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COUNTY OF ERIE

CHRIS COLLINS

COUNTY EXECUTIVE

February 1, 2011

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

**Re: Intermunicipal Agreement (IMA) with Town of Amherst
New Road (CR 186) Repaving Project**

Honorable Members:

We are forwarding for your approval a proposed resolution authorizing the County of Erie to enter into an Intermunicipal Agreement with the Town of Amherst to participate in the above noted Project for New Road repaving work.

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

Sincerely,

CHRIS COLLINS
Erie County Executive

MEMORANDUM

To: Honorable Members of the Erie County Legislature
From: Department of Public Works / Office of the Commissioner
Re: Intermunicipal Agreement (IMA) with Town of Amherst
New Road (CR 186) Repaving Project
Date: February 1, 2011

SUMMARY

Authorization for the County of Erie to enter into an Intermunicipal Agreement with the Town of Amherst for the New Road Repaving Project and accept their share of the funds required.

FISCAL IMPLICATIONS

The Town of Amherst will reimburse the Erie County Department of Public Works, Division of Highways, \$78,000.00 for Erie County's share of the work. Erie County's share of the work will be funded from SAP Project B.21026 – 2010 Preservation of Roads.

REASONS FOR RECOMMENDATION

The Erie County Department of Public Works desires to advance the Project by entering into an Intermunicipal Agreement with the Town of Amherst for the New Road Repaving Project.

BACKGROUND INFORMATION

The Town of Amherst will perform extensive waterline work in the County roadway and right-of-way and now needs this additional work performed with the IMA in place to improve roadway conditions along New Road.

CONSEQUENCES OF NEGATIVE ACTION

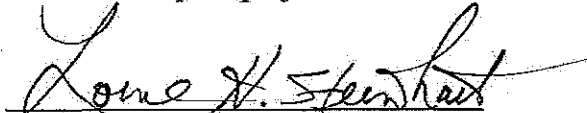
If we are not able to enter into an IMA and advance this Project, the roadways will not be repaved and will pose a hazard to the traveling public.

STEPS FOLLOWING APPROVAL

The County Executive will execute the Intermunicipal Agreement with the Town of Amherst so that the Project will proceed on schedule. The Town of Amherst will forward payment for expenditures upon completion of the waterline project.

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.



LORNE H. STEINHART
Deputy Comptroller
Comptroller's Office

GJS/GZ/ls
File Name (DWP.2.1.11-1.New Road IMA.docx)

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

RE: Intermunicipal Agreement (IMA)
With Town of Amherst
New Road Repaving Project

WHEREAS, the New Road Repaving Project is necessary to improve roadway conditions along New Road and the local roads in the Town of Amherst; and

WHEREAS, the County of Erie and the Town of Amherst have joint responsibilities and obligations to address the waterline and roadway conditions in this area; and

WHEREAS, the County of Erie and the Town of Amherst have agreed to enter an Intermunicipal Agreement (IMA) to address the necessary waterline work and roadway conditions on New Road; and

WHEREAS, in order to advance the work it is necessary to enter into an Intermunicipal Agreement with the Town of Amherst for the purposes of reimbursing Erie County in the amount of \$78,000.00.

NOW, THEREFORE, BE IT

RESOLVED, that the County Legislature authorizes the County Executive to enter into an Intermunicipal Agreement with the Town of Amherst to perform work on New Road; and be it further

RESOLVED, the Town of Amherst will reimburse the Erie County Department of Public Works, Division of Highways for Erie County's share of the work in the amount of \$78,000.00. Erie County's share of the work will be funded from SAP Project B.210026 – 2010 Preservation of Roads; and be it further

RESOLVED, that the Project Budget B.21026 be increased in appropriations and revenue in the amount of the reimbursement of \$78,000.00 as follows:

REVENUES		INITIAL BUDGET	ADJUSTMENTS	REVISED BUDGET
Account	Description			
420180	Sale – Support Other Governments	\$ 0	\$78,000	\$ 78,000
475000	Gen Oblig Bond Proc	<u>\$4,200,000</u>	<u>\$ 0</u>	<u>\$4,200,000</u>
TOTAL REVENUES		<u>\$4,200,000</u>	<u>\$78,000</u>	<u>\$4,278,000</u>

APPROPRIATIONS		INITIAL BUDGET	ADJUSTMENTS	REVISED BUDGET
516020	Pro Ser Cnt and Fees	\$ 0	\$78,000	\$ 78,000
CAPITAL PROJECTS	Capital Project Exp	<u>\$4,200,000</u>	<u>\$ 0</u>	<u>\$4,200,000</u>
TOTAL APPROPRIATIONS		<u>\$4,200,000</u>	<u>\$78,000</u>	<u>\$4,278,000</u>

and be it further

RESOLVED, that the County Executive be authorized to accept any and all funds from the Town of Amherst for their share of the work relating to this project; and be it further

RESOLVED, that the Clerk of the Legislature forward five (5) certified copies of this Resolution to the Department of Public Works, Office of the Commissioner, to be forwarded to the Town of Amherst; and also, one copy each to the Office of the County Executive, the Office of Budget and Management, and the Office of the Comptroller.

7. Resolution 2011-109

Re: Approval of Inter-Municipal Agreement with Erie County New Road Watermain Replacement – Pavement Restoration Town of Amherst Job No. 2010.020

Councilmembers:

At this time, I am requesting that the Supervisor sign the attached Inter-Municipal Agreement between the Town of Amherst and Erie County. The agreement states that the Town and the County will share the costs associated with repaving both lanes of New Road within the project limits from Millersport Highway to Tonawanda Creek Road. Therefore, the Town will pay the County \$78,000.00 (as per Alternate #1 public bid item) to repave the disturbed northbound lane and the County will pay the costs to repave the southbound lane.

The referenced Inter-Municipal Agreement will hold Erie County responsible for the final restoration/paving of the waterline trench within the northbound lane of New Road, while repaving both lanes of New Road.

Please authorize Supervisor Weinstein to sign the agreement. Thank you for considering this request.

Funds are available from Account K1029-4110.

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Barry A. Weinstein, Supervisor
SECONDER:	Guy R. Marlette, Deputy Supervisor
AYES:	Weinstein, Marlette, Manna, Anderson, Nuchereno, Sanders

PROJECT TITLE: B.21026 2010 Preservation of Roads - Construction

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 \$ 4,200,000.00

TOTAL PROJECT APPROPRIATIONS \$ 4,200,000.00

LESS: TOTAL EXPENDITURE TO DATE \$ 3,436,302.94

TOTAL COMMITMENTS \$ 10,619.32

AVAILABLE APPROPRIATIONS AS OF DATE OF REQUEST \$ 753,077.74

LESS: CONTRACT AMOUNT: 78,000.00

NET AVAILABLE APPROPRIATIONS \$ 675,077.74

COMMENTS: Cash in project: \$763,697.06

This proposed reso is a request to enter into an Intermunicipal Agreement with the Town of Amherst for a New Rd Repaving Project. The Town will reimburse the County the \$78,000 for the County's share of the work.

REQUEST APPROVED:

Rome H. Steinhart

REQUEST DENIED:

DATE:

2/7/2011

2010 CONSOLIDATED RESO

ATTACHMENT B:		2010 CAPITAL BUDGET BOND RESOLUTION - PROJECT COMPONENTS								
COLUMN #		A	A-1	B	C	D	E	F	G	
LINE NO.	SAP PROJ. NO.	PROJECT DESCRIPTION (object or purpose)	SPECIFIC OR CLASS	ESTIMATED MAXIMUM COST	AMOUNT OF BONDS AUTHORIZED	STATE or FEDERAL AID EXPECTED	LOCAL SOURCE REVENUE	PPU Sec. 11.00a reference	PROJECT DETAILS	CAPITAL BUDGET PAGE REFERENCE
12	B.21028	2010 PRESERVATION OF ROADS - CONSTRUCTION (COUNTYWIDE)	C	\$ 4,200,000	\$ 4,200,000			15 yrs. Par. 20	This is the third year of a fifteen year program to maintain our 1,188 centerline miles of roads. The plan is to rebuild or rehabilitate various roads throughout the County based on pavement condition rating needs. Roads have been evaluated and ranked based on conditions with specific estimates developed per road to address concerns.	B-107, 111 & 118
13	B.21027	2010 PRESERVATION OF BRIDGES AND CULVERTS - CONSTRUCTION (COUNTYWIDE)	C	\$ 2,000,000	\$ 2,000,000			20 yrs. Par. 10	This is the third year of a fifteen year program to maintain the 278 bridges greater than 20' on County highways and 449 small bridges with spans between than 5' to 20' that have to be maintained or replaced.	B-107, 111 & 118
14	B.21028	2010 PRESERVATION OF BRIDGES AND CULVERTS - RIGHT-OF-WAY (COUNTYWIDE)	C	\$ 500,000	\$ 500,000			20 yrs. Par. 10	This is the third year of a fifteen year program to maintain the 278 bridges greater than 20' on County highways and 449 small bridges with spans between than 5' to 20' that have to be maintained or replaced.	B-107, 112 & 118
15	B.21029	2010 PRESERVATION OF BRIDGES AND CULVERTS - DESIGN (COUNTYWIDE)	C	\$ 2,000,000	\$ 2,000,000			5 yrs. Par. 62 2nd	This is the third year of a fifteen year program to maintain the 278 bridges greater than 20' on County highways and 449 small bridges with spans between than 5' to 20' that have to be maintained or replaced.	B-107, 112 & 118
16	B.21030	2010 DAM SAFETY AND PRESERVATION - INSPECTION, DESIGN (COUNTYWIDE)	S	\$ 500,000	\$ 500,000			5 yrs. Par. 62(2nd)	This project will fund the inspection and potential design of the ten dams that are owned by the County. Inspections would be done on an as needed basis and necessary design of repairs made to meet the NYSDEC guidelines. Presently, the County owns one high hazard dam and one medium hazard dam with the remaining being low hazard dams.	B-107, 112 & 118
17	B.21031	2010 USACE - DESIGN (AMHERST) BURDICK RD	S	\$ 225,000	\$ 225,000			5 yrs. Par. 62(2nd)	This project is the design of the stabilization and reconstruction of 200 LF of Burdick Road adjacent to Tonawanda Creek. This is a jointly funded project with the United States Army Corps of Engineers (USACE). USACE pays the first \$100,000 then the cost is split 50-50 between USACE and the County.	B-107, 112 & 118
18	B.21032	2010 USACE - RIGHT OF WAY (AMHERST) HOPKINS RD	S	\$ 100,000	\$ 100,000			30 yrs. Par. 21	This project is the right-of-way needed for approximately one-half mile of Hopkins Road adjacent to Ransom Creek. This is a jointly funded project with the United States Army Corps of Engineers (USACE). The cost is split 65-35 between USACE and the County with a cap of \$1,500,000 on USACE participation.	B-107, 112 & 118
19	B.21033	2010 USACE - CONSTRUCTION (AMHERST) HOPKINS RD	S	\$ 920,000	\$ 920,000			15 yrs. Par. 20	This project is the reconstruction of approximately one-half mile of Hopkins Road adjacent to Ransom Creek. This is a jointly funded project with the United States Army Corps of Engineers (USACE). The cost is split 65-35 between USACE and the County with a cap of \$1,500,000 on USACE participation.	B-107, 113 & 118
20	B.21034	2010 ENVIRONMENTAL COMPLIANCE SPDES (COUNTYWIDE)	S	\$ 300,000	\$ 300,000			5 yrs. Par. 62 2nd	This project, State Pollutant Discharge Elimination System (SPDES), is mapping of storm water shed area, storm sewer system and receiving waters. New York State DEC MS4 permit held by the County requires that the mapping to the extent possible take place within the two year life of the permit with preliminary storm sewer shed mapping to be completed in 2010.	B-107, 113 & 118

Fund/Group 410.520
 Funds Center * (*)
 Funded Program B.21026 (2010 Preservation of Roads - Construction)

Commitment Item	Original Budget	Adjustments	Current Budget	Commitment	Actuals
445070 Prem On Obligations					378,029.92-
475000 Gen Oblig Bond Proc	4,200,000.00-		4,200,000.00-		3,821,970.08-
* Revenue	4,200,000.00-		4,200,000.00-		4,200,000.00-
501000 Overtime					794,476.00
506400 Highway Supplies				5,000.00	1,575,932.56
516020 Pro Ser Cnt And Fees				5,619.32	1,026,403.13
545000 Rental Charges					39,491.25
CAPITALPROJECTS Capital Project Exp	4,200,000.00		4,200,000.00		
* Expense	4,200,000.00		4,200,000.00	10,619.32	3,436,302.94
** Commitment Item				10,619.32	763,697.06-

TO: LORNE STEINHART, COMPTROLLER'S OFFICE

PROPOSED RESOLUTIONS REQUIRING RULE 55

CONTRACT APPROVAL CHECKLIST
CONFIRMATION OF AVAILABILITY OF FUNDS IN CAPITAL PROJECTS

2011 FEB -4 PM 3:45
RECEIVED
COMPTROLLER'S OFFICE

REQUESTING DEPARTMENT

COMPLETE ITEMS 1 THROUGH 5

1. CONTRACTOR'S NAME Town of Amherst
2. AMOUNT OF CONTRACT \$78,000.00
3. PROJECT NUMBER B.21026
4. PROJECT TITLE 2010 Preservation of Roads
5. DEPARTMENT CONTACT Funding questions: Charles Sickler, PE at 8372
Letter pickup: Lynn Sacha at 8301

COMPTROLLER'S OFFICE

COMPLETE ITEMS 6 AND 7

6. AVAILABILITY OF FUNDS \$ 763,697.06
 7. PERFORMED BY *Charles Sickler*
- Date Sent to Comptroller's Office: February 3, 2011

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