

PUBLIC HEARING

**Regarding rezoning of “Sterling 45 Medical Building” SBL#152.14-2-24.11 & SBL#152.14-2-24.12
from R-3 to I-1**

At 7:27PM (local time) Supervisor Majchrzak called for the Public Hearing to hear all interested parties regarding the proposed rezoning of .99+/- acres of a 3.34+/- acres parcel of Vacant Land, currently accessed by Lake Ave. from R-3 to I-1, to allow for a parking expansion to be accessed through Windward Road, sponsored by 45 Sterling Bend, LLC. (SBL#s 152.14-2-24.11 & 152.14-2-24.12)

Affidavits of Publication and Posting of the Legal Notice of the Public Hearing were presented, and read aloud, and filed with the Town Board by the Town Clerk.

Supervisor Majchrzak asked if anyone is interested in speaking or making a comment.

Chris Wood came forward to speak in favor of the proposed rezoning.

Renee Carroll came forward to speak against the proposed rezoning.

Kathy Pokigo came forward to speak against the proposed rezoning.

Elizabeth Stuart came forward to speak against the proposed rezoning.

Paul Zak came forward to speak against the proposed rezoning.

Mary Chase came forward to speak against the proposed rezoning.

Josh & Laura Fabi came forward to speak against the proposed rezoning.

Larry Filipski came forward to speak against the proposed rezoning.

5) THE FOLLOWING RESOLUTION WAS OFFERED BY SUPERVISOR MAJCHRZAK, WHO MOVED ITS ADOPTION, SECONDED BY COUNCILMEMBER MARIANO, TO WIT:

RESOLVED, that the Town Board does hereby close the Public Hearing regarding the proposed rezoning of .99+/- acres of a 3.34+/- acres parcel of Vacant Land, currently accessed by Lake Ave. from R-3 to I-1, to allow for a parking expansion to be accessed through Windward Road, sponsored by 45 Sterling Bend, LLC. (SBL#s 152.14-2-24.11 & 152.14-2-24.12) at 7:54PM.

The resolution was unanimously adopted.

The Town Board will vote on this item at the November 20, 2024 Town Board Meeting.

WHEREAS, following due and timely notice a Public Hearing, relating to the matter of an amendment to the Zoning Ordinance of the Town of Orchard Park, was conducted at the Municipal Center on November 6, 2024 at which time all interested parties were given an opportunity to be heard, which amendment provides as follows:

WHEREAS, no recommendations from the Erie County Department of Planning, pursuant to §239-m of the General Municipal Law, was received and filed by the Town Board, and

WHEREAS, approval from the Planning Board was received and filed with the Town Board.

NOW, THEREFORE, be it

RESOLVED, and ORDAINED, that the Zoning Ordinance and Zoning map of the Town of Orchard Park be and are hereby amended by rezoning SBL#s 152.14-2-24.11 & 152.14-2-24.12, .99+/- acres of a 3.34+/- acres parcel of Vacant Land, currently accessed by Lake Ave. from R-3 to I-1, to allow for a parking expansion to be accessed through Windward Road, as follows:

ALL THAT TRACT OR PARCEL OF LAND situate in the Town of Orchard Park, County of Erie and State of New York, being part of Lot Number 24, Township 10, Range 7 of the Buffalo Creek Reservation described as follows:

*Commencing at a point in the centerline of Lake Avenue at the northwest corner of lot 24;
Thence S 00°27'42" W, along the west line of lot 24, a distance of 40.00 feet to a point on the south line of Lake Avenue, being 80 feet wide;
Thence S 00°27'42" W, along the west line of lot 24, a distance of 594.80 feet to the POINT OF BEGINNING;
Thence S 88°37'18"E, parallel with the south line of lands conveyed to Metzler, recorded in the Erie County Clerk's Office in Liber 7151 of Deeds at page 657, a distance of 206.40 feet to a point on the east line of Metzler;
Thence S 00°27'42" W, parallel with the west line of lot 24, a distance of 210.00 feet to the south line of Metzler;
Thence N 88°37'18" W along the south line of said lands of Metzler, a distance of 206.40 feet to the west line of lot 24;
Thence N 00°27'42" E along the west line of lot 24, a distance of 210.00 feet to the POINT OR PLACE OF BEGINNING, containing 0.99 acres more or less.*

RESOLVED, that this approval is granted with the following stipulations as recommended by the Planning Board:

- All public notices have been filed.
- This is an Unlisted SEQR action based on the submitted Short EAF, and a Negative Declaration is recommended.
- Fees shall be paid in accordance with Section 144-70C, of the Town Code prior to publication of the Public Hearing Notice.
- The recommendation is contingent upon the Applicant completing the project as proposed on the preliminary development plans, and shall revert to its original Zoning Classification if the project is not completed per Section 144-67 of the Town Code.
- Access to the parking area shall be through Windward Road, and there shall be no access through Lake Ave.
- The Planning Board recommends that the Applicant be granted conditional Approval to clear the site as needed if and when the Town Board Approves the Rezoning.

RESOLVED, under the authority of the Town of Orchard Park Ordinances Sections 144-66 through 144-69, and be it further

RESOLVED, this ordinance shall take effect ten (10) days after publication and posting in accordance with the law, and be it further

RESOLVED, that the Town Clerk publish and post a copy of said amendment in accordance with §264 and 265 of Town Law.



TOWN OF ORCHARD PARK

ENGINEERING DEPARTMENT

S 4295 South Buffalo Street Orchard Park, New York 14127-2609

Phone: (716) 662-6425

Fax: (716) 662-6488

Email: openg@orchardparkny.org

November 27, 2024

TOWN ENGINEER
WAYNE L. BIELER, P.E.

Honorable Town Board
Town of Orchard Park
4295 South Buffalo Street
Orchard Park, New York 14127

**Re: Berg Rd Pump Station
NYSEG - Service Upgrade**

Dear Board Members:

As you are aware, the Berg Road Pump Station Reconstruction Project was awarded to Groundbreaking Solutions on September 4, 2024. In order to provide the new pump station with adequate power, NYSEG will need to upgrade the service from 240 volts to 208 delta as discussed. NYSEG has provided the Town with a quote not to exceed \$8,371.26. Payment must be received before work can start.

There is presently \$1,103,544.00 allocated in Capital Project G0006 (Berg Road Sanitary Sewer Pump Station) for this project.

I, therefore, recommend that you authorize the Supervisor to approve the payment to update the electrical service for the Berg Road Sanitary Sewer Pump Station Replacement Project with NYSEG, P.O. Box 847814, Boston MA 02284-2609, for the amount not to exceed \$8,371.26.

Respectfully submitted,

Wayne L. Bieler, P.E., CFM
Town Engineer

Attachment

Cc: Remy Orfeo, Town Clerk
File #2020.005

Visit the Town's website at www.orchardparkny.org

Company Data

NY STATE ELECTRIC & GAS CORPORATION
18 LINK DRIVE
BINGHAMTON, NY 13904
USA

Quote



0250081755

1 / 1

Customer Data

TOWN OF ORCHARD PARK
4295 S BUFFALO ST
ORCHARD PARK, NY 14127-2609
USA

Service Location:

TOWN OF ORCHARD PARK
5879 BERG RD
BUFFALO, NY 14218-3711
USA

Quote

Quote Number: 0882930124003125
Quote Date: 10/02/2024
Customer Number: 0001081059-0001081059
Description: UPRD E 5879 Berg Rd Buffalo

Work Order: 801000653814
PO Number: 10301126163

Description	Amount	Tax Amount
Labor	5,910.73	0.00
Material	1,718.11	0.00
Vehicle	742.42	0.00
Quote Charge	8,371.26	Tax Charge 0.00
Amount Due	\$8,371.26	

Payment Method

Work will not be scheduled until payment is received. The estimate is valid for 90 days from the quote date. Request for additional design changes may require a new estimate. If you have any questions regarding this quote, please call 800-572-1111 .

For check please detach and return this stub with payment in enclose envelope.



TOWN OF ORCHARD PARK
4295 S BUFFALO ST
ORCHARD PARK, NY 14127-2609
USA

NYSEG
P.O. BOX 847814
BOSTON, MA 02284-7814

Quote Number
0882930124003125
Customer Number
0001081059-0001081059
Amount Due
\$8,371.26
Amount Paid
\$

Do not write below this line

93010882930124003125000000837126

TOWN OF ORCHARD PARK
December 4, 2024

Resolution Honoring Margaret Errington, Orchard Park Library Director

Whereas, the Orchard Park Town Board would like to express its gratitude to Margaret (Peggy) Errington for her years of dedication to the residents of Orchard Park through her work at the Orchard Park Public Library, and for her commitment to promoting literacy and community engagement through reading, and

Whereas, Peggy Errington was born and raised in Orchard Park, NY, and after graduating from Orchard Park High School, she went on to earn her undergraduate and MLS degrees from SUNY Buffalo. Peggy was hired as a part-time Page at the Orchard Park Public Library at the age of 16 and has remained an employee of the Buffalo & Erie County Public Library System ever since. Throughout her career, Peggy worked at the Hamburg, Cheektowaga and Buffalo Central Libraries. In January 2012, the position of Director of the Orchard Park Public Library became available and with it the opportunity to bookend her career back to where it started, and

Whereas, Peggy has served our community as the Orchard Park Library Director for the past 12 years, Peggy's career with the Buffalo & Erie County Public Library System has come full circle as she retires with 49 years of library service, and now therefore be it

Resolved, that the Town Board of the Town of Orchard Park does hereby pause its deliberations to congratulate Peggy Errington on her retirement, and to acknowledge her commitment to the residents of Orchard Park. We thank Peggy for her many years of work towards the advancement of literacy, learning, and community engagement. Through her leadership, the Orchard Park Public Library has fostered a welcoming and enriching environment for patrons of all ages, backgrounds, and interests, contributing to the personal and intellectual growth of countless individuals.

RESOLVED, that the Town Board does hereby approve the Special Event Permit request for the Holly Jolly 5K Run to be held on Saturday December 21, 2024 from 10AM – 11AM.

RESOLVED, that the Town Board does hereby approve the Special Event Permit request for the Frozen Chosen 5K Run to be held on Saturday January 25, 2025 from 10AM – 11:15AM pending departmental approvals.



TOWN OF ORCHARD PARK

ENGINEERING DEPARTMENT

S 4295 South Buffalo Street Orchard Park, New York 14127-2609

Phone: (716) 662-6425
Fax: (716) 662-6488
Email: openg@orchardparkny.org

TOWN ENGINEER
WAYNE L. BIELER, P.E.

December 26, 2024

Honorable Town Board
Town of Orchard Park
4295 South Buffalo Street
Orchard Park, New York 14127

**Re: *Second Public Hearing – Use of Funds
New York State 2020 CDBG - CARES Act***

Dear Board Members:

As previously discussed, the Town was awarded a grant for Senior Center Improvements. The grant program is the New York State CDBG – Coronavirus Aid, Relief and Economic Security Act (CARES).

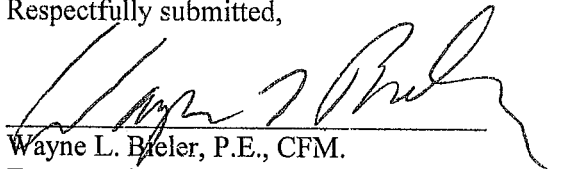
To date, the emergency generators have been delivered, automatic door openers have been delivered and installed, and the senior laptops have been delivered and put into use. All that remains is the delivery of the switch gear for the generators and to complete the installation of the generators themselves, followed by setup/startup manufacture testing. All grant funds associated with this project have been expended.

The next step toward completing this project is a second public hearing to discuss our progress with our constituents, with an opportunity for comments if they are forthcoming. As the holiday season is in full motion, the first reasonable time for such a hearing will be the regularly scheduled Town Board meeting on January 15th, 2025.

I, therefore, recommend the following resolution be authorized:

- Authorize the scheduling of a Public Hearing on January 15th, 2025 at 7:00 PM, to hear all interested parties regarding the use of CDBG-CV Grant funding for the Town of Orchard Park Community Activity Center Improvements.

Respectfully submitted,


Wayne L. Bieler, P.E., CFM.
Town Engineer

cc: Remy Orffeo, Town Clerk
File: CDBG – Cares Act



TOWN OF ORCHARD PARK

ENGINEERING DEPARTMENT

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Phone: (716) 662-6425
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TOWN ENGINEER
WAYNE L. BIELER, P.E.

November 27, 2024

Honorable Town Board
Town of Orchard Park
4295 South Buffalo Street
Orchard Park, New York 14127

**Re: Appointment of Wayne L. Bieler to the LDSA Selection
Committee representing the Town of Orchard Park**

Dear Board Members:

The County Highway Superintendents Association (CHSA) is sponsoring the formation of a new three-year Local Design Service Agreement (LDSA) that provides a listing of "pre-approved" consultants for Locally Administered Federal-Aid Projects. Cattaraugus County has volunteered to be the regional coordinator for the NYSDOT Region 5. As a municipality in Region 5 with multiple federal-aid projects on the current Transportation Improvement Plan (TIP), the Orchard Park municipality is being invited to participate in the Region 5 LDSA selection committee.

By participating in the selection committee, Wayne L. Bieler, P.E., CFM, will be representing our municipality in the formation of the regional LDSA list of up to fifteen "pre-approved" consultants and he will also be eligible to create a "short list" of up to five consultants for use by our municipality. In accordance with federal-aid consultant selection procedures, the "short list" allows a municipality to select consultants directly from a short list while selections made from the full regional list would require a secondary selection process. Similar to the last LDSA selections, if a municipality chooses to create a short list, they will then be restricted in the use of a regional list.

Attached is a copy of the Request for Qualifications (RFQ) and the Local Design Consultant Selection Procedures for your review.

I, therefore, recommend that you appoint Wayne L. Bieler P.E., CFM, to represent the Town of Orchard Park on the LDSA Selection Committee.

Respectfully submitted,

Wayne L. Bieler, P.E., CFM
Town Engineer

Attachment

cc: Remy Orfeo, Town Clerk
File

Visit the Town's website at www.orchardparkny.org

LOCAL DESIGN SERVICES AGREEMENT (LDSA) CONSULTANT SELECTION PROCEDURE

A Request For Qualifications (RFQ) pursuant to the ad in the New York State Contract Reporter was made available to any architecture/engineering (A/E) firm (Firms dealing in survey, right of way, design, construction inspection services, etc.) by request at www.countyhwys.org or by mail by contacting the New York State County Highway Superintendents' Association, 230 Washington Ave Ext, Suite 101, Albany NY 12203 at 518-730-0052. Engineering consultants responded by sending an Expression of Interest (EOI) in accordance with the terms of the RFQ. What follows is the procedure each region shall use to establish the list of qualified firms.

Selection of the Regional Consultant List

The LDSA regional coordinator should invite all the Counties and any municipalities that may have multiple State or Federally funded projects on the Transportation Improvement Program (TIP) within each region to participate in the selection committee. Each participant in the selection will receive a copy of the EOI. Only municipalities who intend to use the LDSA process should participate in the selection of the Regional List.

The coordinator shall develop a summary and scoring sheet of the A/E Consultants responding with EOI's and distribute to the selection committee. The maximum number of consultants selected to the regional list may not exceed 15 per region. This number should be based upon the number of projects proposed for each county within their perspective NYSDOT Region. This contract term will include Regions 1-9.

The LDSA regional coordinator shall schedule a regional selection committee meeting to establish the number of A/E consultants required for the region before consultant selection. Scoring of the consultants for the regional list shall be based upon the criteria and scoring as established in the Request for Qualifications (RFQ). Rating sheets are working documents not subject to FOIL and should not be distributed to any individual party.

Once the Regional list is established, the LDSA regional coordinator sends the list of consultants to NYSCHSA. Notice of results will be announced by NYSCHSA once all regions have sent the final lists. Do not announce your regional list to anyone until NYSCHSA has published the statewide list.

Each municipality that participates in ranking of the regional list may also generate from the same regional rating its' own short list (5 firms) of consultants as described subsequently in this document.

Each municipality involved with the selection of the regional consultant list shall use the rating criteria as specified in the Request for Qualifications (**Highway, Bridge, and Transportation Related Municipal Engineering Services Designations – Municipalities in NYSDOT Regions 1 through 9**) document as follows.

**REGIONAL SCORE SHEET/RFQ
SELECTION CRITERIA FOR A/E CONSULTANTS**

CRITERIA	MAXIMUM POINTS	RATING
Experience and Qualification of Proposed Staff	30	
Experience of Firm and Team with Locally Administered Federal Aid Projects	30	
Past Performance of the Firm	15	
Firms General Technical and Professional Competence	15	
Logistics and Familiarity with the Selection Area	5	
DBE Utilization	5	
TOTAL	100	

Use of the LDSA Regional Consultant List

Once the Regional list is established it may be used by sponsoring Counties or other municipalities within the Region. Using the list is not mandatory. The sponsoring entity may make its' selection from the approved Regional list by conducting a separate evaluation by the municipality's selection committee that must be comprised of not less than three (3) members. The selection may be made by a review of the material submitted for the original RFQ or additional information may be requested from all interested consultants on the regional list.

The municipalities may, if desired, conduct interviews of the firms as part of their selection process. To avoid the high production cost normally associated with the on-site interview process, NYSCHSA suggests that you meet only with the project manager and chief designer without having them prepare any formal presentation. This model promotes a relaxed conversation with those most involved in the project.

The selection criteria will be based upon the specific project requirements. The municipality rating protocol may vary from that specified in the regional selection procedure. A copy of the selection criteria and ratings must be placed in the project file and available for audit. Selection criteria may include but not be limited to, Past performance with municipality, experience with similar projects, experience of proposed staff, etc. For additional criteria please refer to Procedures for Locally Administered Federal Aid Projects, Volume 1 – Guidelines, Chapter 6.

Based on the general information provided above and to assure consistency, users of the LDSA regional list are required to adhere to the following procedures:

- The sponsor selects a minimum 3-person selection committee that should include, when suitably available, one elected official or other non-staff individual holding interest in the project.

- The selection committee establishes the rating protocol prior to solicitation of the firm.
- All firms on the regional list must be contacted to provide them an opportunity for consideration.
- Firms that are not included on the Regional lists should not be contacted.

Regional List Selection Procedures

1. Project sponsors have two choices in identifying candidates from the regional list
 - a. Review the EOI of each firm and make a selection(s) by ranking each firm
 - or -
 - b. Sponsor prepares a 1-2 page project description and requests a supplemental 1-3 page proposal that may address the following areas:
 - The firm's ability to perform the work
 - The firm's ability to meet the project schedule by analyzing the firm's workload
 - The specific personnel that the firm will assign to the project. If the project sponsor believes the project requires specialized technical skills, the sponsor is to notify all firms and offer the consultant the opportunity to add to the team contained in the EOI.
 - Provide the firm with the opportunity to supply additional information regarding their expertise and experience with similar projects or work

Review each firm's EOI and the supplemented submission.

2. Project sponsor rates and ranks firms under consideration based upon selection criteria identified for the project (see Chapter 6 of the manual entitled "Procedures for Locally Administered Federal Aid Projects", particularly Section 6.3.2).
3. At the discretion of the project sponsor, project sponsor may conduct final oral interviews and/or interview with top-ranked consultant(s). If necessary, this should be limited to the top 2-3 firms.
4. Final selection is made and documentation of selection is sent to the NYSDOT Regional Office Local Projects Unit. This is a Qualification Based Selection (QBS) process. Any discussion of fee shall be done after selection of the consultant. All firms submitting proposals should receive notification from the project sponsor on the result of the selection process.

All individual firms' rating/rankings are considered working documents and will not be disseminated for review by anyone other than NYSDOT.

5. Project sponsor begins task list preparation and negotiation of costs with selected consultant.

Selections of the municipal short list of qualified firms

A municipality involved in the regional list selection, may elect to establish a "short-list" of qualified A/E Consultants to perform federal aid engineering on projects within their individual municipalities from the regional list. The determination to establish this short-list should be based upon an evaluation of the number of proposed/potential federal aid projects in the municipality during the next several years. If a municipality does not participate in the Regional list selection process, they are not eligible to establish or select from a short list.

If so desired a sub-list of up to five A/E Consultants can be established. That list shall be established by a modified application of the original rating of the RFQ responses. The method of establishing that sub-list of five (5) A/E Consultants shall be by applying a 50% weight to the original RFQ selection score of that county and distributing the remaining 50% weighted equally to each of the remaining original RFQ scores from the other counties participating in the original selection process.

The determination to establish a sub-list of A/E Consultants should be performed concurrently with the original RFQ scoring or within several days after the concluding the original RFQ scoring.

Once a short list is established, the municipality must use it for subsequent project selections, unless there are compelling reasons for the municipalities to use the regional list. Such "compelling reasons" are limited as all firms have opportunity to change teams or add project specific expertise per the methods described herein and in the RFP. Examples of "compelling reasons" may be if most firms on the short list have heavy workloads that threaten schedules or business dissolution. However, the project sponsor can always chose to perform, on any project, an open selection using the full federal consultant selection procedure.

Use of the municipality LDSA short list of consultants

When the municipality decides to create a short list, they should use the following procedures:

All users of the LDSA short list firms must do the following:

- All firms on the municipality's short list must be contacted to provide them notice that a selection is being made.
- Selection off the short list can be done by an individual or a selection committee.
- Write a summary justifying your selection from the short list.

Individual Municipality Short List Selection Procedures.

1. Project Sponsors have two choices in identifying candidates from the short-list:
 - a. Review the EOI of each firm and make a selection(s) by ranking each firm. Rating and selection can be made directly from this list using the EOI without any other documentation.

- or -
 - b. Sponsor prepares a 1-2 page project description and requests a supplemental 1-3 page proposal that may address the following areas:
 - The firm's ability to perform the work
 - The firm's ability to meet the project schedule by analyzing the firm's workload
 - The specific personnel that the firm will assign to the project
 - Provide the firm with the opportunity to supply additional information regarding their expertise and experience with similar projects or work
 - If special expertise is required, the sponsoring agency is to notify all short-listed firms to provide them the opportunity to augment his/her team to address that special expertise.

Review each firm's EOI and the supplemented submission.

2. At its' discretion, municipalities conduct final oral interviews and/or in-person interview with consultant(s) under consideration.
3. Municipalities make final selection and documents selection by completing a summary justifying the selection. This is a Qualification Based Selection (QBS) process. Any discussion of fee shall be done after the selection of the consultant. If the municipality decides to abandon use of the short list for a particular project, a full written justification shall be reviewed with the NYSDOT and placed in the project file.
4. Send a final copy of the justification and determination to the NYS Regional Local Projects Unit. Project sponsor should notify short-list firms on who was selected, but are not obligated to reveal any individuals firms rating and/or ranking.
5. Project sponsor begins task list preparation and negotiation of costs with selected consultant.

Inclusive Negotiations

If the Sponsor and consultant cannot come to an agreed upon scope and cost of the project, the Sponsor must inform the consultant in writing that negotiations have ended and provide the reasons for termination. The Sponsor must notify the LDSA Regional Coordinator and their RLPL of the terminated process and their intentions on how to proceed. The Sponsor repeats steps 3-5 as needed and identify the next most qualified consultant to begin negotiations.

Evaluation of Consultant Performance

The Sponsor's Project Manager (PM) should prepare a written evaluation of the consultant's performance after the consultant's final payment and progress report have been submitted and after the PM has conducted a detailed evaluation with the consultant's project manager. The report should include, but not be limited to, an evaluation of such items as timely completion of work, conformance with contract cost and the quality of work. A sample evaluation report is available on the NYSCHSA website. A copy of the report must be sent to the consultant for review and/or comments. Any written comments submitted to the Sponsor by the consultant must be attached to the final evaluation. Evaluations should be forwarded to the Regional NYSCHSA LDSA coordinator and will be maintained by the NYSCHSA. Consultant evaluations shall not be shared with other Consultants.

Request for Qualifications for Highway, Bridge, and Related Municipal Engineering Services Designations - Municipalities in NYSDOT Regions 1 through 9

Description:

Notice is hereby given that the NYS County Highway Superintendents Association (NYSCHSA) is facilitating the selection of engineering firms to provide any of the following services: Project Scoping; Preliminary and Final Design (Design Phases I-VI); and/or Construction Support and Inspection Services for municipal highway, bridge, transportation related contracts that are eligible for federal-aid and require NYS approved consultant selection procedures.

Municipalities (counties, town, cities, incorporated villages) may contract with any of the consultants designated in their respective NYSDOT Region to provide services for locally administered federal and/or state-aided municipal highway, bridge, and related projects that require architectural/engineering/ surveying services. Typical project assignments may include bridge and highway preventative maintenance, rehabilitation and replacements, intersection improvements, intelligent transportation systems, sidewalk and bicycle facilities, and transportation enhancement projects.

Required Services:

Project Scoping may include, but are not limited to: Assessment and design of existing or new municipal facilities, including the condition of roadways, trails, curbs, sidewalks, culverts, water and sewer lines, bridges, ancillary structures, intersection and traffic control and other transportation facilities; and development of conceptual alternatives for construction of a project.

Preliminary Design (Phases I-IV) may include, but are not limited to: Topographic and right-of-way (ROW) surveying; development of design alternatives, including cost estimates; in-depth bridge inspections; evaluation of cost and environmental factors including air, noise and water studies, wetland delineation, cultural resource studies, hazardous materials studies; architectural services; preparation for, attendance, and participation at public information meetings and hearings; traffic/corridor studies; intelligent transportation systems; landscape architecture; storm water mitigation; context sensitive design; value engineering; planning studies and other incidental services required, as necessary to establish a Design Approval Document and approved preliminary plan; other ROW incidentals such as appraisals and preparation of ROW maps; and project permitting.

Final Design (Phases V-VI) may include, but are not limited to: Final horizontal and vertical alignments for highways and streets, bridges, paths, walkways and trails; ROW acquisition work; development and design of public utilities; maintenance and protection of traffic during construction; typical sections; pavement markings; guide rail; bridge

rehabilitation and replacement; highway reconstruction/rehabilitation; traffic control systems, constructability reviews; and preparation of final Plans, Specifications, and Estimates (PS&E) for the projects.

Construction Support may include, but are not limited to: Assistance in construction bid proceedings; review of shop drawings; providing design response to unanticipated or changed field conditions; analysis and participation in proposed design changes; and ongoing interpretation and clarification of design plans.

Construction Inspection may include, but are not limited to: Providing on-site construction inspection and oversight to ensure the quality of construction and conformity with the plans and specifications.

Firms must be able to provide all of these services either directly or through subconsultants, including disadvantaged business enterprises (DBE). It is anticipated that teams proposed at the time of selection will be available for subsequent selection for specific projects. It is anticipated that subconsultants (including DBEs) will be provided the opportunity to perform Commercially Useful Functions in subsequent projects.

The prime consultant should identify any tasks that will require a subconsultant to perform on any given project (Survey, Environmental, CI, etc). The prime does not have to specifically identify the firm in this proposal, but any subconsultant must be licensed to perform work in New York State and any DBE subconsultant must be a Certified DBE firm at the time the work is performed. Certified DBE firms are listed on this site: <https://nysucp.newnycontracts.com/> Prime firms shall be responsible for performing their own quality based selection when contracting with a subconsultant.

To be designated by municipalities, all Consultants (prime and subconsultants) must be authorized by the State of New York to practice architecture and/or engineering, as appropriate and certified by the NYS Department of State. For environmental assessments, personnel must have the necessary asbestos or other certifications. Additionally, all surveying and ROW mapping shall be performed by a firm authorized to provide professional land surveying in the State of New York.

The State is divided into NYSDOT Regions, municipalities may participate as per their location in the following counties: Region 1 (Albany) – Essex, Washington, Warren, Saratoga, Rensselaer, Schenectady, Albany and Greene; Region 2 (Utica) – Madison, Oneida, Herkimer, Hamilton, Fulton, and Montgomery; Region 3 (Syracuse) – Seneca, Cayuga, Oswego, Onondaga, Cortland, and Tompkins; Region 4 (Rochester) – Orleans, Genesee, Wyoming, Monroe, Livingston, Wayne, and Ontario; Region 5 (Buffalo) – Niagara, Erie, Chautauqua, and Cattaraugus; Region 6 (Hornell) – Allegany, Steuben, Yates, Schuyler, Chemung; Region 7 (Watertown) – Jefferson, Lewis, St. Lawrence, Franklin, and Clinton; Region 8 (Poughkeepsie) – Dutchess, Ulster, Orange, Columbia, Putnam, Rockland, and Westchester; Region 9 (Binghamton) – Chenango, Tioga, Broome, Otsego, Delaware, Schoharie, and Sullivan. It is assumed that this Regional Structure will be in place for the duration of the contract. If the NYSDOT Regional

boundaries are altered during this contract, a municipality shall continue to utilize the regional list or short list that was developed by the Region where they reside at the commencement of this contract.

Firms may be designated for more than one Region. (See Special Requirements). Each designation will be for a period of three years during which time various municipalities may select from the approved list. The three-year period shall commence on April 1, 2025. Following the designation, individual projects may be assigned to the firm deemed to be most qualified by the municipality sponsoring an approved Federal-aid project, followed by a Scope of Services meeting, proposal preparation, negotiations and processing a contract with the municipality. Work under these municipal contracts for specific assignments will not be authorized to receive federal reimbursement through the State until a State/Municipal contract is executed.

Firms must anticipate attending a scope meeting in less than a week from notification of award of an individual project, with the project work to start as soon as possible thereafter. Selected firms must be able to initiate work on new assignments as necessary and to maintain steady production throughout the scheduled time period for each assignment.

If a firm receives an assignment from a municipality and is then temporarily unable to take on additional assignments, that firm should notify the appropriate LDSA Regional Coordinator that the firm is temporarily unavailable for selection. Once that firm is again capable of the satisfactory handling of additional assignments, the LDSA Regional Coordinator should again be notified. No guarantee of work assignments can be made, but the need for these contracts is based on a projected local project workload.

If a firm ceases business during this contract, that firm shall notify the appropriate LDSA Regional Coordinator, and the vacancy on the regional or short list shall not be filled. If a firm merges business operation with another firm, they will be allowed to maintain their position on any regional or short list that either firm was originally included on.

Consultant contracts with municipalities will follow the contracting procedures of the involved municipality, but terms and conditions of the contract must include all federally and/or state mandated requirements.

Criteria for Evaluation:

The selection of each Region of up to 15 of the "most highly qualified" firms, is based on the following evaluation criteria and weights listed:

1. Experience and qualifications of the proposed staff (30%);
2. Experience of the firm and team with Locally Administered Federal Aid Projects (30%);
3. Firms past performance (15%);
4. Firms general technical and professional competence (15%);
5. Firms logistics and familiarity with the selection area (5%)
6. DBE Utilization (5%).

From this Regional list, municipalities with multiple federal projects may create a "short-list" of firms (up to 5) by weighing their RFQ selection score 50% with the remaining 50% weighted equally among all other scores by the other participating municipalities. Establishment of a short-list precludes the municipality from using the full regional list, unless the municipality identifies compelling reasons for using the regional list for any particular project. Before any switch to the regional list commences, a thorough review of the need shall be done with NYSDOT Regional Office to insure proper documentation is filed with the project.

Each municipality shall make a separate selection from the LDSA Regional list or the short-list, as applicable. The selection criteria will be based upon the specific project requirements. The municipality rating protocol may vary from that specified in the regional procedure. All consultants are advised that while the rating protocol and final results can be shared, all individual municipal rating decisions are considered working documents and will not be disseminated for review by anyone other than the NYSDOT and FHWA.

Administrative Matters:

An Expression-of-Interest (EOI) consists of: Standard Form (SF) 330 for project teams including a completed Part I for the overall team and attached Part II pages for the Prime Consultant (or joint venture) A copy of the SF 330 form is available on the NYSCHSA website for download in an electronically writeable format. Each prime firm (or joint venture partner) is limited to the submission of one (1) EOI for each Region. NYSCHSA will protect confidential and proprietary information from disclosure to the extent permitted by the Freedom of Information Law ("FOIL"), Article 6 of the Public Officers Law. Accordingly, proposers should identify the page(s) of the proposal, which contain such information as, "confidential and proprietary".

Each office of any selected firm must have a Consultant Identification Number (CIN), obtained from the CIN Coordinator in NYSDOT's Contract Management Bureau at (518) 457-2600. The submission of a current certified salary roster and CONR-385 form reflecting the firm's most recently completed fiscal year are necessary documentation to receive a CIN with financial statement are necessary documentation to receive a CIN.

Instructions for completing the SF 330 are provided with the form and must be followed for each submission, as modified/clarified below:

- Part I – Item 1 –should be completed with "Local Design Service Agreements – Region XX", with XX being replaced by the appropriate NYSDOT Region number. No City or State is necessary
- Part I – Item 2 should be completed with "October 2024"
- Part I – Item 3 should be left blank
- Part I – Item 10 should be completed with the office location for the prime consultant, JV partner and subconsultant where the project work within the particular NYSDOT Region will be managed and performed. An office is defined as

a business office location either owned or leased by the firm, or a residence shown on the firm's federal tax return as a legal place of business.

- Part I, E – Resumes – include no more than 8 resumes for the prime consultant / joint venture. Subconsultants are not required to be identified, but if a prime wishes to identify a subconsultant, no more than 2 resumes for each subconsultant shall be included. All resumes shall be no more than 1 single-sided page in length. Only resumes of persons currently employed by the firm at the time of this submission may be included.
- Part I, F – include not more than 8 example projects for the Prime Consultant and 2 for each Subconsultant (if identified). Subconsultants must clearly describe their scope of work for each project (Survey, Environmental, Construction Inspection, etc.). All example projects shall be no more than 1 single-sided page in length.
- Part I, H – this section is limited to no more than 4 single-sided pages for the Prime Consultant and one page for the Subconsultants (if identified).

Graphics such as pictures, plans, etc. will only be permitted in Part I, F and H, and on the overall EOI cover.

The overall .pdf file, including both text and graphics, will be limited to 5 megabytes. All photos should be screen resolution quality.

Disadvantaged Business Enterprises: This invitation is extended to all engineering firms. Particular encouragement is extended to small firms and to Disadvantaged Business Enterprise (DBE) firms for federally funded projects. For purposes of this advertisement, DBE status is a designation of the Federal Government extended to firms who meet the eligibility criteria of 49CFR23.53 and 13 CFR121. NYSDOT certifies the status of DBE's, if they meet federal criteria. DBE participation on Federal Aid projects is not mandatory. DBE participation is, however, a weighted factor in the selection process and is encouraged. Consequently, a firm can enhance its score by proposing DBE sub-consultant participation and describing the successful use of DBE subconsultants on past projects. (20% participation on federally funded projects, 30% on NY State funded projects.) Proposal of DBE consultant firms to meet the participation percentage requires the prime consultant to utilize the services of a DBE to perform Commercially Useful Functions in each project where it is reasonably feasible. DBE firms do not need to be identified at the time of submission of this proposal, but can be chosen from the list of Certified DBE firms when responding to a specific RFQ.

Accounting Requirements: All firms submitting EOIs (prime consultants, joint ventures, and sub-consultants) must have internal control systems in place that meet federal requirements for accounting. These systems must comply with requirements of 48CFR31, "Federal Acquisition Regulations, Contract Cost Principles and Procedures," and 23CFR172, "Administration of Negotiated Contracts".

Additional Administrative Matters:

1. Each EOI package shall include ten (10) flash drive copies in .pdf format along with one printed hard copy. This package shall be sent directly to the LDSA Regional Coordinators listed at the end of this RFQ for any region the consultant wishes to apply.
2. All submissions should include covers, a table of contents, and appropriate dividers, which separate the required Parts of the SF 330 form.
3. Any material submitted in addition to the sections described in this announcement will either be ignored or may result in disqualification.
4. Each .pdf file shall include "bookmarks" for ease in retrieval of various sections of the SF 330 form. The following labeling shall be used:
 - Part I – Contract-Specific Qualifications
 - Part II – General Qualifications – Prime Consultant/Joint Venture
 - Part II – General Qualifications – Subconsultant if identified (repeat for additional subconsultants)
5. The required 10 copies must be sent to each regional coordinator where the firms wish to be considered by 4:00pm local time on the date indicated in the advertisement.
6. Send one additional flash drive copy to: NYS County Highway Superintendent Association, Attn: "LDSA Staff Representative" 230 Washington Ave Ext, Suite 101, Albany, NY 12203 also by 4:00pm local time on the date indicated in the advertisement.
7. All communications regarding this RFQ are to be channeled through NYSCHSA. Contact with any other agency involved with this EOI will be considered a very serious matter and may result in disqualification.
8. NYSCHSA reserves the right to reject all EOI's submitted, to cancel the solicitations advertised according to this notice, and/or to re-solicit for these services.

Special Project Requirements:

1. Interested firms are permitted to submit for one or more Regions. However, prime consultants or joint venture partners may submit only once for a given region. Prime firms can receive more than one regional designation.
2. Firms offering to perform services as a prime may be offered as a sub-consultant in another firm's proposal. These firms can submit as both a Prime and a Subconsultant in the same Region.
3. Prime firms that have multiple offices may submit (as outlined above) from any office. However, the firm may submit only once in each Region.
4. Prime firms or joint ventures should list only the number of full-time employees currently employed on the firm's SF 330 Part II Item 9. Do not list proposed or part-time employees in these items.
5. An organizational chart listing key managers of the proposed team may be included between Parts I and II of the prime consultant / joint venture SF 330, but it is not required.

6. Disadvantaged Business Enterprises (DBE) are encouraged to submit proposals in response to this solicitation. Designated firms must submit proof of authority to practice architectural/engineering/ surveying in NYS (as appropriate) immediately upon designation. Subconsultants, subcontracting and/or joint ventures are permitted.
7. Contract format may be cost plus fixed/net fee, specific hourly rate, lump sum or any other format which may be approved by NYSDOT.

Proposal Due: November 22, 2024 at 4:00pm local time

Contract Term: 04/1/2025-3/31/2028

Location: Various Municipalities, NYSDOT Regions 1 – 9

Contact for Information:

NYS County Highway Superintendent Association

230 Washington Ave Ext., Suite 101

Albany, New York 12203

518-730-0052

email: info@countyhwys.org

Submit to listed

LDSA Regional Coordinator of the NYSDOT Region, which the firms wish to be considered:

Contact People NYSCHSA

Jeffrey B. Smith, President
Tompkins County DPW
170 Bostwick Road
Ithaca, NY 14850
607-274-0309
jsmith@tom-pkins-co.org

NYSCHSA

LDSA Staff Representative
230 Washington Ave Ext-STE 101
Albany, NY 12203
518-730-0052
info@countyhways.org

Region 1

Deborah Donohue, P.E.
Washington County DPW
383 Broadway
Fort Edward, NY 12828
518-746-2440
ddonohue@washingtoncountyny.gov

Region 2

F. Joseph Wisinski
Madison County Highway Dept.
PO Box 15
Wampsville, NY 13163
315 366-2221
Joe.Wisinski@madisoncounty.ny.gov

Region 3

Jeffrey B. Smith
Tompkins County DPW
170 Bostwick Road
Ithaca, NY 14850
607-274-0309
jsmith@tom-pkins-co.org

Region 4

Kevin P. Rooney, P.E.
Wayne County Highway Dept.
7227 Route 31
Lyons, NY 14489
315-946-5600
krooney@co.wayne.ny.us

Region 5

Bill Fox P.E.
Cattaraugus County DPW
8810 Route 242
Little Valley, NY 14755
716-938-9121
wafox@cattco.org

Region 6

Kenneth Thurston
Schuyler County Highway Dept
910 S. Decatur Street
Watkins Glen, NY 14891
607-535-2531
kthurston@co.schuyler.ny.us

Region 7

Donald R. Chambers, P.E.
St. Lawrence County Hwy. Dept.
44 Park Street
Canton, NY 13617
315-379-1542
DChambers@stlawco.gov

Region 8

Charles H. Vezzetti
Rockland County Highway Dept.
26 Scotland Hill Road
Chestnut Ridge, NY 10977
845-638-5060
vezzettc@co.rockland.ny.us

Region 9
Edward McAndrew, P.E.
Sullivan County DPW
100 North Main Street
PO Box 5012
Monticello, NY 12701
845-807-0261
Edward.mcandrew@sullivanny.us



**TOWN OF
ORCHARD PARK**

MEMORANDUM

S.4295 SOUTH BUFFALO STREET
ORCHARD PARK, NEW YORK 14127
(716) 662-6432

DATE: 11/26/2024

TO: Town Clerk, Remy Orffeo, Jenifer Brady, and Building Inspector Tom Minor
FROM: Anna Worang-Zizzi
SUBJECT: December 4, 2024 - TB Agenda New Business Item

Please refer the following item to the Planning and Conservation Boards for their review and recommendation.

1. V/L Windward Drive, located on the north side of an approved 45,000 square foot medical office project at 250 Windward Road, Zoned I-1. Applicant is requesting to construct an 83 space parking lot extension. (SBL # 152.18-2-6)
2. 3052 Transit Road, Harvest Hill Golf Course. Applicant is requesting to construct a "caretaker's dwelling" located near the 9th hole green, Zoned R-2 and R-3. (SBL #153.08-2-6.111)

BUILDING DEPARTMENT COPY: Please review above and indicate if any Zoning corrections are needed.

Reviewed by: _____ Date: _____

ORCHARD PARK FIRE DISTRICT
ADOPTED 2025 BUDGET

BUDGET SUMMARY

Total Appropriations		\$	5,075,638
Less:			
Estimated Revenues	\$	138,820	
Estimated Prior Year Balance	\$	300,000	
Unexpended Balance		\$	<u>(438,820)</u>
Amount to be Raised by Real Property Taxes		\$	<u>4,636,818</u>
Assessed Valuation for 2025			\$1,744,791,437

I certify that the budget was adopted by the
Fire Commissioners on October 15, 2024


Roberta Buczkowski
Secretary, Orchard Park Fire District

**ORCHARD PARK FIRE DISTRICT
ADOPTED 2025 BUDGET**

APPROPRIATIONS

		Adopted Budget 2024	Proposed Budget 2025	Adopted Budget 2025	
A3410.1	Personal Services	\$ 247,500	\$ 433,000	\$ 433,000	
A3410.2	Equipment	\$ 2,295,516	\$ 2,191,060	\$ 2,191,060	
A3410.4	Contractual Expenditures	\$ 1,562,200	\$ 1,757,440	\$ 1,754,258	
A1930.4	Claims and Judgements	\$ -	\$ -	\$ -	
A9010.8	State Retirement System	\$ 300,000	\$ 150,000	\$ 150,000	
A9030.8	Social Security	\$ 11,800	\$ 32,895	\$ 32,895	
A9040.8	Workers' Compensation	\$ 5,000	\$ 5,000	\$ 5,000	
A9050.8	Unemployment Insurance	\$ -	\$ -	\$ -	
A9060.8	Other Insurance	\$ -	\$ 300,000	\$ 350,000	
A9085.8	Supplement Benefit Payments	\$ -	\$ -	\$ -	
A9710.6	Redemption of Bonds	\$ 120,000	\$ 125,000	\$ 125,000	
A9710.6	Redemption of Notes	\$ -	\$ -	\$ -	
A9710.7	Interest on Bonds	\$ 38,100	\$ 34,425	\$ 34,425	
A9710.7	Interest on Notes	\$ -	\$ -	\$ -	
A9901.9	Transfer to Reserve Fund	\$ -	\$ -	\$ -	
A9950.9	Transfer to Capital	\$ -	\$ -	\$ -	
Total		\$ 4,580,116	\$ 5,028,820	\$ 5,075,638	

**ORCHARD PARK FIRE DISTRICT
ADOPTED 2025 BUDGET**

ESTIMATED REVENUES

		Adopted Budget 2024		Proposed Budget 2025		Adopted Budget 2025
A2262	Fire Protection & Districts/Govs	\$ -		\$ -		\$ -
A2401	Interest & Earnings	\$ 15,000		\$ 40,000		\$ 40,000
A2410	Leases & Rentals	\$ 98,000		\$ 90,120		\$ 90,120
A2660	Sales of Apparatus & Equipment	\$ -		\$ -		\$ -
A2701	Refunds of Expenditures	\$ -		\$ -		\$ -
A2705	Gifts & Donations	\$ -		\$ -		\$ -
A2770	Hydrant Zone	\$ -		\$ 8,700		\$ 8,700
A3389	State Aid, Other Public Safety	\$ -		\$ -		\$ -
A4389	Federal Aid, Other Public Safety	\$ -		\$ -		\$ -
A5031	Interfund Transfers	\$ -		\$ -		\$ -
	Unclassified	\$ -		\$ -		\$ -
	Total	\$ 113,000		\$ 138,820		\$ 138,820