

April 7, 2003

ECONOMIC DEVELOPMENT  
COMMITTEE  
REPORT NO. 5

ALL MEMBERS PRESENT EXCEPT LEGISLATOR FALKNER. CHAIRMAN SWANICK  
PRESENT AS EX-OFFICIO MEMBER.

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

- |  |      |      |       |              |
|--|------|------|-------|--------------|
|  | Item | Page | -2003 | (Comm. 6M-7) |
|--|------|------|-------|--------------|
- a. **CITY OF BUFFALO:** Copy of Resolution Re: County Reimbursement for Maintenance of City\County Roads.  
(5-0) Legislator Falkner absent. Chairman Swanick present as Ex-Officio Member.

2. 

	Item	Page	-2003	(Comm. 6E-12)
--	------	------	-------	---------------

**COUNTY EXECUTIVE**

**WHEREAS**, the 2001 Erie County adopted capital budget, Account No. 410243 includes \$292,000 for the design and construction of the Erie Canalway Trail Project; and

**WHEREAS**, the New York State Capital Corporation, through a Memorandum of Agreement with the County of Erie dated June 11, 2001, will provide up to \$292,000 as reimbursement for this project; and

**WHEREAS**, by Resolution Comm. 14E-48 enacted July 5, 2001 the Erie County Legislature authorized executing a contract for design and construction inspection services with Peter J. Smith and Company for said project for a fee not to exceed \$220,000; and

**WHEREAS**, additional services for graphic design are required to complete said project.

**NOW, THEREFORE, BE IT**

**RESOLVED**, that said contract with Peter J. Smith and Company be amended to establish a new fee not to exceed \$225,000; and be it further

**RESOLVED**, that the sum of \$5,000 is hereby transferred from Account 951, General Construction Contracts, to Account 950, Professional Service Contracts within the budget of the Erie Canalway Trail Capital Project (SFG No. 243); and be it further

**RESOLVED**, that the Clerk of the Legislature be directed to send certified copies of this resolution to the Director of the Division of Budget, Management and Finance, the County Comptroller, the Commissioner of the Department of Environment and Planning, the Commissioner of the Department of Parks, Recreation and Forestry, and the Commissioner of Public Works.  
(5-0) Legislator Falkner absent. Chairman Swanick present as Ex-Officio Member.

3. Item Page -2003 (Comm. 6E-22)  
**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, during the Demolition Phase, additional asbestos containing material was discovered, and

WHEREAS, additional costs for asbestos removal, testing and air monitoring were incurred, and

WHEREAS, additional funding is necessary for the renovation to the existing freight elevator not included in the construction contracts, and

WHEREAS, the DPW Consultant Contracts with John C. Loffredo, P.E., Emil Redlinski and Fredrick C. Lupp, P.E. need to be extended to the completion of the project,

NOW, THEREFORE, BE IT,

RESOLVED, that the construction contingency fund be increased by \$1,220,000 from \$4,623,195 to \$5,843,195, 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 Owner's, Architect/Engineer, Construction Managers, and miscellaneous contingency in the amount of \$210,000 be reallocated as follows:

\$100,000 for additional site inspections for contractors working a second shift;

\$110,000 for extension of consultant contracts for John C. Loffredo, P.E., Emil Redlinski, and Fredrick C. Lupp, P.E., 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 \$1,100,000 and Courts elevators Project 271, Fund 441, in the amount of \$330,000.00 be reallocated to the construction contingency and DPW Consultant contracts to cover the increased costs, 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. (5-0) Legislator Falkner absent. Chairman Swanick present as Ex-Officio Member.

4. Item Page -2003 (Comm. 7E-16)

**COUNTY EXECUTIVE**

WHEREAS, the Department of Public Works received bids for the Roof Replacement, Main Axial Corridor at the Erie County Medical Center & Roof Repair, Convention Center, on February 14, 2003, and

WHEREAS, your Honorable Body has previously awarded a contract to the lowest responsible bidders, Progressive Roofing & Weaver Metal & Roofing, Inc. in the amount of \$258,104, and

WHEREAS, during the course of work, it was discovered that due to unforeseen conditions, additional work was required to complete the work, an additional \$2,000 funding to the construction contingency was required,

NOW, THEREFORE, BE IT,

RESOLVED, that the construction contingency fund be increased by \$2,000 to a new total amount of \$32,000, with authorization for the Commissioner of Public Works to approve change orders, 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 Comptroller's Office be authorized to make payments for all of the above from Project 197, 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.

(5-0) Legislator Falkner absent. Chairman Swanick present as Ex-Officio Member.

5. Item Page -2003 (Comm. 7E-17)

**COUNTY EXECUTIVE**

WHEREAS, engineering design services are required for Emery Park Waterline Installation, Phase II, and

WHEREAS, the firm of Donald Gallo, P.C. presently has a contract with the County of Erie to provide design services for Emery Park Waterline, Phase I,

NOW, THEREFORE, BE IT,

RESOLVED, that the Commissioner of Public Works be authorized to issue a supplemental agreement to Donald Gallo, P.C. on a percentage of construction basis, not to exceed \$70,000, including testing, reimbursables, inspection and miscellaneous expenses relative to the engineering design services required for the Emery Park Waterline Installation, Phase II, and be it further,

RESOLVED, that the \$70,000 fee allocation be taken from the 2002 Emery Park Waterline Installation, Phase II bond account, Project 303, 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 Budget Management & Finance, one copy to the Office of the Comptroller; and one copy to the Department of Parks & Recreation.  
(5-0) Legislator Falkner absent. Chairman Swanick present as Ex-Officio Member.

6. Item Page -2003 (Comm. 7E-23)

**COUNTY EXECUTIVE**

WHEREAS, Isle View Park in the City of Tonawanda is a popular year-round destination for many community members, sports fishermen, outdoor enthusiasts, and Erie County residents as a whole, and

WHEREAS, the Riverwalk in Isle View Park offers Erie County residents a safe and aesthetically pleasing surrounding, and

WHEREAS, when the Riverwalk is plowed during the winter months, it is used by people for health reasons as well as recreational purposes, and

WHEREAS, the county's responsibility of the 8-mile portion of the Riverwalk passes through both Niwanda Park and Isle View Park and extends to Aqua Lane on the way down to the Ontario Boat Launch until the foot of Porter Avenue, and

WHEREAS, an agreement was reached between the County of Erie and the City of Tonawanda to extend its plowing services an additional 1.2 miles beyond its city/town border to cover the county's portion of the Riverwalk, and

WHEREAS, snowplowing services will take place whenever the City of Tonawanda plows its own portion of the Riverwalk, following any appreciable amounts of snowfall during the 2003-2004 winter season, and

WHEREAS, contracting with the City of Tonawanda to plow the Riverwalk beyond its city limits, into Isle View Park will end the duplication of services, save taxpayer dollars, and allow extended use of a public facility, which otherwise would be a seasonal attraction.

NOW, THEREFORE, BE IT

RESOLVED, that the County Executive be hereby authorized to enter into a contract with the City of Tonawanda in the amount of \$35,000 to extend its snowplowing services to the county portion the Riverwalk in Isle View Park, and be it further

RESOLVED, that the funds for this contract be drawn from the following account:

<u>From:</u> <u>Account</u>	<u>Description</u>	<u>Amount</u>
110 904 303 830 1299	Regionalism & Economic Development Fund	(\$35,000)

<u>To:</u> <u>Account</u>	<u>Description</u>	<u>Amount</u>
110 904 303 830 0863	City Tonawanda Snow Removal	\$35,000

And be it further

RESOLVED, that certified copies of this resolution be forwarded to the County Executive; the Office of the Comptroller; the Division of Budget, Management & Finance; the Department of Public Works; and the City of Tonawanda Mayor's Office, 200 Niagara Street, Tonawanda, NY 14150.

(5-0) Legislator Falkner absent. Chairman Swanick present as Ex-Officio Member.

**MICHAEL H. RANZENHOFER**  
**CHAIRMAN**