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COUNTY OF ERIE

CHRIS COLLINS

COUNTY EXECUTIVE

June 22, 2011

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

**RE: Ketchum Road Slide Stabilization, Miscellaneous Roadway Design, and
Construction Inspection Contracts**

Honorable Members:

A portion of Ketchum Road and the associated embankment has failed, resulting in the closure of the road. It is important to begin an engineering design study as to the reasons for this slide and make physical field changes in order to prevent future movement and further damage to the roadway infrastructure.

In addition, funds are needed to complete the design of Brighton Road and for Professional Services including Construction Inspection services for Eden Evans Center Road.

Therefore, this resolution seeks authorization to award these Contracts to various engineering consultants.

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: Ketchum Road Slide Stabilization, Miscellaneous Roadway Design, and Construction Inspection Contracts
Date: June 22, 2011

SUMMARY

This resolution seeks authorization to award the design and construction inspection of various roadways to engineering consultants.

Specific projects include:

COUNTY ROAD	ENGINEER	COST
Ketchum Road (CR 501) – Slide (And various other slide locations)	McMahon & Mann	\$154,231.68
Brighton Road (CR 196)	C&S Engineers	\$20,000.00
Eden Evans Center Road (CR 32)	DiDonato Associates	<u>\$80,000.00</u>
 TOTAL OF ALL CONTRACTS		 \$254,231.68

FISCAL IMPLICATIONS

The funding available is totally within SAP B.00028 – 2001 Various Road Design, Non-Federal Aid.

If preventative work can be performed at the sites of the slides, future capital needs will be reduced. Further, if roadways can be repaired, future County capital and maintenance costs of those roadways will be greatly reduced.

REASONS FOR RECOMENDATION

A number of road and slope slides have occurred from 2009 to 2011 that have affected and even closed portions of the roadways owned by Erie County. It is important to begin an engineering design study as to the reasons for these slides and make physical field changes in order to prevent future movement and further damage to the roadway infrastructure.

It is to the County's advantage to design and reconstruct these roadways to eliminate possible safety hazards. It is imperative to restore these roads to a condition that reduces maintenance and liability to the County.

BACKGROUND INFORMATION

A number of landslides have occurred from 2009 to 2011 that have affected the roadways owned by Erie County. In addition, Erie County has many roads that require maintenance, which can be reduced if their condition can be improved through reconstruction.

CONSEQUENCES OF NEGATIVE ACTION

No work will be done and the damaged areas will continue to deteriorate further. This could possibly lead to further road closures and significant increases in costs of repair.

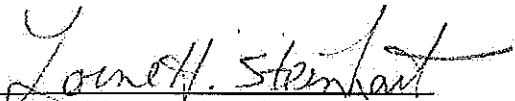
In addition, if these roadways are not repaired, reduced maintenance and capital costs will not be realized.

STEPS FOLLOWING APPROVAL

Proper procedures will be followed to procure the professional services needed to perform the required study and design work.

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

Available cash: \$658,667.58

GJS/WS/ls

File Copy (DPW.6.22.11-14.Ketchum Road Slide Restoration.docx)

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

RE: Ketchum Road Slide Stabilization,
Miscellaneous Roadway Design,
and Construction Inspection Contracts

WHEREAS, a number of landslides have occurred from 2009 to 2011 that have affected the roadways owned by Erie County; and

WHEREAS, it is important to begin an engineering design study as to the reasons for these slides and prevent future movement from further damaging the roadways; and

WHEREAS, Erie County has many roads that are in need of reconstruction; and

WHEREAS, it is to the County's advantage to reconstruct these roads to reduce maintenance and capital costs; and

WHEREAS, before construction can commence, these roads are in need of design and, once designed, are in need of construction inspection services; and

WHEREAS, funds exist in SAP Project number B.00028 (2001 Various Road Design, Non-Federal Aid) for work on these roadways; and

WHEREAS, the Department of Public Works desires to use these funds to begin design and construction inspection on various roadways.

NOW, THEREFORE, BE IT

RESOLVED, that the Erie County Legislature authorizes the County Executive to enter into contracts, in amounts not to exceed, as follows:

COUNTY ROAD	ENGINEER	COST
Ketchum Road (CR 501) – Slide (and various other locations)	McMahon & Mann	\$154,231.68
Brighton Road (CR 196)	C&S Engineers	\$20,000.00
Eden Evans Center Road (CR 32)	DiDonato Associates	<u>\$80,000.00</u>
TOTAL OF ALL CONTRACTS		\$254,231.68

and be it further

RESOLVED, SAP Project B.00028, Various Road Design – Non-Federal Aid, will be utilized to perform the necessary study, design and construction inspection of roadways as listed above; and be it further

RESOLVED, that the Clerk of the Legislature 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 Division of Budget and Management, and the Office of the Comptroller.

PROJECT TITLE: B.00028 2001 Various Road Design (Non-Fed)

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 \$ 1,320,000.00

TOTAL PROJECT APPROPRIATIONS \$ 1,320,000.00

LESS: TOTAL EXPENDITURE TO DATE \$ 661,332.42

TOTAL COMMITMENTS \$ 404,435.90

AVAILABLE APPROPRIATIONS AS OF DATE OF REQUEST \$ 254,231.68

LESS: CONTRACT AMOUNT: 254,231.68

NET AVAILABLE APPROPRIATIONS \$ 0

COMMENTS: Available cash: \$658,667.58

REQUEST APPROVED: Lore H. Steinhart

REQUEST DENIED: _____

DATE: June 29, 2011

LEGISLATURE OF ERIE COUNTY
CLERK'S OFFICE

BUFFALO, N.Y., FEBRUARY 24, 2003

TO WHOM IT MAY CONCERN:

I HEREBY CERTIFY, That at the 4th Session of the Legislature of Erie County, held in the County Hall, in the City of Buffalo, on the Twenty-Fourth day of February A.D. 2003, a Resolution was adopted, of which the following is a true copy:

RESOLUTION NO. 33 -2003
BOND RESOLUTION DATED February 24, 2003

BOND RESOLUTION OF THE COUNTY OF ERIE, NEW YORK, AUTHORIZING THE PREPARATION OF SURVEYS, PRELIMINARY AND DETAILED PLANS, SPECIFICATIONS AND ESTIMATES NECESSARY FOR THE RECONSTRUCTION OF VARIOUS STREETS WITHIN THE COUNTY, STATING THE ESTIMATED MAXIMUM COST THEREOF IS \$1,320,000, APPROPRIATING SAID AMOUNT THEREFOR, AND AUTHORIZING THE ISSUANCE OF \$1,320,000 BONDS OF THE COUNTY TO PAY THE COST THEREOF.

(Introduced) February 4, 2003

(Adopted) February 24, 2003

RESOLVED BY THE COUNTY LEGISLATURE OF THE COUNTY OF ERIE, NEW YORK (by the affirmative vote of not less than two thirds of the voting strength of said Legislature), AS FOLLOWS:

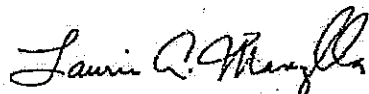
Section 1. The County of Erie, New York (herein called "County"), is hereby authorized to prepare surveys, preliminary and detailed plans, specifications and estimates necessary for the reconstruction of various streets within the County, including engineering, surveying and other work required in connection therewith. The estimated maximum cost of said specific object or purpose, including preliminary costs and costs incidental thereto and to the financing thereof, is \$1,320,000, and said amount is hereby appropriated therefor pursuant to the duly adopted Capital Budget of said County for the fiscal year 2001. To the extent that details set forth in this resolution are inconsistent with any details set forth in the 2001 Capital Budget of the County, (Section B, "Home Road Bridge [Alden]"), such Budget shall be deemed and is hereby amended. The plan of financing includes the issuance of \$1,320,000 bonds of the County and any bond anticipation notes issued in anticipation of the sale of such bonds to finance said appropriation, and the levy and collection of taxes on all the taxable real property in the County to pay the principal of said bonds and notes and the interest thereon as the same shall become due and payable.

Section 2. Bonds of the County in the principal amount of \$1,320,000 are hereby authorized to be issued for the specific object or purpose described in Section 1 hereof, pursuant to the provisions of the Local Finance Law, constituting Chapter 33-a of the Consolidated Laws of the State of New York (herein called "Law") to finance said appropriation.

Section 3. The period of probable usefulness applicable to the purpose for which said bonds are authorized to be issued, within the limitations of Section 11.00 a. 62 (2nd) of the Law, is five (5) years.

Section 4. The County intends to finance, and the Comptroller of the County is hereby authorized to advance such amounts as are necessary to pay the costs of the object or purpose described in Section 1 hereof prior to the issuance of the bonds or bond anticipation notes authorized out of any available funds of the County, on an interim basis, which amounts are reasonably expected to be reimbursed with the proceeds of debt to be incurred by the County, pursuant to this Bond Resolution, in the maximum amount of bonds herein authorized. This Resolution is a declaration of official intent adopted pursuant to the requirements of Treasury Regulation Section 1.150-2.

ATTEST



LAURIE A. MANZELLA

Clerk of the Legislature of Erie County

STATE OF NEW YORK

LEGISLATURE OF ERIE COUNTY
CLERK'S OFFICE

BUFFALO, N.Y., FEBRUARY 24, 2003

TO WHOM IT MAY CONCERN:

I HEREBY CERTIFY, That at the 4th Session of the Legislature of Erie County, held in the County Hall, in the City of Buffalo, on the Twenty-Fourth day of February A.D., 2003, a Resolution was adopted, of which the following is a true copy:

Section 5. Subject to the provisions of this Resolution and of said Local Finance Law, and pursuant to the provisions of §30.00 relative to the authorization of the issuance of bond anticipation notes or the renewals thereof, and of §§50.00, 56.00 to 60.00 and 168.00 of said Law, the powers and duties of the County Legislature relative to authorizing the issuance of any notes in anticipation of the sale of the bonds herein authorized, or the renewals thereof, relative to providing for substantially level or declining annual debt service, and relative to prescribing the terms, form and contents and as to the sale and issuance of the bonds herein authorized, and of any notes issued in anticipation of the sale of said bonds or the renewals of said notes, as well as to executing agreements for credit enhancement, are hereby delegated to the Comptroller of the County, as the chief fiscal officer of the County.

Section 6. Each of the bonds authorized by this Resolution and any bond anticipation notes issued in anticipation of the sale thereof shall contain the recital of validity prescribed by §52.00 of said Local Finance Law and said bonds and any notes issued in anticipation of said bonds shall be general obligations of the County of Erie, payable as to both principal and interest by general tax upon all the taxable real property within the County without limitation as to rate or amount. The faith and credit of the County are hereby irrevocably pledged to the punctual payment of the principal of and interest on said bonds and any notes issued in anticipation of the sale of said bonds or the renewals of said notes, and provision shall be made annually in the budgets of the County by appropriation for (a) the amortization and redemption of the notes and bonds to mature in such year and (b) the payment of interest to be due and payable in such year.

Section 7. The validity of the bonds authorized by this Resolution and of any notes issued in anticipation of the sale of said bonds, may be contested only if:

(a) such obligations are authorized for an object or purpose for which the County is not authorized to expend money, or

(b) the provisions of law which should be complied with at the date of the publication of this Resolution or a summary hereof, are not substantially complied with, and an action, suit or proceeding contesting such validity, is commenced within twenty days after the date of such publication, or

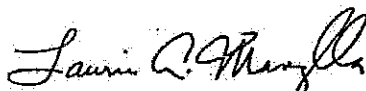
(c) such obligations are authorized in violation of the provisions of the Constitution.

Section 8. This Resolution shall take effect immediately upon approval by the County

Executive.

REFERENCE: COMM. 3E-19

ATTEST



Laurie A. MANZELLA

Clerk of the Legislature of Erie County

Fund/Group 410..520
 Funds Center * (*)
 Funded Program B.00028 (01 VAR ROAD DESIGN (NON-FED))

Commitment Item	Original Budge	Adjustments	Current Budget	Commitment	Actuals
445070 Prem On Obligations	140,147.96-		140,147.96-		140,147.96-
475000 Gen Oblig Bond Proc	1,179,852.04-		1,179,852.04-		1,179,852.04-
* Revenue	1,320,000.00-		1,320,000.00-		1,320,000.00-
516020 Pro Ser Cnt And Fees			203,671.85	404,435.90	661,332.42
CAPITALPROJECTS Capital Project Exp	1,320,000.00		1,116,328.15		
* Expense	1,320,000.00		1,320,000.00	404,435.90	661,332.42
** Commitment Item				404,435.90	658,667.58-

Fund/Group *
 Funds Center Highways (DPW) (BD123)
 Funded Program B.00028 (01 VAR ROAD DESIGN (NON-FED))

Commitment Item	Consumable Budg	Consumed Budget	Available Budget
445070 Prem on obligations	140,147.96-	140,147.96-	
475000 Gen Oblig Bond Proc	1,179,852.04-	1,179,852.04-	
* Revenue	1,320,000.00-	1,320,000.00-	
CAPITALPROJECTS Capital Project Exp	1,320,000.00	1,065,768.32	254,231.68
* Expense	1,320,000.00	1,065,768.32	254,231.68
** Commitment Item		254,231.68-	254,231.68

Navigation



Object Displayed in		Overall values					
		Planned 1 USD	Budget 1 USD	Actual 1 USD	Commitment 1 USD	Assigned 1 USD	Available 1 USD
◊ PRJ B.00028	01 VAR ROAD DESIGN (	0.00	1,320,000.00	661,332.42	404,435.90	1,065,768.32	254,231.68
◊ L WBS B.00029	01 VAR ROAD DESIGN (	0.00	1,320,000.00	661,332.42	404,435.90	1,065,768.32	254,231.68
◊ L WBS B.00028.1	01 VAR ROAD DESIGN (	0.00	1,320,000.00	661,332.42	404,435.90	1,065,768.32	254,231.68
⚡ Result		0.00	1,320,000.00	661,332.42	404,435.90	1,065,768.32	254,231.68

Fund(s): 400..599 Fiscal Year: 2011 Project(s):B.00028 01 VAR ROAD DESIGN (NON-FED)
Period: 1 to 16

Account	Prev. Yr.	YTD Debit	YTD Credit	End Bal
117000 CASH CONTROL ACCOUNT	926,031.68		255,764.10-	670,267.58
200000 ACCOUNTS PAYABLE CONTROL ACCT		255,764.10	267,364.10-	11,600.00-
200200 GR/IR ACCOUNT		267,364.10	267,364.10-	
389999 UNRESERVED/UNDESIGNATED FUND BALANCE				
* Balance Sheet	926,031.68	523,128.20	790,492.30-	658,667.58
445070 PREMIUM ON OBLIGATIONS - BONDS	140,147.96-			140,147.96-
475000 GENERAL OBLIGATION BOND PROCEEDS	1,179,852.04-			1,179,852.04-
* Revenues	1,320,000.00-			1,320,000.00-
516020 PROFESSIONAL SERVICE CONTRACTS AND FEES	393,968.32	267,364.10		661,332.42
* Expenditures	393,968.32	267,364.10		661,332.42
** Total		790,492.30	790,492.30-	

TO: LORNE STEINHART, COMPTROLLER'S OFFICE

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 Consultants: McMahon & Mann, C&S
Engineers, and DiDonato Associates
2. AMOUNT OF CONTRACT Not to Exceed \$254,231.68
3. PROJECT NUMBER B.00028
4. PROJECT TITLE 2001 Various Road Design, Non-Federal Aid
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 \$ 658,667.58
 7. PERFORMED BY *Jackie Pursifer*
- Date Sent to Comptroller's Office: June 24, 2011

COMPTROLLER'S OFFICE
JUN 27 PM 2:26

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