

November 18, 2013

ENERGY & ENVIRONMENT COMMITTEE
REPORT NO. 16

ALL MEMBERS PRESENT, EXCEPT LEGISLATOR MILLS.
CHAIR GRANT PRESENT AS EX-OFFICIO MEMBER.

1. RESOLVED, the following items are hereby received and filed:
 - a. COMM. 19E-16 (2013)
GRANT: "Letter to Legislator McCracken Concerning ECWA Interviews"
(5-0)
 - b. COMM. 19E-17 (2013)
GRANT: "Letter to Clerk of Legislature Concerning ECWA Interviews"
(5-0)
 - c. COMM. 19M-1 (2013)
NYSDEC: "Fact Sheet: 348 Langner Road Update - Cleanup Action Completed at Brownfield Site"
(5-0)
 - d. COMM. 19M-3 (2013)
NYSDEC: "Fact Sheet: Spaulding Update - DEC Certifies Cleanup Requirements Achieved; Final Engineering Report Approved"
(5-0)
 - e. COMM. 19M-7 (2013)
CHRISTOPHER J. O'BRIEN: "Resignation Letter as ECWA Commissioner"
(5-0)
2. COMM. 19E-8 (2013)
COUNTY EXECUTIVE
WHEREAS, Erie County on behalf of Erie County Sewer District No. 3 entered into an agreement with URS Corporation on April 15, 2003 to provide design and construction phase services associated with the Rush Creek Interceptor project; and

WHEREAS, URS Corporation as part of the agreement is providing General Services and Resident Inspection during construction of the Rush Creek Interceptor project; and

WHEREAS, there have been numerous delays and concept changes during study and redesign of the Rush Creek Interceptor project; and

WHEREAS, a change order is necessary to fund the General Services and Resident Inspection services during the construction phase of the project; and

WHEREAS, Erie County Sewer District No. 3 has adequate monies in account C.00012 to fund a change order; and

WHEREAS, the Department of Environment and Planning, Division of Sewerage Management recommends the approval of Change Order No. 5 for the April 15, 2003 URS Corporation agreement to provide the budget necessary to complete the engineering services associated with the Rush Creek Interceptor project.

NOW, THEREFORE, BE IT

RESOLVED, that Change Order No. 5 to the County of Erie/URS Corporation Agreement, dated April 15, 2013 be approved in the amount of \$248,235.92; and be it further

RESOLVED, that the Department of Environment and Planning, Division of Sewerage Management is hereby directed to execute and process the necessary Change Order, subject to certification of availability of funds by the Comptroller's Office; and be it further

RESOLVED, that the Erie County Comptroller is directed to allocate \$248,235.92 from Erie County Sewer District No. 3 Account C.00012 for payment of this Change Order; and be it further

RESOLVED, that the Clerk of the Legislature send one (1) certified copy each to the County Executive, the Erie County Comptroller, the Erie County Director of Budget and Management, Kristen Walder, Assistant County Attorney and two (2) certified copies of this resolution to Joseph L. Fiegl, P.E., Division of Sewerage Management.

(5-0)

TERRENCE D. McCracken
CHAIR