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# COUNTY OF ERIE

**MARK C. POLONCARZ**  
COUNTY EXECUTIVE

October 21, 2013

Erie County Legislature  
92 Franklin Street, 4<sup>th</sup> Floor  
Buffalo, New York 14202

**Re: Chestnut Ridge Park – 2013 – ADA & HAVA Site Work Improvements and  
New Electrical Service Construction Contingency Increase**

Dear Honorable Members:

On July 11, 2013, your Honorable Body awarded construction contracts for the Chestnut Ridge Park – 2013 Site Work Improvements project and the Chestnut Ridge Park – 2013 New Electrical Service project, including a construction contingency for both projects. This resolution is requesting your Honorable Body's authorization to increase the construction contingency for additional work associated with each project.

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

Sincerely yours,

Mark C. Poloncarz, Esq.  
Erie County Executive

MCP/dab  
Enclosure

cc: John C. Loffredo, Commissioner

## MEMORANDUM

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REC'D

13 OCT -3 AM 9:35

**To:** Honorable Members of the Erie County Legislature  
**From:** Department of Public Works  
**Re:** Chestnut Ridge Park – 2013 – ADA & HAVA Site Work Improvements  
and New Electrical Service Construction Contingency Increase  
**Date:** October 2, 2013

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### **SUMMARY**

The site work improvements project involves improvements to the drive and parking lot area in front of the park casino to separate traffic from parked vehicles and obtain ADA compliance by providing handicap parking spaces and accessible sidewalks and crosswalk. The new electrical service project involves the installation of new exterior lighting along the parking lot, roadway, and walkway near the casino.

The County has already issued change orders for the projects that has substantially reduced the original construction contingency fund and is now seeking authorization to increase the construction contingency so future change orders, as necessary, can be executed by the County Executive to complete both projects.

### **FISCAL IMPLICATIONS**

Funds for the project are currently available from the approved and adopted 2013 capital budget. The SAP project account is A.13008 – 2013 Countywide Parks Improvements.

A portion of the park improvements project will be reimbursed by HAVA.

### **REASONS FOR RECOMMENDATION**

Since the projects used up most of the construction contingency due to additional ADA compliance work and the Maintenance building demolition to allow the electrical work to continue, additional construction contingency funds are necessary to complete both projects.

### **BACKGROUND INFORMATION**

The Chestnut Ridge Park – 2013 – ADA & HAVA Site Work Improvements project coincides with the Chestnut Ridge Park – 2013 – New Electrical Service project. The casino building is used as a voting site for the public. It is currently not up to ADA standards. Other issues include the poor function of the existing exterior lighting and the direction of traffic; people tend to drive across the parking lot instead of following the roadway.

### **CONSEQUENCES OF NEGATIVE ACTION**

If additional construction contingency funds are not granted, both of these projects may not be completed.

**STEPS FOLLOWING APPROVAL**

Upon Legislative approval, the County Executive will enter into future contract amendments if necessary with the contractors.

**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.



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GREGORY GACH  
Deputy Comptroller  
Comptroller's Office

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

**RE: Chestnut Ridge Park – 2013 – ADA & HAVA  
Site Work Improvements and New Electrical Service**

WHEREAS, this Honorable Body authorized the County Executive on July 11, 2013 to enter into a contract with NOVA Site Company, LLC for the Chestnut Ridge Park – 2013 – ADA & HAVA Site Work Improvements project and with Industrial Power & Lighting Corporation for the Chestnut Ridge Park – 2013 – New Electrical Service project; and

WHEREAS, the Construction Contingency must be increased in order to fund future change orders for both projects as necessary.

NOW, THEREFORE, BE IT

RESOLVED, that the County Executive is hereby authorized to increase the current construction contingency fund by \$75,000.00 from \$63,000.00 to \$138,000.00; and be it further

RESOLVED, that deduct change orders will result in these funds being returned to the Construction Contingency Fund; and be it further

RESOLVED, that the Comptroller's office be authorized to make payment for the above from SAP Project Account A.13008 – 2013 Countywide Parks Improvements for an amount to exceed \$75,000.00; and be it further

RESOLVED, that two certified copies of this resolution be sent to the Department of Public Works, Commissioner's Office, and one copy each to the Office of the County Executive, the Commissioner of Parks and Recreation, the Division of Budget and Management and the Office of the Comptroller.

TO: GREGORY GACH, 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  | <u>Construction Contingency</u>  |
| 2. AMOUNT OF CONTRACT | <u>Construction Contingency \$75,000.00</u>  |
| 3. PROJECT NUMBER     | <u>A.13008-2013) Countywide Parks Improvements<br/>Chestnut Ridge Park – 2013 – ADA &amp; HAVA</u> |
| 4. PROJECT TITLE      | <u>Site Work Improvements; Chestnut Ridge Park –<br/>2013 – New Electrical Service</u>             |
| 5. DEPARTMENT CONTACT | <u>Funding questions: Jeffrey P. Zack, PE at x8824<br/>Letter pickup: Diane Bukowski at x8301</u>  |

COMPTROLLER'S OFFICE

COMPLETE ITEMS 6 AND 7

- |                                    |                        |
|------------------------------------|------------------------|
| 6. AVAILABILITY OF FUNDS           | <u>\$ 1,015,614.38</u> |
| 7. PERFORMED BY                    | <u>Don Wilson</u>      |
| Date Sent to Comptroller's Office: | <u>October 2, 2013</u> |

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