

STEBEN COUNTY AD HOC OFFICE SPACE COMMITTEE

Tuesday, December 10, 2019

10:40 a.m.

*Legislative Committee Room
Steuben County Office Building
Bath, New York*

****MINUTES****

COMMITTEE:	Robin K. Lattimer, Chair Gary D. Swackhamer	Carol A. Ferratella, Vice Chair Scott J. Van Etten	John V. Malter
STAFF:	Jack K. Wheeler Brenda Mori Eric Rose	Christopher Brewer Tammy Hurd-Harvey	Jennifer Prossick Andy Morse
LEGISLATORS:	Joseph J. Hauryski Hilda T. Lando	Kelly H. Fitzpatrick Robert V. Nichols	K. Michael Hanna Frederick G. Potter
ABSENT:	Brian C. Schu		
OTHERS:	Korey Webb, Werth Construction Services James Post, <i>The Leader</i> Mary Perham		

I. CALL TO ORDER

Ms. Lattimer called the meeting to order at 10:40 a.m.

II. APPROVAL OF MINUTES

MOTION: APPROVING THE MINUTES OF THE NOVEMBER 12, 2019, MEETING MADE BY MR. SWACKHAMER. SECONDED BY MR. MALTER. ALL BEING IN FAVOR. MOTION CARRIES 5-0.

III. NEW BUSINESS

A. County Manager

1. **Phase I Bid Awards** – Mr. Wheeler informed the committee that we did get a good number of bids and they were very competitive. We were disappointed that a few of the low bidders failed to submit the Iranian Divestment form and that is one form that we cannot waive. We made sure that everything was posted publicly and on the website. It was very clearly noted that this was a required form. For the next phase, we will have a table set up with all of these forms and remind everyone to make sure these forms are submitted. This will cost us \$100,000 in addition to what we could have seen. Mr. Wheeler stated the good news is the bids are within our overall budget project and Werth’s estimate of \$2.1 to \$2.2 million.

Mr. Webb stated all of the references were checked on the previous projects these bidders worked on and we have worked with a few of them before. He feels comfortable that we will be good going forward.

Mr. Malter asked you do not think it would be worthwhile to rebid? Mr. Wheeler replied he does not know if they would come back lower and there would be a tangible cost for reissuing the bids and the time not scoped, which would then incur additional costs. The other major concern is you have to have a good rationale to reject bids and it would be hard to justify. Mr. Webb commented some of the bidders will drop out when you rebid and savings typically do not happen.

Mr. Van Etten asked how can the companies not know the requirements? Mr. Webb stated he agrees; that form is in every public project.

Mr. Wheeler stated he would like to clarify the award of the controls contract. We were not required to bid under State law and we already utilize Day Automation as that service is provided under State contract.

Ms. Lattimer asked about Building Innovation Group; has anyone worked with them before? Mr. Wheeler replied LaBella has worked directly with them.

MOTION: RECOMMENDING THE LEGISLATURE AWARD THE BIDS FOR PHASE I OF THE COURT RENOVATION PROJECT AS FOLLOWS: GENERAL CONSTRUCTION – BUILDING INNOVATION GROUP (\$987,821.00); PLUMBING CONSTRUCTION – KIMBLE, INC. (\$197,700.00); MECHANICAL CONSTRUCTION – LAWMAN HEATING AND COOLING, INC. (\$322,300.00); ELECTRICAL CONSTRUCTION – MATCO ELECTRICAL CORPORATION (\$384,500.00); AND CONTROLS CONTRACTOR – DAY AUTOMATION (\$67,581.93) MADE BY MR. VAN ETTEN. SECONDED BY MR. MALTER. ALL BEING IN FAVOR. MOTION CARRIES 5-0. Resolution Required.

2. **Change Orders** – Mr. Wheeler informed the committee that during the de-scope process we may have change orders to bring to you. We will be doing structural work at the Balcom House because that will become a swing space for the State. Judge Scudder’s former space is largely vacant and we will get ready to turn that into swing space for Phase II in advance. This is money that you would be spending anyhow.

Mr. Swackhamer commented change orders are scary. Mr. Wheeler replied they are. This is a thing where we will be pulling from the next phase. With the committee’s permission, he would like to codify the approval levels for change orders in the resolution awarding the bids. The levels are change orders up to \$10,000 require County Manager approval; change orders between \$10,000 and \$25,000 require Ad Hoc Office Space Committee approval; and change orders above \$25,000 require approval of the Full Legislature. These are the same levels outlined in the *Administrative Code*.

MOTION: SETTING THE APPROVAL LEVELS FOR CHANGE ORDERS AS FOLLOWS, PURSUANT TO THE ADMINISTRATIVE CODE: CHANGE ORDERS UP TO \$10,000 REQUIRE COUNTY MANAGER APPROVAL; CHANGE ORDERS BETWEEN \$10,000 AND \$25,000 REQUIRE AD HOC OFFICE SPACE COMMITTEE APPROVAL; AND CHANGE ORDERS ABOVE \$25,000 REQUIRE APPROVAL OF THE FULL LEGISLATURE MADE BY MR. SWACKHAMER. SECONDED BY MRS. FERRATELLA. ALL BEING IN FAVOR. MOTION CARRIES 5-0. Resolution Required.

3. **OCA Funding** – Mr. Wheeler informed the committee that he received a letter from the Office of Court Administration (OCA) regarding funding for this project. The State has committed between \$100,000 and \$150,000 for fiscal year 2020-2021. They are also committing an equal amount of funding for subsequent years, but that is dependent upon the State budget allocations.

Mr. Wheeler stated if you bond, you are eligible for some help with that, but based on our Fund Balance, now that we have at least \$100,000 committed to, you are in good shape to go this route. Mrs. Hurd-Harvey commented she thinks we should use our own money. Mr. Wheeler stated if everyone is comfortable with this, we will need authorization to transfer \$2.5 million from the Fund Balance into the renovation project. You could transfer more into the project later. Mr. Van Etten stated that he would just do the \$2.5 million. Mr. Wheeler asked if the committee would mind authorizing \$3 million just to be safe. He clarified all of the costs are approved by this committee. He stated with your approval, we will also need a Special Finance meeting prior to the Legislative Meeting.

MOTION: AUTHORIZING THE TRANSFER OF \$3 MILLION FROM THE GENERAL FUND INTO THE COURT RENOVATION PROJECT MADE BY MR. VAN ETTEN. SECONDED BY MR. SWACKHAMER. ALL BEING IN FAVOR. MOTION CARRIES 5-0. Resolution Required.

4. **Informational** – Mr. Wheeler stated work will begin shortly after the first of the year and is expected to be complete by late June. Mr. Van Etten asked has there been any discussion about adding security to the new building? Mr. Wheeler replied there has been a discussion with the Sheriff and our opinion is that we should. With the changes in Bail Reform, we can utilize the same staff. In the future, we will want to have a conversation about providing security at the Balcom House as well. To provide security in the new building, that will require one additional FTE equivalent; you would certainly want security when you have a Legislative Meeting and the Sheriff has been concerned about Elections.

Mr. Swackhamer asked what is our next move? Mr. Webb replied we will hold a pre-construction meeting next Thursday, December 19th and will be getting everyone ready to go by the end of January. Mr. Wheeler stated we have been working with the courts and have had meetings about phasing and swing space. The District Attorney has been occupying some of the old Cooperative Extension Space. The old Elections space is being occupied by Surrogates and we are just working with them to move.

5. **Community Services Buildings** – Ms. Prossick stated the Legislature passed a resolution to purchase the three Community Services Building for \$3.5 million. We had discussed a private mortgage and rescinded the waiver of the mortgage tax. She is recommending a statutory installment bond for \$3.5 million for the same term with no interest. The only question is it is usually an annual payment. If we bond January 1st, the payment would be due December 30th. They have it written as monthly payments. We will try to close before January 1st and that will save us \$15,000 and we do not have to pay any mortgage tax. Mr. Malter commented this will be no different than how the lease payments have been made. Mr. Swackhamer asked do we need to do a walk through? Mr. Rose replied no, everything will be business as usual at this point.

MOTION: AUTHORIZING THE ISSUANCE OF A STATUTORY INSTALLMENT BOND IN THE AMOUNT OF \$3,500,000 TO PAY FOR THE PURCHASE OF THREE BUILDINGS FOR THE LOCATION OF THE COMMUNITY SERVICES' OFFICES MADE BY MRS. FERRATELLA. SECONDED BY MR. VAN ETTEN. ALL BEING IN FAVOR. MOTION CARRIES 5-0. Resolution Required.

MOTION: TO ADJOURN MADE BY MR. MALTER. SECONDED BY MR. VAN ETTEN. ALL BEING IN FAVOR. MOTION CARRIES 5-0.

Respectfully Submitted by

Amanda L. Chapman
Deputy Clerk
Steuben County Legislature