



# COUNTY OF ERIE

**MARK C. POLONCARZ**

COUNTY EXECUTIVE

June 18, 2013

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

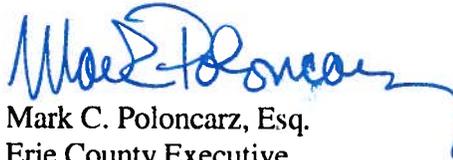
**RE: Award of Construction Contract & Contract for Engineering & Construction Inspection Services -Reconstruction of Zoar Valley Road, Town of Concord ECDPW Project No. FM457-868-13 - FEMA PW 868**

Dear Honorable Members:

Please find enclosed for your approval, bid tabulations for the five (5) bidders, indicating the low bidder being Union Concrete and Construction Corp., for the Zoar Valey Road, FEMA project worksheet number 868 project. The County Executive is requesting authorization to award a contract to the low bidder, being a responsible contractor. Additionally, we recommend that a contract with TY-LIN of Buffalo, New York, be authorized for construction engineering and construction inspection services.

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

BAR/dab  
Enclosure

cc: John C. Loffredo, Department of Public Works

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**MEMORANDUM**

**To:** Honorable Members of the Erie County Legislature  
**From:** Department of Public Works  
**Re:** Award of Construction Contract & Contract for Engineering & Construction Inspection Services -Reconstruction of Zoar Valley Road, Town of Concord  
ECDPW Project No. FM457-868-13- FEMA PW 868  
**Date:** June 5, 2013

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**SUMMARY**

Requesting award of a contract between Union Concrete and Construction Corp. (UCC), and the County of Erie for the Reconstruction of Zoar Valley Road, ECDPW Project No. FM457-868-13, FEMA PW 868; and award of a construction engineering and construction inspection services agreement to TY-LIN; and authorize the County Executive to establish construction contingency and approve change orders for the project. The project includes reconstruction of a failed portion of Zoar Valley Road adjacent to Cattaraugus Creek including embankment reconstruction and stabilization, drainage improvements and streambank protection.

**FISCAL IMPLICATIONS**

The proposed resolution requests that the following authorized Project funds, SAP Account B.21020 (2010 Zoar Valley Site 2 Construction) of \$106,000; SAP Account B. 11022 (2011 FEMA, FHWA & EWP Match/Rd Reconstruction [Countywide]) of \$110,265; SAP Account B.12004 (2012 FEMA Road Reconstruction [Countywide]) of \$1,374,735; SAP Account B.13005 (2013 FEMA Road Construction Concord) of \$165,333 be allocated as follows: \$1,422,222.00 for award of construction to UCC; an amount not to exceed \$135,000.00 for construction engineering and construction inspection services with TY-LIN of Buffalo, and \$199,111.00 as a construction contingency.

**REASONS FOR RECOMMENDATION**

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 to meet environmental permit restriction dates. Project has an aggressive schedule which is coordinated with a second Zoar Valley Road project already let.

## **BACKGROUND INFORMATION**

The reconstruction of Zoar Valley Road, FEMA PW 868 is recommended for approval because of the poor condition and previous failure of the subject section of road. The Project was bid on May 16, 2013.

## **CONSEQUENCES OF NEGATIVE ACTION**

If the Contract is not approved the existing roadway will continue to physically and functionally deteriorate and further reduce the safety and mobility of the travelling public.

## **STEPS FOLLOWING APPROVAL**

The Contract will be awarded 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 Office of the Comptroller and is related to an authorized capital project for which there is sufficient funding .



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GREGORY GACH  
Deputy Comptroller  
Comptroller's Office

File Copy

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

**RE: Award of Construction Contract & Contract for Engineering & Construction Inspection Services - Reconstruction of Zoar Valley Road -Town of Concord  
ECDPW Project No. FM457-868-13 -FEMA PW 868**

WHEREAS, bids were taken for the Reconstruction of Zoar Valley Road, FEMA PW 868 ECDPW Project No. FM457-868-13 (the "Project"), in the Town of Concord, on May 16, 2013, and the low bidder was Union Concrete and Construction Corp in the amount of \$1,422,222.00; and

WHEREAS, a contract has been negotiated with TY-LIN for construction inspection and engineering services during construction.

NOW, THEREFORE, BE IT

RESOLVED, that the following authorized Project funds, SAP Account B.21020 (2010 Zoar Valley Site 2 Construction) of \$106,000; SAP Account B. 11022 (2011 FEMA, FHWA & EWP Match/Rd Reconstruction [Countywide]) of \$110,265; SAP Account B.12004 (2012 FEMA Road Reconstruction [Countywide]) of \$1,374,735; SAP Account B.13005 (2013 FEMA Road Construction Concord) of \$165,333 be made available for the Project; and be it further

RESOLVED, that the County Executive be authorized and is hereby directed to execute a contract for FEMA PW 868, ECDPW Project No. FM457-868-13 between the County of Erie and the low bidder, Union Concrete and Construction Corp. at a low bid amount of \$1,422,222 from the above identified project funds; and be it further

RESOLVED, that the County Executive be authorized to execute a contract for services during construction and construction inspection with TY-LIN in an amount not to exceed \$135,000.00 from the above identified funds; and be it further

RESOLVED, that the County Executive be authorized to establish a Project contingency and execute change orders in an amount not to exceed \$199,111.00 from the above identified funds; 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 Office of Budget and Management, and the Office of the Comptroller.

TO: GREGORY GACH, DEPUTY COMPTROLLER

RE: PROPOSED RESOLUTIONS REQUIRING RULE 55

CONTRACT APPROVAL CHECKLIST  
CONFIRMATION OF AVAILABILITY OF FUNDS IN CAPITAL PROJECTS

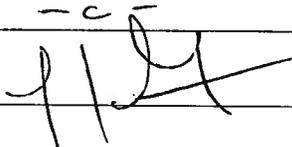
REQUESTING DEPARTMENT

COMPLETE ITEMS 1 THROUGH 5

- |                       |  |
|-----------------------|--|
| 1. CONTRACTOR'S NAME  | Union Concrete and Construction Corp. (UCC)<br>TY-LIN                                      |
|                       | <hr/>  |
|                       | UCC = \$1,422,222.00   |
|                       | TY-LIN = \$135,000   |
| 2. AMOUNT OF CONTRACT | Contingency = \$199,111.00   |
|                       | <hr/>  |
| 3. PROJECT NUMBER     | . SAP B.11022; B.21020; B.12004; B.13005   |
|                       | <hr/>  |
| 4. PROJECT TITLE      | Reconstruction of Zoar Valley Road<br>FEMA PW 868, ECDPW Proj No FM457-868-13              |
|                       | <hr/>  |
| 5. DEPARTMENT CONTACT | Funding questions: Charles A. Sickler, PE at 8372<br>Letter pickup: Diane Bukowski at 8301 |
|                       | <hr/>  |

COMPTROLLER'S OFFICE

COMPLETE ITEMS 6 AND 7

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|------------------------------------|--|
| 6. AVAILABILITY OF FUNDS           | 5,271,374.14      - c -  |
|                                    | \$ - c -      258,078.45   |
|                                    | <hr/>  |
| 7. PERFORMED BY                    |  |
|                                    | <hr/>  |
| Date Sent to Comptroller's Office: | June 5, 2013   |
|                                    | <hr/>  |

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