



COUNTY OF ERIE

MARK C. POLONCARZ

COUNTY EXECUTIVE

November 28, 2014

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

IMMEDIATE CONSIDERATION REQUESTED

Re: Payment of local share for four new wheelchair vehicles for the Department of Senior Services Going Places Program

Dear Honorable Members:

The attached resolution requests authorization for the Department of Senior Services to comply with revised NYSDOT payment instructions in regards to the 20% local share the Department of Senior Services is required to contribute towards the purchase of four new replacement vehicles for the Going Places Transportation Program.

Should your Honorable Body require any further information, I encourage you to contact Randy Hoak, Commissioner of the Department of Senior Services. Thank you for your consideration on this matter.

Sincerely Yours,

A handwritten signature in blue ink that reads "Mark C. Poloncarz".

Mark C. Poloncarz, Esq.
Erie County Executive

MCP/jr

cc: Randy Hoak, Commissioner, Department of Senior Services

MEMORANDUM

To: Honorable Members of the Erie County Legislature
From: Department of Senior Services
Re: Payment of local share for four new wheelchair vehicles for the
Department of Senior Services Going Places Program
Date: November 26, 2014

SUMMARY

Erie County Legislative Resolution 11E-12 (2013) dated June 6, 2013, authorized contracting with the New York State Department of Transportation (NYSDOT) to obtain four new replacement vehicles, with wheelchair capability, for the Department of Senior Services' Going Places Transportation Program. NYSDOT would purchase the vehicles and cover 80% of the cost, with the Department of Senior Services using approved 2013 capital project monies to cover the 20% local share.

The contract remains in place, with the four vehicles scheduled to be delivered in early December 2014. However, NYSDOT recently revised the local share payment process to require payment be made to the firm they purchased the vehicles from, which the resolve language in Legislative resolution 11E-12 (2013) does not provide for.

FISCAL IMPLICATIONS

No additional County funds are required. NYSDOT will still cover 80% of the vehicles purchase price, with Senior Services using approved 2013 capital project monies to cover the 20% local share.

REASONS FOR RECOMMENDATION

The Department of Senior Services was awarded, a federal Department of Transportation, Section 5310 Grant which provides for four new vehicles at a total cost to the County of only \$35,940 thereby providing economical replacements for aging vehicles in the Going Places fleet.

BACKGROUND INFORMATION

Erie County Legislative resolution 11E-12 (2013), dated June 6, 2013, authorized the County Executive to contract with NYSDOT to obtain the four new vehicles, utilize the Department's 2013 Replacement Vans, capital project A.13021, to pay the required 20%

local match, and enter into the NYSDOT Local Funding Depository Agreement and deposit the local share monies into a Bank of America bank account. By June 21, 2013 the contract was executed and the local share monies sent to NYSDOT for deposit into the Bank of America account.

However, NYSDOT, in 2014, returned the local share monies to the Department stating that they no longer had a Local Depository Agreement in place with the bank, and that they would subsequently provide new instructions regarding payment of the 20% local share. NYSDOT is now instructing the Department of Senior Services that the 20% local share is to be paid directly to Shepard Brothers, Inc., the firm NYSDOT purchased the vehicles from through a competitive bid process.

Shepard Brothers, Inc. has also informed the Department of Senior Services that the four new vehicles should be ready for delivery in early December and is requesting payment of the 20% local share upon such delivery.

CONSEQUENCES OF NEGATIVE ACTION

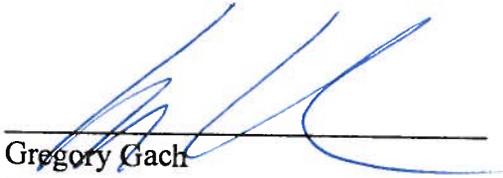
The Department of Senior Services would be unable to acquire the four new replacement vehicles for the Going Places Transportation fleet.

STEPS FOLLOWING APPROVAL

The Department of Senior Services will pay Shepard Brothers, Inc. the required 20% local share amount upon receipt of the four vehicles.

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 SENIOR SERVICES**

RE: Payment of local share for four new wheelchair vehicles for the Department of Senior Services Going Places Program

WHEREAS, in 2013 the Department of Senior Services had been awarded, by the New York State Department of Transportation (NYSDOT), Federal Transit Administration Section 5310 Program funding to cover 80% of the purchase price of four new vehicles with wheelchair capability for the Department's Going Places Transportation Program; and

WHEREAS, Erie County Legislative resolution 11E-12 (2013), dated June 6, 2013, authorized the County Executive to contract with NYSDOT to obtain the four new vehicles, utilize the Department's 2013 Replacement Vans, capital project A.13021, to pay the required 20% local match, and enter into the NYSDOT Local Funding Depository Agreement and deposit the local share monies into a Bank of America bank account; and

WHEREAS, by June 21, 2013 the contract with NYSDOT had been executed and a check for \$35,940 of local share monies given to NYSDOT for deposit into the Bank of America account; and

WHEREAS, NYSDOT, in 2014, returned the local share monies to the Department of Senior Services stating that they no longer had a Local Depository Agreement in place with the bank, and that new instructions would be subsequently provided regarding payment of the 20% local share; and

WHEREAS, NYSDOT is now instructing the Department of Senior Services that the 20% local share is to be paid, to Shepard Brothers, Inc., the firm NYSDOT purchased the vehicles from through a competitive bid process; and

WHEREAS, Shepard Brothers, Inc. is now ready to deliver the four new vehicles to the Department of Senior Services and is requesting payment of the 20% local share upon delivery.

NOW, THEREFORE, BE IT

RESOLVED, that the Department of Senior Services is authorized to pay the required 20% local share directly to Shepard Brothers, Inc., upon receipt of the four vehicles; and be it further

RESOLVED, that certified copies of this resolution be forwarded to the County Executive's Office, the Division of Budget and Management, the Comptroller's Office, and the Departments of Law and Senior Services.

OFFICE OF THE COMPTROLLER REVIEW

DATE: 11-28-2014

PROJECT TITLE: A.13021 2013 REPLACEMENT VANS - COUNTYWIDE

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

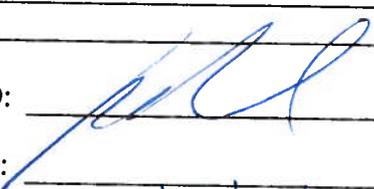
IF NO, RETURN THIS REQUEST TO THE DEPARTMENT

IF YES, COMPLETE THE FOLLOWING VERIFICATION

2) PROJECT AVAILABLE APPROPRIATION

TOTAL PROJECT REVENUES	\$	<u>100,000.00</u>
TOTAL PROJECT APPROPRIATIONS	\$	<u>243,761.00</u>
LESS: TOTAL EXPENDITURE TO DATE	\$	<u>56,768.80</u>
TOTAL COMMITMENTS	\$	<u>0.00</u>
AVAILABLE APPROPRIATIONS AS OF DATE OF REQUEST	\$	<u>186,992.20</u>
LESS: CONTRACT AMOUNT:		<u>179,702.00</u>
NET AVAILABLE APPROPRIATIONS	\$	<u>(7,290.20)</u>

COMMENTS: Cash Balance is \$43,231.20

REQUEST APPROVED: 

REQUEST DENIED:

DATE: 12/1/14

TO: GREGORY GACH, COMPTROLLER'S OFFICE

COMPTROLLER'S
RECEIVED

PROPOSED RESOLUTIONS REQUIRING RULE 55 11 NOV 28 PM 2:09

CONTRACT APPROVAL CHECKLIST
CONFIRMATION OF AVAILABILITY OF FUNDS IN CAPITAL PROJECTS

REQUESTING DEPARTMENT

COMPLETE ITEMS 1 THROUGH 5

1. CONTRACTOR'S NAME NYS Department of Transportation
2. AMOUNT OF CONTRACT \$179,702 with cash outlay of \$35,940
3. PROJECT NUMBER A.13021
4. PROJECT TITLE 2013 REPLACEMENT VANS
COUNTYWIDE
5. DEPARTMENT CONTACT Funding questions: Anthony Gregorczyk at
ext 8086
Letter pickup: Christine McKenzie at
ext 6046

COMPTROLLER'S OFFICE

COMPLETE ITEMS 6 AND 7

6. AVAILABILITY OF FUNDS \$ 186,992.20
 7. PERFORMED BY Don Urban
- Date Sent to Comptroller's Office: November 28, 2014

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.

Deputy Comptroller
Comptroller's Office