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COUNTY OF ERIE

CHRIS COLLINS
COUNTY EXECUTIVE

April 29, 2011

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

**RE: Erie County Department of Public Works – Division of Highways
Response to New York State Department of Transportation Bridge Inspections
with Yellow & Red Flagged Conditions of County Bridges and Culverts**

Honorable Members:

Attached is a proposed resolution requesting authorization to enter into a contract with Clough, Harbour & Associates in order to be able to address the numerous yellow and red flags received from the New York State Department of Transportation concerning Erie County bridges and culverts.

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: Erie County Department of Public Works – Division of Highways
Response to New York State Department of Transportation Bridge Inspections
with Yellow & Red Flagged Conditions of County Bridges and Culverts
Date: April 29, 2011

SUMMARY

It is recommended that the County Executive be authorized to execute a contract for emergency bridge and culvert construction management, technical services, and construction inspection to Clough, Harbour & Associates to address the numerous yellow and red flagged conditions received from the New York State Department of Transportation on Erie County bridges during the 2011 construction season.

FISCAL IMPLICATIONS

The Clough, Harbour & Associates contract will not exceed \$29,853.79 allocated from B.00059 – 2003 Culvert Design in the amount of \$9,769.70 and B.00040 – 2002 Culvert Inspection, Load Rating and Design in the amount of \$20,084.09.

REASONS FOR RECOMMENDATION

Erie County received notice of NYSDOT inspection reports citing Erie County bridge and culvert deficiencies as “yellow” and “red” flags which limit or restrict public access. DPW-Division of Highways is required to provide immediate response to sufficiently improve bridge conditions in order for the NYSDOT to remove those flags.

BACKGROUND INFORMATION

The County has 294 bridges and 461 culverts averaging approximately 50 years in age. The lack of capital investment in the maintenance, repair, and reconstruction of County bridges has precipitated the erosion of many County bridges thereby, accounting for the numerous citations of yellow and red flags by the NYSDOT.

CONSEQUENCES OF NEGATIVE ACTION

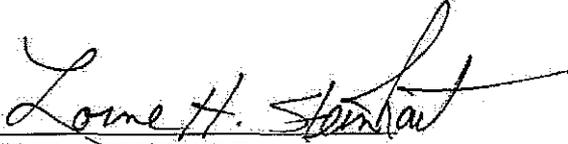
If these flagged conditions are not responded to in a reasonable time frame, access by the traveling public on the County’s bridges will be limited through load postings or closed based on the severity of the condition. Non-action will affect the health and safety of the traveling public, deter commerce travel, and alter traffic flow for emergency vehicles, school buses, deliveries, trash pick-up and general motorists.

STEPS FOLLOWING APPROVAL

The County Executive will execute a contract with Clough, Harbour & Associates. Information from the engineering consultant will determine award and execution of emergency bridge construction purchase orders through the Department of Purchase and/or through a public bid opening by the Commissioner of Public Works.

COMPTROLLER'S OFFICE REVIEW

The proposed resolution 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/lis

File Copy (DPW.4.29.11-7.Emergency Bridge and Culvert Services.doc)

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

RE: Erie County Department of Public Works –
Division of Highways
Response to New York State Department
of Transportation Bridge Inspections
with Yellow & Red Flagged Conditions
of County Bridges and Culverts

WHEREAS, the New York State Department of Transportation (NYSDOT) is currently performing annual and biannual inspections of County-owned bridges and culverts; and

WHEREAS, as a result of these inspections Erie County was cited with numerous yellow and red flags which restricts access to the traveling public and requires the County to respond to NYSDOT with a plan of action as soon as practicable; and

WHEREAS, the Department of Public Works – Division of Highways determined that Clough, Harbour & Associates, a legislatively approved Term Agreement consultant via Comm. 14E-19 adopted July 17, 2008, has the appropriate experience in construction management, technical services, and construction inspection of bridges and culverts; and

WHEREAS, in order for the Department of Public Works – Division of Highways to urgently respond to these cited County bridge and culvert deficiencies with repairs and construction during the 2011 construction season, it requires authorization to award construction contracts.

NOW, THEREFORE, BE IT

RESOLVED, that the County Executive be allowed to execute a contract to Clough, Harbour & Associates for an amount not to exceed \$29,853.79, from B.00059 – 2003 Culvert Design in the amount of \$9,769.70 and B.00040 – 2002 Culvert Inspection, Load Rating and Design in the amount of \$20,084.09; and be it further

RESOLVED, that the Commissioner of the Department of Public Works – Division of Highways is authorized to requisition for purchase orders for bridge and culvert repair and construction through the Department of Purchase approved Highways Material Bid or through an open competitive bidding process; and be it further

RESOLVED, that the Erie County Legislature be provided with an informational item upon return from recess that includes a report of progress, vendors awarded, and contract amounts from the Department of Public Works – Division of Highways; and be it further

RESOLVED, that five (5) certified copies of this resolution be sent to the Department of Public Works, Office of the Commissioner, and one copy each to the New York State Department of Transportation, the Office of the County Executive, the Division of Budget and Management, the Office of the Comptroller, and the Department of Purchase.

PROJECT TITLE: B.00059 2003 Culvert Design

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 \$ 1,000,000.00

TOTAL PROJECT APPROPRIATIONS \$ 1,000,000.00

LESS: TOTAL EXPENDITURE TO DATE \$ 990,230.30

TOTAL COMMITMENTS \$ 0

AVAILABLE APPROPRIATIONS AS OF DATE OF REQUEST \$ 9,769.70

LESS: CONTRACT AMOUNT: 9,769.70

NET AVAILABLE APPROPRIATIONS \$ 0

COMMENTS: Cash in project: \$9,769.70

REQUEST APPROVED: Lone H. Steinhart

REQUEST DENIED: _____

DATE: May 3, 2011

SCHEDULE: A		2003 CAPITAL BUDGET BOND RESOLUTION - PROJECT COMPONENTS							
COLUMN #	A	B	C	D	E	F	G		
LINE NO.	SFG PROJ. NO.	PROJECT DESCRIPTION (object or purpose)	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
36	420-349 B.00055	2003 PAVEMENT LIFE ENHANCEMENTS (COUNTYWIDE)	\$ 1,000,000	\$ 1,000,000			15yrs. Par. 20(c)	Improvement of subgrade drainage through reshaping shoulders and ditches, installing edge drains or underdrains and other misc. work.	C-166, 177 & 194
37	420-350 B.00056	2003 ENERGY EFFICIENT TRAFFIC SIGNAL HEAD REPLACEMENT (COUNTYWIDE)	\$ 250,000	\$ 250,000			20 yrs. Par. 72(a)	Replacement of traffic signal heads throughout the County with a more energy efficient model providing greater visibility and safety.	C-166, 177 & 194
38	420-351 B.00057	2003 HIGHWAY & DPW FUEL TANK UPGRADE-FINAL PHASE (COUNTYWIDE)	\$ 400,000	\$ 400,000			5 yrs. Par. 35	Upgrading the Fuel Dispensing Systems and ancillary structures at various Highway and DPW facilities to comply with the latest building code requirements, including the use of consultant services.	C-166, 177 & 194
39	420-352 B.00058	2003 BRIDGE DESIGN & RECONSTRUCTION (COUNTYWIDE)	\$ 2,500,000	\$ 2,500,000			5 yrs. Par. 62(2nd)	Design for various bridges throughout the County, based on condition rating and needs.	C-166, 177 & 194
39	AMENDED	Reso # 609-2003, 11/13/03 - Increases authorization & amends PPU & project description	\$ 5,130,000	\$ 5,130,000			20 yrs. Par. 10	Design and reconstruction of various bridges throughout the County, based on condition rating and needs.	
		New Authorization Total	\$ 7,630,000	\$ 7,630,000					
40	420-353 B.00059	2003 CULVERT DESIGN - VARIOUS LOCATIONS (COUNTYWIDE)	\$ 300,000	\$ 300,000			5 yrs. Par. 62(2nd)	Design for culverts with low condition ratings and spans greater than five (5) feet and less than twenty (20) feet.	C-166, 178 & 194
40	AMENDED	Reso # 609-2003, 11/13/03 - Increases authorization & amends PPU & project description	\$ 700,000	\$ 700,000			20 yrs. Par. 10	Design and reconstruction of various culverts with low condition ratings and spans greater than five (5) feet and less than twenty (20) feet.	
		New Authorization Total	\$ 1,000,000	\$ 1,000,000					
41	490-428 F.00006	2003 CENTRAL LIBRARY INTERIOR RENOVATIONS PHASE I (BUFFALO)	\$ 1,000,000	\$ 1,000,000			15 yrs. Par. 12(a)(2)	Renovation of the Downtown Buffalo Central Library including, but not limited to: updating/reconfiguring public spaces, expansion/modernization of the Children's Room, consolidation of reference collections and specialized database areas into one area, remodeling the Popular Materials Area, and retention of various consultants as needed.	C-166, 178 & 195
42	490-429 F.00007	2003 CENTRAL LIBRARY ASBESTOS & ENV REMED ACCELERATION (BUFFALO)	\$ 1,300,000	\$ 1,000,000			15 yrs. Par. 12(a)(2)	Asbestos abatement and other environmental remediation at the Downtown Buffalo Central Library including the services of various consultants.	C-166, 178 & 195
43	490-383 F.00005	LIBRARY BOOKS & MEDIA EQUIPMENT	\$ 1,300,000	\$ 1,300,000			5 yrs. Par. 89	Purchase of books and media equipment for use in various libraries throughout the County.	C-166, 178 & 195
44	410-430 A.00099	2003 DESIGN FOR SHERWOOD GREENWAY BICYCLE PATH	\$ 90,000	\$ 90,000			5 yrs. Par. 62(2nd)	Design of a bicycle path from Sheridan Park to Aqua Lane Park in the Town of Tonawanda.	C-166, 179 & 196
45	410-431 A.00100	2003 DESIGN & RECONSTRUCTION FOR THE TIMES BEACH ACCESS TRAIL	\$ 125,000	\$ 125,000			5 yrs. Par. 62(2nd)	Design for the redevelopment of Times Beach and to create public access.	
45	AMENDED	Reso #553-2003, 10/2/03 - Increases bond authorization, amends PPU & amends project description	\$ 175,000	\$ 175,000			15 yrs. - Par. 19(c)	The reconstruction and redevelopment of Times Beach, including the construction of public access and the preparation of preliminary plans and detailed plans, specifications and estimates for design.	
		New Authorization Total	\$ 300,000	\$ 300,000					
46	511-432 G.00013	2003 ELEVATOR UPGRADE - ECMC	\$ 150,000	\$ 150,000			15 yrs. Par. 12(a)(2)	Elevator replacement to comply with safety-related standards including the services of various consultants.	C-167, 182 & 197
47	511-433 G.00014	2003 REPLACEMENT OF HVAC SYSTEMS-ECMC OLD SCHOOL 84 BUILDING	\$ 250,000	\$ 250,000			10 yrs. Par. 13	Replacement of all HVAC systems in the old School 84 building at ECMC including asbestos abatement and environmental rehabilitation.	C-167, 182 & 197

Fund/Group 410..520
 Funds Center *
 Funded Program B.00059 .(03 CULVERT DES-VAR LOCATIONS (*))

Commitment Item	Original Budget	Adjustments	Current Budget	Commitment	Actuals
445070 Prem On Obligations 475000 Gen Oblig Bond Proc	1,000,000.00-		1,000,000.00-		61,781.03- 938,218.97-
* Revenue	1,000,000.00-		1,000,000.00-		1,000,000.00-
506400 Highway Supplies 516020 Pro Ser Cnt And Fees CAPITALPROJECTS Capital Project Exp	1,000,000.00		24,490.70 975,509.30		126,000.00 864,230.30
* Expense	1,000,000.00		1,000,000.00		990,230.30
** Commitment Item					9,769.70-

Fund(s): 400,.599

Fiscal Year: 2011

Project(s):B.00059

03 CULVERT DES-VAR LOCATIONS

Period: 1 to 16

Account	Prev. Yr.	YTD Debit	YTD Credit	End Bal
117000 CASH CONTROL ACCOUNT	9,769.70			9,769.70
130000 DUE FROM (DUE TO) OTHER FUNDS				
200000 ACCOUNTS PAYABLE CONTROL ACCT				
200200 GR/IR ACCOUNT				
205100 RETAINED PERCENTAGE PAYABLE				
205999 SFG TO SAP HOLDBACK CONVERSION ACCOUNT				
389999 UNRESERVED/UNDESIGNATED FUND BALANCE				
* Balance Sheet	9,769.70			9,769.70
445070 PREMIUM ON OBLIGATIONS - BONDS	61,781.03-			61,781.03-
475000 GENERAL OBLIGATION BOND PROCEEDS	938,218.97-			938,218.97-
* Revenues	1,000,000.00-			1,000,000.00-
506400 HIGHWAY SUPPLIES	126,000.00			126,000.00
516020 PROFESSIONAL SERVICE CONTRACTS AND FEES	864,230.30			864,230.30
* Expenditures	990,230.30			990,230.30
** Total				

PROJECT TITLE: B.00040 2002 Culvert Inspection, Load Rating & Design

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 \$ 500,000.00

TOTAL PROJECT APPROPRIATIONS \$ 500,000.00

LESS: TOTAL EXPENDITURE TO DATE \$ 479,915.91

TOTAL COMMITMENTS \$ 0

AVAILABLE APPROPRIATIONS AS OF DATE OF REQUEST \$ 20,084.09

LESS: CONTRACT AMOUNT: 20,084.09

NET AVAILABLE APPROPRIATIONS \$ 0

COMMENTS: Cash in project: \$20,084.09

REQUEST APPROVED: Lorne H. Stewart

REQUEST DENIED: _____

DATE: May 3, 2011

SCHEDULE A		2002 CAPITAL BUDGET BOND RESOLUTION - PROJECT COMPONENTS								
COLUMN #	A	B	C	D	E	F	G			
LINE NO.	SFG PROJ. NO.	PROJECT DESCRIPTION (object or purpose)	SEQR STATUS	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
27	AMENDED	Reso #433-2002, 11/7/02 - description only.							Improvement of subgrade drainage through reshaping shoulders and ditches, installing edge drain or underdrain, misc. repairs, rehabilitation of County highways including pavement, road widening, strengthening, recycling and resurfacing for the highway improvements.	
28	420-311 B.00038	2002 BRIDGE RECONSTRUCTION PROGRAM (COUNTYWIDE)	APPROVED	\$ 2,400,000	\$ 2,400,000			20yrs. Par. 10	Inspection and reconstruction of County bridges to preserve load capacity and improve or replace unsafe or inadequate structures	P. 169, 176, 185
29	420-312 B.00039	2002 CULVERT RECONSTRUCTION - VARIOUS LOCATIONS (COUNTYWIDE)	APPROVED	\$ 500,000	\$ 500,000			20yrs. Par. 10	Reconstruction of culverts with low condition ratings and spans of less than twenty feet.	P. 169, 176, 185
30	420-313 B.00040	2002 PLANNING-CULVERT INSPECTION, LOAD RATING, AND DESIGN (COUNTYWIDE)	APPROVED	\$ 500,000	\$ 500,000			5yrs. Par. 62(2nd)	Engineering inspection of all highway culvert structures with spans from 5 to 20 feet, determine load ratings as necessary and culvert designs progressed as needed	P. 169, 176, 185
31	420-314	2002 PLANNING-ERIE COUNTY SIGNALS - DESIGN (NYS-DOT PIN 5756.48) - HIGHWAY FEDERAL AID PROGRAM - COUNTY ROAD FUND	APPROVED	\$ 40,000	\$ 8,000	\$ 32,000		5 yrs. Par. 62.2nd	County share of the 2002 phase design work for this road design project	P. 169, 177, 185
32	420-315 B.00041	2002 PLANNING-HARRIS HILL/PLEASANTVIEW INTERSECTION - DESIGN (NYS-DOT PIN 5756.49) - HIGHWAY FEDERAL AID PROGRAM - COUNTY ROAD FUND	APPROVED	\$ 40,000	\$ 8,000	\$ 32,000		5 yrs. Par. 62.2nd	County share of the 2002 phase design work for this road design project	P. 169, 177, 185
33	420-316 B.00042	2002 PLANNING-WEHLE/HARRIS HILL INTERSECTION - DESIGN (NYS-DOT PIN 5756.47) - FEDERAL AID PROGRAM - COUNTY ROAD FUND	APPROVED	\$ 40,000	\$ 8,000	\$ 32,000		5 yrs. Par. 62.2nd	County share of the 2002 phase design work for this road design project	P. 169, 177, 185
33	AMENDED	Reso # 550-2003, 10/2/03 - increases bond authorization		\$ 137,500	\$ 3,250	\$ 134,250				
		New Authorization Total		\$ 177,500	\$ 11,250	\$ 166,250				
34	420-317 B.00043	2002 PLANNING-YOUNGS/AERO INTERSECTION - DESIGN (NYS-DOT PIN 5756.46) - FEDERAL AID PROGRAM - COUNTY ROAD FUND	APPROVED	\$ 40,000	\$ 8,000	\$ 32,000		5 yrs. Par. 62.2nd	County share of the 2002 phase design work for this road design project	P. 169, 177, 185
35	420-318 B.00044	2002 PLANNING-FREEMAN ROAD BRIDGE (BR 389-3) - DESIGN (NYS-DOT PIN 5756.38) - FEDERAL AID PROGRAM - COUNTY ROAD FUND	APPROVED	\$ 220,000	\$ 44,000	\$ 176,000		5 yrs. Par. 62.2nd	County share of the 2002 phase design work for this bridge design project	P. 169, 177, 185
36	420-319 B.00045	2002 BRIDGE RECONSTRUCTION - BULLIS ROAD BRIDGE (BR 330-7) RECONSTRUCTION (NYS-DOT PIN 5755.67) - FEDERAL AID PROGRAM - COUNTY ROAD FUND	APPROVED	\$ 860,000	\$ 172,000	\$ 688,000		20yrs. Par. 10	County share for 2002 phase reconstruction work for this bridge project	P. 169, 177, 185
37	420-320	2002 BRIDGE RECONSTRUCTION - GLENWOOD/E. CONCORD/RTE. 240 BRIDGE (BR 30-2) RECONSTRUCTION (NYS-DOT PIN 5754.53) - FEDERAL AID PROGRAM - COUNTY ROAD FUND	APPROVED	\$ 860,000	\$ 172,000	\$ 688,000		20yrs. Par. 10	County share for 2002 phase reconstruction work for this bridge project	P. 169, 177, 185

Fund/Group 410..520
 Funds Center * (*)
 Funded Program B.00040 ('02 CULVERT INSP,LOAD RTNG&DES)

Commitment Item	Original Budget	Adjustments	Current Budget	Commitment	Actuals
445070 Prem On Obligations	53,086.35-		53,086.35-		53,086.35-
475000 Gen Oblig Bond Proc	446,913.65-		446,913.65-		446,913.65-
* Revenue	500,000.00-		500,000.00-		500,000.00-
516020 Pro Ser Cnt And Fees			36,163.21		479,915.91
CAPITALPROJECTS Capital Project Exp	500,000.00		463,836.79		
* Expense	500,000.00		500,000.00		479,915.91
** Commitment Item					20,084.09-

Fund(s): 400.599

Fiscal Year: 2011

Project(s):B.00040

'02 CULVERT INSP,LOAD RTNG&DES

Period: 1 to 16

Account	Prev. Yr	YTD Debit	YTD Credit	End Bal
117000 CASH CONTROL ACCOUNT	20,084.09			20,084.09
200000 ACCOUNTS PAYABLE CONTROL ACCT				
200200 GR/IR ACCOUNT				
389999 UNRESERVED/UNDESIGNATED FUND BALANCE				
* Balance Sheet	20,084.09			20,084.09
445070 PREMIUM ON OBLIGATIONS - BONDS	53,086.35-			53,086.35-
475000 GENERAL OBLIGATION BOND PROCEEDS	446,913.65-			446,913.65-
* Revenues	500,000.00-			500,000.00-
516020 PROFESSIONAL SERVICE CONTRACTS AND FEES	479,915.91			479,915.91
* Expenditures	479,915.91			479,915.91
** Total				

TO: LORNE STEINHART, COMPTROLLER'S OFFICE

COMPTROLLER'S
RECEIVED

11 APR 29 PM 2:13

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 Clough Harbour Associates
- 2. AMOUNT OF CONTRACT Not to exceed \$29,853.79
- 3. PROJECT NUMBER B.00059 - \$ 9,769.70
B.00040 - \$20,084.09
- 4. PROJECT TITLE Response to NYSDOT Bridge and Culvert
Inspections
- 5. DEPARTMENT CONTACT Funding questions: Charles A. Sickler, PE at 8372
Letter pickup: Lynn Sacha at 8301

COMPTROLLER'S OFFICE

COMPLETE ITEMS 6 AND 7

- 6. AVAILABILITY OF FUNDS B.00059 \$ 9,769.70
\$ B.00040 \$ 20,084.09
 - 7. PERFORMED BY Jackie Pulsifer
- Date Sent to Comptroller's Office: April 29, 2011

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