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COUNTY OF ERIE

MARK C. POLONCARZ
COUNTY EXECUTIVE

July 17, 2012

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

IMMEDIATE CONSIDERATION REQUESTED

RE: Award of Construction Contract
Black Rock Canal Park Improvements Project
City of Buffalo
Erie County Project No. A.21016 and No. A.00347

Dear Honorable Members:

Enclosed please find a proposed resolution authorizing the award of contracts for the Black Rock Canal Park Improvements Project – Phase 1, in the City of Buffalo, to Scott Lawn Yard, Inc. of 5552 Townline Rd., Sanborn, New York 14132 for General Construction work and to CIR Electric of 400 Ingham Avenue, Lackawanna, New York 14218 for electrical construction work.

Transmitted herewith is one copy of the bid tabulations for the above noted project indicating the low bidder for general construction to be Scott Lawn Yard, Inc. and the low bidder for electrical work to be CIR Electrical.

Should your honorable body require any further information, I encourage you to contact Commissioner Maria Whyte in the Department of Environment and Planning. Thank you for your consideration on this matter.

Sincerely yours,

Mark C. Poloncarz, Esq.
Erie County Executive

MCP/cp
Enclosure
C: Maria R. Whyte
Troy Schinzel

MEMORANDUM

To: Honorable Members of the Erie County Legislature
From: Department of Environment and Planning
Re: Award of Construction Contract, Black Rock Canal Park Improvements Project
City of Buffalo, Erie County Project No. A.21016 and No. A.00347
Date: July 16, 2012

SUMMARY

Erie County is embarking on the creation of major improvements to the Black Rock Canal Park. This resolution authorizes the County Executive to execute agreements with Scott Lawn Yard, Inc. and CIR Electrical to construct the improvements.

FISCAL IMPACT

The proposed resolution requests that a total amount of $1,024,700.00 be allocated from the available funds in the SAP Account A. 21016, Ontario Street Boat Launch / Black Rock Canal and SAP Account A.00347, Ontario Street Park Area Improvements. Additionally, we are requesting $102,470.00 be allocated from the same accounts for construction contingencies. The sources of funding for this project are from NYS Environmental Protection Funds, NYS Multimodal Program, the NYS Canal Corporation and the Niagara River Greenway Commission allocation process.

REASON FOR RECOMMENDATION

It is necessary that these approvals be granted, so that the Contracts can be awarded to allow the Contractors to order materials and begin construction work as soon as possible with the goal of being substantially complete during the current construction season.

BACKGROUND INFORMATION

Black Rock Canal Park, formerly known as the Ontario Street Boat Launch, is located along the Niagara River and is need of much repair and updating. The project will implement new eco-friendly materials as a test pilot for future Erie County park improvements. The project will also create the first County dog park in one area of the park.

CONSEQUENCES OF NEGATIVE ACTION

Funding from the NYS Canal Corporation and NYS Environmental Protection Fund will be lost if the Contracts are not approved and construction is not this year.

STEPS FOLLOWING APPROVAL

The Contracts will be awarded and construction will begin as soon as possible.

COMPTROLLERS OFFICE REVIEW

The proposed legislation has been reviewed by the Office of the Comptroller and is related to an authorized Capital Project included in SAP Accounts A.00347 and A.21016 for which there are account balances for the action proposed. In addition to the current balances available in the above accounts, further funding will be added to the project upon approval by the Erie County Legislature of a $325,000 increase in Other Local Source Revenue to A.21016. Said monies are being provided to Erie County from the New York Power Authority Niagara Relicensing Settlement Agreement.

Lorne H. Steinhart 7/17/12
Lorne H. Steinhart
Deputy Commissioner

A RESOLUTION SUBMITTED BY:
DEPARTMENT OF ENVIRONMENT AND PLANNING

RE: Award of Construction Contract
Black Rock Canal Park Improvements Project
City of Buffalo
Erie County Project No. A.21016 and No. A.00347

WHEREAS, bids were taken for the Black Rock Canal Park Improvements – Phase 1 in the City of Buffalo on July 12, 2012, and the low bidder for general construction was Scott Lawn Yard, Inc. of 5552 Townline Road, Sanborn, New York at a low responsible bid of $797,000.00 and the low bidder for electrical work was CIR Electrical of 400 Ingham Avenue, Lackawanna, New York at a low responsible bid of $227,700.00; and

WHEREAS, the County is embarking on a $1.8 million multi-phased improvement project to Black Rock Canal Park; and

WHEREAS, the County would like to start construction as soon as possible.

NOW, THEREFORE, BE IT

RESOLVED, that the County Executive be authorized and is hereby directed to execute a Contract for Erie County Project No. A.21016 and No. A.00347 for the Black Rock Canal Park Improvements Project, between the County of Erie and the low bidder, Scott Lawn Yard, Inc. for general construction work in the amount of $797,000.00 and the County of Erie and the low bidder, CIR Electric for electrical work in the amount of $227,700.00; and be it further

RESOLVED, that a total amount of $1,024,700.00 be allocated from SAP Account No. A.21016 and No. A.00347, Black Rock Canal Park, and an additional amount of $102,470.00 to be allocated for a Department of Environment and Planning construction contingency fund with authorization for the County Executive to approve change orders in an amount of $102,470.00, also to be allocated from SAP Account No. A.21016 and No. A.00347; and be it further

RESOLVED, that certified copies of this resolution shall be forwarded to the Office of the County Executive; the Commissioner of the Department of Environment and Planning; the Commissioner of the Department of Parks, Recreation and Forestry; the Director of the Division of Budget and Management; the Comptroller's Office and the County Attorney.

Nussbaumer & Clarke, Inc.
Engineers and Surveyors

3556 Lake Shore Road, Suite 500, Buffalo, New York 14219-14
Phone: (716) 827-8000 / Fax: (716) 826-79
www.nussclarke.co

July 13, 2012

Christopher Pawenski
Erie County DEP
95 Franklin Street
10th Floor, Room 1006
Buffalo, NY 14202

Re: Black Rock Canal Park Improvements
Bid Recommendation
Project No. 11J1-0027

Dear Mr. Pawenski:

In accordance with the Notice to Bidders, sealed bids were opened and read aloud on July 13, 2012 at 10:30 am for the above referenced project. A summary of the total bid prices for the Black Rock Canal Park Improvements is as follows:

CONTRACTOR	TOTAL BID AMOUNT
Contract A	
Scott Lawn Yard, Inc.	**$797,000.00**
Hydrolawn of Buffalo	$835,000.00
Keleman-Bauer Construction, Inc.	$876,543.00
Man O'Trees, Inc.	$893,000.00
Pinto Construction Services	$913,797.00
Kandey Company, Inc.	$986,483.00
Contract B	
CIR Electric	**$227,700.00**
South Buffalo Electric, Inc.	$245,894.00
M&M Electric Construction Co., Inc.	$302,550.00

Nussbaumer & Clarke, Inc.

Nussbaumer & Clarke, Inc. has reviewed the bids for the above referenced project and compiled the above bid tabulation. Our office has investigated the contractor's references and finds them to be capable of completing this project. After our review, it is recommended that the Erie County Department of Environment & Planning award the project to the following bidders for the noted Contracts.

Contract A – Scott Lawn Yard, Inc. of 5552 Townline Road, Sanborn, NY 14132 in the amount of $797,000.00

Contract B – CIR Electric of 400 Ingham Avenue, Buffalo, NY 14218 in the amount of $227,700.00

Should you need further information or have any questions, feel free to contact me.

Sincerely,

NUSSBAUMER & CLARKE, INC.

Barbara Frankiewicz

Barbara J. Frankiewicz, P.E.
Associate/Project Manager

BF/sk/c - Att.

c: NCI-file

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OFFICE OF THE COMPTROLLER REVIEW **DATE:** 7/17/12

PROJECT TITLE: A.21016 2010 Ontario St Boat Launch/Black Rock Canal &
A.00347 2009 Ontario St. Park Area Improvements
2 of 2

1) **IS THE REASON FOR THIS CONTRACT CONSISTENT WITH THE PURPOSE OF THE PROJECT: YES** ✓ **NO** _____

IF NO, RETURN THIS REQUEST TO THE DEPARTMENT

IF YES, COMPLETE THE FOLLOWING VERIFICATION

2) **PROJECT AVAILABLE APPROPRIATION**

TOTAL PROJECT REVENUES (BOTH PROJECTS)	$ 1,835,000.00
TOTAL PROJECT APPROPRIATIONS (BOTH PROJECTS)	$ 1,835,000.00
LESS: TOTAL EXPENDITURE TO DATE (BOTH)	$ 219,596.68
TOTAL COMMITMENTS (BOTH PROJECTS)	$ 55,421.62
AVAILABLE APPROPRIATIONS AS OF DATE OF REQUEST	$ 1,559,981.70
PLUS: PROPOSED GRANT FUND INCREASE:	325,000.00
LESS: CONTRACT AMOUNT:	1,127,170.00
NET AVAILABLE APPROPRIATIONS	$ 757,811.70

COMMENTS: This reso is contingent on the approval of the reso to accept $325,000 in grant funds from the NYS Power Authority (reso 1 or 2).

REQUEST APPROVED: Lane H. Stenhouse

REQUEST DENIED: _____

DATE: July 17, 2012