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COUNTY OF ERIE

MARK C. POLONCARZ
COUNTY EXECUTIVE

May 8, 2012

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

RE: 2012 Culvert Group 1 Construction Award
Construction Engineering and Construction Inspection Services
Towns of Orchard Park, Concord and Sardinia
Erie County Project No. FM 27/371/397-12

Dear Honorable Members:

Transmitted herewith are copies of the bid tabulations for the nine (9) bidders on the 2012 Culvert Group 1 construction project indicating that the lowest-responsible bidder is DiPizio Construction Corporation. This resolution seeks authorization to award a contract to DiPizio at its bid of $299,998. Additionally, the Department of Public Works is recommending a change order with Clough Harbour Associates for construction engineering and construction inspection services in the amount of $30,898 for this project.

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

Sincerely yours,

Mark C. Poloncarz, Esq.
Erie County Executive

MCP/bb
Enclosure

COMPTROLLER'S
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12 APR 27 AM 11:49

MEMORANDUM

To: Honorable Members of the Erie County Legislature
From: Department of Public Works
Re: 2012 Culvert Group 1
Construction Award
Construction Engineering and
Construction Inspection Services
Towns of Orchard Park, Concord, and Sardinia
Erie County Project No. FM 27/371/397-12
Date: April 26, 2012

SUMMARY

Award of Contracts to DiPizio Construction Company, for the 2012 Culvert Group 1 Project (Allen Road BR 27-6, Town of Sardinia, Scherff Road BR371-3, Town of Orchard Park and Hayes Hollow Road BR 397-3A, Town of Concord, New York), and authorize a Change Order to Clough Harbour Associates LLP, for construction engineering and construction inspection services with the County of Erie. These bridge sites were extensively damaged during the 2009 FEMA declared disaster 1857NY August rains & flooding, and will be eligible for partial reimbursement from FEMA.

FISCAL IMPLICATIONS

The total project cost is currently estimated at $360,896.00; with the award of construction in the amount of $299,998.00, the Change Order in the amount of $30,898.00, and a construction contingency of $30,000.00 allocated from available funds in the following SAP Capital Accounts:

- B.20921.1: 2009 FEMA 1857-NY Program - $45,388.00
- B.21027.5: 2010 Preservation of Bridges and Culverts Construction Program - $250,000.00
- B.11026.1: 2011 Preservation of Bridges and Culverts Construction Program - $65,508.00

Should any expenses related to this project be eligible for FEMA reimbursement, the budgets will be increased to represent federal and/or New York State revenue accordingly.

REASONS FOR RECOMMENDATION

The County has 294 bridges averaging approximately 50 years in age. The County is responding to the erosion of many County bridges through capital investment in maintenance, repair, and reconstruction. It is necessary that this approval be granted, so that the Contract can be awarded to allow the Contractor to begin construction as soon as possible.

BACKGROUND INFORMATION

The Allen Road, Scherff Road and Hayes Hollow Culverts are recommended for approval due to the age and deteriorating condition of the existing structures. The Project was bid on March 29, 2012.

CONSEQUENCES OF NEGATIVE ACTION

If the Contract is not approved the existing structures will continue to deteriorate both physically and functionally which affects the health, safety, and convenience of the traveling public.

STEPS FOLLOWING APPROVAL

The Contract will be awarded and construction will begin as soon as possible depending on the weather and availability of materials.

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

LORNE STEINHART April 27, 2012
Deputy Comptroller
Comptroller's Office

Cash in Project/Availability of Funds:
- B20921 - No cash in the Project. A/R's need to be established to receive the Federal/State Aid that is budgeted for the project.
- B21027 - $322,947.79
- B11026 - $395,621.49

JCL/WSS/dab

File Copy (HGWY.4.26.12.Culvert Group 1)

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

RE: 2012 Culvert Group 1 Construction Award
Construction Engineering and Construction Inspection Services
Towns of Orchard Park, Concord and Sardinia
Erie County Project No. FM 27/371/397-12

WHEREAS, bids were taken for the Capital Project for the 2012 Culvert Group 1 (Allen Road BR 27-6, Scherff Road BR 371-3 and Hayes Hollow Road BR 397-3A), in the Town of Sardinia, Orchard Park and Concord, respectively, on March 29, 2012, with the lowest responsible bidder being DiPizio Construction Company, at a low bid amount of $299,998; and

WHEREAS, a change order for construction engineering and construction inspection services for the above noted project to the engineering firm of Clough Harbour Associates, is required at a cost not to exceed $30,898; and

NOW, THEREFORE, BE IT

RESOLVED, that the County Executive be authorized and is hereby directed to execute a contract for Erie County Project No. FM 27/371/397-12 for the 2012 Culvert Group 1 Project (Allen Road BR 27-6, Scherff Road BR 371-3 and Hayes Hollow Road BR 397-3A), between the County of Erie and DiPizio Construction Company, at a low bid amount of $299,998; and be it further

RESOLVED, that the County Executive be authorized and is hereby directed to execute a change order with Clough Harbour Associates for construction engineering and inspection services in the amount of $30,898; and be it further

RESOLVED, that an additional amount of $30,000 be allocated for a Department of Public Works, Division of Highways construction contingency fund with authorization for the County Executive to approve change orders in an amount not to exceed $30,000; and be it further

RESOLVED, that the total project budget of $360,896 be allocated from available funds in the following SAP Capital Accounts:

- B.20921.1: 2009 FEMA 1857-NY Program ,$45,388.00
- B.21027.5: 2010 Preservation of Bridges and Culverts Construction Program, $250,000.00
- B.11026.1: 2011 Preservation of Bridges and Culverts Construction Program, $65,508.00

and be it further

RESOLVED, that when any of the expenditures of the approved project be eligible for FEMA or FHWA reimbursement, the budget will be adjusted by the increasing federal or state revenue accordingly; and be it further

RESOLVED, that the Clerk of the Legislature be instructed to forward three (3) certified copies of this resolution 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	DiPizio Construction Co, Inc.	$299,998.00
	Clough Harbour Associates	30,898.00
	Construction Contingency	30,000.00
2. AMOUNT OF CONTRACT	TOTAL	$360,896.00
3. PROJECT NUMBER	**B.20921.1**: 2009 FEMA 1857-NY Program, $45,388.00 **B.21027.5**: 2010 Preservation of Bridges and Culverts Construction Program, $250,000.00 **B.11026.1**: 2011 Preservation of Bridges and Culverts Construction Program, $65,508.00	
4. PROJECT TITLE	See listed above: 2012 Culvert Group 1	
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	B.20921 - no cash - Establish AR's to rec. Fed/St aid B.21027 - $322,947.79 $ B.11026 - $345,621.49
7. PERFORMED BY	Jackie Pudzifer
Date Sent to Comptroller's Office:	April 26, 2012

[55 compt_10]

OFFICE OF THE COMPTROLLER REVIEW **DATE:** 4/27/12

PROJECT TITLE: B.20921 2009 FEMA 1857-NY

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	$ 10,000,000.00
TOTAL PROJECT APPROPRIATIONS	$ 10,000,000.00
LESS: TOTAL EXPENDITURE TO DATE	$ 9,371,271.67
TOTAL COMMITMENTS	$ 351,636.20
AVAILABLE APPROPRIATIONS AS OF DATE OF REQUEST	$ 277,092.13
LESS: CONTRACT AMOUNT:	45,388.00
NET AVAILABLE APPROPRIATIONS	$ 231,704.13

COMMENTS: No cash in the project. AR's need to be established to receive the Federal/ State Aid budgeted for the project.

REQUEST APPROVED: Lorne H. Steinhart

REQUEST DENIED: _____

DATE: April 27, 2012