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COUNTY OF ERIE

CHRIS COLLINS

COUNTY EXECUTIVE

January 11, 2011

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

**RE: Erie County Sewer District No. 2
Lake Street and Point Breeze Pumping Station Forcemains Project
Contract No. 78
Contract Close Out – Villager Construction, Inc.**

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. 78 with Villager Construction, Inc.

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

Sincerely,

A handwritten signature in black ink, appearing to read "C. Collins", is written over the word "Sincerely,".

CHRIS COLLINS
Erie County Executive

MEMORANDUM

To: Honorable Members of the Erie County Legislature
From: Department of Environment and Planning
Re: Erie County Sewer District No. 2
Lake Street and Point Breeze Pumping Station Forcemains Project
Contract No. 78
Contract Close Out – Villager Construction, Inc.
Date: January 11, 2011

SUMMARY

Acceptance and approval of Contract No. 78, in the final contract amount of \$2,236,000.00 in the Erie County Sewer District No. 2 Bond Account C.00004, and final payment to the contractor, Villager Construction, Inc. is requested.

FISCAL IMPLICATIONS

There will be no impact on the County's General Fund. The funds for this contract were allocated from Sewer Capital, Erie County Sewer District No. 2 Account No. C.00004.

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 78 was bid on January 9, 2009 and awarded by the Erie County Legislature on February 5, 2009. This contract installed new Forcemain Sewers for the Lake Street and Point Breeze Pumping Station in Erie County Sewer District No. 2.

CONSEQUENCES OF NEGATIVE ACTION

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

STEPS FOLLOWING APPROVAL

The County of Erie will execute the final change order and make a final payment to Villager 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 capital appropriations for the action proposed.

Signed Lorne H. Steinhart Date 1/21/2011
Title Lorne Steinhart
Deputy Comptroller

MSD

JFH
JEFFREY HART
Deputy County Executive

EAP:ms

Encl.

- Cc: K.Konst (w/encl.)
M. Quinn/0.11.0 Leg.Ltr (w/encl.)
J.Carr/S.Tirone/J.Mallory/J.Russell/2.3.3.78 (w/encl.)

A RESOLUTION SUBMITTED BY:
DEPARTMENT OF ENVIRONMENT AND PLANNING

RE: Erie County Sewer District No. 2
Lake Street and Point Breeze Pumping Station Forcemains Project
Contract No. 78
Contract Close Out - Villager Construction, Inc.

WHEREAS, the Erie County Legislature had awarded Contract 78 to Villager Construction, Inc. for the installation of Forcemain Sewers for the Lake Street and Point Breeze Pumping Station, and

WHEREAS, the Erie County 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 has recommended the acceptance of Contract No. 78, Lake Street and Point Breeze Pumping Station Forcemains Project, in the final contract amount of \$2,236,000.00 and approval for final payment.

NOW, THEREFORE BE IT

RESOLVED, that Contract No. 78, Lake Street and Point Breeze Pumping Station Forcemains Project between the County of Erie and Villager Construction, Inc., 425 Old Macedon Center Road, Fairport, New York 14450 is accepted in the amount of \$2,236,000.00, is allocated in Erie County Sewer District No. 2 Bond Account C.00004; and be it further

RESOLVED, that the Erie County Legislature direct the Comptroller to make final payment for Contract 78, Lake Street and Point Breeze Pumping Station Forcemains Project to Villager Construction, Inc. at a final contract amount of \$2,236,000.00; and be it further

RESOLVED, that the Clerk of the Legislature be directed to send two (2) certified copies of this resolution to Michael J. Quinn, P.E., Department of Environment and Planning and one (1) certified copy to the County Executive, the Erie County Comptroller, the Director of Budget and Management and Eric Ziobro, Assistant County Attorney.