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COUNTY OF ERIE

MARK C. POLONCARZ
COUNTY EXECUTIVE

March 27, 2018

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

**RE: Erie County Sewer District No. 5
Contract No. 22 Close-Out – Yarussi Construction, Inc.
Eastern Hills Pumping Station Upgrades – General**

Dear Honorable Members:

Enclosed please find an accompanying memorandum and proposed resolution from the Department of Environment and Planning, pertaining to the close-out of Contract No. 22 with Yarussi Construction, Inc.

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

Sincerely yours,

A handwritten signature in black ink, appearing to read "Mark C. Poloncarz".

Mark C. Poloncarz, Esq.
Erie County Executive

MCP:MAS:cs
Enclosure

Cc: J. Fiegl – Environment and Planning

MEMORANDUM

To: Honorable Members of the Erie County Legislature
From: Department of Environment and Planning
Re: Erie County Sewer District No. 5
Contract No. 22 Close-Out – Yarussi Construction, Inc.
Eastern Hills Pumping Station Upgrades – General
Date: March 27, 2018

SUMMARY

Acceptance and approval of Contract No. 22 in the final contract amount of \$92,400.00 is requested.

FISCAL IMPLICATIONS

There will be no impact to the County's General Fund. The funds for this contract were allocated from Erie County Sewer District No. 5 (ECSD No. 5) Project C.00035.

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. 22 was bid on September 7, 2016 and awarded by the Erie County Legislature on September 22, 2016 pursuant to Legislative Comm. 17E-18 (2016). The contract included the replacement of pumps for the Eastern Hills Pumping Station (P.S.) which collects and conveys wastewater from the Eastern Hills Mall and other residential and commercial developments in the Town of Clarence. These upgrades were necessary to provide reliable service and capacity for the business and residents in this portion of ECSD No. 5.

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 make final payment to Yarussi Construction, Inc.

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 appropriation for the action proposed.

Signed  Date 3/19/18
Title _____
 Gregory Gach
 Deputy Comptroller

**Erie County Sewer District No. 5
Contract No. 22 Close Out – Yarussi Construction, Inc.
Eastern Hills Pumping Station Upgrades – General**

WAS
Thomas R. Hersey, Jr.
Commissioner

cc: T. Hersey, Jr. – Commissioner
J. Fiegl/0.11.0 Leg Ltr
M. Salah/5.3.3.22

A RESOLUTION SUBMITTED BY
Department of Environment and Planning

RE: Erie County Sewer District No. 5
Contract No. 22 Close-Out – Yarussi Construction, inc.
Eastern Hills Pumping Station Upgrades – General

WHEREAS, pursuant to Legislative Comm. 17E-18 (2016) Contract No. 22 was awarded to Yarussi Construction, Inc. for general construction work for the Eastern Hills Pumping Station (P.S.) Upgrades project located in Erie County Sewer District No. 5; and

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

WHEREAS, the Erie County Department of Environment and Planning has recommended the acceptance of Contract No. 22, in the final contract amount of \$92,400.

NOW, THEREFORE BE IT

RESOLVED, that Contract No. 22 between the County of Erie and Yarussi Construction, Inc. (5650 Simmons Ave., Niagara Falls, NY 14304) is accepted in the final contract amount of \$92,400, as allocated in Erie County Sewer District No. 5 Project C.00035; and be it further

RESOLVED, that the Erie County Comptroller be directed to make final payment for Contract No. 22 to Yarussi Construction, Inc. for a total contract amount of \$92,400; and be it further

RESOLVED, that the Clerk of the Legislature be directed to send one (1) certified copy each to the County Executive, the Erie County Comptroller, the Director of Budget and Management, and Kristen Walder, Assistant County Attorney; and two (2) certified copies of this resolution to Joseph L. Fiegl, P.E., Department of Environment and Planning.