

October 14, 2021

ENERGY & ENVIRONMENT COMMITTEE
REPORT NO. 15

ALL MEMBERS PRESENT.
CHAIR BASKIN PRESENT AS EX-OFFICIO MEMBER.

1. RESOLVED, the following item is hereby received and filed:
- a. COMM. 18M-2 (2021)
NYS AGRICULTURE & MARKETS: “Letter Regarding Districting Eligibility for Agricultural District No. 5”
(Chair’s Ruling)
2. COMM. 15E-8 (2021)
COUNTY EXECUTIVE AS AMENDED
WHEREAS, the County of Erie advertised for and received responses to a Request for Proposals to perform engineering services associated with the Southtowns Advanced Wastewater Treatment Facility – Phase 1 and Phase 2 Expansion Project in Erie County Sewer District (ECSD) No. 3; and

WHEREAS, this project is necessary to satisfy regulatory requirements, replace aging infrastructure, and expand the Southtowns Facility to service ECSD No. 3 for future decades; and

WHEREAS, a review committee was established by the Erie County Division of Sewerage Management to evaluate all responses to the County’s Request for Proposals for this project, using a consistent scoring matrix; and

WHEREAS, after conducting interviews and ranking proposals the review committee recommends Arcadis of New York, Inc. be retained to complete the requested engineering services.

NOW, THEREFORE, BE IT

RESOLVED, that the County Executive be, and hereby is, authorized to execute an Agreement with Arcadis of New York, Inc. (50 Fountain Plaza – Suite 600, Buffalo, New York, 14202) for professional services associated with this project in an amount not to exceed \$8,400,000.00, 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 authorization is hereby provided for the partial closing of up to \$4,200,000.00 in ECSD No. 3 Capital Reserve Account C.00007 to pay for a portion of these services; and be it further

RESOLVED, that authorization is hereby provided for the Division of Budget and Management to process a residual equity transfer of up to \$4,200,000.00 from ECSD No. 3 Capital Reserve Account C.00007 to ECSD No. 3 Bond Account C.17301; and be it further

RESOLVED, that \$8,400,000.00 be allocated in Bond Account C.17301 for these engineering services; and be it further

RESOLVED, that the Director of the Division of Budget and Management is hereby authorized to implement any budget adjustments necessary to facilitate this action; and be it further

RESOLVED, that any unused funds be returned to the ECSD No. 3 Capital Reserve Accounts and the budget be adjusted accordingly; and be it further

RESOLVED, that the Clerk of the Legislature shall send one (1) certified copy each to the County Executive, the County Comptroller, the Director of Budget and Management, Kristen Walder, Second Assistant County Attorney, and Joseph Fiegl, P.E., Division of Sewerage Management.
(6-0)

3. COMM. 18E-7 (2021)
COUNTY EXECUTIVE
WHEREAS, pursuant to Legislative Comm. 6E-34 (2020), Contract No. 43 was awarded to Skanex Pipe Services, Inc. to construct the Indian Church Road Cured In Place Pipe Lining Project, in Erie County Sewer District No. 1; and

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

WHEREAS, the Erie County Department of Environment and Planning has recommended the acceptance of Contract No.43, in the final contract amount of \$726,492.70 which includes Change Order No. 2 (final), a decrease of (\$51,066.30) and recommends approval for final payment.

NOW, THEREFORE, BE IT

RESOLVED, that Contract No. 43 between the County of Erie and Skanex Pipe Services, Inc. (753 Rowley Road, Victor, NY 14564) is accepted in the final contract amount of \$726,492.70 which includes Change Order No. 2 (final), a decrease of (\$51,066.30) and is allocated in Erie County Sewer District No. 1 Capital Account C.00057; and be it further

RESOLVED, that the Erie County Comptroller be directed to make final payment for Contract No. 43, to Skanex Pipe Services, Inc. for a total contract amount of \$726,492.70; and be it further

RESOLVED, that the Clerk of the Legislature be directed to send one (1) certified copy of this resolution to the County Executive, the Erie County Comptroller, the Director of Budget and Management, Kristen Walder, Assistant County Attorney, and Joseph Fiegl, P.E., Deputy Commissioner, Department of Environment and Planning.
(6-0)

4. COMM. 18E-8 (2021)
COUNTY EXECUTIVE

WHEREAS, pursuant to Legislative Comm. 3E-6 (2021), Contract 97 (General) was awarded to North Spur Construction LLC to construct the Big Sister Creek Water Resource Recovery Facility (WRRF) Concrete Repairs Project, in Erie County Sewer District No. 2; and

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

WHEREAS, the Erie County Department of Environment and Planning recommends closeout of Contract No. 97 (General) and requests approval to issue final payment.

NOW, THEREFORE, BE IT

RESOLVED, that Contract No. 97 (General) between the County of Erie and North Spur Construction LLC (156 Garrison Road, Buffalo, New York 14221) is accepted in the final contract amount of \$89,064.52 which includes Change Order No. 1 (final), an increase of \$3,064.52 and is allocated in Erie County Sewer District No. 2 Capital Account C.17201; and be it further

RESOLVED, that the Erie County Comptroller be directed to make final payment for Contract 97 (General), to North Spur Construction LLC for a total contract amount of \$89,064.52; and be it further

RESOLVED, that the Clerk of the Legislature be directed to send one (1) certified copy of this resolution to the County Executive, the Erie County Comptroller, the Director of Budget and Management, Kristen Walder, Assistant County Attorney, and Joseph Fiegl, P.E., Deputy Commissioner, Department of Environment and Planning.
(6-0)

5. COMM. 18E-9 (2021)
COUNTY EXECUTIVE

WHEREAS, pursuant to Legislative Comm. 13E-6 (2020), Contract No. 82 was awarded to Kandey Company, Inc. to construct the Sanitary Sewer Replacement Project, in Erie County Sewer District Nos. 3, 6, and 8; and

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

WHEREAS, the Erie County Department of Environment and Planning has recommended the acceptance of Contract No. 82, in the final contract amount of \$798,134.97 which includes Change Order No. 3 (final), a decrease of (\$31,864.03) and recommends approval for final payment.

NOW, THEREFORE, BE IT

RESOLVED, that Contract No. 82 between the County of Erie and Kandey Company, Inc. (19 Ransier Drive, West Seneca, NY 14224) is accepted in the final contract amount of \$798,134.97 which includes Change Order No. 3 (final), a decrease of (\$31,864.03) and is allocated in Sewer Management Capital Project C.20001; and be it further

RESOLVED, that the Erie County Comptroller be directed to make final payment for Contract No. 82, to Kandey Company, Inc. for a total contract amount of \$798,134.97; and be it further

RESOLVED, that the Clerk of the Legislature be directed to send one (1) certified copy of this resolution to the County Executive, the Erie County Comptroller, the Director of Budget and Management, Kristen Walder, Assistant County Attorney, and Joseph Fiegl, P.E., Deputy Commissioner, Department of Environment and Planning.
(6-0)

TIMOTHY J. MEYERS
CHAIR