



ECLEG 0000413 #10:50

COUNTY OF ERIE

MARK C. POLONCARZ

COUNTY EXECUTIVE

June 4, 2013

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

**RE: Erie County Sewer District No. 3
Contract No. 23
Contract Close Out – Visone Construction, Inc.**

Dear Honorable Members:

Enclosed please find an accompanying memorandum and proposed resolution from the Department of Environment and Planning, Division of Sewerage Management, pertaining to the close out of Contract No. 23, with Visone Construction, Inc.

Should your honorable body require further information, I encourage you to contact Joseph L. Fiegl in the Department of Environment and Planning. Thank you for your consideration on this matter.

Sincerely,

A handwritten signature in blue ink, reading "Mark C. Poloncarz", is written over a faint, larger version of the same signature.

Mark C. Poloncarz, Esq.
Erie County Executive

MCP:JAC:ms
Enclosure

cc: J. Fiegl – Environment and Planning

MEMORANDUM

To: Honorable Members of the Erie County Legislature
From: Department of Environment and Planning
Re: Erie County Sewer District No. 3
Contract No. 23
Contract Close Out – Visone Construction, Inc.
Date: May 16, 2013

SUMMARY

Acceptance and approval of Contract No. 23 in the final contract amount of \$1,847,577.66 together with Change Order No. 1 (final) providing a total decrease of \$33,573.44 in Erie County Sewer District No. 3 Bond Accounts C.00062 and C.00019, as well as authorization to issue final payment to the contractor, Visone Construction, Inc., is requested.

FISCAL IMPLICATIONS

There will be no impact on the County's General Fund. The funds for this contract were allocated from Erie County Sewer District No. 3 Bond Account Nos. C.00062 and C.00019.

REASONS FOR RECOMMENDATION

All scheduled improvements required by the contract documents have been completed to the satisfaction of the Division of Sewerage Management. As a result, it is the Department's recommendation to finalize this contract.

BACKGROUND INFORMATION

Contract No. 23 was bid on June 9, 2010 and awarded by the Erie County Legislature on June 24, 2010, Legislative Comm. 9E-18 (2010). This sanitary sewer system improvement contract installed replacement sewers and Cured in Place Pipe (CIPP) lined existing sewers in the Town of Boston Pinecrest Terrace/Valley Circle Lane areas in Erie County Sewer District No. 3.

CONSEQUENCES OF NEGATIVE ACTION

Contract default on the part of the County of Erie could be claimed by the Contactor.

STEPS FOLLOWING APPROVAL

The County of Erie will execute the final change order and make a final payment to Visone Construction, Inc.

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 capital appropriations for the action proposed.

Signed  Date 5/16/17
Title Gregory Gach
Deputy Comptroller

**SUGGESTED RESOLUTION
A RESOLUTION SUBMITTED BY
Department of Environment and Planning**

**RE: Erie County Sewer District No. 3
Contract No. 23
Contract Close Out – Visone Construction, Inc.**

WHEREAS, pursuant to Legislative Comm. 9E-18 (2010) Contract No.23 was awarded to Visone Construction, Inc. for sanitary sewer replacement and lining of existing sewers in the Town of Boston Pinecrest Terrace/Valley Circle Lane area in Erie County Sewer District No. 3; and

WHEREAS, the Erie County Division of Sewerage Management has advised that all scheduled improvements are now completed; and

WHEREAS, the Erie County Department of Environment and Planning has recommended the acceptance of Contract No. 23, in the final contract amount of \$1,847,577.66 which includes Change Order No. 1 (final), a decrease of \$ 33,573.44, and recommends approval for final payment.

NOW, THEREFORE BE IT

RESOLVED, that Contract No. 23 between the County of Erie and Visone Construction, Inc. (79 Sheldon Avenue, Depew, New York 14043) is accepted in the final contract amount of \$1,847,577.66 which includes Change Order No. 1 (final), a decrease of \$33,573.44, with \$393,656.40 allocated in Erie County Sewer District No. 3 Bond Account C.00062 and \$1,453,921.26 allocated in Erie County Sewer District No. 3 Bond Account C.00019; and be it further

RESOLVED, that the Erie County Comptroller be directed to make final payment for Contract No. 23 to Visone Construction, Inc., for a total contract amount of \$1,847,577.66; and be it further

RESOLVED, that the Clerk of the Legislature be directed to send one (1) certified copy each to the County Executive, the Erie County Comptroller, the Director of Budget and Management and Kristen Walder, Assistant County Attorney and two (2) certified copies of this resolution to Joseph L. Fiegl, P.E., Department of Environment and Planning.