

April 23, 2015

ENERGY & ENVIRONMENT COMMITTEE
REPORT NO. 7

ALL MEMBERS PRESENT.

1. RESOLVED, the following item is hereby received and filed:

a. COMM. 7D-10 (2015)
CLERK OF THE LEGISLATURE: "NYS DEC Documents Received"
(5-0)

2. COMM. 3E-13 (2015)
COUNTY EXECUTIVE AS AMENDED
WHEREAS, the Erie County Department of Environment and Planning has received the following lowest responsible bid for the Erie County Sewer District No. 4, Contract No. 40RB at 11:00 A.M. on April 16, 2015.

<u>Contract</u>	<u>Lowest Responsible Bidder</u>	<u>Amount</u>
Contract 40RB	Concrete Applied Technologies Corp. dba Catco 1266 Townline Road Alden, NY 14004	\$7,833,515.00

WHEREAS, the aforementioned lowest responsible bidder have successfully performed similar work in Erie County.

NOW, THEREFORE, BE IT

RESOLVED, that the Aurora North Pump Station Elimination Sanitary Sewer Project, Contract 40RB be awarded to Concrete Applied Technologies Corp., dba Catco, 1266 Townline Road, Alden, New York 14004 in the amount of \$7,833,515.00; and it be further

RESOLVED, that funds be allocated for this contract from Erie County Sewer District No. 4 capital account C.00072; 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 Environment and Planning, approval as to form by the County Attorney, and certification of availability of funds by the Comptroller's Office; 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, the Director of Budget and Management, the County Comptroller, Gregory Kammer, Assistant County Attorney; and two (2) certified copies to Joseph L. Fiegl, P.E., Department of Environment and Planning, Rath Building, 10th Floor.
(5-0)

3. COMM. 5E-15 (2015)
COUNTY EXECUTIVE AS AMENDED
WHEREAS, the Erie County Department of Environment and Planning has received the following lowest responsible bid for the Erie County Sewer District No. 2, Lakeshore Road Low Pressure Grinder System, Contract No. 86 at 2:00 pm on March 26, 2015;

<u>Contract</u>	<u>Low Bidder</u>	<u>Amount</u>
Contract No. 86	DJM Contracting, Inc. 1128 Jamison Road Elma, NY 14059	\$230,548.00

NOW, THEREFORE BE IT

RESOLVED, the Lakeshore Road Low Pressure Grinder System, Contract No. 86 be awarded to DJM Contracting, Inc. in an amount not to exceed \$230,548.00; and be it further

RESOLVED, that the County Executive be, and is hereby 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 be authorized and directed to allocate \$230,548.00 from Erie County Sewer District No. 2, Capital Account C.00011 for this project; and it be further

RESOLVED, that the Clerk of the Legislature be directed to send one (1) certified copy each of this resolution to the County Executive, Director of Budget and Management, Comptroller's Office, Gregory Kammer, Assistant County Attorney; and send two (2) certified copies of this resolution to Joseph L. Fiegl, P.E., Department of Environment and Planning.
(5-0)

4. COMM. 5E-17 (2015)
COUNTY EXECUTIVE AS AMENDED

WHEREAS, the Erie County Department of Environment and Planning has received the following lowest responsible bids for the Erie County Sewer District No. 3, Elma Pump Station Improvements, Contract No. 47 at 2:00 pm on March 18, 2015:

<u>Contract</u>	<u>Low Bidder</u>	<u>Amount</u>
Contract No. 47G	STC Construction, Inc. PO Box 459 Springville, NY 14141	\$336,480.00
Contract No. 47E	South Buffalo Electrical, Inc. 1250 Broadway Street Buffalo, NY 14212	\$164,498.00

; and

WHEREAS, Erie County Sewer District No. 3 will receive reimbursement from Steuben Foods for Contract No. 47 expenses pursuant to Legislative Comm. 5E-18 (2015); and

WHEREAS, the aforementioned lowest bidders has successfully performed similar work in Erie County.

NOW, THEREFORE BE IT

RESOLVED, the Elma Pump Station Improvements, Contract No. 47G be awarded to STC Construction, Inc. in the not to exceed amount of \$336,480.00 and Contract No. 47E be awarded to South Buffalo Electrical, Inc. in the amount not to exceed \$164,498.00; and be it further

RESOLVED, that the County Executive be, and is hereby authorized to execute the Contract with the aforementioned lowest, responsible bidders subject to approval to content by the Commissioner of the Department of Environment and Planning and 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.15301 – “Elma PS Imp 2015 0.55M” with estimated revenues of \$550,000.00 ((4204990) Other Local Source) and appropriations of \$550,000.00 (Professional Services (516020)); and it be further

RESOLVED, that the Erie County Comptroller be authorized and directed to allocate \$550,000 from Erie County Sewer District No. 3, Capital Account C.15301 for this project; and it be further

RESOLVED, that the Clerk of the Legislature be directed to send one (1) certified copy each of this resolution to the County Executive, Director of Budget and Management, Comptroller's Office, 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.
(5-0)

5. COMM. 5E-19 (2015)

COUNTY EXECUTIVE AS AMENDED

WHEREAS, the Erie County Department of Environment and Planning has received the following lowest responsible bid for the Transit & Main Cured-in-Place Pipe Lining Project, Erie County Sewer District No. 5, Contract No. 21 at 10:00 a.m. on March 31, 2015:

<u>Contract</u>	<u>Lowest Responsible Bidder</u>	<u>Amount</u>
Contract No. 21	CMH Company, Inc. 12704 North Road Alden, NY 14004	\$210,060.00

; and

WHEREAS, the aforementioned lowest responsible bidder is recognized as a reputable contractor capable of completing this project; and

WHEREAS, Erie County Sewer District No. 5 has retained \$20,000.00 from developers under the Division's Infiltration/Inflow (I/I) Remedial Work Mandate for use in lining and other I/I projects, and which has been previously deposited in Capital Reserve Account C.00005; and

WHEREAS, Erie County Sewer District No. 5 has adequate cash in Capital Reserve Account C.00005, along with \$60,000.00 from the 2015 Operations Budget, to fund this project.

NOW, THEREFORE, BE IT,

RESOLVED, that the Transit & Main Cured-in-Place Pipe Lining Project, Erie County Sewer District No. 5, Contract No. 21 be awarded to CMH Company, Inc. In an amount not to exceed \$210,060.00; 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 County Comptroller is authorized and directed to allocate \$150,060.00 from Capital Bond Account C.00035 for the Transit & Main Cured-in-Place Pipe Lining Project, Erie County Sewer District No. 5, Contract No. 21; and be it further

RESOLVED, that the Director of Budget and Management and the County Comptroller be authorized to establish budgets as necessary and directed to transfer \$150,060.00 from Capital Reserve Account C.00005, \$20,000.00 of which was previously deposited to Erie County Sewer District No. 5 Capital Reserve from the Division's I/I Remedial work mandate, and the remaining \$60,000.00 will be funded from Fund 220, Cost Center 1811010, Account 516020 of the approved 2015 operating budget; 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, the Director of Budget and Management, the County Comptroller, Gregory Kammer, Assistant County Attorney; and two (2) certified copies to Joseph L. Fiegl, P.E., Department of Environment and Planning, Rath Building, 10th Floor.
(5-0)

6. COMM. 7E-9 (2015)

COUNTY EXECUTIVE

WHEREAS, the New York State Department of Environmental Conservation awarded Erie County two (2) Urban & Community Forestry grants; and

WHEREAS, the first grant is for \$24,000 to complete the "Erie County Parks Tree Inventory" needed at Ellicott Creek Park and Elma Meadows Park; and

WHEREAS, the second grant is for \$18,240 to complete the "Erie County Parks Tree Management" needed at Akron Falls Park and Como Lake Park; and

WHEREAS, professional and volunteer services, will be provided by the following higher education partners: Daemen College and Medaille Collage, as well as by the Erie County Soil and Water Conservation Service, the Erie County Department of Parks Recreation and Forestry and the Erie County Department of Environment and Planning.

NOW, THEREFORE, BE IT

RESOLVED, that the County Executive or Deputy County Executive is authorized to enter into an agreement with the New York State Department of Environmental Conservation for assistance with the "Erie County Parks Tree Inventory" project in an amount not to exceed \$24,000 in grant resources; and be it further

RESOLVED, that the County Executive or Deputy County Executive is authorized to enter into an agreement with the New York State Department of Environmental Conservation for assistance with the "Erie County Parks Tree Management" project in an amount not to exceed \$18,240 in grant resources; and be it further

RESOLVED, that the revenue from the New York State Department of Environmental Conservation for the "Erie County Parks Tree Inventory" and "Erie County Tree Management" projects is hereby appropriated in grant accounts in the Department of Parks, Recreation and Forestry (Business Area 164, Fund 281) as follows:

Erie County Tree Inventory
(Grant Period: 4/1/2015-4/1/2017)
SAP Grant Account #164EPTI1517

REVENUE:

<u>Account</u>	<u>Description</u>	<u>Budget</u>
409000	State Aid Revenue	\$24,000

TOTAL REVENUE \$24,000

APPROPRIATIONS:

<u>Account</u>	<u>Description</u>	<u>Budget</u>
516020	Professional Service Contract	\$24,000

TOTAL APPROPRIATIONS \$24,000

Erie County Tree Management
(Grant Period: 4/1/2015-4/1/2017)
SAP Grant Account #164EPTM1517

REVENUE:

<u>Account</u>	<u>Description</u>	<u>Budget</u>
409000	State Aid Revenue	\$18,240

TOTAL REVENUE \$18,240

APPROPRIATIONS:

<u>Account</u>	<u>Description</u>	<u>Budget</u>
516020	Professional Service Contract	\$18,240

TOTAL APPROPRIATIONS \$18,240

and be it further

RESOLVED, that the Director of the Division of Budget and Management is hereby authorized to implement any budget adjustments as required to comply with State and local funding requirements; 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 Parks, Recreation and Forestry, and the Commissioner of the Department of Environment and Planning, Rath Building, 10th Floor.
(5-0)

6. COMM. 7E-10 (2015)
COUNTY EXECUTIVE

WHEREAS, this Honorable Body has previously authorized the County Executive to enter into Agreements for Phases 1, 2, 3 and 4 of the Environmental Compliance Project with Wendel Companies, Architects/Engineers; and

WHEREAS, an additional Phase 5 is now required to provide, but not limited to, oil & water separator designs, environmental compliance audits, personnel training, record keeping reviews, and a design of new salt storage structures; and

WHEREAS, the County Executive is now requesting authorization from this Honorable Body, to issue an Agreement Amendment to Wendel Companies, Architects/Engineers, for Phase 5 of the Environmental Compliance Project; and

WHEREAS, it is also probable that additional environmental code deficiencies will be identified during the course of the work; and

WHEREAS, an additional design contingency amount should be authorized to fund change orders for this unforeseen design and compliance work in an amount not to exceed \$50,000.00.

NOW, THEREFORE, BE IT

RESOLVED, that the County Executive is hereby authorized to enter into an Agreement Amendment with Wendel Companies, Architects/Engineers, including a design contingency and reimbursables for Phase 5 of the Environmental Compliance Project for an amount not to exceed \$110,000.00; and be it further

RESOLVED, that the Comptroller's Office be authorized to make payment for all the above from SAP Project account A.13007 – 2013 – EPA Environmental Compliance Regulations Compliance, for an amount not to exceed \$110,000.00; and be it further

RESOLVED, that two certified copies of this resolution shall be sent to the Commissioner of the Department of Public Works; and one copy each to the Office of the County Executive; the County Comptroller; the County Attorney; and the Director of the Division of Budget and Management.
(5-0)

**TED B. MORTON
CHAIR**