



# COUNTY OF ERIE

**MARK C. POLONCARZ**

COUNTY EXECUTIVE

January 16, 2014

Erie County Legislature  
92 Franklin Street – 4<sup>th</sup> Floor  
Buffalo, New York 14202

**RE: Lenox Road Culvert Reconstruction  
Project No. FM 511-867-14-FEMA PW 867 - Town of Collins**

Dear Honorable Members:

The County Executive is requesting authorization to execute a contract with TY-LIN International, Consulting Engineers, for design engineering services in connection with the Lenox Road FEMA project.

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/bar/dab  
Enclosure

cc: John C. Loffredo, Department of Public Works

## MEMORANDUM

**To:** Honorable Members of the Erie County Legislature  
**From:** Department of Public Works  
**Re:** Lenox Road Culvert Reconstruction  
Project No. FM 511-867-14-FEMA PW 867 - Town of Collins  
**Date:** January 16, 2014

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### **SUMMARY**

PW 867 is one of the large projects identified by FEMA as a result of the storms in August 2009. The project involves the reconstruction of a culvert and the associated road reconstruction. The attached resolution empowers the County Executive to execute all necessary contracts with the firm of TY-LIN International to provide design engineering services for the project.

### **FISCAL IMPLICATIONS**

Approved Project costs are eligible for reimbursement, 75% - FEMA; 12.5% - New York State Office of Emergency Management (SOEM); and 12.5% as Erie County's local share. Erie County must pay in the first instance 100% of approved project costs and then apply for reimbursement. A not to exceed amount of \$100,000 will be allocated from SAP account B.20921 - 2009 FEMA 1857-NY Projects to permit execution of contracts for the necessary design engineering services.

### **REASONS FOR RECOMMENDATION**

PW 867 is located on Lenox Road between Brown Street and Jennings Road. The damage to, age of, and original material of the culvert dictated that it be replaced. Proceeding with the project noted will help protect the road from future storm damage and bring the culvert up to current design standards.

### **BACKGROUND INFORMATION**

The storms in August 2009 significantly damaged much of the transportation infrastructure in southern Erie County. PW 867 on Lenox Road was one of many sites qualified by the New York State Office of Emergency Management (NYSOEM) and FEMA for participation in FEMA's Public Assistance program which, including NYSOEM's participation provides the funding assistance noted above under Fiscal Implications.

### **CONSEQUENCES OF NEGATIVE ACTION**

This site requires reconstruction due to the damage sustained in the storms in August 2009 and due to the age and original material of the culvert. The culvert is also not up to current design standards. Should the project not go forward the opportunity to address a site on Lenox Road that is susceptible to storm damage and to have access to funding assistance will be lost along with the opportunity to improve the safety of the travelling public.

**STEPS FOLLOWING APPROVAL**

The necessary contracts will be negotiated and executed with the selected consulting firm to provide the required design engineering services.

**COMPTROLLER'S OFFICE REVIEW**

The proposed legislation has been reviewed by the Comptroller's Office and is related to an authorized capital project for which there are sufficient appropriations for the action proposed.



GREGORY GACH  
Deputy Comptroller  
Comptroller's Office

(hgwy.lenox rd.fema.collins)

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

**RE: Lenox Road Culvert Reconstruction  
Project No. FM 511-867-14 - FEMA PW 867 - Town of Collins**

**WHEREAS**, the transportation infrastructure of Southern Erie County was significantly damaged by the storms of early August 2009; and

**WHEREAS**, Federal Disaster DR-1857-NY was declared for parts of Erie County as a result of the August storms making available assistance from the New York State Office of Emergency Management (NYSOEM) and the Federal Emergency Management Agency (FEMA) under FEMA's Public Assistance program; and

**WHEREAS**, under the Public Assistance program, with the participation of NYSOEM, approved costs are eligible for reimbursement from FEMA – 75%, and NYSOEM – 12.5% with Erie County providing the remaining 12.5%; and

**WHEREAS**, among the projects identified by FEMA and eligible for reimbursement was PW 867 (Project) on Lenox Road in the Town of Collins; and

**WHEREAS**, your Honorable Body has previously authorized TY-LIN International as a qualified, Term Agreement General Architectural/Engineering firm via Comm.13E-26 of July 18, 2013; and

**WHEREAS**, it is desired to construct the Project during the 2014 construction season.

**NOW, THEREFORE, BE IT**

**RESOLVED**, that the County Executive is authorized and directed to negotiate and execute the necessary agreements for design engineering services for the Project with the firm of TY-LIN for an aggregate amount not to exceed \$100,000.00; and be it further

**RESOLVED**, that funds in the amount of \$100,000.00 be allocated from SAP Account B.20921 - 2009 FEMA 1857-NY Projects for the Project; and be it further

**RESOLVED**, that two certified 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: GREGORY GACH, 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 TY-LIN International.
2. AMOUNT OF CONTRACT Total Not to Exceed \$100,000.00
3. PROJECT NUMBER B.20921
4. PROJECT TITLE 2009 FEMA 1857-NY Projects  
Lenox Road Culvert Reconstruction  
Project No. FM 511-867-14  
FEMA PW 867-Town of Collins -County of Erie
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 \$ 23,470.56
7. PERFORMED BY Don Urban
- Date Sent to Comptroller's Office: January 10, 2014

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