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COUNTY OF ERIE

MARK C. POLONCARZ
COUNTY EXECUTIVE

July 10, 2012

Erie County Legislature
92 Franklin Street – 4th Floor
Buffalo, New York 14202

RE: 2012 Erie County Dam Safety, Inspection And Design Engineering Services Award of Consultant Agreement

Dear Honorable Members:

The Department of Public Works, Division of Highways requests to enter into an agreement with Bergmann Associates for Dam Safety, Inspection and Design Engineering Services of various Erie County Dams. The firm was selected as having the necessary expertise, experience and manpower to provide the County of Erie with the services required.

Should your Honorable Body require further information, I encourage you to contact Commissioner John C. Loffredo of the Department of Public Works. Thank you for your consideration on this matter.

Sincerely,

Mark C. Poloncarz, Esq.
Erie County Executive

MCP/WS/cas
Enclosure

cc: John C. Loffredo, Department of Public Works

COMPTROLLER'S RECEIVED
12 JUN 26 PM 1:51

MEMORANDUM

To: Honorable Members of the Erie County Legislature
From: Department of Public Works
Re: 2012 Erie County Dam Safety, Inspection and Design Engineering Services Award of Consultant Agreement
Date: June 26, 2012

SUMMARY

The Department of Public Works, in response to the New York State Department of Energy Conservation Dam Hazard Determinations, recommends Bergmann Associates, an approved provider of engineering services via Comm. 14E-19 of July 17, 2008, as best suited to complete this project.

FISCAL IMPLICATIONS

The amount of fee is not to exceed $360,000.00 (Business Area 123, Fund 420, SAP Project B.12009) and will be negotiated by the Department of Public Works with Bergmann Associates, the selected consultant, and an appropriate contract being issued to the firm.

REASONS FOR RECOMMENDATION

The utilization of Dam Safety, Inspection and Design Engineering Services agreement will permit the Department of Public Works to proceed with the dam inspections and minor repair projects, if necessary, in a very timely, cost-effective manner.

BACKGROUND INFORMATION

Separate agreements for each and every small project become difficult to manage and track through the system. By combining the Dam Inspections and unforeseen small projects that may be necessary from information gained during the inspections into one General Engineering Service agreement, efficiency will be increased with resultant savings in time and funds.

CONSEQUENCES OF NEGATIVE ACTION

If the Dam Safety, Inspection and Design Engineering Services agreement is not processed, the traveling public and public, in general, may be in danger from uninspected dams that are subject to possible damage or complete collapse depending upon their unknown condition.

STEPS FOLLOWING APPROVAL

Upon receiving the Erie County Legislature's approval, agreements will be prepared and executed with the firm selected. Once the agreement is executed, Dam Safety, Inspection and possible design work will begin immediately thereafter.

COMPTROLLER'S OFFICE REVIEW

The proposed legislation has been reviewed by the Office of the Comptroller and is related to an authorized capital project for which there will be sufficient funding once the 2012 bonds are sold. This project is included in the agreed upon list of 2012 projects to advance.

Lorne H. Steinhart 6/27/12

Lorne Steinhart
Deputy Comptroller
Comptroller's Office

- This project has been consented to receive cash advance funding re: 2012 capital bonds/consolidated Bond Resolution.
- There will be sufficient funding for this proposed action once the 2012 bond proceeds arrive. LHS

JCL/WSS/cas

File Copy (HGWY 6-22-12 2012 Erie County Dam Safety, Inspection & Design-RESO)

A RESOLUTION SUBMITTED BY:
DEPARTMENT OF PUBLIC WORKS, DIVISION OF HIGHWAYS

RE: 2012 Erie County Dam Safety, Inspection and
Design Engineering Services
Award of Consultant Agreement

WHEREAS, the County owns nine (9) dams, and in accordance to the New York State Department of Environment and Conservation, two (2) are high hazard dams, one is a medium hazard and the six (6) remaining ones are low hazard dams; and

WHEREAS, there is a need for Dam Safety, Inspection and Design Engineering Services performed by a firm specializing in the provision of such services; and

WHEREAS, the Department of Public Works selected Bergmann Associates, an approved provider of engineering services via Comm. 14E-19 of July 17, 2008.

NOW, THEREFORE, BE IT

RESOLVED, that the County Executive be authorized to enter into an agreement with Bergmann Associates to provide Dam Safety, Inspection and Design Engineering Services County-wide; and be it further

RESOLVED, that the negotiated contract fee will be appropriated from 2012 Dam Safety and Preservation Design (SAP Project Account B.12009), in an amount which will not exceed $360,000.00; and be it further

RESOLVED, that three (3) copies of this resolution be sent to the Department of Public Works, Office of the Commissioner and one copy each to the Office of the County Executive, the Division of Budget and Management and the Office of the Comptroller.

TO: LORNE STEINHART, COMPTROLLER'S OFFICE

PROPOSED RESOLUTIONS REQUIRING RULE 55

CONTRACT APPROVAL CHECKLIST
CONFIRMATION OF AVAILABILITY OF FUNDS IN CAPITAL PROJECTS

REQUESTING DEPARTMENT	COMPLETE ITEMS 1 THROUGH 5
1. CONTRACTOR'S NAME	Bergmann Associates
2. AMOUNT OF CONTRACT	$360,000.00
3. PROJECT NUMBER	SAP B.12009
4. PROJECT TITLE	2012 Dam Safety and Preservation Design
5. DEPARTMENT CONTACT	Funding questions: Charles A. Sickler, PE at 8372 Letter pickup: Diane Bukowski at 8301

COMPTROLLER'S OFFICE	COMPLETE ITEMS 6 AND 7
6. AVAILABILITY OF FUNDS	$ * see below
7. PERFORMED BY	Jackie Pulsifer
Date Sent to Comptroller's Office: [55 compt_10]	June 26, 2012

* COMMENTS: There will be enough funding for the action proposed once the bonds are sold for 2012. This project was included in the agreed upon list of projects to cash advance prior to the bond sale.