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COUNTY OF ERIE

MARK C. POLONCARZ
COUNTY EXECUTIVE

April 16, 2012

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

RE: Erie County Sewer District No. 3
Contract No. 11ST - Close-Out
Repairs to Southtowns Incinerators
Heat Exchangers X and Y

Dear Honorable Members:

Enclosed please find an accompanying memorandum and proposed resolution from the Department of Environment and Planning, Division of Sewerage Management, pertaining to the Close-Out of Contract No. 11ST to Hohl Industrial Services, Inc.

Should your honorable body require further information I encourage you to contact Joseph L. Fiegl, P.E. at the Department of Environment and Planning. Thank you for your consideration on this matter.

Sincerely,

Mark C. Poloncarz, Esq.
Erie County Executive

MCP:WK:ms
cc: Joseph L. Fiegl, P.E., Department of Environment and Planning

MEMORANDUM

To: Honorable Members of the Erie County Legislature
From: Department of Environment and Planning
Re: Erie County Sewer District No. 3
Contract No. 11ST - Close-Out
Repairs to Southtowns Incinerators
Heat Exchangers X and Y
Date: March 26, 2012

SUMMARY

Final acceptance and approval of Contract No. 11ST in the amount of $345,673.16 together with Change Order No. 1 (final), a decrease of $1.84, and processing the final payment to the contractor is requested.

FISCAL IMPLICATIONS

There will be no impact to the County's General Fund. The funds for this contract were allocated from the Erie County Sewer District (ECSD) No. 3 Capital Project C.11302.

REASONS FOR RECOMMENDATION

All scheduled improvements required by the contract documents have been completed. As a result, it is the Department's recommendation to finalize this Contract.

BACKGROUND INFORMATION

Contract No. 11ST was bid on March 8, 2011 and awarded to Hohl Industrial Services, Inc. by the County Legislature on March 24, 2011, Comm. 4E-24. This contract provided for the general construction work associated with repairs to the Sludge Incinerator Heat Exchangers X and Y located at the Southtowns Advanced Waste Water Treatment Facility, in Erie County Sewer District No. 3 in Hamburg, New York. Note that this item will be discussed at the April 2012 ECSD No. 3 Board of Managers Meeting.

CONSEQUENCES OF NEGATIVE ACTION

Contract default on the part of the County of Erie could be claimed by the Contractor.

STEPS FOLLOWING APPROVAL

The County of Erie will execute the final change order and make final payment to Hohl Industrial Services, Inc.

M. Whyte

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 capital appropriations for the action proposed.

Signed Lorne H. Steinhart Date 3/29/12
Title Lorne Steinhart
Deputy Comptroller

Maria R. Whyte
Commissioner

CC: M.Whyte – Commissioner
J. Fiegl/0.11.0 Leg Ltr
J.Carr/M.Salah/J.Mallory/S.Tirone/3.3.3.11ST

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A RESOLUTION SUBMITTED BY:
Department of Environment and Planning

RE: Erie County Sewer District No. 3
Contract No. 11ST - Close-Out
Repairs to Southtowns Incinerators
Heat Exchangers X and Y

WHEREAS, the Erie County Legislature had awarded Contract No. 11ST to Hohl Industrial Services, Inc.; and

WHEREAS, the Erie County Department of Environment and Planning, Division of Sewerage Management has advised the Legislature that all scheduled improvements are now completed; and

WHEREAS, the Erie County Department of Environment and Planning, Division of Sewerage Management has recommended the final acceptance of Contract No. 11ST in the final contract amount of $345,673.16, which includes Change Order No. 1 (final), a decrease of $1.84.

NOW, THEREFORE BE IT

RESOLVED, that Contract No. 11ST between the County of Erie and Hohl Industrial Services, Inc. 770 Riverview Blvd. Tonawanda, New York 14150, is accepted in the amount of $345,673.16 which includes Change Order No. 1 (final), a decrease of ($1.84); and be it further

RESOLVED, that the Erie County Comptroller is hereby authorized and directed to finalize Contract No. 11ST between the County of Erie and Hohl Industrial Services, Inc. in the amount of $345,673.16 and make final payment form Erie County Sewer District No. 3 Capital Project C.11302 and return the unused balance to Erie County Sewer District No. 3 Capital Reserve C.00007; and be it further

RESOLVED, that the Clerk of the Legislature be directed to send one certified copy each of this Resolution to the County Executive; Erie County Comptroller's Office; Kristen Walder, Assistant County Attorney; and two (2) certified copies to Joseph L. Fiegl, P.E. Department of Environment and Planning, Division of Sewerage Management, Rath Building, 10th floor.

DEPARTMENT OF ENVIRONMENT AND PLANNING
DIVISION OF SEWERAGE MANAGEMENT
CONSTRUCTION CONTRACT CHANGE FORM

Date: 3/22/2012

Change Order No. 1 (Final) Amount ($1.84) Bond Account C.11302

Contract No. 11ST File No. 3.3.3.11ST

Project Repairs to Southtowns Incinerator Heat Exchangers X and Y

Contractor's Name Hohl Industrial Services, Inc.

Contractor's Address 770 Riverview Blvd, Tonawanda, New York 14150

Description of Change to Contract:

Adjustment of final contract amount to reflect final as-built conditions.

Reason for Modification:

In accordance with the contract documents, the contractor shall be compensated based on the final as-built quantities and/or the actual work performed. Work under the items was less than the total amount noted in the Contract. Change order No. 1 (Final) denotes a deduction to the contract.

Time Extension:

None required.

Indirect Costs:

No indirect costs are a result of this change order.

Additional Engineering Costs:

No additional engineering costs are a result of this change order.

Contract Cost Summary:

Original Contract	$345,675.00
Change Order No.1(Final)	$ (1.84)
Final Amount	$345,673.16

Authorization:

Contractor _____ Date _____

Engineer _____ Date _____

County of Erie _____ Date _____

Erie County Legislature Comm # 4E-24(2011) Date 3/24/2011

Erie County Sewer District No. 3 Board of Managers Date _____