

February 8, 2011

ECONOMIC DEVELOPMENT COMMITTEE
REPORT NO. 3

ALL MEMBERS PRESENT, EXCEPT LEGISLATORS WALTER & RATH.
CHAIR MILLER-WILLIAMS PRESENT AS EX-OFFICIO MEMBER.

1. RESOLVED, the following items are hereby received and filed:
 - a. COMM. 10E-2 (2010)
COUNTY EXECUTIVE: "ECC - City Campus - Exterior Masonry Restoration"
(4-0)
 - b. COMM. 3M-4 (2011)
NFTA: "Minutes of Meeting Held 12/20/2010"
(4-0)

2. COMM. 3E-20 (2011)
COUNTY EXECUTIVE
WHEREAS, the Cemetery Road Bridge Replacements over the Norfolk Southern Railroad and Plum Bottom Creek Project will be advertised, bid, and ready for award of construction contract to the responsible low bidder; and

WHEREAS, this project for the replacement of two bridges on Cemetery Road, Bridges BR 341-RR-1 and BR 431-3, PIN 5755.27 (the "Project") was authorized by this honorable body via Comm. 13E-36 of July 26, 2007, Comm. 21E-12 of November 12, 2008, and Comm. 24E-26 of December 16, 2010; and

WHEREAS, funding for this project was approved and is available in SAP B.20930 - 2009 Cemetery Road Bridge Construction in the amount of \$6,992,000.00; and

WHEREAS, due to the Legislative schedule during the months of February and March it is necessary that this approval be granted, so that the Contract can be awarded to allow the Contractor to begin construction as soon as possible; and

WHEREAS, in order to facilitate the construction of the replacement of two bridges on Cemetery Road, it will be necessary for the County to execute the Construction Contract with the responsible Low Bidder and establish a construction contingency; and

WHEREAS, a change order must be negotiated with Erdman Anthony and Associates, Inc. for construction inspection and services during construction.

NOW, THEREFORE, BE IT

RESOLVED, that the County Executive be authorized and is hereby directed to award and execute a Contract for the Cemetery Road Bridge Replacements over the Norfolk Southern Railroad and Plum Bottom Creek Project 5755.27 between the County of Erie and the lowest responsible bidder, establish a construction contingency and execute a negotiated change order between the County of Erie and project engineers Erdman Anthony and Associates, Inc., in an amount not to exceed \$6,992,000.00; and be it further

RESOLVED, that the funds for the Cemetery Road Bridge Replacements over the Norfolk Southern Railroad and Plum Bottom Creek Project be allocated from the 2009 Cemetery Road Bridges Construction Project fund (B.20930) in an amount not to exceed \$6,992,000.00; 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 and/or Marchiselli Aid on behalf of the County of Erie with the New York State Department of Transportation in connection with the advancement or approval of the Project; 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 lowest responsible bidder for the Cemetery Road Bridge Replacements over the Norfolk Southern Railroad and Plum Bottom Creek Project 5755.27; and be it further

RESOLVED, that the Clerk of the Legislature be instructed to forward five (5) 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.
(4-0)

3. COMM. 3E-21 (2011)
COUNTY EXECUTIVE
WHEREAS, the Pavement Road Bridge Replacement over the CSX Railroad and Bridge Removal over an Abandoned Railroad Project will be advertised, bid, and ready for award of construction contract to the responsible low bidder; and

WHEREAS, this project for the replacement of one bridge and the abandonment of another on Pavement Road, Bridges BR 139-RR-1 and BR 139-RR-2, PIN 5755.38 (the "Project") was authorized by this honorable body via Comm. 14E-20 of July 6, 2000, Comm. 5E-9 of March 25, 2010, and Comm. 21E-6 of November 18, 2010; and

WHEREAS, funding for this project was approved and is available in SAP B.00179 - 2007 Pavement Road Construction in the amount of \$3,000,000.00; and

WHEREAS, due to the Legislative schedule during the months of February and March it is necessary that this approval be granted, so that the Contract can be awarded to allow the Contractor to begin construction as soon as possible; and

WHEREAS, in order to facilitate the construction of the replacement of one bridge and the abandonment of another on Pavement Road, it will be necessary for the County to execute the Construction Contract with the responsible Low Bidder and establish a construction contingency; and

WHEREAS, a change order must be negotiated with Urban Engineers of NY, PC for construction inspection and services during construction.

NOW, THEREFORE, BE IT

RESOLVED, that the County Executive be authorized and is hereby directed to award and execute a Contract for the Pavement Road Bridge Replacement over the CSX Railroad and the Removal of a Bridge over an Abandoned Railroad Project 5755.38 between the County of Erie and the lowest responsible bidder, establish a construction contingency and execute a negotiated change order between the County of Erie and project engineers Urban Engineers of NY, PC in an amount not to exceed \$3,000,000.00; and be it further

RESOLVED, that the funds for the Pavement Road Bridge Replacement over the CSX Railroad and Removal of the Bridge over an Abandoned Railroad Project be allocated from the 2007 Pavement Road Construction Project fund (B.00179) in an amount not to exceed \$3,000,000.00; 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 and/or Marchiselli Aid on behalf of the County of Erie with the New York State Department of Transportation in connection with the advancement or approval of the Project; 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 lowest responsible bidder for the Pavement Road Bridge Replacement over the CSX Railroad and Removal of the Bridge over an Abandoned Railroad Project 5755.38; and be it further

RESOLVED, that the Clerk of the Legislature be instructed to forward five (5) 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.
(4-0)

TIMOTHY J. WHALEN
CHAIR