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COUNTY OF ERIE

MARK C. POLONCARZ

COUNTY EXECUTIVE

July 9, 2013

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

**RE: Federal Aid Bridge Maintenance Projects:
5760.28 Bridge Washing (230 Bridges)
5760.29 Bridge Deck Sealing (18 Bridges)
5760.30 Bridge Joint Replacement (3 Bridges)
Various Towns, Erie County**

Dear Honorable Members:

The Department of Public Works is requesting authorization to participate in the construction phase of the above noted Federal Aid bridge projects, for the County Executive to enter into agreements with the New York State Department of Transportation, and lowest responsible bidder(s). Additionally, the Department is requesting authorization to enter into agreements with CHA Consulting, Inc., and Liro Engineers for construction engineering and inspection services.

Should your Honorable Body require further information, I encourage you to contact Commissioner John Loffredo of 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

COMPTROLLER'S
RECEIVED

To: Honorable Members of the Erie County Legislature
From: Department of Public Works
RE: Federal Aid Bridge Maintenance Projects:
5760.28 Bridge Washing (230 Bridges)
5760.29 Bridge Deck Sealing (18 Bridges)
5760.30 Bridge Joint Replacement (3 Bridges)
Various Towns, Erie County
Date: June 26, 2013

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SUMMARY

We recommend approval of the attached legislation authorizing the Department of Public Works to participate in the construction phase of the above noted Federal Aid projects, the County Executive to enter into agreements with the New York State Department of Transportation and responsible low bidder(s). Additionally, we request authorization for the County Executive to enter into agreements with CHA Consulting, Inc., and Liro Engineers for construction engineering & inspection services.

FISCAL IMPLICATIONS

The total cost of the projects' construction phase is currently estimated at \$625,000. These projects, through the Locally Administered Federal Aid Projects Program, are eligible for 80% Federal reimbursement in the amount of \$500,000., and require 20% local share contribution of \$125,000. Local share required for this project is available in B.00192 - 2008 Bridge Maintenance – Federal Aid. The award to low bidder(s) and negotiated construction engineering and inspection services agreement with CHA Consulting, Inc. and Liro Engineers will not exceed \$54,000., the total project allowance.

REASONS FOR RECOMMENDATION

Due to Legislative recess, execution of project agreement and award to responsible low bidder(s) is necessary to meet required tasks within our construction season. This Federal and NYSDOT bridge maintenance initiative allows the Highway Division to utilize available capital funds to leverage Federal funds to perform much needed maintenance work on Erie County bridges and thereby extend their life.

BACKGROUND INFORMATION

NYSDOT through the Federal Aid program has implemented a bridge maintenance initiative to address deteriorating conditions County-wide. Bridge washing, deck sealing, and joint replacement must be undertaken to prolong the life of the structures. Under this program, expenses will be reimbursed to the County up to 80%.

CONSEQUENCES OF NEGATIVE ACTION

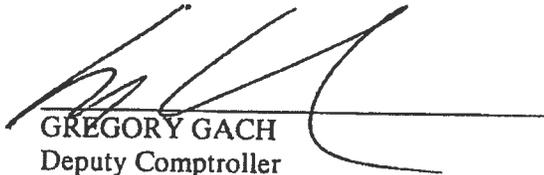
The County will not be able to utilize the additional Federal Aid and our bridges will be subject to continued deterioration.

STEPS FOLLOWING APPROVAL

Highway Division will proceed with execution of agreements in accordance with the Federal and NYSDOT guidelines. Award of construction to responsible low bidder(s) will be presented as an information item to the Legislature upon return from recess. Agreements will be negotiated and executed with CHA Consulting, Inc. and Liro Engineers. Once the agreements and award are executed, construction work will begin immediately thereafter.

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 are sufficient appropriations for the action proposed.



GREGORY GACH
Deputy Comptroller
Comptroller's Office

JCL/EJC/dab

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

Re: Federal Aid Bridge Maintenance Projects:
5760.28 Bridge Washing (230 Bridges)
5760.29 Bridge Deck Sealing (18 Bridges)
5760.30 Bridge Joint Replacement (3 Bridges)
Various Towns, Erie County

WHEREAS, the Erie County Federal Aid Bridge Maintenance Project; PIN 5760.28 Bridge Washing Two Hundred & Thirty (230) Bridges, PIN 5760.29 Deck Sealing Eighteen (18) Bridges, PIN 5760.30 Bridge Joint Replacement Three (3) Bridges (the Project) is eligible for funding under Title 23 U.S. Code, as amended, that calls for the apportionment of the costs of such program to be borne at the ratio of 80% Federal funds and 20% Non-Federal funds; and

WHEREAS, the County of Erie desires to advance the Project by making a commitment of 100% of the Non-Federal share of the costs of the Construction & Construction Inspection phase of the projects, PIN 5760.28, PIN 5760.29, and PIN 5760.30; and

WHEREAS, the total Project is \$625,000, and the County is required to provide the local share portion for the Project in the amount of \$125,000 from Project B.00192.322, 2008 Bridge Maintenance, fund 420, business area 123; and

WHEREAS, the Project will be advertised, bid, and ready for award of construction to the responsible low bidder; and

WHEREAS, approval is necessary to award of construction to responsible low bidder(s) and contracts must be negotiated with CHA Consulting, Inc. and Liro Engineers, for engineering construction and inspection services to allow the work to begin as soon as possible.

NOW, THEREFORE, BE IT

RESOLVED, that the Erie County Legislature hereby approves the above subject bridge Project; and be it further

RESOLVED, that the County Legislature of the County of Erie hereby authorizes the County of Erie to pay in the first instance 100% of the Federal and Non-Federal shares of the cost of the Construction and Construction Inspection phase of the Project or portions thereof; and be it further

RESOLVED, that Project B.00192.322, 2008 Bridge Maintenance -- Federal Aid, fund center 123, fund 420, be increased by the anticipated Federal revenue in the amount of \$500,000.00 as follows:

REVENUES		CURRENT BUDGET	INCREASE/ DECREASE	REVISED BUDGET
Account	Description			
414000	Federal Aid	\$ 431,200	\$ 500,000	\$ 931,200
486000	Interfnd Rev Subsidy	\$ 180,000	\$ 0	\$ 180,000
TOTAL REVENUES		\$ 611,200	\$ 500,000	\$ 1,111,200
APPROPRIATIONS				
Capital Projects	Capital Project Exp	\$ 611,200	\$ 500,000	\$ 1,111,200
TOTAL APPROPRIATIONS		\$ 611,200	\$ 500,000	\$ 1,111,200

; and be it further

RESOLVED, that the estimated total sum of the construction phase of the Projects, \$625,000. is hereby appropriated from B.00192.322, 2008 Bridge Maintenance, Federal Aid and made available to cover the cost of participation in the Project; and be it further

RESOLVED, that in the event the amount required to pay in the first instance 100% of the Federal and Non-Federal shares of the cost of the projects' Construction and Construction Inspection phase exceeds \$625,000, the County of Erie shall convene its Legislature as soon as possible to appropriate said excess amount immediately upon the notification by the New York State Department of Transportation thereof; and be it further

RESOLVED, that the County Executive of the County of Erie is hereby authorized to execute all necessary Agreements, certifications or reimbursement requests for Federal Aid on behalf of the County of Erie, (subject to the County of Erie Attorney's approval as to form and content), with the New York State Department of Transportation in connection with the advancement or approval of the projects identified in the State/Local Agreements; and providing for the administration of the Projects and the Municipality's first instance funding of Project costs and permanent funding of the local share of Federal Aid eligible Project costs and all Project costs within appropriations therefor that are not so eligible; and be it further

RESOLVED, that the County Executive be authorized to execute award of construction to Project responsible low bidder(s) and negotiated contracts between the County of Erie and project engineers CHA Consulting, Inc., and Liro Engineers for construction engineering services and inspection for the Project in an amount not to exceed the allowable Project construction amount of \$625,000.; and be it further

RESOLVED, that a certified copy of this resolution be filed with the New York State Commissioner of Transportation, by attaching it to any necessary Agreements in connection with the Projects; and be it further

RESOLVED, that ten (10) certified copies of this resolution be forwarded to the Dept. of Public Works, Office of the Commissioner, and one copy each to the County Executive, the Division of Budget and Management, the County Attorney, and the Office of the Comptroller.

TO: GREGORY GACH, COMPTROLLER'S OFFICE

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

NYS Department of Transportation
Low Bidder(s)
CHA Consulting Inc.
Liro Engineering

2. AMOUNT OF CONTRACT

Not to exceed, \$625,000.00 total (\$500,000. Fed
rev, \$125,000. Local share)
• 5760.28 Bridge Washing (\$48,000)
• 5760.29 Bridge Deck Seal (\$30,000)
• 5760.30 Bridge Joints (\$47,000)

3. PROJECT NUMBER

B.00192.322

4. PROJECT TITLE

2008 Bridge Maintenance Projects

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

\$ < 265,682.42 >

7. PERFORMED BY

DEPENDENT ON FEDERAL AID \$500,000

Date Sent to Comptroller's Office:

June 26, 2013

[55 compt_10]



5760.28 Dr Wash

ERIE COUNTY
D.P.W.
HIGHWAYS-BFLO.

2013 JUN 10 PM 12:46

STATE OF NEW YORK
DEPARTMENT OF TRANSPORTATION
REGION FIVE
100 SENECA STREET
BUFFALO, NY 14203-2939
www.dot.ny.gov

DARRELL F. KAMINSKI, P.E.
ACTING REGIONAL DIRECTOR

JOAN McDONALD
COMMISSIONER

June 7, 2013

John Loffredo, P.E., Commissioner
Erie County Department of Public Works
95 Franklin Street
Buffalo, New York 14202

B. 13016.8

RE: **SUPPLEMENTAL AGREEMENT NO. 1
COMPTROLLER'S CONTRACT NO. D034156**

**PIN 5760.28 _
ERIE COUNTY BRIDGE WASHING PROJECT
TWO HUNDRED & THIRTY (230) BRIDGES,
VARIOUS TOWNS & VILLAGES, ERIE COUNTY**

Dear Mr. Loffredo:

In order to progress the above referenced project with Federal Aid, we will need Resolutions and Agreements, signed by the County, indicating its commitment to participate in the administration and funding of the various phases of this project.

Based on the NYSDOT Region 5's Capital Program, the phases of the subject Bridge Washing Project along with their current costs, as well as their Federal (80%) and Non-Federal (20%) shares are tabulated below.

<u>Phase</u>	<u>Phase Cost</u>	<u>Federal Share (80%)</u>	<u>Non-Federal Share (20%)</u>
PE (Design I-VI)	\$ 10,000	\$ 8,000	\$ 2,000
Construction & Inspection	\$ 240,000	\$ 192,000	\$ 48,000
Agreement Amount	\$ 250,000	\$ 200,000	\$ 50,000

Based on the above, we have enclosed a copy of a Sample Resolution and **Supplemental Agreement No. 1 to Federal Aid Project (Non-Marchiselli) Agreement No. D034156** under which Erie County would continue to administer the subject project's Preliminary Engineering (Design I-VI) phase as well as its Construction & Construction Inspection phase. Erie County is currently administering this project's Preliminary Engineering (Design I-VI) phase under Federal Aid Project Agreement No. D034156.

Under the enclosed Supplemental Agreement No. 1, the County must commit to pay, in the first instance, 100% of the Federal and Non-Federal shares of the cost of the subject project's Preliminary Engineering (Design I-VI) and Construction & Construction Inspection phases which currently equals \$ 250,000, (see Table - Agreement Amount). The NYSDOT will, via the process described in Chapter 4 and Appendix 4.2 of the "Procedures for Locally Administered Federal Aid Projects" Manual (available both in hard copy and through the NYSDOT's web site at: <http://www.dot.ny.gov/pubs/localproj/local.html>), reimburse the County as the project is progressed the Federal share (80%) of the cost of these project phases which currently equals \$ 200,000, resulting in the current Non-Federal share (20%) of the cost of the project's Preliminary Engineering (Design I-VI) and Construction & Construction Inspection phases which equals \$ 50,000.

Since this type of project [Bridge Washing (Cyclical Highway Maintenance) Projects] is not eligible for State Marchiselli Program Aid funding, Erie County is obligated to pay the full Non-Federal share of the cost of the subject project's Preliminary Engineering (Design I-VI) and Construction & Construction Inspection phases.