

June 27, 2013

ENERGY & ENVIRONMENT COMMITTEE
REPORT NO. 11

ALL MEMBERS PRESENT.

1. RESOLVED, the following items are hereby received and filed:
 - a. INTRO 10-7 (2013)
GRANT, MAZUR, HOGUES & MCCRACKEN: “Supporting the Refunding of Overcharges by National Fuel Gas to Ratepayers”
(5-0)
 - b. COMM. 12E-14 (2013)
COUNTY EXECUTIVE: “ECSD No. 3 - Engineering Change Order No. 1 - GHD Consulting Engineers, LLC”
(5-0)
 - c. COMM. 12M-2 (2013)
NYSDEC: “Notice of Deletion of Site from Registry for Site Known as Ramco Steel - 193 Abby Street, Buffalo”
(5-0)
 - d. COMM. 12M-3 (2013)
NYSDEC: “Fact Sheet: Gates Circle Update - Draft Investigation Work Plan Available for Public Comment”
(5-0)
 - e. COMM. 12M-14 (2013)
NATIONAL FUEL: “Letter to Chair Grant Concerning Intro 10-7 (2013)”
(5-0)
2. COMM. 11E-14 (2013)
COUNTY EXECUTIVE
WHEREAS, pursuant to Legislative Comm. 13E-14 (2011) Contract 12ST-A, General was awarded to John W. Danforth Company for general work for the dewatered sludge pump replacements at the Southtowns Sewage Treatment Plant; and

WHEREAS, the Erie County Division of Sewerage Management has advised that all scheduled improvements are now completed; and

WHEREAS, Erie County Sewer District No. 3 has adequate cash in its capital reserve account C.00007; and

WHEREAS, the Erie County Department of Environment and Planning has recommended the acceptance of Contract No. 12ST-A, General, in the final contract amount of \$1,874,347.41 which includes Change Order No. 2 (final), an increase of \$ 32,496.41, and recommends approval for final payment.

NOW, THEREFORE BE IT

RESOLVED, that Contract No. 12ST-A, General between the County of Erie and John W. Danforth Company (300 Colvin Woods Parkway, Tonawanda, NY 14150) is accepted in the final contract amount of \$ 1,874,347.41 which includes Change Order No. 3 (final), an increase of \$ 32,496.41, and is allocated in Erie County Sewer District No. 3 Bond Account C.00067; and be it further

RESOLVED, that the County Director of Budget and the County Comptroller be authorized to increase the appropriations and estimated revenues in Erie County Sewer District No. 3 project C.00067 by \$35,000; and be it further

RESOLVED, that the Director of Budget and the County Comptroller be authorized to transfer \$35,000 from Erie County Sewer District No. 3 Capital Reserve Account C.00007 to Sewer District No. 3 Capital Project C.00067 and to establish all budgeting accounts necessary to facilitate the transfer of \$35,000; and be it further

RESOLVED, that the Erie County Comptroller be directed to make final payment for Contract 12ST-A, General, to John W. Danforth Company. for a total contract amount of \$1,874,347.41; and be it further

RESOLVED, that the Clerk of the Legislature be directed to send one (1) certified copy each to the County Executive, the Erie County Comptroller, the Director of Budget and Management and Kristen Walder, Assistant County Attorney and two (2) certified copies of this resolution to Joseph L. Fiegl, P.E., Department of Environment and Planning.
(5-0)

3. COMM. 11E-15 (2013)
COUNTY EXECUTIVE
WHEREAS, pursuant to Legislative Comm. 13E-14 (2011) Contract 12ST-D, Electrical was awarded to Weydman Electrical, Inc. for electrical work for the dewatered sludge pump replacements at the Southtowns Sewage Treatment Plant; and

WHEREAS, the Erie County Division of Sewerage Management has advised that all scheduled improvements are now completed; and

WHEREAS, the Erie County Department of Environment and Planning has recommended the acceptance of Contract No. 12ST-D, Electrical, in the final contract amount of \$98,129.95 which includes Change Order No. 1 (final), a decrease of \$ 17,270.05, and recommends approval for final payment.

NOW, THEREFORE, BE IT

RESOLVED, that Contract No. 12ST-D, Electrical between the County of Erie and Weydman Electric, Inc. (747 Young St. Tonawanda, New York 14150) is accepted in the final contract amount of \$ 98,129.95 which includes Change Order No. 1 (final), a decrease of \$ 17,270.05, and is allocated in Erie County Sewer District No. 3 Bond Account C.00067; and be it further

RESOLVED, that the Erie County Comptroller be directed to make final payment for Contract 12ST-D, Electrical, to Weydman Electric, Inc., for a total contract amount of \$ 98,129.95; and be it further

RESOLVED, that the Clerk of the Legislature be directed to send one (1) certified copy each to the County Executive, the Erie County Comptroller, the Director of Budget and Management and Kristen Walder, Assistant County Attorney and two (2) certified copies of this resolution to Joseph L. Fiegl, P.E., Department of Environment and Planning.
(5-0)

4. COMM. 12E-13 (2013)
COUNTY EXECUTIVE

WHEREAS, the Erie County Department of Environment and Planning has received the following lowest responsible bid for the Erie County Sewer District No. 8, Brooklea and Creekside Low Pressure Grinder Stations, Contract No.12 at 2:00 P.M. on May 15, 2013:

<u>Contract</u>	<u>Low Bidder</u>	<u>Amount</u>
Contract No. 12	CMH Company, Inc. 12704 North Road Alden, New York 14004-9772	\$88,950.00

and

WHEREAS, the aforementioned lowest responsible bidder has successfully performed similar work in Erie County.

NOW, THEREFORE BE IT

RESOLVED, the Brooklea and Creekside Low Pressure Grinder Stations, Contract No. 12 be awarded to CMH Company, Inc. in the not to exceed amount of \$88,950; and be it further

RESOLVED, that the County Executive be, and is hereby authorized to execute the Contract with the aforementioned lowest, responsible bidder subject to approval as form by the County Attorney and certification of availability of funds; and be it further

RESOLVED, that the Comptroller is authorized and directed to allocate \$88,950.00 from Sewer Capital, Erie County Sewer District No. 8, account C.00071 for Contract No. 12; and be it further

RESOLVED, that the Clerk of the Legislature be directed to send one (1) certified copy each of this resolution to the County Executive, Director of Budget and Management, Comptroller's Office, Kristen Walder, Assistant County Attorney, and send two (2) certified copies of this resolution to Joseph L. Fiegl, P.E., Department of Environment and Planning.
(5-0)

5. COMM. 12E-18 (2013)
COUNTY EXECUTIVE

WHEREAS, the Erie County Soil and Water Conservation District has New York State Department of Environmental Conservation 604b grant funding to form and implement the Lake Erie Watershed Protection Alliance (LEWPA), a three-county collaborative effort to better protect Lake Erie water quality; and

WHEREAS, Erie County entered into a contract in November 2012 with Erie County Soil and Water Conservation District to have a Junior Environmentalist (JG-7) fulfill the role of LEWPA Coordinator for the 604b grant; and

WHEREAS, Erie County Soil and Water Conservation District recently received approval for additional funding for the 604b grant; and

WHEREAS, it is vital that the LEWPA project does not lose momentum as it is crucial to securing funds to make improvements to water quality along the Lake Erie shoreline in New York State, as well as the associated watershed; and

WHEREAS, Erie County Soil and Water Conservation District would like to extend the contract with Erie County to have a Junior Environmentalist (JG-7) fulfill the role of LEWPA Coordinator for the 604b grant.

NOW, THEREFORE, BE IT

RESOLVED, that the County Executive is authorized to enter into an agreement with the Erie County Soil and Water Conservation District to extend the contract to coordinate the Lake Erie Watershed Protection Alliance in an amount not to exceed \$84,907.60 in grant resources; and be it further

RESOLVED, that the current budget for the Lake Erie Watershed Protection Alliance Budget is revised as follows:

Lake Erie Watershed Protection Alliance Project
(Grant Period: 10/15/12 – 12/31/15)
SAP Grant Account #162LEWPA062113

<u>ACCOUNT</u>	<u>DESCRIPTION</u>	<u>BUDGET</u>		
<u>REVENUE</u>		Current	Revision	Revised
409000	State Aid Revenue	(\$42,453.80)	(\$84,907.60)	(\$127,361.40)
	TOTAL REVENUE	(\$42,453.80)	(\$84,907.60)	(\$127,361.40)

APPROPRIATIONS

Account	Description	Current	Revision	Revised
500000	Regular Full Time Wages	\$28,302.53	\$58,473.06	\$86,775.59
502000	Fringe Benefits	\$14,151.27	\$26,434.54	\$40,585.81
	TOTAL APPROPRIATIONS	\$42,453.80	\$84,907.60	\$127,361.40

and be it further

RESOLVED, that the Director of the Division of Budget and Management is hereby authorized to implement any budget adjustments as required to comply with State and local funding requirements; and be it further

RESOLVED, that certified copies of this resolution be sent to the County Executive’s Office; the Comptroller’s Office; the Director of the Division of Budget and Management; the County Attorney; and the Commissioner of the Department of Environment and Planning, Rath Building, 10th Floor. (5-0)

6. COMM. 12E-23 (2013)
COUNTY EXECUTIVE

WHEREAS, the County of Erie received bids for the Chestnut Ridge Park – 2013 Site Work Improvements project and the Chestnut Ridge Park – 2013 New Electrical Service project on May 23, 2013 and March 28, 2013, respectively; and

WHEREAS, the lowest responsible bidder for the Chestnut Ridge Park – 2013 Site Work Improvements project is NOVA Site Company, LLC; and

WHEREAS, the lowest responsible bidder for the Chestnut Ridge Park – 2013 – New Electrical Service project is Industrial Power & Lighting Corporation; and

WHEREAS, the Erie County Department of Public Works and the Consultant are recommending award of the contracts to the lowest responsible bidders.

NOW, THEREFORE, BE IT

RESOLVED, that the County Executive is authorized to enter into a contract with NOVA Site Company, LLC for the Chestnut Ridge Park – 2013 Site Work Improvements project as follows:

Site Construction Work

NOVA Site Company, LLC	Base Bid “A”:	\$100,000.00
	<u>Base Bid “B”:</u>	<u>\$ 87,000.00</u>
	Base Bid “A + B”:	\$187,000.00
	Alternate 1:	\$ 45,000.00
	Alternate 2:	\$ 31,000.00
	Alternate 3:	\$ 43,000.00
	<u>Alternate 4:</u>	<u>\$ 5,000.00</u>

Total Award of Construction Contract: \$311,000.00

and be it further

RESOLVED, that the County Executive is authorized to enter into a contract with Industrial Power & Lighting Corporation for the Chestnut Ridge Park – 2013 New Electrical Service project as follows:

Electrical Construction Work

Industrial Power & Lighting Corporation	Base Bid:	\$112,500.00
	Add Alternate No. 1	\$ 50,600.00
	<u>Add Alternate No. 2</u>	<u>\$ 26,300.00</u>

Total Award of Construction Contract: \$189,400.00

and be it further

RESOLVED, that the sum of \$63,000.00 be allocated to a Construction Contingency Fund for both projects 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 deduct change orders 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 SAP project accounts as follows:

A.13008 – 2013 Countywide Parks Improvements	\$355,000.00
<u>A.12007 – 2012 Countywide Park Improvements & Equipment</u>	<u>\$208,400.00</u>

For a Total Amount Not to Exceed: \$563,400.00

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 Commissioner of Parks and Recreation, the Division of Budget and Management and the Office of the Comptroller.

(5-0)

TERRENCE D. McCRACKEN
CHAIR