Grover Cleveland Golf Courses -2014- Site Irrigation and Drainage Improvement projects for an amount not to exceed \$55,000.00, including a design contingency; and be it further

RESOLVED, that the County Executive is authorized to enter into an Agreement Amendment with the A/E firm of DiDonato Associates for providing professional A/E services for the design and construction administration of the Ralph Wilson Stadium-2014-West End Suites Roof Replacement project, for an amount not to exceed \$25,000.00, including a design contingency; 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:

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|---|--------------------|
| A.12014 - 2012 - Golf Course Drainage (Bflo & Elma) | \$43,375.33 |
| A.13008 – 2013 – Countywide Park Improvements | \$11,624.67 |
| A.13001 – 2013 - Rehabilitation of Ralph Wilson Stadium | <u>\$25,000.00</u> |

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|----------------------------------|-------------|
| for a total amount not to exceed | \$80,000.00 |
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;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, Commissioner of Parks Recreation & Forestry, Division of Budget and Management, and the Office of the Comptroller.
(5-0)

**TED B. MORTON
CHAIR**