

July 16, 2020

ENERGY & ENVIRONMENT COMMITTEE
REPORT NO. 10

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

1. RESOLVED, the following items are hereby received and filed:
 - a. COMM. 14E-17 (2020)
COUNTY EXECUTIVE: "ECSD Nos. 1-6 & 8 - Board of Managers Resolutions"
(Chair's Ruling)
 - b. COMM. 14E-19 (2020)
COUNTY EXECUTIVE: "ECSD No. 3 - Engineer Term Contract Agreement"
(Chair's Ruling)
 - c. COMM. 14M-3 (2020)
NYSDEC: "Invitation for Public Comment - Brownfield Cleanup Proposed Remedy for 170 Jamison Rd., Elma"
(Chair's Ruling)
 - d. COMM. 14M-4 (2020)
NYSDEC: "Fact Sheet - Brownfield Cleanup Program Draft Supplemental Investigation Work Plan & Interim Remedial Measure - 1001 East Delavan Ave., Buffalo"
(Chair's Ruling)
2. COMM. 13E-4 (2020)
COUNTY EXECUTIVE AS AMENDED
WHEREAS, the Erie County Department of Environment and Planning has received the following lowest responsible bid for Contract No. 54 at 10:00 a.m. on June 25, 2020:

<u>Contract</u>	<u>Lowest Responsible Bidder</u>	<u>Amount</u>
Contract No. 54	Lupini Construction, Inc. 6081 Trenton Road Utica, NY 13502	\$118,019.00

and

WHEREAS, the aforementioned lowest responsible bidder has successfully completed similar work for other municipalities; and

WHEREAS, the Division of Sewerage Management has determined that this project is a Type II action in accordance with 6NYCRR Section 617.5(c) and therefore is not subject to State Environmental Quality Review Act review under New York State Environmental Conservation Law; and

WHEREAS, there is adequate funding available in Erie County Sewer District No. 4 Capital Account C.17401.

NOW, THEREFORE, BE IT

RESOLVED, that the Depew ORF Rehabilitation, Erie County Sewer District No. 4, Contract No. 54 be awarded as follows:

<u>Contract</u>	<u>Lowest Responsible Bidder</u>	<u>Amount</u>
Contract No. 54	Lupini Construction, Inc. 6081 Trenton Road Utica, NY 13502	\$118,019.00

and be it further

RESOLVED, that the County Executive be, and hereby is, authorized to execute the Contract with the aforementioned lowest responsible bidder, subject to approval as to form by the County Attorney's office and approval as to content by the Commissioner of Environment and Planning; and be it further

RESOLVED, that the County Comptroller is authorized and directed to allocate \$118,019.00 from Erie County Sewer District No. 4, Capital Bond Account C.17401 for Contract No. 54; and be it further

RESOLVED, that the Clerk of the Legislature be directed to send one certified copy each of this resolution to the County Executive, the Director of Budget and Management, the County Comptroller, Kristen Walder, Assistant County Attorney, and Joseph L. Fiegl, P.E., Department of Environment and Planning, Rath Building, 10th Floor.
(6-0)

3. COMM. 13E-5 (2020)
COUNTY EXECUTIVE AS AMENDED
WHEREAS, the Erie County Department of Environment and Planning has received the following lowest responsible bid for Contract No. 55 at 2:00 p.m. on June 25, 2020:

<u>Contract</u>	<u>Lowest Responsible Bidder</u>	<u>Amount</u>
Contract No. 55	Pinto Construction Services, Inc. 132 Dingens Street Buffalo, NY 14206	\$48,000.00

and

WHEREAS, the aforementioned lowest responsible bidder has successfully completed similar work for other municipalities; and

WHEREAS, the Division of Sewerage Management has determined that this project is a Type II action in accordance with 6NYCRR Section 617.5(c) and therefore is not subject to State Environmental Quality Review Act review under New York State Environmental Conservation Law; and

WHEREAS, there is adequate funding available in Erie County Sewer District No. 4 Capital Account C.17401.

NOW, THEREFORE, BE IT

RESOLVED, that the Bowmansville Pump Station Flow Meter Replacement, Erie County Sewer District No. 4, Contract No. 55 be awarded as follows:

<u>Contract</u>	<u>Lowest Responsible Bidder</u>	<u>Amount</u>
Contract No. 55	Pinto Construction Services, Inc. 132 Dingens Street Buffalo, NY 14206	\$48,000.00

and be it further

RESOLVED, that the County Executive be, and hereby is, authorized to execute the Contract with the aforementioned lowest responsible bidder, subject to approval as to form by the County Attorney's office and approval as to content by the Commissioner of Environment and Planning; and be it further

RESOLVED, that the County Comptroller is authorized and directed to allocate \$48,000.00 from Erie County Sewer District No. 4, Capital Bond Account C.17401 for Contract No. 55; and be it further

RESOLVED, that the Clerk of the Legislature be directed to send one certified copy each of this resolution to the County Executive, the Director of Budget and Management, the County Comptroller, Kristen Walder, Assistant County Attorney, and Joseph L. Fiegl, P.E., Department of Environment and Planning, Rath Building, 10th Floor.
(6-0)

4. COMM. 13E-6 (2020)
COUNTY EXECUTIVE AS AMENDED
WHEREAS, the Erie County Department of Environment and Planning has received the following lowest responsible bid for Contract No. 82 at 2:00 p.m. on June 26, 2020:

<u>Contract</u>	<u>Lowest Responsible Bidder</u>	<u>Amount</u>
Contract No. 82	Kandey Company Inc. 19 Ransier Drive West Seneca, NY 14224	\$829,999.00

and

WHEREAS, the aforementioned lowest responsible bidder has successfully completed projects for the Division of Sewerage Management in the past; and

WHEREAS, the Division of Sewerage Management has determined that this project is a Type II action in accordance with 6NYCRR Section 617.5(c) and therefore is not subject to State Environmental Quality Review Act review under New York State Environmental Conservation Law; and

WHEREAS, there is adequate funding available in Erie County Sewer District No. 3 Capital Reserve Account No. C.00007, Erie County Sewer District No. 6 Capital Reserve Account No. C.00006, and Erie County Sewer District No. 8 Capital Reserve Account No. C.11801.

NOW, THEREFORE, BE IT

RESOLVED, that Sanitary Sewer Replacement Project, Erie County Sewer District Nos. 3, 6, and 8, Contract No. 82 be awarded as follows:

<u>Contract</u>	<u>Lowest Responsible Bidder</u>	<u>Amount</u>
Contract No. 82	Kandey Company Inc. 19 Ransier Drive West Seneca, NY 14224	\$829,999.00

and be it further

RESOLVED, that the County Executive be, and hereby is, authorized to execute the Contract with the aforementioned lowest responsible bidder, subject to approval as to form by the County Attorney's office and approval as to content by the Commissioner of Environment and Planning; and be it further

RESOLVED, that the Director of Budget and Management and the County Comptroller are authorized and directed to establish a Sewer Management Capital Project combining costs from Erie County Sewer District No. 3, Erie County Sewer District No. 6, and Erie County Sewer District No. 8 (C.20001) with budgeted Appropriations and estimated Revenues as follows:

Appropriations	\$829,999.00
Transfer in from Capital Reserve SD3	\$469,932.00
Transfer in from Capital Reserve SD6	\$323,200.00
Transfer in from Capital Reserve SD8	\$ 36,867.00

and be it further

RESOLVED, that the Director of Budget and Management and the County Comptroller are authorized and directed to transfer up to \$469,932.00 from Erie County Sewer District No. 3 Capital Reserve Account C.00007 to Sewer Management Capital Account C.20001 and establish the budgets necessary to facilitate the transfer; and be it further

RESOLVED, that the Director of Budget and Management and the County Comptroller are authorized and directed to transfer up to \$323,200.00 from Erie County Sewer District No. 6 Capital Reserve Account C.00006 to Sewer Management Capital Account C.20001 and establish the budgets necessary to facilitate the transfer; and be it further

RESOLVED, that the Director of Budget and Management and the County Comptroller are authorized and directed to transfer up to \$36,867.00 from Erie County Sewer District No. 8 Capital Reserve Account C.11801 to Sewer Management Capital Account C.20001 and establish the budgets necessary to facilitate the transfer; and be it further

RESOLVED, that any unused funds for this Contract will be returned to the Erie County Sewer District Capital Reserve Account from which they came based on guidance from the Division of Sewerage Management and budgets for the Capital Reserve Accounts will be adjusted accordingly; and be it further

RESOLVED, that the Clerk of the Legislature be directed to send a certified copy of this resolution to the County Executive, the 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. 14E-20 (2020)

COUNTY EXECUTIVE

WHEREAS, the County of Erie advertised for and received responses to a Request for Proposals to perform professional services associated with the Lackawanna Water Resource Recovery Facility (WRRF) – Ammonia Removal Pilot Study in Erie County Sewer District (ECSD) No. 6; and

WHEREAS, this project is necessary to address requirements in the State Pollutant Discharge Elimination System (SPDES) permit for ECSD No. 6; 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, the proposal review committee recommends GHD Consulting Services, Inc. (GHD) be retained to complete the requested consulting services; and

WHEREAS, the Ammonia Removal Pilot Study has been awarded a \$50,000.00 grant from the New York State Department of Environmental Conservation to partially fund the engineering work associated with this project; and

WHEREAS, ECSD No. 6 has adequate authorization in Bond Account C. 17601 to fund the local share of this project.

NOW, THEREFORE, BE IT

RESOLVED, that the County Executive be, and hereby is, authorized to execute an Agreement with GHD, 285 Delaware Ave, Suite 500, Buffalo, New York 14202 for professional services associated with this project in an amount not to exceed \$500,000.00, 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 the Director of Budget and the County Comptroller be authorized to increase estimated revenues and appropriations in Bond Account C.17601 for the \$50,000.00 grant from the New York State Department of Environmental Conservation; and be it further

RESOLVED, that the costs associated with this project be allocated in Bond Account C.17601; 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, Assistant County Attorney, and Joseph Fiegl, P.E., Division of Sewerage Management.

(6-0)

6. COMM. 14E-21 (2020)

COUNTY EXECUTIVE AS AMENDED

WHEREAS, pursuant to Legislative Comm. 14E-11(2019), Contract No. 18-A (General/Mechanical) was awarded to STC Construction, Inc. and Contract No. 18-D was awarded to CIR Electrical Construction Corporation to construct the East Aurora Water Resource Recovery Facility (WRRF) Influent Building and Screen Replacement project, in Erie County Sewer District No. 8; and

WHEREAS, the Erie County Division of Sewerage Management has advised that additional contract time is needed to complete contract work (with no cost implications); and

WHEREAS, the Erie County Department of Environment and Planning has recommended the acceptance of Change Order No. 1 to extend the contract times by 114 days.

NOW, THEREFORE, BE IT

RESOLVED, that Contract No. 18-A (General/Mechanical) between the County of Erie and STC Construction, Inc. (63 Zoar Valley Road, P.O. Box 459 Springville, NY 14141-0459) and Contract No. 18-D (Electrical) between the County of Erie and CIR Electrical Construction Corporation (400 Ingham Ave Buffalo, NY 14218) be amended to add 114 days of contract time; 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.

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**TIMOTHY J. MEYERS
CHAIR**