

July 18, 2019

COMMUNITY ENRICHMENT COMMITTEE
REPORT NO. 4

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

- 1. RESOLVED, the following item is hereby received and filed:
 - a. COMM. 15M-4 (2019)
ASSOC. FOR A BUFFALO PRESIDENTIAL CENTER: “Requesting Opportunity for Presentation to the Community Enrichment Committee”
(Chair’s ruling)
- 2. COMM. 15E-32 (2019)
COUNTY EXECUTIVE
WHEREAS, SUNY Erie Community College (the College) has neglected to accurately maintain the physical space inventory database both with SUNY Central and internally resulting in an unusable space inventory for the Academic and Facilities Master Plan process; and

WHEREAS, an accurate assessment of the College’s facilities is vital to the meaningful completion of the Academic and Facilities Master Plan project currently underway; and

WHEREAS, JMZ Architects and Planners, P.C. (JMZ), the winning vendor in the Academic and Facilities Master Plan RFP, had attempted to do a simple update to the College’s space inventory within the dollars already available; and

WHEREAS, it was discovered during the course of this attempt that the space inventory documents on hand were significantly different than the actual spaces being used at each campus, facilitating the need for a complete space audit for all three campuses including basic footprint measurements; and

WHEREAS, the College has already selected JMZ and their partners as the vendor for the Master Plan; and

WHEREAS, JMZ and their affiliated partners are already in place and intimately familiar with the College’s campuses from this project and have already made good progress on identifying those campus areas that do not match inventory records; and

WHEREAS, the RFP proposal offered by JMZ stated it would use these records to keep the cost to complete the audit low; and

WHEREAS, if the College had known the space inventory records were not accurate this would have been a key deliverable of the RFP; and

WHEREAS, JMZ was the lowest bidder and best proposal of services vendor during the RFP; and

WHEREAS, going out with an RFP for a space audit would add months to the Master Plan project timeline and almost certainly result in JMZ winning since they already have a head start on any other vendors submitting a proposal (familiarity with the campuses, where the deficiencies are, and exiting documentation of their work); and

WHEREAS, based on the amount of work already done by JMZ related to this space audit need, and on average hourly rates for architectural work of this type, it is estimated that any other submissions for a new RFP would come in \$30,000 to \$40,000 higher than the not to exceed amount of \$70,000 being proposed by JMZ to provide the same updated space inventory records; and

WHEREAS, the SUNY Erie Community College Board of Trustees resolved at its last meeting, June 27, 2019, that having the current vendor, JMZ Architects and Planners, P.C., conduct the space audit would provide the best result for the College in terms of timely and cost effective completion of the Academic and Facilities Master Plan, a plan that will be at the core of the next SUNY Erie Community College Strategic Plan; and

WHEREAS, the Erie Community College Board of Trustees resolved to approve the addition of a contract change order for the current Academic and Facilities Master Plan for the space audit work in an amount not to exceed \$70,000 for JMZ Architects and Planners, P.C.

NOW, THEREFORE, BE IT

RESOLVED, that the Erie County Legislature hereby approve the addition of a contract change order for JMZ Architects and Planners, P.C., with the aforementioned monetary limits; and be it further

RESOLVED, that the College’s President or his designee is authorized to sign said contract change order for the above-mentioned services; and be it further

RESOLVED, that copies of the resolution be forwarded to the Erie County Executive, the President of SUNY Erie, the Executive Vice President for Administration and Finance of SUNY Erie and Erie County’s Department of Public Works.
(6-0)

3. COMM. 15E-33 (2019)

COUNTY EXECUTIVE

WHEREAS, as noted in the SUNY Erie Professional Services and Specialized Products RFP Policy, professional services or specialized products in excess of \$50,000 in addition to being subject to the formal RFP process and requiring the approval of the college's Board of Trustees, also require the approval of the Erie County Legislature. These approvals are required prior to the hiring of the professional or purchase of the product; and

WHEREAS, the determination of whether the professional service or specialized product exemption for bidding is applicable must be made on a case-by-case basis, examining the particular services or goods needed. Generally professional services include the specialized expertise of interpreters, consultants, lawyers, doctors, engineers and so forth. Specialized products include but are not limited to software and other technology related products; and

WHEREAS, SUNY Erie's City Campus has limited student parking available at 45 Oak Street and two agreements prepared from this Request for Proposal (RFP) will provide additional parking to accommodate the needs of students; and

WHEREAS, the SUNY Erie Board of Trustees has approved at its June 27, 2019 Regular Meeting a request for an annual expenditure of \$162,000 for the 2019-2020 academic year's parking which will provide an additional 200 reserved parking spaces at its City Campus. Ten of the spaces will be handicap-accessible and all will be available six (6) days a week from September 3, 2019 to May 31, 2020. The agreement may be extended for up to two additional one-year periods. SUNY Erie will make monthly payments of \$18,000 which is \$90 per parking space per month; and

WHEREAS, this service is funded directly through the College's mandatory student Transportation Fee.

NOW, THEREFORE, BE IT

RESOLVED, that the Erie County Legislature does hereby approve the SUNY Erie President or his designee to award the proposed Standard Agreement to both Buffalo Motor Car, LLC and also Mike's Parking as outlined.
(6-0)

4. COMM. 15E-34 (2019)

COUNTY EXECUTIVE

WHEREAS, the Erie County Department of Public Works and the Buffalo & Erie County Public Library have identified various capital improvement projects at the Central Library requiring professional design services; and

WHEREAS, the Erie County Department of Public Works received A/E professional design qualifications and proposals for the Buffalo & Erie County Public Library – Various Capital Projects Term Agreement on May 21, 2019; and

WHEREAS, a review of qualifications evaluated each firm's expertise, experience, and manpower to provide the required services; and

WHEREAS, to address the anticipated scope of services required, it has been determined that it was appropriate to award two term contracts; and

WHEREAS, it has been determined via the County's consultant selection process that both Trautman Associates and Lothrop Associates LLP have the appropriate expertise and resources to provide such services as required; and

WHEREAS, the County Executive is requesting authorization to enter into a two (2) year Term Agreement each with the firms of Trautman Associates for both a lump sum and on-call basis and Lothrop Associates LLP for an on-call only basis for providing professional engineering services for the Buffalo & Erie County Public Library – Various Capital Projects, with the possibility of three (3) one (1) year extensions, such extensions being subject to Legislative approval.

NOW, THEREFORE, BE IT

RESOLVED, that the County Executive is authorized to enter into a two (2) year Term Agreement with the firm of Trautman Associates, with the possibility of three (3) one (1) year extensions, for providing professional engineering services on a lump sum basis for the Buffalo & Erie County Public Library – Various Capital Projects for an amount not to exceed \$250,000, including a hazardous materials allowance, reimbursable costs, and a design contingency; and be it further

RESOLVED, that the County Executive is authorized to enter into two (2) year Term Agreements each with the firms of Trautman Associates and Lothrop Associates LLP, with the possibility of three (3) one (1) year extensions, for providing professional engineering services on an on-call basis for the Buffalo & Erie County Public Library – Various Capital Projects for a combined amount not to exceed \$100,000; and be it further

RESOLVED, that such contract extensions are subject to Legislative approval; and be it further

RESOLVED, that the Comptroller’s Office be authorized to make payment for all the above from the following Capital Projects in the approved and adopted 2019 Capital Budget, Fund 490, Funds Center 122:

F.19001	2019 BECPL Exterior Building Envelope and Site Improvements	\$ 75,000
F.19002	2019 Buffalo and Erie County Main Library MEP Improvements	\$ 275,000
Total Payment not to Exceed:		\$ 350,000

and be it further

RESOLVED, that two certified copies each of this resolution be sent to the Department of Public Works and one copy each to the Office of the County Executive, the Division of Budget and Management, the Buffalo & Erie County Central Library, Kenneth Stone and the Office of the Comptroller.
(6-0)

5. COMM. 15E-35 (2019)
COUNTY EXECUTIVE
WHEREAS, the SUNY Erie Community College Board of Trustees approved the Second Amendment to an existing Lease Agreement with Bell Atlantic Mobile Systems of Allentown, Inc. d/b/a Verizon Wireless (“Verizon Wireless”); and

WHEREAS, SUNY Erie Community College has an existing Lease Agreement for space on the North Campus cell tower with Verizon Wireless which is owned by the County of Erie for their purpose of transmission and reception of communication systems (COMM. 11E-14 (2008)); and

WHEREAS, the First Amendment to the existing Lease Agreement authorized six antenna replacements by Verizon Wireless with technological improvements (COMM. 12E-28 (2013)); and

WHEREAS, the Second Amendment will extend the Lease Agreement for an additional ten (10) years effective of retroactively effective of March 5, 2019; denial of this request would negatively impact the \$31,740 annual revenue stream provided to ECC thereunder during this second renewal with fifteen percent (15%) increase again after five years, as of March 5, 2024.

NOW, THEREFORE, BE IT

RESOLVED, that the County Executive is authorized to enter into the Second Amendment with Verizon Wireless which will extend the term of the Lease for an additional 10 years retroactively effective of March 5, 2019; and be it further

RESOLVED, that the under the Second Amendment, annual rent shall escalate fifteen percent (15%) as of March 5, 2019 and shall further escalate fifteen percent (15%) as of March 5, 2024, which the County has determined is fair market value; and be it further

RESOLVED, that two certified copies of this resolution be sent to the Department of Public Works, Commissioner’s Office, and one copy each to the Office of the County Executive, the Division of Budget and Management, and the Office of the Comptroller, and one copy to SUNY Erie and Financial Officer.
(6-0)

6. COMM. 15E-42 (2019)
COUNTY EXECUTIVE
WHEREAS, the County of Erie received bids for the ECC Exterior Restoration – City Campus Old Post Office 2019 Transformer Vault Repairs (Rebid) project on Tuesday, June 24, 2019; and

WHEREAS, the lowest responsible bidder for the General Construction Work is Trason Development Corporation; and

WHEREAS, the County will receive 50% reimbursement from New York State for this project; and

WHEREAS, the Department of Public Works and Labella Associates DPC are recommending award of the contract to the lowest responsible bidder.

NOW, THEREFORE, BE IT

RESOLVED, that the County Executive is authorized to enter into a contract with the lowest responsible bidder for the ECC Exterior Restoration – City Campus Old Post Office 2019 Transformer Vault Repairs (Rebid) project for an amount not to exceed as follows:

<u>General Construction Work</u>		
Trason Development Corporation	Base Bid:	\$ 409,000
Total Award of General Construction Contract:		\$ 409,000

and be it further

RESOLVED, that the sum of \$57,400 be allocated to a Construction Contingency Fund with authorization for the County Executive to approve change orders in an amount not to exceed the Contingency Fund; and be it further

RESOLVED, that change order reductions will result in these funds being returned to the Construction Contingency Fund; and be it further

RESOLVED, that the Comptroller’s Office be authorized to make payment for all the above from the approved, as amended 2011 capital budget, Fund 480, Funds Center 122, follows:

E.11004 – 2011 ECC – Masonry Project – City Campus	\$466,400
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and be it further

RESOLVED, that two certified copies of this resolution be sent to the Department of Public Works, Commissioner’s Office, and one copy each to the Office of the County Executive, the Division of Budget and Management, and the Office of the Comptroller, and one copy to SUNY Erie and Financial Officer.
(6-0)

THOMAS A. LOUGHRAN
CHAIR