

May 2, 2024

ECONOMIC DEVELOPMENT COMMITTEE
REPORT NO. 8

ALL MEMBERS PRESENT, EXCEPT LEGISLATOR MILLS.

1. COMM. 8E-8 (2024)
COUNTY EXECUTIVE

WHEREAS, the Salt Storage Building Replacement Project at Aurora, East Concord and Lancaster Maintenance Facilities (herein called the “Project”) seeks to replace salt storage buildings at the highway maintenance facilities for Aurora, East Concord and Lancaster locations; and

WHEREAS, the existing salt barns located at each facility are continually being repaired as they are of conventional wood frame construction and are beyond their useful life; and

WHEREAS, construction of the new salt barns will include a 25-year warranty from the manufacturer; and

WHEREAS, completion of the Project will ensure that highway maintenance facilities for Aurora, East Concord and Lancaster areas are able to safely store and supply the surrounding roadways with adequate salt; and

WHEREAS, the Project also includes site improvements at each facility top ensure proper drainage of the site as well as to locate the new buildings on site in a way that is more conducive to the Highways operations during the winter months; and

WHEREAS, the County of Erie received General Construction and Electrical Construction bids for the Project on March 26, 2024 in accordance with General Municipal Law 103; and

WHEREAS, the Department of Public Works and Wendel Architecture, Engineering, Surveying & Landscaping Architecture, P.C. are recommending award of the contracts to the lowest responsible bidders for the General Construction Contract and Electrical Construction Contracts.

NOW, THEREFORE, BE IT

RESOLVED, that the Erie County Legislature hereby authorizes the County Executive or Deputy County Executive to enter into contract with the lowest responsible bidder, NW Contracting, in an amount not to exceed \$1,126,100 for general construction work as follows:

General Construction Work

| | | |
|---|---------------|-----------------|
| NW Contracting | Base Bid: | \$ 733,500.00 |
| | Alternate G-1 | \$ 369,600.00 |
| | Alternate G-2 | \$ 23,000.00 |
| Total Award of General Construction Contract: | | \$ 1,126,100.00 |

and be it further

RESOLVED, that authorization is hereby given for the County Executive or Deputy County Executive to enter into contract with the lowest responsible bidder, Goodwin Electrical, in an amount not to exceed \$248,000 for electrical work work as follows:

Electrical Construction Work

| | | |
|--|---------------|---------------|
| Goodwin Electric Corporation | Base Bid: | \$ 178,000.00 |
| | Alternate E-1 | \$ 70,000.00 |
| Total Award of Electrical Construction Contract: | | \$ 248,000.00 |

and be it further

RESOLVED, that authorization is hereby given for \$150,000 to be allocated to a Construction Contingency Fund with authorization for the County Executive or Deputy County Executive to approve change orders in an amount not to exceed the Contingency Fund; and be it further

RESOLVED, that change order reductions will result in these funds being returned to the Construction Contingency Fund; and be it further

RESOLVED, that sufficient funding exists within Fund 410, Funds Center 122 to cover the costs of general construction and electrical work and contingency as follows:

| | |
|--|----------------|
| A.21157 - DPW (Buildings and Grounds) – Preservation of County Highway Facilities - Countywide | \$ 957,104.73 |
| A.23053 – Preservation of County Highway Facilities (Countywide) | \$ 227,711.07 |
| A.24052 – Preservation of County Highway Facilities | \$ 339,284.20 |
| Total not to exceed | \$1,524,100.00 |

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 County Executive’s Office, Comptroller’s Office and Division of Budget and Management.

(4-0)

2. COMM.8E-9 (2024)

COUNTY EXECUTIVE

WHEREAS, the Reconstruction of William Street (CR 338) from Transit Road (NYS 20/78) to Bowen Road (CR 242), in the Town of Lancaster, PIN 5763.36 (the "Project") is eligible for funding under Title 23, U.S. Code, as amended, that calls for the apportionment of federal funds and a local share; and

WHEREAS, Public Works Dept. (DPW) wishes to continue the Project and C&S Engineers engineering design services contract which was originally approved by the Legislature in COMM 6E-17 (2021); and

WHEREAS, DPW desires to amend the engineering design services agreement with C&S Engineers by a total not to exceed \$182,650; and

WHEREAS, under the Surface Transportation Program (STP), the Federal and New York State cost shares are limited to the amount set forth in the agreement with the NYSDOT with any additional costs borne 100% by the local sponsor; and

WHEREAS, there are sufficient funds for the project in Fund 420, Funds Center 123, Capital Project B.20054, 2020 Federal Aid Project Design William Street and Capital Project B.23005, 2023 Federal Aid Road Design.

NOW, THEREFORE, BE IT

RESOLVED, that the Erie County Legislature hereby authorizes the County Executive or Deputy County Executive to execute an amendment to C&S Companies design agreement in an amount not to exceed \$182,650 for design and Right of Way services; and be it further

RESOLVED, that sufficient funds are available in Fund 420, Fund Center 123, Capital Project B.20054 and Capital Project B.23005 as follows:

| | | |
|---------|--|------------------|
| B.20054 | 2020 Federal Aid Project Design William Street | \$165,500 |
| B.23005 | 2023 Federal Aid Road Design | \$ 17,150 |
| | | <u>\$182,650</u> |

and be it further

RESOLVED, that the Clerk of the Legislature forward three (3) certified copies of this Resolution to the Department of Public Works, Office of the Commissioner, and one copy each to the County Executive's Office, Comptroller's Office and Division of Budget and Management.
(4-0)

3. COMM. 8E-11 (2024)

COUNTY EXECUTIVE

WHEREAS, the 2021 year-end Budget Balancing resolution, Comm. 8E-1 (2022) was approved on May 12, 2022; and

WHEREAS, Comm. 8E-1 (2022) allocated funding to a variety of community development and County projects; and

WHEREAS, the County of Erie is interested in the fostering of tourism and supporting arts and cultural organizations; and

WHEREAS, the nonprofit arts and culture sector is a significant industry in the Western New York economy generating over \$352 million in direct and indirect economic activity according to Arts Services Initiative; and

WHEREAS, Comm.8E-1 (2022) allocated \$25,000,000 towards "Cultural Agency Capital Fund"; and

WHEREAS, the aforementioned Fund seeks to provide capital improvement grants to defray the cost of capital improvements at art and cultural institution's facilities; and

WHEREAS, a competitive application process was facilitated by the Department of Environment and Planning; and

WHEREAS, the Erie County Capital Projects Committee reviewed applications and selected a list of awardees representing arts and cultural organizations throughout the County; and

WHEREAS; additional legislation is needed to enter into contracts with awarded arts and cultural organizations to facilitate the projects; and

WHEREAS, pursuant to 6 N.Y.C.R.R. § 617.1 which implements the State Environmental Quality Review Act the consideration of environmental factors into decision making processes of local governments is required prior to the Legislature undertaking, approving or funding an action; and

WHEREAS, the proposed Graycliff cultural capital project is considered an Unlisted action pursuant to SEQR; and

WHEREAS, the proposed Subversive Theatre cultural capital project is considered a Type II action pursuant to SEQR; and

WHEREAS, the organizations were among those selected for grant awards.

NOW, THEREFORE, BE IT

RESOLVED, the Erie County Legislature hereby concurs with the Town of Evans’s negative declaration dated February 28, 2024, as set forth in 6 N.Y.C.R.R. § 617.7(c) denoting a deminimis environmental impact; and be it further

RESOLVED, that authorization is hereby given to the County Executive or Deputy County Executive to execute contracts with the Graycliff Conservancy and Subversive Theater Collective within the Cultural Capital Grant Fund in the following amounts:

| Organization | Amount | Project | Account # |
|-------------------------------|-----------|-----------------------------|--------------|
| Graycliff Conservancy | \$500,000 | Visitor Center Construction | A.22095.1.4 |
| Subversive Theater Collective | \$206,400 | New Theater Build-out | A.22095.1.12 |

and be it further

RESOLVED, that authorization is hereby given to the Department of Law, the County Executive and the Deputy County Executive to execute easements, deed restrictions, intermunicipal agreements and/or place additional requirements on the aforementioned contracting entity and associated real property (project location) as necessary to implement the project; and be it further

RESOLVED, that the Clerk of the Legislature shall forward certified copies of this Resolution to the County Executive’s Office, the Comptroller’s Office, the Division of Budget and Management, the Department of Law, and the Department of Environment and Planning.
(4-0)

4. COMM. 8E-13 (2024)
COUNTY EXECUTIVE

WHEREAS, the Salvation Army provides a wide range of supportive services to Erie County residents at its Buffalo campus; and

WHEREAS, the mission of the Salvation Army includes the provision of emergency housing for those experiencing homelessness in the region and otherwise unable to afford housing; and

WHEREAS, the Salvation Army plans to construct a new 80-bed emergency family shelter at 954 Main Street in the City of Buffalo; and

WHEREAS, Erie County wishes to support the construction of the new emergency shelter to provide housing for those who would otherwise be homeless; and

WHEREAS, Erie County has allocated \$1,250,000 for construction of the emergency shelter in the approved 2024 Capital Budget; and

WHEREAS, authorization is needed to contract with the Salvation Army to implement the capital budget project; and

WHEREAS, pursuant to 6 N.Y.C.R.R. § 617.1 which implements the State Environmental Quality Review Act the consideration of environmental factors in decision making processes of local governments is required prior to the Legislature undertaking, approving or funding an action; and

WHEREAS, the City of Buffalo served as SEQR Lead Agency and conducted a coordinated review of the proposed action; and

WHEREAS, the City of Buffalo classified the action as a Type 1 action, and issued a Negative Declaration on July 11, 2022.

NOW, THEREFORE, BE IT

RESOLVED, that the Erie County Legislature hereby concurs with the City of Buffalo Lead Agency’s determination of a Negative Declaration regarding the proposed action; and be it further

RESOLVED, that authorization is hereby given to the County Executive or Deputy County Executive to enter into contracts, easements, and agreements with the Salvation Army, Inc. in amounts not to exceed a total of \$1,250,000 for the purpose of the emergency housing construction; and be it further

RESOLVED, that the source of these funds shall be \$1,250,000 available Fund, 410, Funds Center 16200, Capital Project A.24063 – Salvation Army Emergency Housing Project; and be it further

RESOLVED, that the Clerk of the Legislature be directed to send certified copies of this resolution to the County Executive’s Office, Comptroller’s Office, Division of Budget and Management, Department of Law and Department of Environment and Planning.
(4-0)

5. COMM. 8E-15 (2024)
COUNTY EXECUTIVE

WHEREAS, Erie County wishes to honor and memorialize the contributions of trailblazing women for the Western New York Community; and

WHEREAS, a Trailblazing Women Monument Steering Committee led by the Executive Director of the Erie County Commission on the Status of Women was established to honor pioneering women from Western New York; and

WHEREAS, the Erie County Department of Environment & Planning issued a request for proposals from qualified artists to produce concepts, designs, and representational sculptures that bring to life the three historical figures chosen; and

WHEREAS, the Selection Committee members independently reviewed, scored, and ranked submitted proposals based on the selection criteria; and

WHEREAS, it was the unanimous vote of the Selection Committee to award the project to artists Vinnie Bagwell and Jiwoong Cheh; and

WHEREAS, authorization to contract with the aforementioned artists was previously approved under COMM.2E-30(2023); and

WHEREAS, the site preparation is nearly complete and the Geraldine “Gawö:Sid-Tah” Green, and Louise Blanchard Bethune monuments have been placed; and

WHEREAS, Vinnie Bagwell, the Mary Talbert Monument artist, requested the extension beyond the original April 15, 2024 deadline due to difficulties with transferring the design to the various media used to create the final monument and a backlog at the foundry.

NOW, THEREFORE, BE IT

RESOLVED, that the Erie County Legislature hereby authorizes the County Executive or Deputy County Executive to execute a no-cost contract extension in order to best complete the installation of the remaining monument for the Trailblazing Women Monument Project extension to the Mary Talbert Monument artist, Vinnie Bagwell, until August 1, 2024; and be it further

RESOLVED, that certified copies of this resolution shall be furnished to the Office of the County Executive, the Office of Public Advocacy, the Division of Budget and Management, and the Department of Environment and Planning.
(4-0)

6. COMM. 8E-17 (2024)

COUNTY EXECUTIVE

WHEREAS, the Erie County Department of Parks, Recreation & Forestry has contracted with an outside vendor for several years to operate the concession area at the Elma Meadows Golf Course; and

WHEREAS, the concessionaire has provided food and refreshments for golf patrons to enjoy throughout the year; and

WHEREAS, Elma Meadows Golf Course has been without a vendor for a period of one year, leading to dissatisfaction by golf course patrons and a lack of service considered standard at public golf courses; and

WHEREAS, Corie’s Catering, submitted a proposal for concession service in response to RFP2024-015VF and was the only bidder.

NOW, THEREFORE, BE IT

RESOLVED, that the Erie County Legislature hereby authorizes the County Executive or Deputy County Executive to enter into a three-year agreement with Corie’s Catering for the operation of the concession at Elma Meadows Golf Course; and be it further

RESOLVED, that authorization is hereby given for the Erie County Parks Department accept \$1,000 in rent annually from Corie’s Catering for the duration of the three-year contract; and be it further

RESOLVED, that certified copies of this Resolution be sent to the Erie County Executive’s Office, Department of Parks, Recreation & Forestry, Department of Law and Division of Budget and Management.
(4-0)

HOWARD J. JOHNSON, JR.
CHAIR