

March 3, 2011

COMMUNITY ENRICHMENT COMMITTEE  
REPORT NO. 1

ALL MEMBERS PRESENT.

CHAIR MILLER-WILLIAMS PRESENT AS EX-OFFICIO MEMBER.

1. RESOLVED, the following items are hereby received and filed:
  - a. COMM. 14E-6 (2010)  
**COUNTY EXECUTIVE:** "Re-Appointment to the Buffalo & EC Public Library Board of Directors for a Term Expiring 12/31/2013"  
(6-0)
  - b. COMM. 3D-2 (2011)  
**CLERK OF LEGISLATURE:** "EC Budget - 2011 Budget Accountability Act Notifications"  
(6-0)
  - c. COMM. 4M-7 (2011)  
**BUFFALO NIAGARA CONVENTION & VISITORS BUREAU:** "2011 Budget Accountability Act Submission"  
(6-0)
2. COMM. 3E-18 (2011)  
**COUNTY EXECUTIVE** **AS AMENDED**

WHEREAS, the Erie County Division of Real Estate received bids for the Erie Community College City Campus – Exterior Restoration project on October 18, 2010; and

WHEREAS, the Erie County Division of Real Estate and Asset Management is recommending award of contract to the lowest responsible bidder, along with the engineer; and

WHEREAS, your honorable body has previously approved a General Architectural/Engineering Agreement with the Engineering firm of Flynn Battaglia Architects, PC for providing professional services on County projects via Comm. 10E-17 (2009) and Comm. 7E-19 (2010); and

WHEREAS, the County Executive is seeking authorization from your honorable body to enter into a construction contract with Picone Construction Corporation for the Erie Community College City Campus – Exterior Restoration project; and

WHEREAS, the County of Erie has approved and bonded \$3.5 million for Erie Community College, City Campus, masonry project which is eligible for State matching funds; and

WHEREAS, currently the SUNY Construction Fund has bonded and available \$2,432,000 of its \$3,500,000 State share and is planning on borrowing the remaining amount in 2011; and

WHEREAS, in order to allow the project to go forward in a timely manner prior to full bonding of the State's share, ECC will guarantee, through a Memorandum of Understanding, which has received approval by the Erie Community College's Board of Trustees, which will guarantee, to Erie County, any reimbursement requests made to the State that are delayed if the State has not borrowed their full share of the project.

NOW, THEREFORE, BE IT

RESOLVED that, the County Executive is hereby authorized to enter into a Memorandum of Understanding with Erie Community College for the purpose of guaranteeing funding to the County of Erie for any reimbursement requests made to the State that are delayed due to the State's failure to borrow their full share of the project; and be it further

RESOLVED, that the County Executive is authorized to enter into a contract with the lowest responsible bidder for the Erie Community College City Campus – Exterior Restoration project as follows:

General Construction Work

Picone Construction Corporation for a base bid in the amount of \$2,874,000.00 along with Alternate #1 in the amount of \$956,000.000, Alternate #3 in the amount of \$368,000.00, Alternate #4 in the amount of \$573,000.00 and Alternate #6 in the amount of \$68,000.00 for a total contract amount of \$4,839,000.00

and be it further

RESOLVED, that the sum of \$800,000.00 be allocated to a construction contingency fund with authorization for the County Executive, upon prior Legislative approval, to approve change orders in an amount not to exceed the contingency; and be it further

RESOLVED, that deduct change orders will result in these funds returned to the contingency fund; 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:

E.00065 - 2006 Exterior Building Renovation in the amount of \$159,530.00, E.00068 - 2007 Exterior Building Renovation-ECC in the amount of \$1,502,096.34, E.00069 - 2007 Exterior Building Restoration-ECC in the amount of \$729,914.36, E.00071 - 2008 Exterior Building Restoration-ECC City in the

amount of \$1,397,459.30, E.20902 – 2009 ECC Exterior Building Renovation & Restorations in the amount of \$1,350,000.00 and E.21002 – 2010 ECC Exterior Building Renovation & Restorations in the amount of \$500,000.00.

and be it further

RESOLVED, that two certified copies of this resolution be sent to the Department of Public Works, Division of Real Estate and Asset Management, and one copy each to the Office of the County Executive, the Division of Budget and Management, Erie Community College – Chief Financial Officer, and the Office of the Comptroller.

(6-0)

**THOMAS A. LOUGHRAN**  
**CHAIR**