



COUNTY OF ERIE

MARK C. POLONCARZ

COUNTY EXECUTIVE

EOLEO SEP 24 13 11 148

September 24, 2013

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

**Re: Miscellaneous Bridge Rehabilitation and Repair Project
BR-MISC 6-13 -Construction Award - Towns of Aurora,
Cheektowaga, Grand Island, Hamburg, and Sardinia**

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 6-13, establish a construction contingency, and execute a change order with Project Engineers Clough Harbour & Associates for construction inspection and services during construction.

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

Sincerely,

A handwritten signature in blue ink that reads "Mark C. Poloncarz".

Mark C. Poloncarz, Esq.
Erie County Executive

Enclosure
MCP/bb

MCP:wws/dab

MEMORANDUM

COMPTROLLER'S
RECEIVED

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To: Honorable Members of the Erie County Legislature
From: Department of Public Works
Re: Miscellaneous Bridge Rehabilitation and Repair Project BR-MISC 6-13
Construction Award-Towns of Aurora, Cheektowaga,
Grand Island, Hamburg, and Sardinia
Date: August 29, 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 6-13 when the lowest responsible bidder is determined, 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:
Clark Street over Rush Creek BR 051-01; Genesee Road over Hosmer Brook BR 409-02; George Urban Blvd over Trib. Scajaquada Creek BR 316-01A; Love Road over Big Six Mile Creek BR 548-01; Maple Road over Tannery Brook BR 241-01; West Falls Road (Bridge St.) over West Branch Cazenovia Creek BR 144-01

FISCAL IMPLICATIONS

The total cost for the construction phase of this project is currently estimated at \$400,429.45, and is available in Fund 420, Business Area 123, B.11031.1 – 2011 As Directed Bridge Work-Construction (\$215,850.23) and B.11031.1 – 2012 Preservation of Bridges and Culverts-Construction (\$184,579.22).

REASONS FOR RECOMMENDATION

Timely award of the contract is necessary so that the contractor can order material begin completing rehabilitation and/or repairs to the six (6) bridges. If the start is delayed the repairs would be delayed until the 2014 construction season.

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

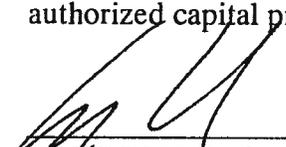
The construction phase of the Project will not be implemented in a timely manner. Negative action would halt project advancement, and continue with safety hazards and other condition on these six (6) bridges.

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 CACH
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 6-13
Construction Award- Town of Aurora, Cheektowaga, Grand Island, Hamburg and Sardinia

WHEREAS, the Miscellaneous Bridge Rehabilitation and Repair Project BR-MISC 6-13 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 6-13 will rehabilitate or repair six (6) County Owned Bridges; and

WHEREAS, funding for this Project was approved and is available in Fund 420, Business Area 123, Project B.11031.1 – 2011 As Directed Bridge Work-Reconstruction (\$215,850.23) and B.12008.2- 2012 Preservation of Bridges and Culverts-Construction (\$184,579.22), in the amount of \$400,429.45; and

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

WHEREAS, in order to facilitate the Miscellaneous Bridge Rehabilitation and Repair Project BR-MISC 6-13 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 and is hereby directed to award and execute a contract for the Miscellaneous Bridge Rehabilitation and Repair Project BR-MISC 6-13 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 6-13 be allocated from Fund 420, Business Area 123, Projects B.11031.1- 2011 As Directed Bridge Work-Reconstruction (\$215,850.23) and B.12008.2-2012 Preservation of Bridges and Culverts-Construction (\$184,579.22), in an amount not to exceed \$400,429.45; and be it further

RESOLVED, that the Department of Public Works will inform the Erie County Legislature, for information only, what contractor was the successful low responsible bidder for the Miscellaneous Bridge Rehabilitation and Repair Project BR-MISC 6-13; 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, 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	<u>Low Bidder and Clough Harbour Associates</u> <u>B.11031.1 \$215,850.23</u>
2. AMOUNT OF CONTRACT	<u>B.12008.2 \$184,579.22</u> <u>Total \$400,429.45 (not to exceed)</u>
3. PROJECT NUMBER	<u>B.11031.1 2011 As Directed Bridge Work-Const.</u> <u>B.12008.2 2012 Preservation of Brs. & Culverts-C</u>
4. PROJECT TITLE	<u>Miscellaneous Bridge Rehabilitation and Repair</u> <u>Project BR-MISC 6-13</u>
5. DEPARTMENT CONTACT	<u>Funding questions: Charles A. Sickler, PE at 8372</u> <u>Letter pickup: Diane Bukowski at 8301</u>

COMPTROLLER'S OFFICE

COMPLETE ITEMS 6 AND 7

6. AVAILABILITY OF FUNDS	<u>B. 11031 \$215,850.23</u> <u>\$ B. 12008 \$184,589.22</u>
7. PERFORMED BY	<u>Donald Wilson</u>
Date Sent to Comptroller's Office:	<u>August 29, 2013</u>

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