

January 27, 2004

ECONOMIC DEVELOPMENT
COMMITTEE
REPORT NO. 1

ALL MEMBERS PRESENT. CHAIRMAN HOLT PRESENT AS EX-OFFICIO MEMBER.

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

- a. Item Page -2003 (Comm. 10E-7)
DALE: Copy of Letter to Legislator Ranzenhofer Re: Intro 9-7.
(6-0) Chairman Holt present as Ex-Officio Member.
- b. Item Page -2003 (Comm. 11E-7)
DALE: Copy of letter to Majority Leader Ranzenhofer Re: Intro 9-7.
(6-0) Chairman Holt present as Ex-Officio Member.
- c. Item Page -2003 (Comm. 12E-5)
DALE: Copy of letter to Ranzenhofer Re: Intro 9-7.
(6-0) Chairman Holt present as Ex-Officio Member.
- d. Item Page -2003 (Comm. 12E-52)
COUNTY EXECUTIVE: Copy of Letter to County Attorney Re: Penalties to be Imposed
Upon Contractors and/or Subcontractors Who Hire Illegal Aliens on Public Funded Projects.
(6-0) Chairman Holt present as Ex-Officio Member.
- e. Item Page -2003 (Comm. 14E-9)
DALE: Copy of Letter to Legislator Ranzenhofer Re: Comm. 11E-7 (2003).
(6-0) Chairman Holt present as Ex-Officio Member.
- f. Item Page -2003 (Comm. 15E-11)
DALE: Copy of Letter to District Attorney Re: Aurora Highway Garage.
(6-0) Chairman Holt present as Ex-Officio Member.
- g. Item Page -2003 (Intro. 15 - 29)
DALE: Creation of an Ad Hoc EC Legislature Investigative Committee into Allegations of
Wrong Doing and Misapplication of County Funds in DPW.
(6-0) Chairman Holt present as Ex-Officio Member.
- h. Item Page -2003 (Comm. 17E-3)
DALE: Copy of Letter to Commissioner of DPW Re: Information Request.
(6-0) Chairman Holt present as Ex-Officio Member.
- i. Item Page -2003 (Comm. 17E-5)
DALE: Copy of Letter to Commissioner of DPW Re: Information Request.
(6-0) Chairman Holt present as Ex-Officio Member.

j. Item Page -2003 (Comm. 18E-5)
DALE: Copy of Letter to County Attorney Re: Document Request.
 (6-0) Chairman Holt present as Ex-Officio Member.

k. Item Page -2003 (Comm. 18E-6)
DALE: Copy of Letter to County Attorney Re: Information Request.
 (6-0) Chairman Holt present as Ex-Officio Member.

l. Item Page -2003 (Comm. 20E-5)
DALE: Copy of Letter to County Attorney Re: Information Request.
 (6-0) Chairman Holt present as Ex-Officio Member.

m. Item Page -2003 (Comm. 20E-11)
DALE: Copy of Letter to County Attorney Re: Document Request.
 (6-0) Chairman Holt present as Ex-Officio Member.

2. Item Page -2003 **AS AMENDED**
 (Intro 12-13)
**DEBENEDETTI, SCHROEDER, KUWIK, MARINELLI, HOLT, DUSZA, SWANICK,
 MARSHALL & SMITH**

WHEREAS, a U.S. Immigration and Naturalization Service released in late 2002 found that between 2.95 million and 5.45 million illegal aliens enter the United States every year through guarded ports of entry, with another 3-5 million illegal aliens entering the U.S. through unguarded areas along the border, and

WHEREAS, federal law enforcement officials recently investigated and arrested illegal aliens working at two construction sites in Erie County, and

WHEREAS, federal law enforcement officials only became aware of the presence of the illegal aliens due to investigations and a tip from local organized labor officials, and

WHEREAS, given the proximity of the Canadian border and highly- trafficked bridges and rail links across the Niagara River, and increased border security measures, the fact that private, non-governmental organizations have uncovered undocumented, illegal workers in Erie County raises troubling questions about federal immigration laws and enforcement measures, and

WHEREAS, the employment of illegal aliens on construction sites in Erie County constitutes not only a breakdown in federal law enforcement measures, but a direct threat to the economic well-being of the community and increased unemployment,

NOW, THEREFORE, BE IT

RESOLVED, that in an environment of terrorism and threats to the United States homeland, the Erie County Legislature supports enhanced federal law enforcement measures to ensure that undocumented, illegal aliens or other persons are not permitted to illegally enter the United States, and be it further

RESOLVED, that this Honorable Body supports measures designed to ensure that illegal foreign workers with limited skills are prohibited from illegally working on construction projects in this community, and be it further

RESOLVED, that the Erie County Legislature supports cooperative measures to ensure that local organized workers are employed on construction projects, and thus, supporting the local economy, and be it further

RESOLVED, that certified copies of this resolution be transmitted to Frances Holmes, Buffalo Director of the Bureau of Citizenship and Immigration Services in the U.S. Department of Homeland Security, US Representatives Thomas Reynolds, Jack Quinn, and Louise Slaughter, US Senators Charles Schumer and Hillary Rodham Clinton, and Daniel Boody, President of the Buffalo Building and Construction Trades Council.

(6-0) Chairman Holt Present as Ex-Officio Member.

3. Item Page -2003 (Comm. 25E-23)

COUNTY EXECUTIVE

WHEREAS, in May 2001 the Erie County Legislature authorized the County Executive to enter into contracts with URS Corp. specializing in environment~ services in an amount not to exceed \$75,000.00, and

WHEREAS, the Commissioner of Public Works had determined a need for Industrial Hygiene & Indoor Air Quality Environmental Engineering Services in many of our County facilities, and

WHEREAS, in order to assure these necessary services, the Commissioner of Public Works is requesting a fee allocation increase of \$50,000.00 from \$75,000.00 to \$125,000.00, paid on a time and material project-by-project basis,

NOW, THEREFORE, BE IT

RESOLVED, that the Commissioner of Public Works be authorized to issue a supplemental agreement to the General Architectural/Engineering contract with the firm of URS Greiner Corp., and be it further

RESOLVED, that payment for said fees be from the Indoor Air Quality Bond Account, Fund 410, Project 294, in the amount of \$50,000.00, and be it further

RESOLVED, that two certified copies of this resolution be sent to the Department of Public Works, Commissioner's Office; one copy to the Division of Budget Management & Finance; and one copy to the Office of the Comptroller.

(6-0) Chairman Holt present as Ex-Officio Member.

4. Item Page -2004 (Comm. 1E-37)

COUNTY EXECUTIVE

WHEREAS, the Department of Public Works received bids on November 14, 2003, for the Erie County Correctional Facility Lock Replacement project, and

WHEREAS, the Engineer and the Department of Public Works are recommending award to the lowest responsible bidder,

NOW, THEREFORE, BE IT

RESOLVED, that the County Executive be authorized to enter into a contract for the Erie County Correctional Facility Lock Replacement project as follows:

George A. Keene, Inc.

Base Bid:	\$534,614.00
Alternate E-1	-46,914.00
Alternate E-2	<u>-35,744.00</u>
Total	\$451,956.00

and be it further

RESOLVED, that the sum of \$42,000.00 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 account, and be it further

RESOLVED, that the Comptroller's Office be authorized to make payments from Project 416, Fund 410, and be it further

RESOLVED, that two certified copies of this resolution be sent to the Department of Public Works, Office of the Commissioner; one copy to the Division of Budget Management & Finance; and one copy to the Office of the Comptroller.

(6-0) Chairman Holt present as Ex-Officio Member.

5. Item Page -2004 (Comm. 1E-38)

COUNTY EXECUTIVE

WHEREAS, the Department of Public Works received bids for the EC Courts Master Plan Implementation Renovations on May 22, 2002, and

WHEREAS, your Honorable Body has previously awarded contracts to the lowest responsible bidders in an amount not to exceed \$42,731,953.00, and

WHEREAS, a new floor was added on the eighth floor above the seventh floor existing Legislative Chambers for additional storage for records, and

WHEREAS, miscellaneous design changes were required in Old County Hall, and

WHEREAS, many unforeseen conditions related to asbestos buried piping and conduits in walls and floors and structural conditions have been discovered in Old County Hall, and

WHEREAS, additional work is required in the New Family Court Building to add ductwork sound insulation to reduce the noise level on several floors,

NOW, THEREFORE, BE IT

RESOLVED, that the construction contingency fund be increased by \$384,000.00 from \$5,843,195.00 to \$6,227,195.00, with authorization for the Commissioner of Public Works to approve change orders, not to exceed the contingency, and be it further,

RESOLVED, that deduct change orders will result in funds being returned to the contingency account, and be it further,

RESOLVED, that the Owner's, Architect/Engineer's Construction Manager's and miscellaneous contingency within Project 164, Fund 410, in the amount of \$300,000.00 be reallocated to the construction contingency to cover the increased costs, and be it further,

RESOLVED, that \$84,000.00 from the New Family Court Building, Project 750, Fund 410, be allocated for additional duct insulation work required in the New Family Court Building to reduce the noise levels, and be it further,

RESOLVED, that two certified copies of this resolution be sent to the Department of Public Works, Office of the Commissioner; one copy to the Division of Budget Management & Finance; one copy to the Office of the Comptroller; and one copy to the Office of Courts Administration.
(6-0) Chairman Holt present as Ex-Officio Member.

6. Item Page -2004 (Comm. 1E-50)

COUNTY EXECUTIVE

WHEREAS, the County of Erie has been awarded a \$300,000 grant from the New York State Office of Parks, Recreation and Historic Preservation (NYSOPRHP) through the Clean Water/Clean Air Bond Act to construct improvements for Tow Path Park, Phase 2; and

WHEREAS, the adopted 2004 Erie County Capital Budget includes \$526,000 as a required match for state grant funds for this project;

NOW, THEREFORE, BE IT

RESOLVED, that the County Executive is authorized to enter into a contract with NYSOPRHP for \$300,000 for the Tow Path Park Phase 2 project; and be it further

RESOLVED, that said funds shall be added to the \$526,000 in the approved 2004 Erie County Capital Budget for said project; and be it further

RESOLVED, that due to the County conversion to SAP a project number will be assigned when the conversion is complete, and a total of \$826,000 in funds will be allocated to the project; and be it further

RESOLVED, that the Clerk of the Legislature be directed to send certified copies of this resolution to the Division of Budget, Management and Finance, the Comptroller, the Commissioner of the Department of Environment and Planning, the Commissioner of the Department of Parks, Recreation and Forestry, the Commissioner of the Department of Public Works, and the County Attorney.

(6-0) Chairman Holt present as Ex-Officio Member.

MARK J. F. SCHROEDER
CHAIRMAN