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COUNTY OF ERIE

MARK C. POLONCARZ
COUNTY EXECUTIVE

July 10, 2012

Erie County Legislature
92 Franklin Street – 4th Floor
Buffalo, New York 14202

**RE: Construction Contract Increase for Maple Road Intersection
Improvements Project PIN No. 5755.33
Erie County Project No. FA-192-11 Town of Amherst**

Dear Honorable Members:

We are forwarding for your approval a proposed resolution authorizing the Department of Public Works, Division of Highways, to expand the Scope of Work for the Maple Road Intersection Improvements Project with Concrete Applied Technologies Corp. (CATCO).

Should your Honorable Body require further information, I encourage you to contact Commissioner John C. Loffredo of the Department of Public Works. Thank you for your consideration on this matter.

Sincerely,

Mark C. Poloncarz, Esq.
Erie County Executive

MCP/bb
Enclosure

cc: John Loffredo, Department of Public Works

MEMORANDUM

COMPTROLLER'S
RECEIVED

12 JUN 26 AM 10:12

To: Honorable Members of the Erie County Legislature
From: Department of Public Works
Re: Construction Contract Increase for Maple Road Intersection
Improvements Project - PIN No. 5755.33
Erie County Project No. FA-192-11 Town of Amherst
Date: June 26, 2012

SUMMARY

Department of Public Works recommends approval to increase the Scope of Work and project budget via a Change Order on the Maple Road Rehabilitation Project No. FA-192-11, a Construction Contract with Concrete Applied Technologies Corporation (CATCO).

FISCAL IMPLICATIONS

The attached proposed resolution requests \$125,000.00 be allocated from B.20902, 2009 Maple Road Construction Program. Maple Road Rehabilitation Project No. FA-192-11 is a locally administered federal aid project, however, this adjacent section does not meet the eligibility requirements of that program, and would be considered a 100% local share improvement.

REASONS FOR RECOMMENDATION

It is necessary that this approval be granted, so the Scope of Work can be increased to allow the Contractor to begin necessary road resurfacing and repairs on the bridge over Ellicott Creek as part of this project.

BACKGROUND INFORMATION

The bridge over Ellicott Creek (BR 192-1) on Maple Road, west from the intersection at North Forest Road, is in dire need of road repairs because of deteriorating condition of the existing driving surface on the bridge. The repairs of this section of Maple Road are not eligible under the current locally administered federal aid (Lafa) project which was awarded September 22, 2011, but is adjacent to the Lafa project's location. Approval of this Change Order will save time and dollars by using existing project Maintenance and Protection of Traffic plans and material unit costs by the awarded low bidding Contractor, CATCO. Additionally, because of the high public profile of this project and last year's Federal Stimulus construction in the same area, reserving this repair for another time could potentially cause public strife with the opening, closing, and reopening of the road, as well as continuous increased traffic congestion and safety concerns.

CONSEQUENCES OF NEGATIVE ACTION

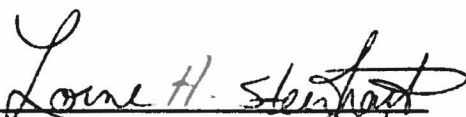
If the resolution is not approved, the bridge surface will continue to deteriorate and become a hazard to the traveling public, and diminish the public's confidence in the completed Maple Road stimulus reconstruction as well as the Maple Road intersection improvements that are currently underway.

STEPS FOLLOWING APPROVAL

The Maple Road Scope of Work and quantities will be prepared for execution as a Change Order and construction will begin as soon as possible depending on the weather and the availability of materials.

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

Cash available/Availability of Funds: \$893,978.98

6/27/12

File:HGWY.6.26.12-3.Maple Rd Rehab Project

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

**RE: Construction Contract Increase for Maple Road Intersection
Improvements Project PIN No. 5755.33
Erie County Project No. FA-192-11 Town of Amherst**

WHEREAS, bids were taken for the locally administered federal aid Maple Road Intersection Improvements Project, in the Town of Amherst, on September 22, 2011. The low responsible bidder was Concrete Applied Technologies Corporation (CATCO) of Alden, at a low bid amount of \$3,148,433.46; and

WHEREAS, the project was allowed to be awarded to the lowest responsible bidder via Legislative approval at the 11th Session, dated May 26, 2011, Communication 10E-14 (2011); and

WHEREAS, the adjacent bridge at the intersection of Maple Road and North Forest Road, going west from North Forest is in dire need of road surface repairs and is not eligible for federal reimbursement.

NOW, THEREFORE, BE IT

RESOLVED, that the County Executive be authorized and is hereby directed to approve an increase, to the Scope of Work and item quantities, and execute a Change Order to the Maple Road Intersection Improvement Project No. FA-192-11, in an amount not to exceed \$125,000.00 for the bridge and surface repairs on BR 192-1 Maple Road Bridge over Ellicott Creek; and be it further

RESOLVED, that the amount of \$125,000.00 be utilized from B.20902, 2009 Maple Road-Construction Program for a Scope of Work increase to the Construction Contract with CATCO for an amount not to exceed \$125,000.00 at 100% local share; and be it further

RESOLVED that three 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.

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 | Concrete Applied Technologies Company
(dba CATCO) |
| 2. AMOUNT OF CONTRACT | \$3,148,433.46 /change order \$125,000.00 |
| 3. PROJECT NUMBER | B.20902 |
| 4. PROJECT TITLE | 2009 Maple Road - Construction |
| 5. DEPARTMENT CONTACT | Funding questions: Charles A. Sickler, PE at 8372
Letter pickup: Diane Bukowski at 8301 |

COMPTROLLER'S OFFICE

COMPLETE ITEMS 6 AND 7

- | | |
|------------------------------------|--|
| 6. AVAILABILITY OF FUNDS | \$ 893,978.98 |
| 7. PERFORMED BY |  |
| Date Sent to Comptroller's Office: | June 26, 2012 |

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