



ECLEG MAY10'11 AM10:49

COUNTY OF ERIE

CHRIS COLLINS
COUNTY EXECUTIVE

April 26, 2011

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

RE: Closing of Highway Capital Projects and Transfer of Cash to Existing Highway Capital Project

Honorable Members:

We are forwarding for your approval a proposed resolution to authorize the closing of completed, capital projects without debt service, and transfer any and all cash remaining to an existing capital project fund for the Department of Public Works, Division of Highways' use.

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,

A handwritten signature in black ink, appearing to read "Chris Collins", is written over a faint, larger version of the same signature.

CHRIS COLLINS
Erie County Executive

MEMORANDUM

To: Honorable Members of the Erie County Legislature
From: Department of Public Works/Office of the Commissioner
Re: Closing of Highway Capital Projects and
Transfer of Cash to Existing Highway Capital Project
Date: April 26, 2011

SUMMARY

Request adoption of resolution to authorize the closing of completed capital projects and transfer any and all cash remaining after debt service to an existing capital project fund for the Department of Public Works, Division of Highways' use.

FISCAL IMPLICATIONS

The following capital projects are completed, have remaining cash, after debt service. By closing the capital projects and transferring to an existing capital project, we can utilize the cash for a current Division of Highway capital project. We recommend the closing of:

<u>Account</u>	<u>Description</u>	<u>Amount</u>
B.00006	1998 Bridge Reconstruction	\$ 84,923.38
B.00047	2006 Ransom Road Bridge Construction	\$ 28,330.62
B.00089	1996 Various Federal Aid Projects	\$316,785.11
B.00103	2000 CHIPS	\$ 1.00
B.00104	1998 Highway Garage Repairs	\$ 671.74
B.00135	2001 Glen Ave Bridge Reconstruction	<u>\$ 45,348.73</u>
TOTAL		\$476,060.58

REASONS FOR RECOMMENDATION

The closing of aged, capital projects will utilize much needed capital cash for a current Division of Highway capital project.

BACKGROUND INFORMATION

The Department of Public Works, Division of Highways is interested in closing completed capital projects. The final action would move available cash into an active project toward investment in our infrastructure.

CONSEQUENCES OF NEGATIVE ACTION

By not approving this request, aged capital projects will remain open, and maintain dormant cash accounts.

STEPS FOLLOWING APPROVAL

The Office of the Comptroller will transfer to an existing capital project account and the Office of Budget Management and Finance will be directed to close the capital projects and transfer all available cash to SAP B.21001.1.8, 2011 Preservation of Roads, Fund 420, Business Area 123. A change order will then be executed in an amount not to exceed \$200,000.00, appropriated from capital account B.21001.1.8.1, between the County of Erie and project contractor CATCO of Alden, New York for unanticipated, on-site work scope and quantity changes for the Como Park Boulevard Reconstruction 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 STEINHART
Deputy Comptroller
Comptroller's Office

*Current cash: \$1.26mm
Availability of funds: \$646,530*

GJS/ls

File (DWP.4.26.11-1.Capital Projects.docx)

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

RE: Closing of Highway Capital Projects and
Transfer of Cash to Existing Highway
Capital Project

WHEREAS, the Department of Public Works, Division of Highways have a number of completed Capital Projects to close; and

WHEREAS, the recommended Capital Projects for closure have available cash balances after payoff of debt service; and

WHEREAS, the Department of Public Works desires to have any and all cash remaining in the closed projects transferred to an existing capital project, 2011 Preservation of Roads; and

WHEREAS, bids were taken for the reconstruction of the Federal Aid project for Como Park Boulevard (CR523), PIN 5755.83, in the Town of Cheektowaga, on March 27, 2008 and awarded to the low bidder, Concrete Applied Technologies Corporation (CATCO) of Alden, New York via Comm. 8E-18 adopted on May 8, 2008. It has been determined that the contract must be increased due to unanticipated, on-site work scope and quantity changes.

NOW, THEREFORE, BE IT

RESOLVED, that the County Legislature of the County of Erie hereby approves the above subject action; and be it further

RESOLVED, that the County Legislature of the County of Erie, hereby authorizes the County of Erie to close the following capital projects:

<u>Account</u>	<u>Description</u>	<u>Amount</u>
B.00006	1998 Bridge Reconstruction	\$ 84,923.38
B.00047	2006 Ransom Road Bridge Construction	\$ 28,330.62
B.00089	1996 Various Federal Aid Projects	\$316,785.11
B.00103	2000 CHIPS	\$ 1.00
B.00104	1998 Highway Garage Repairs	\$ 671.74
B.00135	2001 Glen Ave Bridge Reconstruction	<u>\$ 45,348.73</u>
TOTAL		\$476,060.58

and be it further

RESOLVED, that the County Legislature of the County of Erie, hereby authorizes the Comptroller to transfer the outstanding balances in the noted SAP project accounts to an existing capital project for Fund 420 Business Area 123; and be it further

RESOLVED, that the County Legislature of the County of Erie, hereby authorizes the Director of Budget and Management to close the aforementioned capital projects and make the necessary budget adjustments for the transfer of available cash after payoff of existing debt service obligations to an existing capital project; and be it further

RESOLVED, that the old capital projects be decreased by the remaining cash balances and Project Fund SAP B.21001.1.8, 2011 Preservation of Roads be increased by the transferred revenue in the amount of \$476,060.58; and be it further

RESOLVED, that the County Executive be authorized to execute a negotiated change order in an amount not to exceed \$200,000.00, appropriated from capital account B.21001.1.8.1, between the County of Erie and project contractor CATCO of Alden, New York for unanticipated, on-site work scope and quantity changes for the Como Park Boulevard Reconstruction project; and be it further

RESOLVED, that two certified copies of this resolution be sent 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.

STATE OF NEW YORK

LEGISLATURE OF ERIE COUNTY CLERK'S OFFICE

BUFFALO, N.Y., MAY 8, 2008

TO WHOM IT MAY CONCERN:

I HEREBY CERTIFY, That at the 9th Session of the Legislature of Erie County, held in the Legislative Chambers, in the City of Buffalo, on the Eighth day of May, 2008 A.D., a Resolution was adopted, of which the following is a true copy:

WHEREAS, bids were taken for the reconstruction of the Federal Aid Project for Como Park Boulevard (CR 523), in the Town of Cheektowaga, on March 27, 2008, the low bidder was Concrete Applied Technologies Corporation (CATCO) of Alden, New York at a low bid amount of \$2,771,865.70; and

WHEREAS, a contract was previously awarded for design and engineering services for the above noted project to the engineering firm of Clough Harbour & Associates, LLP on July 12, 2001, at the 16th session of the Legislature of Erie County, Communication No. 15E-7, and it has been determined that the Contract must be increased to include additional engineering design services and construction inspection services.

NOW, THEREFORE, BE IT

RESOLVED, that the County Executive be authorized and is hereby directed to execute a Contract for Project Number FA-523-07 for the reconstruction of Como Park Boulevard (CR 523) between the County of Erie and the low bidder, CATCO of Alden, New York at a low bid amount of \$2,771,865.70; and be it further

RESOLVED, that an amount of \$2,547,865.70 be allocated from the 2007 Como Park Boulevard Pavement Reconstruction Program (SAP Account B.00167) and that an amount of \$224,000.00 be allocated from 2007 Unanticipated Road and Bridge Costs (SAP Account B.00168), and an additional amount of \$280,000.00 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 \$280,000.00 to be allocated from the 2007 Como Park Boulevard Pavement Reconstruction Program (SAP Account B.00167); and be it further

RESOLVED, that an amount of \$65,000.00 be allocated from the 2007 Como Park Boulevard Pavement Reconstruction Program (SAP Account B.00167) for a change order to the contract for engineering services for waterline design with Clough Harbour & Associates, LLP; and be it further

RESOLVED, that an amount of \$37,000.00 be allocated for the 2007 Como Park Boulevard Pavement Reconstruction Program (SAP Account B.00167) for a change order to the contract for construction inspection, and that an amount of \$165,000.00 be allocated from 2007 Unanticipated Road and Bridge Costs (SAP Account B.00168) for a change order to the Contract for engineering services during construction with Clough Harbour & Associates, LLP; 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 Office of Budget, Management and Finance, and the Office of the Comptroller.

REFERENCE: COMM. 8E-18 (2008)

ATTEST



ROBERT M. GRABER

Clerk of the Legislature of Erie County

TO: LORNE STEINHART, COMPTROLLER'S OFFICE

COMPTROLLER'S
RECEIVED

PROPOSED RESOLUTIONS REQUIRING RULE 55

APR 27 AM 10:11

CONTRACT APPROVAL CHECKLIST
CONFIRMATION OF AVAILABILITY OF FUNDS IN CAPITAL PROJECTS

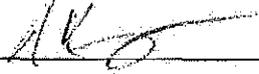
REQUESTING DEPARTMENT

COMPLETE ITEMS 1 THROUGH 5

1. CONTRACTOR'S NAME Concrete Applied Technologies Corp.
2. AMOUNT OF CONTRACT Not to Exceed \$200,000.00
3. PROJECT NUMBER B.21001.1.8.1
4. PROJECT TITLE 2011 Preservation of Roads
5. DEPARTMENT CONTACT Funding questions: Charles A. Sickler at 8372
Letter pickup: Lynn Sacha at 8301

COMPTROLLER'S OFFICE

COMPLETE ITEMS 6 AND 7

6. AVAILABILITY OF FUNDS \$ 646,530
 7. PERFORMED BY 
- Date Sent to Comptroller's Office: April 27, 2011

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