COUNTY OF ERIE

MARK C. POLONCARZ
COUNTY EXECUTIVE

May 5, 2014

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

Re: Hamburg Highway Maintenance Facility –
2013 Window Replacement – Construction Contingency
IMMEDIATE CONSIDERATION REQUESTED

Dear Honorable Members:

On November 12, 2013, the Erie County Division of Purchase awarded a construction contract to Trason Development Corporation for the Hamburg Highway Maintenance Facility – 2013 Window Replacement project, excluding a construction contingency.

A construction contingency needs to be established due to the unforeseen conditions incurred during the execution of the project. These items include, but not necessarily limited to, reinforcing the hollow block window jambs for the window installation, repointing of deteriorated block mortar above the overhead garage door, and installing a new front exterior door to maintain emergency egress.

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/mc
Enclosure

cc: John Loffredo, Commissioner of Public Works

MEMORANDUM

To: Honorable Members of the Erie County Legislature
From: Department of Public Works
Re: Hamburg Highway Maintenance Facility – 2013 Window Replacement – Construction Contingency
Date: **May 5, 2014**

SUMMARY

On November 12, 2013, the Erie County Division of Purchase awarded a construction contract under Purchase Order 4600015053 to Trason Development Corporation for the Hamburg Highway Maintenance Facility – 2013 Window Replacement project, excluding a construction contingency.

A construction contingency needs to be established due to unforeseen conditions incurred during the execution of the project. These items include, but are not necessarily limited to, reinforcing the hollow block window jambs for the window installation, repointing of deteriorated block mortar above the overhead garage door, and installing a new front exterior door to maintain emergency egress.

FISCAL IMPLICATIONS

Funds for the project are currently available from the approved, as amended, 2012 Capital Budget, SAP Project: B.12012 – 2012 Countywide Highway Facility Building Improvements.

REASON FOR RECOMMENDATION

A construction contingency needs to be established in order to fund unforeseen conditions associated with the work and complete the project.

BACKGROUND INFORMATION

The project at the Hamburg Highway Maintenance Facility garage will include asbestos abatement and removal of the old, deteriorated wood frame windows and install new glass block and vinyl windows with lintels. After the old windows were abated and removed, it was discovered that the window jambs are hollow block and need to be reinforced before installing the new lintels and windows. It was also discovered that the mortar joints above the overhead garage door need repointing and that a new exit door next to it needs to be installed.

CONSEQUENCES OF NEGATIVE ACTION

If a construction contingency is not established, then the unforeseen conditions cannot be corrected, and thus, the project cannot be completed.

STEPS FOLLOWING APPROVAL

Upon Legislative approval, a Construction Contingency will be established and change orders issued for the additional work.

CONSEQUENCES OF NEGATIVE ACTION

If a construction contingency is not established, then the unforeseen conditions cannot be corrected, and thus, the project cannot be completed.

STEPS FOLLOWING APPROVAL

Upon Legislative approval, a Construction Contingency will be established and change orders issued for the additional work.

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

Re: Hamburg Highway Maintenance Facility –
2013 Window Replacement – Establish
Construction Contingency

WHEREAS, the Erie County Division of Purchase awarded a construction contract under Purchase Order 4600015053 to Trason Development Corporation on November 12, 2013 for the Hamburg Highway Maintenance Facility – 2013 Window Replacement project, excluding a construction contingency; and

WHEREAS, it was discovered during the project that the window jambs are hollow block and need to be reinforced before installing the new lintels and windows. It was also discovered that the mortar joints above the overhead garage door need repointing and that a new exit door needs to be installed; and

WHEREAS, the unforeseen conditions on the project require a Construction Contingency Fund to be established in order to complete the project.

NOW, THEREFORE, BE IT

RESOLVED, that the Purchase Order 4600015053 for Trason Development Corporation is hereby increased to establish a construction contingency fund for an amount not to exceed $20,000.00; and be it further

RESOLVED, that deduct change orders will result in these funds being returned to the Construction Contingency Fund; and be it further

RESOLVED, that the Comptroller's Office be authorized to make payment for all the above from B.12012 – 2012 Countywide Highway Facility Building Improvement for an amount not to exceed $20,000.00; and be it further

RESOLVED, that two certified copies of this resolution be sent to the Department of Public Works, Commissioner's Office, and one copy each to the Office of the County Executive, the Division of Budget and Management, the Director of Purchasing 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	Trason Development Corporation
2.	AMOUNT OF CONTRACT	Construction Contingency $20,000.00
3.	PROJECT NUMBER	B.12012
4.	PROJECT TITLE	2012 Countywide Highway Facility Building Improvement
		Funding questions: Jeffrey P. Zack #8824
5.	DEPARTMENT CONTACT	Letter pickup: Diane Bukowski at 8301

COMPTROLLER'S OFFICE		COMPLETE ITEMS 6 AND 7
6.	AVAILABILITY OF FUNDS	$ 449,422.92
7.	PERFORMED BY	Don Urban
8.	Date sent to Comptroller's Office:	April 22, 2014

[55 compt_08]

OFFICE OF THE COMPTROLLER REVIEW **DATE:** 4-30-2014

PROJECT TITLE: B.12012 2012 COUNTYWIDE HIGHWAY FACILITY BLDG IMPROV

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

TOTAL PROJECT REVENUES	$ 500,000.00
TOTAL PROJECT APPROPRIATIONS	$ 500,000.00
LESS: TOTAL EXPENDITURE TO DATE	$ 23,977.08
TOTAL COMMITMENTS	$ 26,600.00
AVAILABLE APPROPRIATIONS AS OF DATE OF REQUEST	$ 449,422.92
LESS: CONTRACT AMOUNT:	20,000.00
NET AVAILABLE APPROPRIATIONS	$ 429,422.92

COMMENTS: $476,022.92 Project cash balance

REQUEST APPROVED: ✓

REQUEST DENIED: ____

DATE: 5/1/14