

OCTOBER 5, 2006

ECONOMIC DEVELOPMENT COMMITTEE
REPORT NO. 14

ALL MEMBERS PRESENT.

1. RESOLVED, the following items are hereby received and filed:

a. COMM. 4E-8 (2006)

MARINELLI: Economic Development Matrix Tracking
(4-0)

b. COMM. 15M-20 (2006)

NYPA: Copy of Letter to Congressman Higgins Re: Niagara Power Project Revenue
(4-0)

c. COMM. 15M-31 (2006)

CONGRESSMAN HIGGINS: Copy of Letter to NYPA Re: Reply to Comm. 15M-20
(4-0)

2. COMM. 15E-41 (2006)

COUNTY EXECUTIVE

WHEREAS, the Department of Public Works received bids for the Old County Hall – 2006 Roof Replacement on August 24, 2006, and is recommending award, along with the Engineer, to the lowest responsible bidder, and

WHEREAS, Grove Roofing Company, Inc., 157 Reading Street, Buffalo, NY, 14220 is the lowest responsible bidder for the work as follows:

Base Bid	\$463,250.00
Alternate #1	<u>48,700.00</u>
Total Amount	\$511,950.00

and

WHEREAS, your Honorable Body previously approved a General Architect/Engineer Agreement with the firm of Foit-Albert Associates to provide Engineering Services, and

WHEREAS, the Department of Public Works is requesting your Honorable Body's authorization to issue a change order to Foit-Albert Associates for providing Construction Administration for the Construction Phase, including required asbestos testing through their subconsultant.

NOW, THEREFORE, BE IT,

RESOLVED, that the County of Erie be authorized to enter into an agreement with Grove Roofing Co., Inc. for the sum of \$511,950.00, and be it further,

RESOLVED, that the sum of \$100,000 be allocated to a construction contingency fund with authorization for the Commissioner of Public Works 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 being returned to the contingency fund, and be it further,

RESOLVED, that the Commissioner of Public Works be authorized to issue a change order to Foit-Albert Associates for an amount not to exceed \$13,050.00 for the Construction Administration Phase, and be it further,

RESOLVED, that the Comptroller be authorized to make payment for all the above in an amount not to exceed \$625,000.00 from:

2005 Bond Fund SAP A.00272.1	\$425,000.00
2003 Bond Fund SAP A.00070.2	125,000.00
2000 Bond Fund SAP A.00018.4	<u>75,000.00</u>
Total	\$625,000.00

and be it further,

RESOLVED, that two copies of this resolution be sent 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, Management & Finance, and the Office of the Comptroller.
(4-0)

3. COMM. 17E-15 (2006)

COUNTY EXECUTIVE

WHEREAS, a Project for the Pavement Rehabilitation (Multi Course Overlay) of North French Road (CR 299), from Sweet Home Road (CR 301) to NY Route 78, Transit Road, in the Town of

Amherst, Erie County, P.I.N. 5755.82 (the "Project") is eligible for funding under Title 23, U.S. Code, as amended, that calls for the apportionment of the costs such program to be borne at the ratio of 80% Federal funds and 20% non-Federal funds, and

WHEREAS, the County of Erie desires to advance the above Project by making a commitment of 100% of the non-Federal share of the costs of the Preliminary Engineering (Scoping and Design I-VI) and Construction & Construction Inspection Phases of the Project, PIN 5755.82, and

NOW, THEREFORE, the County Legislature of the County of Erie, duly convened does hereby

RESOLVE, that the County Legislature of the County of Erie hereby approves the above subject project, and be it further

RESOLVED, that the County Legislature of the County of Erie, hereby authorizes the County of Erie to pay in the first instance 100% of the Federal and non-Federal share of the cost of the Preliminary Engineering (Scoping and Design I-VI) and Construction & Construction Inspection Phases of the Project or portions thereof, and be it further

RESOLVED, that the sum of \$509,000 is hereby appropriated from the 2006 North French Road Pavement Rehabilitation Program (SAP B.00165) in addition to \$88,000 previously appropriated for the Project's Preliminary Engineering (Scoping and Design I-VI) Phase via County Resolution No.13E-21 adopted July 10, 2003 and made available to cover the cost of participation in the above phases of the Project, and be it further

RESOLVED, that in the event the amount required to pay in the first instance 100% of the Federal and non-Federal shares of the costs of the Project's Preliminary Engineering (Scoping and Design I-VI) and Construction & Construction Inspection Phases exceeds the amount appropriated \$597,000 and/or 100% of the full Federal and non-Federal shares of the cost of the Project's Preliminary Engineering (Scoping and Design I-VI) and Construction & Construction Inspection Phases exceeds \$2,981,000, the County of Erie shall convene its Legislature as soon as possible to appropriate said excess amount immediately upon the notification by the New York State Department of Transportation thereof, 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 providing for the administration of the Project and the Municipality's first instance funding of Project costs and permanent funding of the local share of Federal-aid eligible Project costs and all Project costs within appropriations therefore that are not so eligible, and be it further

RESOLVED, that a certified copy of this resolution be filed with the New York State Commissioner of Transportation, by attaching it to any necessary Agreement in connection with the Project, and be it further.

RESOLVED, that the Clerk of the Legislature forward ten (10) certified copies of this Resolution to the Deputy Commissioner, Highways, to be forwarded to the New York State Department of Transportation and also one copy each to the County Executive, the Commissioner of Public Works, the Budget Director, and the County Comptroller.
(4-0)

TIMOTHY M. KENNEDY
CHAIRMAN