



EOLEG SEP 24 13 10 45

COUNTY OF ERIE

MARK C. POLONCARZ

COUNTY EXECUTIVE

September 24, 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, Division of Highways is requesting authorization to allocate additional construction phase funds for of the above noted Federal Aid projects in order to enter into agreements with low bidders, Hunting Valley Construction Inc., A& A Painting, project engineers CHA Consulting, Inc. and LiRo Engineers.

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

Sincerely yours,

Mark C. Poloncarz, Esq.
Erie County Executive

MCP/ejc/dab
Enclosure

Cc: John C. Loffredo, PE

MEMORANDUM

COPY/CLERK'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: August 28, 2013

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SUMMARY

Via Comm. 13E-13 of July 18, 2013 your Honorable Body authorized the County of Erie's participation in the construction phase of the above locally administered federal aid agreements (Lafa). Authorization was also provided to the County Executive to enter into agreements with the responsible low bidders, CHA Consulting, Inc. and LiRo Engineers for construction engineering & inspection services. The total amount awarded to the low bidders and corresponding consultant agreements exceed the NYSDOT Lafa agreement allocation of \$625,000 by approximately \$48,000. However, Erie County Department of Public Works Division of Highways is confident the bidders' proposals are fair and in the best economic interest to the taxpayers of Erie County, and would like to finance the shortfall from existing, available funds.

FISCAL IMPLICATIONS

The original total cost of the projects' construction phase was estimated and approved at \$625,000 with funds from B.00192 - 2008 Bridge Maintenance - Federal Aid. These projects, through the Locally Administered Federal Aid Projects Program, are eligible for 80% Federal reimbursement in the amount of \$500,000. The actual cost of the construction phase, after bids were opened, including award to low bidder(s), construction contingency, and construction engineering and inspection services agreement with CHA Consulting, Inc. and LiRo Engineers is approximately \$673,000, a project budget shortfall of \$48,000. The Department of Public Works intends on financing the shortfall through Fund 420, BA123, B.13016.8 2013 Capital Overlay Program.

REASONS FOR RECOMMENDATION

Due to Legislative recess, execution of project agreement and award to responsible low bidder(s) based on an estimated cost was 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

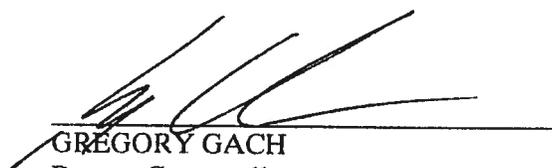
The County will not be able to fund all the proposed construction service locations; and those locations will be subject to continued deterioration.

STEPS FOLLOWING APPROVAL

Highway Division will proceed with execution of agreements in accordance with the Federal and NYSDOT guidelines. Agreements will be executed with low bidders Hunting Valley Construction Inc., A & A Painting, and CHA Consulting, Inc. and LiRo Engineers.

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

A RESOLUTION SUBMITTED BY:
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

WHEREAS, the Erie County Legislature via Comm. 13E-13 of July 18, 2013 authorized the participation in the construction phase of 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) in the amount of \$625,000 from Project B.00192.322, 2008 Bridge Maintenance, fund 420, business area 123; and

WHEREAS, due to Legislative recess, execution of Project agreement and award to responsible low bidder(s) based on an estimated cost was necessary to meet required tasks within our construction season; and

WHEREAS, the awards to low bidders, Hunting Valley Construction Inc., A& A Painting, Construction Contingency, and CHA Consulting Inc. and LiRo Engineers construction services and inspection agreements exceed the project estimate of \$625,000 by approximately \$48,000; and

WHEREAS, the Erie County Department of Public Works, Division of Highways, is confident the bidders' proposals are fair and in the best economic interest to the taxpayers of Erie County, and would like to finance the shortfall from existing available funds.

NOW, THEREFORE, BE IT

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

RESOLVED, that your Honorable Body hereby authorizes the allocation of \$48,000, from B.13016.8 2013 Capital Overlay Program, BA 123, Fund 420 for the shortfall in the federal aid project for bridge washing, deck sealing and bridge joint replacement; and be it further

RESOLVED, that the County Executive be authorized to execute award of project to the responsible low bidder(s), establish a Project contingency, and execute 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 revised allowable Project construction amount of \$673,000; and be it further

RESOLVED, that three (3) certified copies of this resolution be forwarded to the Department of Public Works, and one copy each to the Office of the County Executive, the Division of Budget and Management, the Office of County Attorney, and the Office of the Comptroller.

PROJECT TITLE: B.13016 2013 CAPITAL OVERLAY PROGRAM (COUNTYWIDE)

1) IS THE REASON FOR THIS CONTRACT CONSISTENT WITH THE PURPOSE OF THE PROJECT: YES X NO

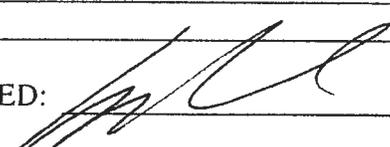
IF NO, RETURN THIS REQUEST TO THE DEPARTMENT

IF YES, COMPLETE THE FOLLOWING VERIFICATION

2) PROJECT AVAILABLE APPROPRIATION

<u>1</u>	TOTAL PROJECT REVENUES	\$ <u>7,900,000.00</u>
	TOTAL PROJECT APPROPRIATIONS	\$ <u>7,900,000.00</u>
	LESS: TOTAL EXPENDITURE TO DATE	\$ <u>1,436,114.01</u>
	TOTAL COMMITMENTS	\$ <u>3,991,555.23</u>
	AVAILABLE APPROPRIATIONS AS OF DATE OF REQUEST	\$ <u>2,472,330.76</u>
	LESS: CONTRACT AMOUNT: #1	300,000.00
	LESS: CONTRACT AMOUNT: #2	48,000.00
	NET AVAILABLE APPROPRIATIONS	\$ <u>2,124,330.76</u>

COMMENTS: Project cash balance is zero. \$48,000 shortage (673,000 actual estimated cost less 625,000 appropriated) in appropriations in project B.00192 (Bridge Maintenance) is financed by project B.13016 (Capital Overlay)

REQUEST APPROVED: 

REQUEST DENIED: _____

DATE: 9/9/13