



FILED 11/05/13 10:04

COUNTY OF ERIE

MARK C. POLONCARZ
COUNTY EXECUTIVE

November 5, 2013

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

RE: Federal-Aid Highway Local Project Agreement with NYSDOT and Contract for Engineering Design Services for Replacement of Salt Road (CR 560) Bridges Over Beeman Creek BIN 3326800 & BIN 3326810-Town of Clarence - PIN 5759.91

Dear Honorable Members:

The Department of Public Works, Division of Highways is requesting authorization for the County Executive to execute an agreement to participate in the Replacement of Salt Road Bridges Over Beeman Creek Federal Aid project with the New York State Department of Transportation. Additionally, the Department is requesting authorization to enter into an agreement with a consultant for design engineering services for the replacement of the Salt Road Bridges over Beeman Creek. Watts Architecture and Engineering, PC has been to provide the County of Erie with the service required.

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,

Mark C. Poloncarz, Esq.
Erie County Executive

Enclosure
MCP:bar/dab

cc: John Loffredo, Department of Public Works

MEMORANDUM

COMPTROLLER'S
RECEIVED

13 OCT 23 AM 9:00

To: Honorable Members of the Erie County Legislature
From: Department of Public Works
Re: Federal-Aid Highway Local Project Agreement with NYSDOT and
Contract for Engineering Design Services for Replacement of
Salt Road (CR 560) Bridges over Beeman Creek BIN 3326800 &
BIN 3326810 -Town of Clarence -PIN 5759.91
Date: October 22, 2013

SUMMARY

We recommend that your Honorable Body approve legislation authorizing the County Executive to execute an agreement to participate in the Federal Aid project with the New York State Department of Transportation. The Department is also requesting authorization to enter into an agreement with a consultant for design engineering services for replacement of the above noted Salt Road bridges. The firm of Watts Architecture and Engineering, PC has been selected to provide the County of Erie with the service required.

FISCAL IMPLICATIONS

The design engineering cost of this project is currently estimated at \$236,000.00 and requires a local share of \$47,200.00. This amount, with the addition of federal revenue, is available from SAP Project B.13008, 2013 Salt Road Bridge Design, Fund Center 123, Fund 420. The Agreement is eligible for 80% Federal funds reimbursement, and should the agreement receive future Marchiselli reimbursement the project revenue will be adjusted. The negotiated agreement between Erie County and Watts Architecture and Engineering, PC, as Project Design Engineer, will not exceed \$236,000.00, the amount of the Project's allowance.

REASONS FOR RECOMMENDATION

The Salt Road Bridge Replacement project is eligible for this program as a Locally Administered Federal Aid Project which allows the County of Erie to utilize available capital funds to leverage Federal funds towards the reconstruction of its aging infrastructure. Watts Architecture and Engineering, PC is recommended as Project Design Engineers because of their necessary expertise, experience, and manpower to provide the County of Erie with the service required. Erie County may be reimbursed up to the maximum 80% of the total Project cost.

BACKGROUND INFORMATION

This project is approved by the New York State Department of Transportation in their current Capital Program to be funded with Federal Aid funds. Project design engineering will start upon approval of this resolution.

CONSEQUENCES OF NEGATIVE ACTION

This action is required to ensure project advancement and financing through Federal program funds to pay for the design engineering costs of the replacement bridges. Negative action would halt design and jeopardize existing and future reimbursement funding available through this program.

STEPS FOLLOWING APPROVAL

Highway Division will proceed with execution of agreements in accordance with the Federal and NYSDOT guidelines. Upon the Erie County Legislature's approval, an agreement will be negotiated and executed with Watts Architecture and Engineering, PC. Once the agreement is executed design 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

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

Re: Federal-Aid Highway Local Project Agreement with NYSDOT and Contract for Engineering Design Services for Replacement of Salt Road (CR 560) Bridges -Over Beeman Creek BIN 3326800 & BIN 3326810 -Town of Clarence -PIN 5759.91

WHEREAS, a Project for replacement of the Salt Road (CR 560) bridges over Beeman Creek (BIN 3326800 & BIN 3326810), Town of Clarence, PIN 5759.91 (the Project) is eligible for funding under Title 23 U.S. Code, as amended, that calls for the appointment 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 Preliminary Engineering (Scoping and Design I-VI) and ROW Incidentals phases of the Project: PIN 5759.91; and

WHEREAS, the total for the Project phases noted is currently estimated at \$236,000.00 and the County is required to pay the estimated local share for the Project in the amount of \$47,200.00 which is available from Project B.13008, 2013 Salt Road Bridge Design, fund center 123, fund 420; and

WHEREAS, your Honorable Body has previously authorized Watts Architecture and Engineering, PC as a qualified, Term Agreement General Architectural/Engineering firm via Comm.13E-26 of July 18, 2013.

NOW, THEREFORE, BE IT

RESOLVED, that the Erie County Legislature hereby approves the above subject 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 Preliminary Engineering (Scoping and Design I-VI) and ROW Incidentals phases of the Project or portions thereof; and be it further

RESOLVED, that the Project B.13008, 2013 Salt Road Bridge Design, fund center 123, fund 420, be increased by the anticipated Federal revenue in the amount of \$188,800. as follows:

| REVENUES | | CURRENT BUDGET | INCREASE/ DECREASE | REVISED BUDGET |
|-----------------------------|---------------------|---------------------------|-------------------------------|---------------------------|
| Account | Description | | | |
| 414000 | Federal Aid | \$ 0 | \$188,800 | \$188,800 |
| 475000 | Gen Oblig Bond Proc | <u>\$70,000</u> | <u>\$ 0</u> | <u>\$70,000</u> |
| TOTAL REVENUES | | \$70,000 | \$188,800 | \$258,800 |
| APPROPRIATIONS | | | | |
| Capital Projects | Capital Project Exp | <u>\$70,000</u> | <u>\$188,800</u> | <u>\$258,800</u> |
| TOTAL APPROPRIATIONS | | \$70,000 | \$188,800 | \$258,800 |

and be it further

RESOLVED, that should New York State Marchiselli funds be made available, the Project, the budget be adjusted to reflect an increase in revenue, and decrease in local share; and be it further

RESOLVED, that the estimated total sum for design engineering of the noted Project phases, \$236,000.00 is hereby appropriated from B.13008, 2013 Salt Road Bridge Design and made available to cover the cost of participation in the above phases of the Project; and be it further

RESOLVED that the County Executive be authorized to execute a negotiated Contract in an amount not to exceed the allowable Project design engineering amount between the County of Erie and Watts Architecture and Engineering, PC as Project Design Engineers; 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 Project's Preliminary Engineering (Scoping & Design I-VI) and ROW Incidentals phases exceeds \$236,000.00 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 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 Project identified in the State/Local Agreement; and providing for the administration of the

Project 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 therefore that are not so eligible; 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 Agreement in connection with the Project; and be it further

RESOLVED, that ten (10) certified copies of this resolution be forwarded 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, the Office of the County Attorney, and the Office of the Comptroller.

TO: GREGORY GACH, COMPTROLLER'S OFFICE

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>NYS Department of Transportation and Watts Architecture and Engineering, PC</u> |
| 2. AMOUNT OF CONTRACT | <u>\$236,000.00</u> |
| 3. PROJECT NUMBER | <u>B.13008</u> |
| 4. PROJECT TITLE | <u>2013Salt Road Bridge Design</u> |
| 5. DEPARTMENT CONTACT | <u>Funding questions: Charles A. Sickler, PE at 8372 Letter pickup: Diane Bukowski at 8301</u> |

COMPTROLLER'S OFFICE

COMPLETE ITEMS 6 AND 7

- | | |
|------------------------------------|--------------------------|
| 6. AVAILABILITY OF FUNDS | <u>\$ 258,800.00</u> |
| 7. PERFORMED BY | <u><i>Don Wilson</i></u> |
| Date Sent to Comptroller's Office: | <u>October 22, 2013</u> |

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