

May 18, 2023

ECONOMIC DEVELOPMENT COMMITTEE
REPORT NO. 7

ALL MEMBERS PRESENT, EXCEPT LEGISLATORS MILLS & TODARO.
CHAIR BASKIN PRESENT AS EX-OFFICIO MEMBER.

1. COMM. 10E-7 (2023)
COUNTY EXECUTIVE

WHEREAS, water infiltration has caused the existing concrete sidewalk above the vault to move away from the building over time as well as has caused the structural steel elements in the basement level beneath Pearl Street to deteriorate at the Buffalo Convention Center; and

WHEREAS, continual deterioration without corrective action may pose a risk to Convention Center employees as well as sidewalk pedestrians along the west side of Pearl Street adjacent to the Convention Center; and

WHEREAS, corrective measures must be implemented and the repairs to be made will not only correct previous deterioration but will also prevent future deterioration by replacement of the structural elements as well as new waterproofing beneath the new sidewalk; and

WHEREAS, it is important to execute these repairs during the summer months, so the existing structural elements are not exposed to another freeze/thaw cycle in the winter months causing further deterioration; and

WHEREAS, the Erie County Department of Public Works (DPW) received bids for the Buffalo Convention Center Sidewalk Rehabilitation Project on April 11, 2023; and

WHEREAS, the lowest responsible bidder is Patterson-Stevens Inc.; and

WHEREAS, the Department of Public Works is recommending award of the contract to the lowest responsible bidder.

NOW, THEREFORE, BE IT

RESOLVED, that the Erie County Legislature hereby authorizes the County Executive to enter into a contract with the lowest responsible bidder, Patterson – Stevens, for the Buffalo Convention Center Sidewalk Vault Rehabilitation Project in the amount noted below:

General Contracting Work		
<u>Patterson – Stevens</u>	<u>Base Bid:</u>	<u>\$1,167,000</u>
Total Construction Contract Award		\$1,167,000

and be further

RESOLVED, that authorization is hereby given to allocated the sum of \$100,000 to a Construction Contingency Fund 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 change order reductions will result in these funds being returned to the Construction Contingency Fund; and be it further

RESOLVED, that sufficient funding for the project exists in the following Division of Buildings & Grounds’ capital projects in Funds Center 122, Fund 410:

A.22003 – DPW (Buildings and Grounds) – Buffalo Niagara Convention Center (BNCC) Improvements	\$ 850,288.25
A.21105 – DPW (Buildings and Grounds) – Preservation of County Buildings and Facilities	\$ 416,711.75
<u>Total Not to Exceed</u>	<u>\$1,267,000.00</u>

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, the Comptroller’s Office, the Department of Law, and the Division of Budget and Management (4-0)

2. COMM. 10E-8 (2023)
COUNTY EXECUTIVE

WHEREAS, the Department of Public Works previously engaged the services of Electrical Engineers in order to comply with the requirements of electrical code and provide advisement on various County projects per COMM. 15E-24 (2019); and

WHEREAS, while funding was previously approved in the resolution noted above in the amount of \$250,000 total, only \$135,000 was dedicated to the electrical on-call contracts due to an administrative error when planning the money within SAP; and

WHEREAS, the balance of the that money that was previously dedicated for the electrical on-call contracts, was then inadvertently planned and approved to be used for the Elevator Modernization Project per COMM 4E-8 (2022); and

WHEREAS, in short, DPW used less money on the electrical on-call contracts when compared to what was previously approved per COMM. 15E-24 (2019) and therefore, DPW is requesting approval of this \$115,000 to make the contract whole funding the project as previously approved; and

WHEREAS, the contracts with the firms of Buffalo Engineering P.C. and M/E Engineering are currently within the first one (1) – year extension through July 25, 2023 with an additional extension available through July 25, 2024 per the terms of the Request for Proposals advertised by the Department of Public Works (DPW); and

WHEREAS, this contract will continue to address the anticipated scope of services as they arise and approved by DPW; and

WHEREAS, each firm has displayed the expertise, experience, and manpower to provide the required services as requested by the County; and

WHEREAS, each assignment will be billed on an hourly basis according to an approved rate schedule unless an agreed upon work scope and fee is negotiated with the assigned consultant prior to beginning any services.

NOW, THEREFORE, BE IT

RESOLVED, that the Erie County Legislature hereby authorizes the Erie County Executive to allocated an additional \$115,000.00 to make the contract whole per COMM. 15E-24 (2019) for an amount not to exceed a total of \$250,000.00; and be it further

RESOLVED, that the Comptroller’s Office be authorized to make payment for services from Capital Project A.22050 – Code and Environmental Compliance, Funds Center 122, Fund 410 for a total amount not to exceed \$115,000; and be it further

RESOLVED, that two (2) certified copies each of this resolution be sent to the Department of Public Works, Commissioner’s Office and one (1) copy each to the County Executive’s Office, the Comptroller’s Office, and the Division of Budget and Management.
(4-0)

3. COMM. 10E-9 (2023)
COUNTY EXECUTIVE

WHEREAS, the Department of Information and Support Services (DISS) requires a Point of Presence (POP) server room to be installed on the 15th floor of the Erie County Rath Building in preparation of ErieNet; and

WHEREAS, this abatement project is the first step toward preparing the space for construction that will eventually house the Point of Presence to support ErieNet; and

WHEREAS, asbestos containing materials, including spray applied fireproofing, has been found on the east side of the electrical closets on floors 1 thru 13 of the Rath building as well as on the 15th floor of the Rath building; and

WHEREAS, the Department of Public Works (DPW) received bids for the Rath Building 15th Floor Abatement Project on April 6, 2023; and

WHEREAS, the lowest responsible bidder was Caysea Contracting; and

WHEREAS, the Department of Public Works and LaBella Associates are recommending award of the contract to the lowest responsible bidder for the Rath Building 15th Floor Abatement project; and

WHEREAS, the County Executive is requesting authorization to issue an Agreement Amendment in the amount of \$22,500 to the firm LaBella Associates for air monitoring services during construction as required by New York State Department of Labor, Code Rule 56 during abatement project for the Rath Building – 15th Floor Abatement Project.

NOW, THEREFORE, BE IT

RESOLVED, that the Erie County Legislature hereby authorizes the County Executive to enter into a contract with the lowest responsible bidder, Caysea Contracting, for the Rath Building – 15th Floor POP Server Room abatement project for an amount not to exceed as follows:

Abatement Construction Work

Caysea Contracting	Base Bid:	\$ 368,000.00
Total Award of Abatement Construction Contract:		\$ 368,000.00

and be it further

RESOLVED, that authorization is hereby given for the sum of \$37,000.00 to be allocated to a Construction Contingency Fund 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 change order reductions will result in these funds being returned to the Construction Contingency Fund; and be it further

RESOLVED, that authorization is hereby given for the County Executive to execute an Agreement Amendment with the firm of LaBella Associates to provide air monitoring services during construction for the Rath Building – 15th Floor Abatement Project for an amount not to exceed \$22,500; and be it further

RESOLVED, that sufficient funding for this project exists in the Division of Building and Grounds' (Fund Center 122, Fund 410) capital project A.22068 – 2022 DISS Point of Presence Server Room; 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, the Comptroller's Office, the Department of Law and the Division of Budget and Management.
(4-0)

4. COMM. 10E-12 (2023)
COUNTY EXECUTIVE

WHEREAS, the Department of Homeland Security & Emergency Services, through NYS Department of Homeland Security and Emergency Services, has agreed to provide funding for training in emergency response; and

WHEREAS, the Recreational Off-Highway Vehicle Association has been identified as an appropriate and competent provider of the requested training; and

WHEREAS, authorization is required from the Erie County Legislature for the County Executive to enter into contract with the Recreational Off-Highway Vehicle Association to conduct the training for emergency response with the use of an all-terrain vehicles; and

WHEREAS, funding is available in the HS167SHSP2223 State Homeland Security Program Grant to cover the costs incurred for this training; and

WHEREAS, the vendor will be managed by the Erie County Department of Homeland Security & Emergency Services.

NOW, THEREFORE, BE IT

RESOLVED, that the Erie County Legislature hereby authorizes the County Executive to enter into contract with the Recreational Off-Highway Vehicle Association in an amount not to exceed \$9,000 to conduct emergency response training; and be it further

RESOLVED, that sufficient funding exists to cover this expense in HS167SHSP2223; and be it further

RESOLVED, that certified copies of this resolution be sent to the Erie County Executive's Office, Comptroller's Office, Department of Homeland Security & Emergency Services, Department of Law, and the Division of Budget and Management.
(4-0)

HOWARD J. JOHNSON, JR.
CHAIR