



# COUNTY OF ERIE

**MARK C. POLONCARZ**

COUNTY EXECUTIVE

January 30, 2014

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

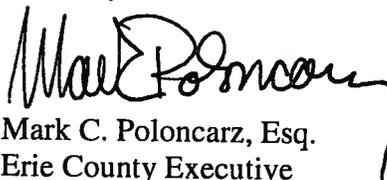
**RE: Award of Construction Contract & Contract for Engineering and Construction Inspection Services -Lakeshore Shoreline Trail Multi Use Pathway Phase 2 -Town of Evans  
ECDPW Project No. TFA-111-13 -NYSDOT PIN 5757.49**

Dear Honorable Members:

Please find enclosed for your approval copies of bid tabulations for the nine (9) bidders on the Lakeshore Shoreline Trail Multi Use Pathway Phase 2 project, indicating the low bidder being Occhino Paving Corporation, West Seneca, New York. The County Executive is requesting authorization to award a contract to the low bidder, being a responsible contractor. Additionally, we recommend that a contract with Wendel of Buffalo, New York, be authorized for construction engineering and construction inspection services.

Should your Honorable Body require further information, I encourage you to contact Commissioner John C. Loffredo of 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 C. Loffredo, Department of Public Works

## MEMORANDUM

To: Honorable Members of the Erie County Legislature  
From: Department of Public Works  
Re: Award of Construction Contract & Contract for Engineering and  
Construction Inspection Services -Lakeshore Shoreline Trail Multi Use Pathway  
Phase 2 – Town of Evans - ECDPW Project No. TFA-111-13 -NYSDOT PIN  
5757.49  
Date: January 30, 2014

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### **SUMMARY**

Requesting award of a contract between Occhino Paving Corporation and the County of Erie for the construction of the Lakeshore Shoreline Trail Multi Use Pathway Phase 2, ECDPW Project No. TFA-111-13, NYSDOT PIN 5757.49; and award of a construction engineering and construction inspection services agreement to Wendel; and authorize the County Executive to establish construction contingency and approve change orders for the project. The project includes construction of approximately 1.4 miles of asphalt pathway, signage, striping and restoration.

### **FISCAL IMPLICATIONS**

The proposed resolution requests that the amount of \$671,828.00 authorized Project funds be appropriated as follows:

- \$587,000.00 from BA162, Fund 410, Project A.00213 - 2003 Lakeshore Shoreline Trail and
- \$84,828.00 from BA162, Fund 410, Project A.00344 – 2008 Bicycle and Pedestrian Trail Construction

The funds shall be allocated as follows: \$538,268.00 for award of construction to Occhino Paving Corp; an amount not to exceed \$95,880.00 for construction engineering and construction inspection services with Wendel, and \$37,680.00 as a construction contingency. Costs related to the Federal Aid Project are reimbursable up to a maximum of 80% of the total Federal Project cost. Additionally, those project costs are eligible for an additional 15% reimbursement through the New York State Marchiselli Aid Program.

### **REASONS FOR RECOMMENDATION**

It is necessary that this approval be granted, so that the Contract can be awarded to allow the Contractor to begin construction as soon as possible to meet utility coordination requirements and to utilize available State and Federal funding.

### **BACKGROUND INFORMATION**

Phase 2 of the Lakeshore Trail Project runs from Evans Town Park to Bennett Beach Park where it connects with Phase 1 of the Trail that was completed in 2011.

### **CONSEQUENCES OF NEGATIVE ACTION**

If the Contract is not approved the project will not be constructed and Federal and State funding will be jeopardized.

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## **STEPS FOLLOWING APPROVAL**

The Contract will be awarded and construction will begin as soon as possible depending on the weather and the availability of materials.

## **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 is sufficient funding.



STEFAN MYCHAJLIW  
Erie County Comptroller  
Comptroller's Office

File(hgwy.lakeshore shoreline)

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

**RE: Award of Construction Contract & Contract for Engineering & Construction Inspection Services Lakeshore Shoreline Trail Multi Use Pathway Phase 2 Town of Evans -ECDPW Project No. TFA-111-13 - NYSDOT PIN 5757.49**

**WHEREAS**, bids were taken for the Lakeshore Shoreline Trail Multi Use Pathway Phase 2, ECDPW Project No. TFA-111-13, NYSDOT PIN 5757.49 (the "Project"), in the Town of Evans, on October 17, 2013, and the low bidder was Occhino Paving Corporation in the amount of \$538,268.00; and

**WHEREAS**, a contract has been negotiated with Wendel for construction inspection and engineering services during construction.

**NOW, THEREFORE, BE IT**

**RESOLVED**, that the following authorized Project funds in business area 162, fund 410, SAP Accounts A.00213 – 2003 Lakeshore Shoreline Trail in the amount of \$587,000.00 and A.00344 – 2008 Bicycle and Pedestrian Trail Construction in the amount of \$84,828.00 be made available for the Project; and be it further

**RESOLVED**, that the County Executive be authorized and is hereby directed to execute a contract for ECDPW Project No. TFA-111-13, NYSDOT PIN 5757.49 between the County of Erie and the low bidder, Occhino Paving Corporation at a low bid amount of \$538,268.00 from the above identified project funds; and be it further

**RESOLVED**, that the County Executive be authorized to execute a contract for services during construction and construction inspection with Wendel in an amount not to exceed \$95,880.00 from the above identified funds; and be it further

**RESOLVED**, that the County Executive be authorized to establish a Project contingency and execute change orders in an amount not to exceed \$37,680.00 from the above identified funds; and be it further

**RESOLVED**, that the Clerk of the Legislature be instructed to forward five (5) certified copies of this resolution to the Department of Public Works, Office of the Commissioner, and one copy each to the Office of the County Executive, the Office of Budget and Management, the Office of the Comptroller and the Department of Environment and Planning, Office of the Commissioner.

TO: GREGORY GACH, COMPTROLLER'S OFFICE

RE: 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	Occhino Paving Corp. (OPC) Wendel
2. AMOUNT OF CONTRACT	Occhino Paving Corporation \$538,268.00 Wendel \$ 95,880.00 Contingency \$ 37,680.00
3. PROJECT NUMBER	SAP A.00213 \$587,000.00 SAP A.00344 \$ 84,828.00
4. PROJECT TITLE	Lakeshore Shoreline Trail Multi Use Path Phase 2-ECDPW Project No. TFA-111-13 NYSDOT PIN 5757.49
5. DEPARTMENT CONTACT	Funding questions: Charles A. Sickler, PE at 8372 Letter pickup: Diane Bukowski at 8301

COMPTROLLER'S OFFICE

COMPLETE ITEMS 6 AND 7

6. AVAILABILITY OF FUNDS	A.00213 \$ 668,840.88 A.00344 \$ 210,380.56
7. PERFORMED BY	<u>Dan Urban</u>
Date Sent to Comptroller's Office:	<u>December 18, 2013</u>

[55 compt\_10]