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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: Reconstruction of Rapids Road Bridge (BR 42-1A)  
Town of Newstead, Erie County  
Project No. BR-42-1A-11**

Honorable Members:

The Department of Public Works is requesting the County Executive be authorized to award and enter into an agreement with the responsible, low bidder for the Reconstruction of Rapids Road Bridge Project, establish a construction contingency and execute a contract with Wm. Schutt Associates for construction inspection and services during construction.

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 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: Reconstruction of Rapids Road Bridge (BR 42-1A)  
Town of Newstead, Erie County  
Project No. BR-42-1A-11  
Date: June 22, 2011

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### **SUMMARY**

Request adoption of resolution to authorize the County Executive be authorized to award and enter into an agreement with the responsible low bidder for the Reconstruction of Rapids Road Bridge Project once bids are taken and the lowest responsible bidder is determined, establish a construction contingency, and execute a change order with project engineers Wm. Schutt Associates for construction inspection and services during construction.

### **FISCAL IMPLICATIONS**

The total cost for the construction phase of this project is currently estimated at \$300,000.00, and is available in SAP B.11026 - 2011 Preservation of Bridges and Culverts Construction.

### **REASONS FOR RECOMMENDATION**

Due to the summer Legislative recess during the months of August and September it is necessary that this approval be granted, so that the Contract can be awarded to allow the Contractor to begin construction as soon as possible.

### **BACKGROUND INFORMATION**

The bridge is dire need of replacement and has been on the Highway Department's list for many years. The replacement is necessary for the safety of the traveling public.

### **CONSEQUENCES OF NEGATIVE ACTION**

The construction phase of the Project will not be fully implemented in a timely manner and therefore, not completed. As a result of this, the bridge may have to be closed to traffic as its' condition worsens.

### **STEPS FOLLOWING APPROVAL**

The lowest responsible bidder will be determined by the Department of Public Works, Contract will be awarded, and the County Executive will execute the Construction Contract, establish a construction contingency, and execute the negotiated change order with project engineers Wm. Schutt Associates. Construction will begin as soon as possible depending on the weather and the

availability of materials. The Department of Public Works will notify the Legislature, for information only, the bid results and contract awardee.

**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*

LORNE STEINHART  
Deputy Comptroller  
Comptroller's Office

GJS/EC/ljs

File Copy (DPW.6.22.11-11.Rapids Road Bridge Reconstruction.docx)

Ⓢ Currently there is no cash in the project, however, this project will be part of the upcoming 2011 Bond Sale. Once the Bond Sale occurs, there will be sufficient funding for the requested action. - LJ

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

RE: Reconstruction of Rapids Road Bridge (BR 42-1A)  
Town of Newstead, Erie County  
Project No. BR-42-1A-11

WHEREAS, the Reconstruction of Rapids Road Bridge Project will be advertised, bid, and ready for award of construction contract to the responsible low bidder; and

WHEREAS, this project for the replacement of the bridge on Rapids Road, BR 42-1A (the "Project") was authorized by this honorable body via Comm.12E-15 of July 9, 2009; and

WHEREAS, funding for this project was approved and is available in SAP B.11026- 2011 Preservation of Bridges and Culverts Construction; and

WHEREAS, due to the Legislative schedule during the summer months of August and September it is necessary that this approval be granted, so that the contract can be awarded to allow the Contractor to begin construction as soon as possible; and

WHEREAS, in order to facilitate the construction of the reconstruction of Newton Road Bridge, it will be necessary for the County to execute the construction contract with the responsible low bidder and establish a construction contingency; and

WHEREAS, a change order must be negotiated with Wm. Schutt Associates for construction inspection and services during construction.

NOW, THEREFORE, BE IT

RESOLVED, that the County Executive be authorized and is hereby directed to award and execute a contract for the Reconstruction of Rapids Road Bridge Project Number BR 42-1A-11, between the County of Erie and the lowest responsible bidder, establish a construction contingency and execute a negotiated change order between the County of Erie and project engineers Wm. Schutt Associates in an amount not to exceed \$300,000.00; and be it further

RESOLVED, that the funds for the Reconstruction of Rapids Road Bridge Project be allocated from the 2011 Preservation of Bridges and Culverts Project fund (B.11026) in an amount, not to exceed \$300,000.00; and be it further

RESOLVED, that the Department of Public Works will inform the Erie County Legislature, for information only, as to what contractor was the successful lowest responsible bidder for the Reconstruction of Rapids Road Bridge, Project Number BR 42-1A-11; and be it further

RESOLVED, that the Clerk of the Legislature be instructed to forward five (5) 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.

# STATE OF NEW YORK

## LEGISLATURE OF ERIE COUNTY CLERK'S OFFICE

BUFFALO, N.Y., JULY 9, 2009

TO WHOM IT MAY CONCERN:

**I HEREBY CERTIFY**, *That at the 14th Session of the Legislature of Erie County, held in the Legislative Chambers, in the City of Buffalo, on the Ninth day of July, 2009 A.D., a Resolution was adopted, of which the following is a true copy:*

WHEREAS, there is a need for Bridge and Culvert Engineering Services performed by firms specializing in the provision of such services; and

WHEREAS, after careful review of each firm's capabilities, by the Department of Public Works, several firms were selected having the necessary expertise, experience and manpower to provide the required service,

NOW, THEREFORE, BE IT

RESOLVED, that your honorable body authorize the County Executive to enter into an agreement with each of the following firms to provide Bridge and Culvert Engineering Services for the following projects:

Abate Associates Engineering &, P.C. Surveying, P.C.	Emery Road Bridge (BR 67-1) Town of Aurora
Bergmann Associates	Allen Road Bridge (BR 27-3) Town of Sardinia
Clough Harbour & Associates, LLP	Cayuga Creek Road Culvert (BR 165-1) Town of Cheektowaga
DiDonato Associates, P.B., P.C.	Jamison Road Bridge (BR 574-3) Town of Elma
Foit-Albert Associates	Rapids Road Bridge (BR 43-1) Town of Clarence Duerr Road Culvert (BR 463-1) Town of Orchard Park
FRA	Burdick Road Bridge (BR 258-1) Town of Newstead
Greenman-Pedersen, Inc.	Seneca Creek Culvert (BR 325-1) Town of West Seneca
Hatch Mott MacDonald	Girdle Road Bridge (BR 336-1) Town of Elma
Nussbaumer & Clarke, Inc.	Newton Road Bridge (BR 110-2) Town of Orchard Park

ATTEST



ROBERT M. GRABER  
Clerk of the Legislature of Erie County

# STATE OF NEW YORK

## LEGISLATURE OF ERIE COUNTY CLERK'S OFFICE

BUFFALO, N.Y., JULY 9, 2009

TO WHOM IT MAY CONCERN:

I HEREBY CERTIFY, That at the 14th Session of the Legislature of Erie County, held in the Legislative Chambers, in the City of Buffalo, on the Ninth day of July, 2009 A.D., a Resolution was adopted, of which the following is a true copy:

Parsons Brinckerhoff

George Urban Blvd Bridg  
(BR 316-2)  
Town of Cheektowaga

Wm. Schutt & Associates  
Engineering & Land Surveying, P.C.

Rapids Road Culvert (BR 42-1A)  
Town of Newstead

TVGA Consultants

Brooklyn Street Bridge (BR PK-1)  
Town of Newstead  
Center Street Culvert (BR 33-1)  
Town of Aurora

Watts Architecture & Engineering, P.C.

Alden-Crittenden Road Bridge (BR1-1)  
Town of Alden

Ellicott Creek Road Culvert  
(BR 580-1)  
Town of Amherst

RESOLVED, that the fees for the contracts to the above noted Engineering firms will be negotiated with a not to exceed amount placed on the work; and be it further

RESOLVED, that the contract duration will be for one year, with a clause to renew the contract for one additional year at the discretion of the Commissioner of Public Works; and be it further

RESOLVED, that the Engineering fees will be paid to the selected consultants on a project-by-project basis with the amount of each project fee being determined by the Commissioner of Public Works; and be it further

RESOLVED, that funding for such services be identified separately for each such project that is to be accomplished; and be it further

RESOLVED, that the fees will be appropriated from B.00191, 2008 Preservation of Bridges, Culverts & Dams, and B.20920, 2009 Preservation of Bridges & Culverts (Design), in individual amounts which will not exceed the total within these accounts of \$1,250,000.00 and \$990,000.00, respectively; and be it further

RESOLVED, that three (3) copies of this resolution be sent to the Department of Public Works, Office of the Commissioner and one copy to the Office of the Comptroller, Office of Budget, Management & Finance, and Office of County Executive.

REFERENCE: COMM. 12E-15 (2009) AS AMENDED

ATTEST

  
ROBERT M. GRABER

Clerk of the Legislature of Erie County

OFFICE OF THE COMPTROLLER REVIEW

DATE: 6/27/11

PROJECT TITLE: B.11026 2011 Preservation of Bridges & Culverts - 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	\$	<u>1,000,000.00</u>
TOTAL PROJECT APPROPRIATIONS	\$	<u>1,000,000.00</u>
LESS: TOTAL EXPENDITURE TO DATE	\$	<u>0</u>
TOTAL COMMITMENTS	\$	<u>0</u>
AVAILABLE APPROPRIATIONS AS OF DATE OF REQUEST	\$	<u>1,000,000.00</u>
LESS: 1st CONTRACT AMOUNT:		<u>700,000.00</u>
LESS: CONTRACT AMOUNT:		<u>300,000.00</u>
NET AVAILABLE APPROPRIATIONS	\$	<u>0</u>

COMMENTS: There is currently no cash in the project, however, this project will be part of the upcoming 2011 Bond Sale. Once the Bond Sale occurs, there will be sufficient funding for the action requested.

REQUEST APPROVED: Lorne Steinhard

REQUEST DENIED: \_\_\_\_\_

DATE: June 27, 2011

ATTACHMENT B:		2011 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, CLASS OR COMBINATION	ESTIMATED MAXIMUM COST	AMOUNT OF BONDS AUTHORIZED	STATE or FEDERAL AID EXPECTED	LOCAL SOURCE REVENUE	PPU Sec. 11.00a reference	CAPITAL BUDGET PAGE REFERENCE	PROJECT DESCRIPTION
9	B.11022	2011 FEMA, FHWA AND EWP MATCH/ROAD RECONSTRUCTION (COUNTYWIDE)	C	\$ 17,000,000	\$ 1,387,500	\$ 15,612,500		15 yrs. Par. 20	B-107, 111 & 118	This project will provide the local County share match to funds supplied by FHWA, FEMA and WEP. Work will consist of repairs to damaged infrastructure due to declared disasters. The State and Federal share of this project totals \$15,612,500. Total project cost is \$17,000,000. Funds will be used on infrastructure including but not limited to: Zoar Valley Road, New Oregon Road, Vermont Hill Road, Jennings Road, Lenox Road, West Becker Road, Hunters Creek Road, Springville Boston Road, Vaughn Street and West Tilen Road.
10	B.11023	2011 FEMA PROJECTS/ROAD DESIGN (COUNTYWIDE)	S	\$ 100,000	\$ 100,000			15 yrs. Par. 20	B-107, 111 & 118	This will fund engineering design services for two projects previously damaged by severe storms: Zoar Valley Road Site 2 and Vermont Street Site 9.
11	B.11024	2011 FEMA PROJECTS/ROAD RIGHT-OF-WAY (COUNTYWIDE)	C	\$ 10,000	\$ 10,000			20 yrs. Par. 10	B-107, 111 & 118	This will fund ROW acquisition for Vermont Street Site 9, Town of Holland.
12	B.11025	2011 PRESERVATION OF ROADS CONSTRUCTION (COUNTYWIDE)	C	\$ 1,500,000	\$ 1,500,000			15 yrs. Par. 20	B-107, 112 & 118	This is the fourth year of a fifteen year program to maintain our 1,187 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.
13	B.11026	2011 PRESERVATION OF BRIDGES AND CULVERTS CONSTRUCTION (COUNTYWIDE)	C	\$ 1,000,000	\$ 1,000,000			20 yrs. Par. 10	B-107, 112 & 118	This is the fourth year of a fifteen year program to maintain the 278 bridges greater than 20' on County highways and 460 small bridges with a span between 5' to 20' that have to be maintained and/or replaced.
14	B.11027	2011 PRESERVATION OF BRIDGES AND CULVERTS DESIGN (COUNTYWIDE)	S	\$ 122,900	\$ 122,900			5 yrs. Par. 62(2nd)	B-107, 112 & 118	This is the fourth year of a fifteen year program to maintain the 278 bridges greater than 20' on County highways and 460 small bridges with a span between 5' to 20' that have to be maintained and/or replaced.
15	B.11028	2011 BLOOMINGDALE/JOHN AND DUERR ROAD; BRIGHTON AND EAST AVENUE (COUNTYWIDE)	C	\$ 1,000,000	\$ 1,000,000			15 yrs. Par. 20	B-107, 112 & 118	This project is a two year program for complete reconstruction of Bloomingdale/John Duerr, Brighton, and East Ave located in Akron, Orchard Park and Tonawanda.
16	B.11029	2011 DAM SAFETY AND PRESERVATION RECONSTRUCTION (COUNTYWIDE)	C	\$ 750,000	\$ 750,000			20 yrs. Par. 10	B-107, 112 & 118	This project will fund the reconstruction of the ten dams that are owned by the County. Inspections would be done on an as needed basis and 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.
17	B.11030	2011 EMERGENCY BRIDGE WORK-DESIGN (COUNTYWIDE)	S	\$ 150,000	\$ 150,000			5 yrs. Par. 62(2nd)	B-107, 113 & 118	The County has 278 bridges greater than 20' on County highways and 460 small bridges with a span between 5' to 20' that have to be maintained. This project would be used to address emergency design work for bridges that are flagged during the inspection cycles.
18	B.11031	2011 EMERGENCY BRIDGE WORK-RECONSTRUCTION (COUNTYWIDE)	C	\$ 500,000	\$ 500,000			20 yrs. Par. 10	B-107, 113 & 118	The County has 278 bridges greater than 20' on County highways and 460 small bridges with a span between 5' to 20' that have to be maintained. This project would be used to address emergency reconstruction work for bridges that are flagged during the inspection cycles.
19	B.11032	2011 ENVIRONMENTAL COMPLIANCE SPDES (COUNTYWIDE)	S	\$ 300,000	\$ 300,000			5 yrs. Par. 62(2nd)	B-107, 113 & 118	This project, State Pollutant Discharge Elimination System (SPDES), is the second year of a multi-year project to complete the 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 five year life of the permit with preliminary storm sewer shed mapping.
20	A.11007	2011 VIDEO AND DOOR CONTROL UPGRADES- ERIE COUNTY CORRECTIONAL FACILITY & HOLDING CENTER	C	\$ 1,900,000	\$ 1,900,000			5 yrs. Par. 32	B-107, 114, & 119	This project will fund replacement of the security video system with new upgraded components such as cameras, data processing/storage equipment and user interfaces. It will also replace existing deteriorated control mechanisms for the security doors throughout both facilities.
21	A.11008	2011 PUBLIC HEALTH LAB INSTRUMENTATION IMPROVEMENTS (BUFFALO)	S	\$ 710,000	\$ 454,400	\$ 255,600		5 yrs. Par. 32	B-107, 114-115, & 119	This project will fund necessary laboratory instrumentation upgrades to meet diagnostic testing capabilities and capacities. Current instrumentation is based on older technology and has reached its useful lifespan. Improvement of instrumentation will provide state-of-the-art capabilities to support testing of public health significance that is not duplicated in the western region of New York State. State aid of \$255,600 is available for this project making the total project \$710,000.
22	A.11009	2011 MEDICAL EXAMINER - SOFTWARE UPGRADES (BUFFALO)	C	\$ 260,000	\$ 260,000			5 yrs. Par. 32	B-107, 115, & 119	This project will fund the replacement of the current PathAssist software program that tracks and reports on death and toxicology casework, including drinking and drug intoxication while driving cases. PathAssist is no longer supported by its parent company nor is it supported by the County's DISS department. The replacement software is VeriQ CME & LIMS software and the project includes software, installation and transition of all old files over an eight week period.
23	E.11001	2011 ERIE COMMUNITY COLLEGE EQUIPMENT (COUNTYWIDE)	C	\$ 1,800,000	\$ 1,800,000			5 yrs. Par. 32	B-108, 115, & 120	This project provides for the acquisition of various pieces of equipment. This includes vehicles, buildings and grounds equipment, laboratory and technical equipment as well as furniture and fixtures for all three campuses.

COMPTROLLER'S  
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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 Consultant - Wm. Schutt Associates  
Contractor - TBD
2. AMOUNT OF CONTRACT Not to Exceed \$300,000.00
3. PROJECT NUMBER B.11026
4. PROJECT TITLE 2011 Preservation of Bridges and Culverts
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
7. PERFORMED BY

*There currently is no cash in the project, however, this project will be \$ part of the upcoming 2011 Bond sale. Once the bond sale occurs, there will be sufficient funding for the action requested.*  
*J. K. Pulley*

Date Sent to Comptroller's Office:

June 24, 2011