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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: Reconstruction/Rehabilitation - Stony Road (CR 350) and Pleasant View Drive
(CR 161) - Town of Lancaster, Erie County - Project No. CAP-23-13**

Dear Honorable Members:

The attached resolution authorizes the County Executive to award and enter into an agreement with the responsible low bidder for the reconstruction of Stony Road/Pleasant View Drive Project, establish a construction contingency, and execute a change order with project engineers Clark Patterson Lee for additional design services.

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,

Mark C. Poloncarz, Esq.
Erie County Executive

MCP/jgm/dab

cc: John Loffredo, P.E., Department of Public Works

MEMORANDUM

COMPTROLLER'S
RECEIVED

13 JUN 18 AM 11:37

To: Honorable Members of the Erie County Legislature
From: Department of Public Works
Re: Reconstruction/Rehabilitation of Stony Road (CR 350) and Pleasant View Drive
(CR 161) - Town of Lancaster, Erie County - Project No. CAP-23-13
Date: June 17, 2013

SUMMARY

Request adoption of resolution authorizing the County Executive to award and enter into an agreement with the responsible low bidder for reconstruction of Stony Road/Pleasant View Drive Project once bids are taken and the lowest responsible bidder is determined, establish a construction contingency, and execute a change order with project engineers Clark Patterson Lee for additional design services.

FISCAL IMPLICATIONS

The total cost for the construction phase of this project is currently estimated at \$2,050,000.00, available in SAP B.13003 - 2013 Preservation of Roads – Construction.

REASONS FOR RECOMMENDATION

Due to the summer Legislative recess in August and September it is necessary that this approval be granted, so that the contract can be awarded and allow the contractor to begin construction as soon as possible.

BACKGROUND INFORMATION

In order not to delay the project, it is recommended the County Executive be authorized to execute an agreement with responsible low bidder, establish the construction contingency and execute a change order with project engineers Clark Patterson Lee once bids are taken and analyzed.

CONSEQUENCES OF NEGATIVE ACTION

The construction phase of the Project will not be fully implemented in a timely manner and therefore, not completed.

STEPS FOLLOWING APPROVAL

The lowest responsible bidder will be determined by the Department of Public Works, the contract will be awarded, and the County Executive will execute the construction contract, establish a construction contingency, and execute the negotiated change order with project engineers Clark Patterson Lee. Construction will begin as soon as possible depending on the weather and the availability of materials. The Department of Public Works will notify the Legislature, for information only, the bid results and contract awardee.

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.



GREGORY GACH
Deputy Comptroller
Comptroller's Office

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

RE: Reconstruction/Rehabilitation of Stony Road (CR 350) and Pleasant View Drive (CR 161) - Town of Lancaster, Erie County - Project No. CAP-23-13

WHEREAS, the reconstruction/rehabilitation of Stony Road and Pleasant View Drive Project (the "Project") will be advertised, bid, and ready for award of construction contract to the responsible low bidder; and

WHEREAS, the Project design phase was authorized by this honorable body via Comm.9E-9 of May 23, 2013; and

WHEREAS, funding for this project was approved in the 2013 adopted Capital Budget and is available in SAP Fund 420, BA123, Project B.13003 - 2013 Preservation of Roads-Construction in the amount of \$2,050,000.00; and

WHEREAS, due to the Legislative schedule during the summer months 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; and

WHEREAS, in order to facilitate the reconstruction/rehabilitation of Stony Road and Pleasant View Drive, it will be necessary for the County to execute the construction contract with the responsible low bidder and establish a construction contingency; and

WHEREAS, a change order must be negotiated with Clark Patterson Lee for additional design services in the amount of \$20,382.00.

NOW, THEREFORE, BE IT

RESOLVED, that the County Executive be authorized to award and execute a contract for reconstruction/rehabilitation of Stony Road and Pleasant View Drive Project Number CAP-CR350-13, between the County of Erie and the lowest responsible bidder, establish a construction contingency and execute a negotiated change order between the County of Erie and project engineers Clark Patterson Lee, in an amount not to exceed \$2,100,000; and be it further

RESOLVED, that the funds for the reconstruction of Stony Road and Pleasant View Drive Project be allocated from SAP Fund 420, BA123, Project B.13003 - 2013 Preservation of Roads-Construction in the not to exceed amount of \$2,050,000.00; and be it further

RESOLVED, that the Department of Public Works will provide the Erie County Legislature, for information only, as to what contractor was the successful lowest responsible bidder for the Reconstruction/Rehabilitation of Stony Road and Pleasant View Drive, Project Number CAP-350-13; 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 Division 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

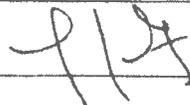
REQUESTING DEPARTMENT

COMPLETE ITEMS 1 THROUGH 5

- | | |
|-----------------------|--|
| 1. CONTRACTOR'S NAME | Low Bidder TBD
Clark Patterson Lee |
| 2. AMOUNT OF CONTRACT | Not to exceed \$2,050,000.00 |
| 3. PROJECT NUMBER | B.13003 - \$2,050,000.00 |
| 4. PROJECT TITLE | B.13003, 2013 Preservation Roads, 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 | \$ -0- |
| 7. PERFORMED BY |  |
| Date Sent to Comptroller's Office: | June 17, 2013 |

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