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COUNTY OF ERIE

MARK C. POLONCARZ
COUNTY EXECUTIVE

October 22, 2012

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

RE: Intersection Improvement Project PIN 5758.22 CR 269
Strickler Road at CR 282, County Road
Town of Clarence, Erie County and Consultant Design Services

Dear Honorable Members:

Please find attached a proposed resolution requesting authorization to participate in a Federal Aid project for the intersection improvement at Strickler Road and County Road and for the County Executive to enter into an agreement with the New York State Department of Transportation. Additionally, we are requesting authorization to enter into an agreement with Bergmann Associates, of Buffalo, New York for engineering design services.

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 yours,

Mark C. Poloncarz, Esq.
Erie County Executive

MCP/JM/dab
Attachment

cc: John C. Loffredo, Department of Public Works

MEMORANDUM

COMPTROLLER'S RECEIVED
12 SEP 26 PM 9:13

To: Honorable Members of the Erie County Legislature
From: Department of Public Works
Re: Intersection Improvement Project PIN 5758.22
CR 269, Strickler Road at CR 282, County Road
Town of Clarence, Erie County and
Consultant Design Services
Date: September 27, 2012

SUMMARY

We recommend that your Honorable Body authorize the Department of Public Works, Division of Highways to participate in the Federal Aid project, and the County Executive to enter into an agreement with the New York State Department of Transportation. Additionally, we request authorization for the County Executive to enter into an engineering design contract with Bergmann Associates of Buffalo, New York for the Intersection Improvement Project at Strickler Road and County Road, in the Town of Clarence.

FISCAL IMPLICATIONS

The total cost of the project design phase is currently estimated at $45,000. The project, through the Locally Administered Federal Aid Program is eligible for 90% Federal reimbursement in the amount of $40,500., and Erie County is required to contribute 10% as local share, $4,500. Local share, in the amount of $4,500., is available in B.00151, 2006 Unanticipated Road & Bridge Design and Construction (Countywide) Program. The negotiated engineering design services agreement with Bergmann Associates will not exceed $45,000.

REASONS FOR RECOMMENDATION

To allow the Highway Division to utilize available capital funds to leverage Federal funds to perform much needed safety improvement at this intersection.

BACKGROUND INFORMATION

NYSDOT has implemented a program entitled High Risk Rural Roads Program to assist in the funding of situations such as at this intersection, where accidents have occurred above the state-wide average for similar intersections. Under this program, expenses will be reimbursable to the County up to 90%.

CONSEQUENCES OF NEGATIVE ACTION

The County will not be able to utilize the additional Federal Aid and this intersection will not be able to be improved at this time.

STEPS FOLLOWING APPROVAL

Highway Division will proceed with execution of agreements in accordance with the Federal and NYSDOT guidelines. Upon the Erie County Legislature's approval, an agreement will be negotiated and executed with Bergmann Associates, of Buffalo, New York. Once the agreement is executed, 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 are sufficient appropriations for the action proposed.

Lorne Steinhart 9/27/12

LORNE STEINHART
Deputy Comptroller
Comptroller's Office

- Cash in Project: $0
- All bonds have been sold; the project is eligible for federal reimbursements. Claims must be filed in a timely manner to receive the reimbursements.

JCL/JGM/db

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

RE: Intersection Improvement Project PIN 5758.22, CR 269, Strickler Road at CR 282, County Road, Town of Clarence, Erie County and Consultant Design Services

WHEREAS, the Intersection Improvement Project PIN 5758.22 (the Project), CR 269, Strickler Road at CR 282, County Road in the Town of Clarence, in Erie County is eligible for funding under Title 23 U.S. Code, as amended, that calls for the apportionment of the costs of such program to be borne at the ratio of 90% Federal funds and 10% Non-Federal funds; and

WHEREAS, the County of Erie desires to advance the Project by making a commitment of 100% of the Non-Federal share of the costs of the Preliminary Engineering (Design I-VI) phase of the project, PIN 5758.22; and

WHEREAS, the preliminary engineering costs are $45,000, and the County is required to provide the local share portion for the Project in the amount of $4,500; and

WHEREAS, a contract must be negotiated with Bergmann Associates, of Buffalo, New York, for engineering design services.

NOW, THEREFORE, BE IT

RESOLVED, that the Erie County Legislature hereby approves the intersection improvement project at Strickler Road and County Road; and be it further

RESOLVED, that the County Legislature hereby authorizes the County to pay in the first instance 100% of the Federal and Non-Federal shares of the cost of the Preliminary Engineering (Design I-VI) phase of the Project or portions thereof; and be it further

RESOLVED, that the Project shall be funded from SAP account B.00151, 2006 Unanticipated Road & Bridge Costs – Design & Construction (Countywide) Program, fund center 123, fund 420, which includes the anticipated Federal revenue in the amount of $40,500 and sufficient bond proceeds to meet the local share requirement of $4,500; and be it further

RESOLVED, that the estimated total sum of the design phase of the Project, $45,000 is hereby appropriated from B.00151, 2006 Unanticipated Road & Bridge Costs – Design & Construction (Countywide) Program and made available to cover the cost of participation in the above phase of the Project; and be it further

RESOLVED, that in the event the amount required to pay in the first instance 100% of the Federal and Non-Federal shares of the cost of the projects' Preliminary Engineering (Design I-VI) phase exceeds $45,000, the County Legislature shall appropriate said excess amount immediately upon the notification by the New York State Department of Transportation thereof; and be it further

RESOLVED, that the County Executive is hereby authorized to execute all necessary Agreements, certifications or reimbursement requests for Federal Aid on behalf of the County of Erie, (subject to the County Attorney's approval as to form and content), with the New York

State Department of Transportation in connection with the advancement or approval of the project identified in the State/Local Agreement and providing for the administration of the Project and the Municipality's first instance funding of project costs and permanent funding of the local share of Federal aid eligible Project costs and all Project costs within appropriations therefor that are not so eligible; and be it further

RESOLVED, that the County Executive be authorized to execute a negotiated contract in an amount not to exceed the allowable Project design amount between the County of Erie and project engineers Bergmann Associates of Buffalo, New York, to provide design services for the Intersection Improvement Project, Strickler Road at County Road; and be it further

RESOLVED, that a certified copy of this resolution be filed with the New York State Commissioner of Transportation, by attaching it to any necessary Agreement in connection with the Project; and be it further

RESOLVED, that ten (10) certified copies of this resolution be forwarded 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, the Office of the County Attorney, and the Office of the Comptroller.