



# COUNTY OF ERIE

**MARK C. POLONCARZ**

COUNTY EXECUTIVE

June 16, 2014

Erie County Legislature  
92 Franklin Street – 4<sup>th</sup> Floor  
Buffalo, New York 14202

**RE: Old County Hall – 2014- 4<sup>th</sup> Floor Wall and Ceiling Restoration Project & Old County Hall – Exterior Waterproofing and Improvements Project - Construction Contingency Fund Increase**

Dear Honorable Members:

This resolution is requesting authorization for the County Executive to enter into an Agreement with the lowest responsible bidder for the Old County Hall- 2014- 4th Floor Wall and Ceiling Restoration project and a Construction Contingency fund increase for the Old County Hall – Exterior Waterproofing and Improvements project located at 92 Franklin Street, Buffalo, New York, 14202.

Bids for the Old County Hall – 2014 - 4th Floor Wall and Ceiling Restoration Project were received by the Department of Public Works on May 30, 2014 and a copy of the bid tabulations are attached for your reference.

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,

Mark C. Poloncarz, Esq.  
Erie County Executive

MCP/mc  
Enclosure

cc: John C. Loffredo, Department of Public Works

## MEMORANDUM

**To:** Honorable Members of the Erie County Legislature  
**From:** Department of Public Works  
**Re:** Old County Hall – 2014- 4th Floor Wall and Ceiling Restoration Project &  
Old County Hall – Exterior Waterproofing and Improvements Project -  
Construction Contingency Fund Increase  
**Date:** June 16, 2014

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### **SUMMARY**

This resolution is requesting authorization for the County Executive to enter into an Agreement with the lowest responsible bidder for the Old County Hall- 2014- 4th Floor Wall and Ceiling Restoration project and a Construction Contingency fund increase for the Old County Hall – Exterior Waterproofing and Improvements project located at 92 Franklin Street, Buffalo, New York, 14202.

There has been an ongoing multi-phase effort to restore and preserve the building envelope of Old County Hall. This project will ensure the building will remain safe for occupancy and maintain the historical significance of Old County Hall.

### **FISCAL IMPLICATIONS**

Funds for the project are currently available from the approved and adopted 2000, 2007, 2011 and 2012 County capital budgets in the following SAP Project(s):

A.00018	2000 Courthouse Renovation
A.00313	2007 Waterproofing and Rehab Old County Hall
A.11005	2011 Countywide Building and Facility Improvements
A.12003	2012 Countywide Code and Environment Compliance

### **REASON FOR RECOMMENDATION**

Major roof leaks have caused damage to the 4th floor plaster ceiling and walls within the spaces of the Erie County Legislature. It is desirable to restore and preserve the interior building spaces to ensure the building remains safe for occupancy and maintain the historical significance of Old County Hall.

### **BACKGROUND INFORMATION**

This project is a continuation of an ongoing restoration project to restore both the interior and exterior of Old County Hall.

### **CONSEQUENCES OF NEGATIVE ACTION**

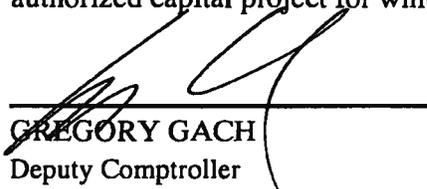
If this project is not completed and further deterioration of the building occurs, it will result in the closure of the facility as it will become unsafe to occupy and cause environmental issues within the building.

### **STEPS FOLLOWING APPROVAL**

Upon Legislative approval, the County Executive will enter into a contract 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.



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GREGORY GACH  
Deputy Comptroller  
Comptroller's Office

File: (BG.6.3.14.OCH.Wall and Ceiling Restoration)

A RESOLUTION SUBMITTED BY:  
DEPARTMENT OF PUBLIC WORKS

RE: Old County Hall – 2014- 4th Floor  
Wall and Ceiling Restoration Project &  
Old County Hall – Exterior Waterproofing  
and Improvements Project - Construction  
Contingency Fund Increase

WHEREAS, the Erie County Department of Public Works received bids for the Old County Hall – 2014- 4th Floor Wall and Ceiling Restoration project on May 30, 2014; and

WHEREAS, the lowest responsible bidder is E.B. Galaxy Construction, Inc.; and

WHEREAS, the Erie County Department of Public Works, along with its Consultant, is recommending award of the contract to the lowest responsible bidder; and

WHEREAS, unforeseen conditions require a Construction Contingency fund increase to the Old County Hall – Exterior Waterproofing and Improvements project.

NOW, THEREFORE, BE IT

RESOLVED, that the County Executive is authorized to enter into a contract with the lowest responsible bidder for the Old County Hall – 2014- 4th Floor Wall and Ceiling Restoration project as follows:

<u>General Construction Work</u>	
E. B Galaxy Construction, Inc.	Base Bid: \$163,000.00
	Add Alt #1 \$37,000.00
	Add Alt #2 <u>\$4,500.00</u>
Total General Construction Contract	\$204,500.00

; and be further

RESOLVED, that the sum of \$30,000.00 be allocated to a Construction Contingency Fund for the Old County Hall – 2014- 4th Floor Wall and Ceiling Restoration project with authorization for the County Executive to approve change orders in an amount not to exceed the Contingency Fund; and be it further

RESOLVED, that the County Executive is authorized to increase the current Construction Contingency fund for the Old County Hall – Exterior Waterproofing and Improvements project by \$130,000.00 from \$490,000.00 to \$620,000.00 with authorization for the County Executive to approve change orders in an amount not to exceed the Contingency Fund; 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 SAP Projects:

A.00018 2000 Courthouse Renovation	\$38,408.96
A.00313 2007 Waterproofing and Rehab Old County Hall	\$115,000.00
A.11005 2011 Countywide Bldg and Facility Improvements	\$144,401.04
A.12003 2012 Countywide Code and Environment Compliance	<u>\$66,690.00</u>
Total:	\$364,500.00

; 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, 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

<u>REQUESTING DEPARTMENT</u>	<u>COMPLETE ITEMS 1 THROUGH 5</u>
1. CONTRACTOR'S NAME	<u>E.B. Galaxy Construction Inc.</u>
	E.B. Galaxy Construction, Inc. \$204,500.00 Construction Contingency \$ 30,000.00
2. AMOUNT OF CONTRACT	<u>Construction Contingency \$130,000.00</u>
3. PROJECT NUMBER	<u>A.00018, A.00313, A.12003, A.11005</u>
4. PROJECT TITLE	<u>Old County Hall- 2014- 4th Floor Wall and Ceiling Restoration Project</u>
5. DEPARTMENT CONTACT	Funding questions: Jeffrey P. Zack #8824 <u>Letter pickup: Diane Bukowski at 8301</u>

<u>COMPTROLLER'S OFFICE</u>	<u>COMPLETE ITEMS 6 AND 7</u>
6. AVAILABILITY OF FUNDS	<u>A.00018 \$ 279,760.49 A.00313 \$ 115,000.00 A.11005 \$ 485,083.85 A.12003 \$ 68,690.00</u>
7. PERFORMED BY	<u>Don Helton</u>

Date sent to Comptroller's Office: June 3, 2014

[55 compt\_08]

PROJECT TITLE: A.00018 COURTHOUSE RENOVATION EXTERIOR

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 \$ 65,523,238.14

TOTAL PROJECT APPROPRIATIONS \$ 65,657,204.00

LESS: TOTAL EXPENDITURE TO DATE \$ 65,341,860.01

TOTAL COMMITMENTS \$ 35,583.50

AVAILABLE APPROPRIATIONS AS OF DATE OF REQUEST \$ 279,760.49

LESS: CONTRACT AMOUNT: 38,408.96

NET AVAILABLE APPROPRIATIONS \$ 241,351.53

COMMENTS: Actual project revenue is \$133,965.86 less than budget, but 279,760.49 available appropriations exceeds contract amount by \$241,351.53. Project cash balance is \$192,126.98

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REQUEST APPROVED: 

REQUEST DENIED: \_\_\_\_\_

DATE: 6/9/14

OFFICE OF THE COMPTROLLER REVIEW

DATE: 6-5-2014

PROJECT TITLE: A.00313 WATERPROOFING & RESTORATION

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	\$	<u>500,000.00</u>
TOTAL PROJECT APPROPRIATIONS	\$	<u>500,000.00</u>
LESS: TOTAL EXPENDITURE TO DATE	\$	<u>379,932.39</u>
TOTAL COMMITMENTS	\$	<u>5,067.61</u>
AVAILABLE APPROPRIATIONS AS OF DATE OF REQUEST	\$	<u>115,000.00</u>
LESS: CONTRACT AMOUNT:		<u>115,000.00</u>
NET AVAILABLE APPROPRIATIONS	\$	<u>0</u>

COMMENTS: Project cash balance is \$139,018.86

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REQUEST APPROVED: 

REQUEST DENIED: \_\_\_\_\_

DATE: 6/9/14

OFFICE OF THE COMPTROLLER REVIEW

DATE: 6-5-14

PROJECT TITLE: A.11005 2011 COUNTYWIDE BLDG & FACILITY IMPROVEMENTS

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 \$ 750,000.00

TOTAL PROJECT APPROPRIATIONS \$ 750,000.00

LESS: TOTAL EXPENDITURE TO DATE \$ 183,451.80

TOTAL COMMITMENTS \$ 81,464.35

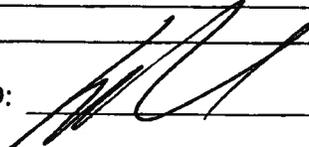
AVAILABLE APPROPRIATIONS AS OF DATE OF REQUEST \$ 485,083.85

LESS: CONTRACT AMOUNT: 144,401.04

NET AVAILABLE APPROPRIATIONS \$ 340,682.81

COMMENTS: \$573,479.45 project cash balance

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REQUEST APPROVED: 

REQUEST DENIED: \_\_\_\_\_

DATE: 6/9/14

