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COUNTY OF ERIE

MARK C. POLONCARZ
COUNTY EXECUTIVE

September 9, 2013

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

IMMEDIATE CONSIDERATION

**Re: Miscellaneous Bridge Rehabilitation and Repair Project BR-MISC 7-13
Construction Award- Towns of Amherst, Aurora, Boston, Lancaster,
Tonawanda and Wales**

Dear Honorable Members:

The Department of Public Works is requesting the County Executive be authorized to award and enter into a contract with the responsible low bidder for the Miscellaneous Bridge Rehabilitation and Repair Project BR-MISC 7-13, establish a construction contingency, and execute a change order with Project Engineers Clough Harbour & Associates for construction inspection and services during construction.

Due to existing flags and deficiencies on certain bridges, we are requesting immediate consideration and approval in order to conduct the work as soon as possible.

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

Sincerely,

Mark C. Poloncarz, Esq.
Erie County Executive

cc: Commissioner John Loffredo, P.E.

MEMORANDUM

COMPTROLLER'S
RECEIVED

13 AUG 29 AM 8:52

To: Honorable Members of the Erie County Legislature
From: Department of Public Works
Re: Miscellaneous Bridge Rehabilitation and Repair Project BR-MISC 7-13
Construction Award-Towns of Amherst, Aurora, Boston, Lancaster, Tonawanda
and Wales
Date: August 27, 2013

SUMMARY

Request adoption of a resolution to authorize the County Executive to award and enter into a contract with the responsible low bidder for the Miscellaneous Bridge Rehabilitation and Repair Project BR-MISC 7-13 establish a construction contingency, and execute a change order with Project Engineers Clough Harbour & Associates for construction inspection and services during construction.

The following bridges are included in this contract:

Colvin Blvd over Ellicott Creek BR 118-01; Hopkins Road over Ransom Creek 087-05; Bowen Road over Cayuga Creek BR 242-05; Schwartz Road over Little Buffalo Creek BR 337-01; Boston State Road over Irish Gulf BR 227-06; Centerline Road over Buffalo Creek BR 175-03; Mill Road over West Branch Cazenovia Creek BR 047-01; Girdle Road over Buffalo Creek BR 336-1; and Pontiac Road over Big Sister Creek BR 490-2.

FISCAL IMPLICATIONS

The total cost for the construction phase of this project is currently estimated at \$1,165,000.00, and is available in Fund 420, Business Area 123, as follows:

B.00191.3.2	2008 Preservation of Bridges, Culverts & Dams	\$122,911.71
B.11026.4	2011 Preservation of Bridges & Culverts – Construction	\$170,532.99
B.12008.2	2012 Preservation of Bridges & Culverts – Construction	\$ 47,401.38
B.21027.7	2010 Preservation of Bridges & Culverts – Construction	\$ 24,153.92
B.13013	2013 Preservation of Bridges & Culverts	\$500,000.00
B.13016	2013 Capital Overlay Program (PAYGO)	<u>\$300,000.00</u>
	TOTAL	\$1,165,000.00

REASONS FOR RECOMMENDATION

Timely award of the contract is necessary so the contractor can order material and complete rehabilitation and/or repairs to the seven bridges. If the start is delayed then all of the repairs would have to be delayed until the 2014 construction season. Four (4) of the bridges can be completed in 2013.

BACKGROUND INFORMATION

In order not to delay the project, it is recommended the County Executive be authorized to execute a contract with the responsible low bidder, establish the construction contingency, and execute a change order with project engineers Clough Harbour & Associates once bids are taken and analyzed.

CONSEQUENCES OF NEGATIVE ACTION

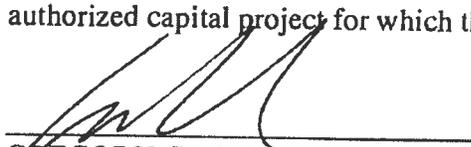
The construction phase of the Project will not be implemented in a timely manner. Negative action would halt project advancement, and continue with safety hazards and other condition on these nine bridges.

STEPS FOLLOWING APPROVAL

The lowest responsible bidder will be determined by the Department of Public Works and a contract will be awarded. The County Executive will execute the construction contract, establish a construction contingency, and execute the negotiated change order with project engineers Clough Harbour & Associates. Construction work will begin as soon as possible depending on the weather and continue through the fall. 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
Comptroller's Office

JCL/WSS/dab

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

**Re: Miscellaneous Bridge Rehabilitation and Repair Project BR-MISC 7-13
Construction Award-Towns of Amherst, Aurora, Boston, Lancaster, Tonawanda and
Wales**

WHEREAS, the Miscellaneous Bridge Rehabilitation and Repair Project BR-MISC 7-13 will be advertised, bid, and ready for award of construction contract to the responsible low bidder; and

WHEREAS, the Miscellaneous Bridge Rehabilitation and Repair Project BR-MISC 7-13 will rehabilitate or repair nine (9) County Owned Bridges. The following bridges are included in this contract: Colvin Blvd over Ellicott Creek BR 118-01; Hopkins Road over Ransom Creek 087-05; Bowen Road over Cayuga Creek BR 242-05; Schwartz Road over Little Buffalo Creek BR 337-01; Boston State Road over Irish Gulf BR 227-06; Centerline Road over Buffalo Creek BR 175-03; Mill Road over West Branch Cazenovia Creek BR 047-01; Girdle Road over Buffalo Creek BR 336-1; and Pontiac Road over Big Sister Creek BR 490-2; and

WHEREAS, funding for this Project was approved and is available in Fund 420 Business Area 123, as follows:

B.00191.3.2	2008 Preservation of Bridges, Culverts & Dams	\$122,911.71
B.11026.4	2011 Preservation of Bridges & Culverts – Construction	\$170,532.99
B.12008.2	2012 Preservation of Br & Culverts – Construction	\$ 47,401.38
B.21027.7	2010 Preservation of Bridges & Culverts – Construction	\$ 24,153.92
B.13013	2013 Preservation of Bridges & Culverts	\$500,000.00
B.13016	2013 Capital Overlay Program (PAYGO)	<u>\$300,000.00</u>
	TOTAL	\$1,165,000.00

and

WHEREAS, it is necessary that this approval be granted, so the contract can be awarded and allow the contractor to order material and begin work this summer; and

WHEREAS, in order to facilitate the Miscellaneous Bridge Rehabilitation and Repair Project BR-MISC 7-13 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 contract must be negotiated with Clough Harbour & Associates for construction inspection and engineering services during construction.

NOW, THEREFORE, BE IT

RESOLVED, that the County Executive be authorized to award and execute a contract for the Miscellaneous Bridge Rehabilitation and Repair Project BR-MISC 7-13 between the

County of Erie and the lowest responsible bidder, establish a construction contingency and execute a negotiated contract between the County of Erie and project engineers Clough Harbour Associates; and be it further

RESOLVED, that funding for the Miscellaneous Bridge Rehabilitation and Repair Project BR-MISC 7-13 be allocated from Fund 420, Business Area 123, as follows:

B.00191.3.2	2008 Preservation of Brides, Culverts & Dams	\$122,911.71
B.11026.4	2011 Preservation of Bridges & Culverts – Construction	\$170,532.99
B.12008.2	2012 Preservation of Bridges & Culverts – Construction	\$ 47,401.38
B.21027.7	2010 Preservation of Bridges & Culverts – Construction	\$ 24,153.92
B.13013	2013 Preservation of Bridges & Culverts	\$500,000.00
B.13016	2013 Capital Overlay Program (PAYGO)	<u>\$300,000.00</u>
	TOTAL	\$1,165,000.00

and be it further

RESOLVED, that the Department of Public Works will inform the Erie County Legislature, for information only, of the identity of the successful low responsible bidder for the Miscellaneous Bridge Rehabilitation and Repair Project BR-MISC 7-13; 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'S OFFICE

PROPOSED RESOLUTIONS REQUIRING RULE 55

CONTRACT APPROVAL CHECKLIST
CONFIRMATION OF AVAILABILITY OF FUNDS IN CAPITAL PROJECTS

<u>REQUESTING DEPARTMENT</u>	<u>COMPLETE ITEMS 1 THROUGH 5</u>
1. CONTRACTOR'S NAME	<u>Low Bidder and Clough Harbour Associates</u>
2. AMOUNT OF CONTRACT	<u>\$1,165,000.00 (not to exceed)</u>
3. PROJECT NUMBER(s)	B.00191.3.2 \$122,911.71 B.11026.4 \$170,532.99 B.12008.2 \$ 47,401.38 B.21027.7 \$ 24,153.92 B.13013 \$500,000.00 B.13016 \$300,000.00
4. PROJECT TITLE(s)	B.00191.3.2 2008 Preservation of Bridges, Culverts & Dams B.11026.4 2011 Preservation of Bridges & Culverts – Construction B.12008.2 2012 Preservation of Bridges & Culverts – Construction B.21027.7 2010 Preservation of Bridges & Culverts – Construction B.13013 2013 Preservation of Bridges & Culverts B.13016 2013 Capital Overlay Program (PAYGO)
5. DEPARTMENT CONTACT	<u>Funding questions: Charles A. Sickler, PE at 8372 Letter pickup: Diane Bukowski at 8301</u>

COMPTROLLER'S OFFICE

6. AVAILABILITY OF FUNDS

7. PERFORMED BY

Date Sent to Comptroller's Office:

B. 00191.3.2 122,911.71
B. 0026.4 170,532.99
B. 12008.2 231, . . . 60
B. 21027.7 24,153.93

COMPLETE ITEMS 6 AND 7

B. 13013 500,000.00

\$ B. 13016 5,368,669.24

Donald Urban

August 27, 2013

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