



COUNTY OF ERIE

MARK C. POLONCARZ
COUNTY EXECUTIVE

June 16, 2014

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

**RE: Buffalo & Erie County Botanical Gardens – 2014 Administration Building
Pump Loop and South Park Avenue Force Main Tie-In**

Dear Honorable Members:

The Department of Public Works will be receiving bids for the Buffalo & Erie County Botanical Gardens – 2014 Administration Building Pump Loop and South Park Avenue Force Main Tie-In project during Legislative summer recess. Legislative authorization is required for the County Executive to enter into a construction contract with the lowest responsible bidder so that construction may proceed during the summer months.

The scope of the project includes constructing a new force main sanitary sewer that will run from the Administration Building to South Park Avenue.

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 yours,

A handwritten signature in black ink, appearing to read "Mark Poloncarz", written in a cursive style.

Mark C. Poloncarz, Esq.
Erie County Executive

MCP/dab
Enclosure

MEMORANDUM

To: Honorable Members of the Erie County Legislature
From: Department of Public Works
Re: Buffalo and Erie County Botanical Gardens – 2014 Administration Building
Pump Loop and South Park Avenue Force Main Tie-In
Date: June 16, 2014

SUMMARY

This resolution is seeking authorization for the County Executive to enter into a contract with the lowest responsible bidder for an amount not to exceed \$175,000, including construction contingency. This authorization will allow for work to commence during the summer months when the Legislature is on recess.

FISCAL IMPLICATIONS

Funds for the project are currently available from the approved and adopted 2008, 2009, 2010, and 2013 capital budgets. The SAP project accounts are:

A.00319 – 2008 Botanical Gardens Master Plan Reconstruction, A.20902 – 2009 Botanical Gardens Master Plan Implementation and Rehabilitation, A.21003 – 2010 Botanical Gardens Master Plan Implementation and Rehabilitation, and A.13004 – 2013 Countywide Code and Environmental Compliance.

REASON FOR RECOMMENDATION

A new force main sanitary sewer must be constructed that will run from the Administration Building to South Park Avenue.

BACKGROUND INFORMATION

Your Honorable Body previously approved a resolution for the A/E firm of Trautman Associates to perform a study on the storm and sanitary sewers to determine what is causing flooding conditions. During the investigation of the sanitary sewer flooding issues, it was determined that the sanitary sewer discharge was connected to a storm sewer main at South Park Avenue versus a sanitary sewer main.

CONSEQUENCES OF NEGATIVE ACTION

Without the installation of the new force main, additional flooding and backup of the sewer may occur.

STEPS FOLLOWING APPROVAL

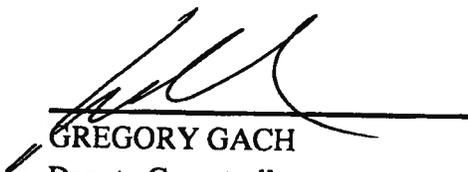
When bids are received and reviewed, a contract will be entered into by the County Executive with the lowest responsible bidder.

STEPS FOLLOWING APPROVAL

When bids are received and reviewed, a contract will be entered into by the County Executive with the lowest responsible bidder.

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.

A handwritten signature in black ink, appearing to read 'G. Gach', is written over a solid horizontal line.

GREGORY GACH
Deputy Comptroller
Comptroller's Office

A RESOLUTION SUBMITTED BY:
DEPARTMENT OF PUBLIC WORKS

RE: Buffalo and Erie County Botanical
Gardens – 2014 Administration Building
Pump Loop and South Park Avenue Force
Main Tie-In

WHEREAS, the Department of Public Works will be receiving bids after the last legislative meeting before summer recess for the Buffalo & Erie County Botanical Gardens – 2014 Administration Building Pump Loop and South Park Avenue Force Main Tie-In project; and

WHEREAS, the last Legislative meeting before summer recess will not allow for the normal award process of a construction contract after bids are received; and

WHEREAS, the County Executive is seeking prior authorization to award a contract to the lowest responsible bidder.

NOW, THEREFORE, BE IT

RESOLVED, that the County Executive is authorized to award a contract to the lowest responsible bidder, during the Legislative summer recess, so the work can proceed during the summer months for a total contract, including construction contingency, not to exceed \$175,000.00; and be it further

RESOLVED, that the Department of Public Works will report to the Legislature the value of the contract awarded and to whom; and be it further

RESOLVED, that the Comptroller's Office be authorized to make payment for all of the above from SAP project accounts as follows:

A.00319 – 2008 Botanical Gardens Master Plan Reconstruction	\$ 15,558.73
A.20902 – 2009 Botanical Gardens Master Plan Implementation and Rehabilitation	\$ 5,983.26
A.21003 – 2010 Botanical Gardens Master Plan Implementation and Rehabilitation	\$ 64,549.97
<u>A.13004 – 2013 Countywide Code and Environmental Compliance</u>	<u>\$ 88,908.04</u>
Total Payments Not To Exceed:	\$175,000.00

;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, Chief Financial Officer 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. CONSULTANT'S NAME Lowest Responsible Bidder including Construction Contingency
2. AMOUNT OF CONTRACT Not to Exceed \$175,000.00
A.20902 - \$ 5,983.26
3. PROJECT NUMBER A.00319 - \$15,558.73
A.21003 - \$64,549.97
A.13004 - \$88,908.04
4. PROJECT TITLE Buffalo & Erie County Botanical Gardens - 2014 Administration Building Pump Loop and South Park Avenue Force Main Tie-In
5. DEPARTMENT CONTACT Funding questions: Jeffrey P. Zack, PE at x8824
Letter pickup: Diane Bukowski at x8301

COMPTROLLER'S OFFICE

COMPLETE ITEMS 6 AND 7

6. AVAILABILITY OF FUNDS A.20902 \$ 5,983.26
A.00319 \$ 15,558.73
A.21003 \$ 64,549.97
A.13004 \$ 88,908.04
7. PERFORMED BY Diane Ueban
- Date Sent to Comptroller's Office: June 9, 2014

[55 compt_10]

OFFICE OF THE COMPTROLLER REVIEW

DATE: 6/10/14

PROJECT TITLE: A.00319 2008 Botanical Gardens Master Plan Reconstruction

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 \$ 1,000,000.00

TOTAL PROJECT APPROPRIATIONS \$ 1,000,000.00

LESS: TOTAL EXPENDITURE TO DATE \$ 984,441.27

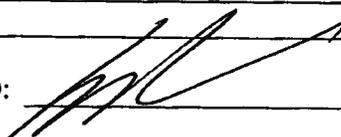
TOTAL COMMITMENTS \$ 0

AVAILABLE APPROPRIATIONS AS OF DATE OF REQUEST \$ 15,558.73

LESS: CONTRACT AMOUNT: 15,558.73

NET AVAILABLE APPROPRIATIONS \$ 0

COMMENTS: Project cash balance is \$15,558.73

REQUEST APPROVED: 

REQUEST DENIED: _____

DATE: 6/10/14

OFFICE OF THE COMPTROLLER REVIEW

DATE: 6/10/14

PROJECT TITLE: A.20902 2009 Botanical Garden Master Plan Implementation & Rehab

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 \$ 1,000,000.00

TOTAL PROJECT APPROPRIATIONS \$ 1,000,000.00

LESS: TOTAL EXPENDITURE TO DATE \$ 994,016.74

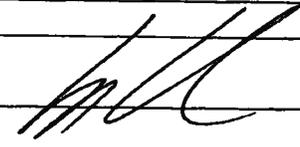
TOTAL COMMITMENTS \$ 0

AVAILABLE APPROPRIATIONS AS OF DATE OF REQUEST \$ 5,983.26

LESS: CONTRACT AMOUNT: 5,983.26

NET AVAILABLE APPROPRIATIONS \$ 0

COMMENTS: Project cash balance is \$5,983.26

REQUEST APPROVED: 

REQUEST DENIED: _____

DATE: 6/10/14

OFFICE OF THE COMPTROLLER REVIEW

DATE: 6/10/14

PROJECT TITLE: A.21003 2010 Botanical Garden Master Plan Implementation & Rehab

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 \$ 1,000,000.00

TOTAL PROJECT APPROPRIATIONS \$ 1,000,000.00

LESS: TOTAL EXPENDITURE TO DATE \$ 935,450.03

TOTAL COMMITMENTS \$ 0

AVAILABLE APPROPRIATIONS AS OF DATE OF REQUEST \$ 64,549.97

LESS: CONTRACT AMOUNT: 64,549.97

NET AVAILABLE APPROPRIATIONS \$ 0

COMMENTS: Project cash balance is \$64,549.97

REQUEST APPROVED: 

REQUEST DENIED: _____

DATE: 6/10/14

OFFICE OF THE COMPTROLLER REVIEW

DATE: 6-10-14

PROJECT TITLE: A.13004 2013 COUNTYWIDE CODE & ENVIRONMENTAL COMP

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 \$ 600,000.00

TOTAL PROJECT APPROPRIATIONS \$ 600,000.00

LESS: TOTAL EXPENDITURE TO DATE \$ 110,334.83

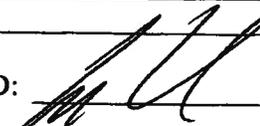
TOTAL COMMITMENTS \$ 124,531.24

AVAILABLE APPROPRIATIONS AS OF DATE OF REQUEST \$ 365,133.93

CONTRACT AMOUNT 88,908.04

NET AVAILABLE APPROPRIATIONS \$ 276,225.89

COMMENTS: \$493,980.11 project cash balance

REQUEST APPROVED: 

REQUEST DENIED: _____

DATE: 6/10/14