



COUNTY OF ERIE

MARK C. POLONCARZ
COUNTY EXECUTIVE

September 8, 2015

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

**RE: Agreement with NYSDOT and Award of Construction
Locally Administered Federal Aid Project for
Bridge Washing (240 Bridges) and Deck Sealing (18 Bridges)
Various Towns, Erie County
NYS PIN 5760.55**

Dear Honorable Members:

We are forwarding for your approval a proposed resolution authorizing the County of Erie to participate in the above-noted Project, the County Executive to enter into an Agreement with the New York State Department of Transportation to advance the Federal and non-Federal share of the cost of construction and construction inspection, award the low bidder, enter into a construction phase engineering agreement with CHA Consultants, and establish a project contingency for this project.

Should your Honorable Body require further information, I encourage you to contact the Department of Public Works, Office of the Commissioner. Thank you for your consideration on this matter.

Sincerely,

A handwritten signature in black ink, appearing to read "Mark Poloncarz", written over a horizontal line.

Mark C. Poloncarz, Esq.
Erie County Executive

MCP/DMS

cc: John C. Loffredo, Department of Public Works

MEMORANDUM

TO: Honorable Members of the Erie County Legislature
FROM: Department of Public Works/Office of the Commissioner
RE: Agreement with NYSDOT and Award of Construction
Locally Administered Federal Aid Project for
Bridge Washing (240 Bridges) and Deck Sealing (18 Bridges)
Various Towns, Erie County
NYS PIN 5760.55
DATE: September 8, 2015

SUMMARY

Adopt a resolution authorizing the County of Erie to participate in the above-noted Project, the County Executive to enter into an Agreement with the New York State Department of Transportation to pay the Federal and non-Federal share of the cost of construction and construction inspection, and award the low bidder, enter into a construction phase engineering agreement with CHA Consultants, and establish a Project contingency.

FISCAL IMPLICATIONS

The total cost of this Locally Administered Federal Aid project is currently estimated at \$500,000 which is approximately 80% federally reimbursed and requires a 20% local share. The total budget of \$500,000, with adjustments from the anticipated federal revenue, in the amount of \$400,000 and total Local Share required in the amount of \$100,000 is available in BA123, Fund 420, SAP Fund B.13002, 2013 Bridge Enhancements Program. The award of construction to the responsible low bidder, the construction phase engineering services with CHA Consultants, and the Project contingency will not exceed the maximum project allowance of \$500,000.

REASONS FOR RECOMMENDATION

The Erie County Department of Public Works has completed the design phase of the Project and desires to advance the Project by entering into an Agreement for the construction and construction inspection phase with the New York State Department of Transportation. The Project benefits from Federal Aid reimbursement through the Locally Administered Federal Aid Program.

BACKGROUND INFORMATION

This project has been approved by the New York State Department of Transportation in their current Capital Program to be funded with Federal Aid funds.

CONSEQUENCES OF NEGATIVE ACTION

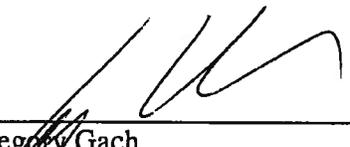
If the proposed resolution is not approved, the Bridge Washing and Deck sealing items necessary to maintain and prolong the life of Erie County's infrastructure will not occur and the bridge structures will continue to deteriorate. Failure to execute this Agreement will jeopardize receipt of the Project and possibly the loss of eligibility for future Federal Aid Program participation.

STEPS FOLLOWING APPROVAL

Budget as stated in the resolution will be adjusted. The County Executive will execute Agreements with New York State Department of Transportation, the responsible low bidder, and CHA Consultants for successful and timely implementation of this project.

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 are sufficient appropriates for the action proposed.



Gregory Gach
Deputy Comptroller
Comptroller's Office

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

RE: Agreement with NYSDOT and Award of Construction
Locally Administered Federal Aid Project for
Bridge Washing (240 Bridges) and Deck Sealing (18 Bridges)
Various Towns, Erie County
NYS PIN 5760.55

WHEREAS, the Bridge Washing (240 Bridges) and Deck Sealing (18 Bridges) PIN 5760.55, (the "Project") is eligible for funding under Title 23, U.S. Code, as amended, that calls for the apportionment of the costs of such program to be borne at the ratio of 80% Federal funds and 20% non-Federal funds, depending upon the Federal Aid Funding Program; and

WHEREAS, the County of Erie desires to advance the Construction phase of the Projects by making a commitment for the Federal and Non-Federal share of the costs of the project; and

WHEREAS, in order to facilitate the Construction and Construction Inspection Phases for the Projects, it will be necessary for the County to execute an Agreement with New York State Department of Transportation in the total amount of \$500,000 of which \$100,000 is the required local share, for the construction and construction inspection phase of the Project; and

WHEREAS, the Department of Public Works would like to successfully implement the Project in a timely manner, it will be necessary for the County to execute the construction contract with the responsible low bidder, enter an into a construction phase engineering services agreement with CHA Consultants, and establish a construction contingency in an amount not to exceed \$500,000.

NOW, THEREFORE, BE IT

RESOLVED, that the Erie County Legislature hereby approves the above subject Project; and be it further

RESOLVED, that the County Legislature of the County of Erie hereby authorizes the County of Erie to pay in the first instance 100% of the Federal and non-Federal shares of the cost of Construction and Construction Inspection Phases of the Project or portions thereof; and be it further

RESOLVED, that the Project Fund B.13002, 2013 Bridge Enhancement Programs, fund center 123, fund 420, be increased by the anticipated Federal and New York State revenue in the amount of \$400,000 as follows:

REVENUES	CURRENT	INCREASE/	REVISED
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Account	Description	BUDGET	DECREASE	BUDGET
405160	NYS Marchiselli	\$ 147,750	\$ 0	\$ 147,750
414000	Federal Aid	\$ 980,000	\$ 400,000	\$1,380,000
445070	Prem on Obligation	\$54,162.12	\$ 0	\$ 54,162.12
475000	Gen Oblig Bond Proc	<u>\$345,837.88</u>	<u>\$ 0</u>	<u>\$345,837.88</u>
TOTAL REVENUES		<u>\$1,527,750</u>	<u>\$ 400,000</u>	<u>\$1,927,750</u>
APPROPRIATIONS				
Capital Projects	Capital Project Exp	<u>\$1,527,750</u>	<u>\$ 400,000</u>	<u>\$1,927,750</u>
TOTAL APPROPRIATIONS		<u>\$1,527,750</u>	<u>\$ 400,000</u>	<u>\$1,927,750</u>

; and be it further

RESOLVED, that the estimated total sum of the construction and construction inspection Phase of the Project, \$500,000, is hereby appropriated from BA123, Fund 420, SAP Fund B.13002–2013 Bridge Enhancement Programs and made available to cover the cost of participation in the Construction and Construction Inspection phase of the Project; and be it further

RESOLVED, the County Executive is hereby authorized to execute the construction contract with the responsible low bidder, enter an into a construction phase engineering services agreement with CHA Consultants, and establish a construction contingency in an amount not to exceed \$500,000; and be it further

RESOLVED, that in the event the amount required to pay in the first instance 100% of the Federal and non-Federal shares of the costs of the Project's construction and construction inspection phases exceeds the amount appropriated, \$500,000 the County of Erie shall convene its Legislature as soon as possible to appropriate said excess amount immediately upon the notification by the New York State Department of Transportation thereof; and be it further

RESOLVED, that the County Executive of the County of Erie is hereby authorized to execute all necessary Agreements, certifications or reimbursement requests for Federal Aid on behalf of the County of Erie, with the New York State Department of Transportation in connection with the advancement or approval of the Project and providing for the administration of the Project and the Municipality's first instance funding of Project costs and permanent funding of the local share of Federal aid and State aid eligible Project costs and all Project costs within appropriations therefore that are not so eligible; and be it further

RESOLVED, that a certified copy of this resolution be filed with the New York State Commissioner of Transportation, by attaching it to any necessary Agreement in connection with the Project; and be it further

RESOLVED, that the Clerk of the Legislature forward six (6) certified copies of this Resolution to the Department of Public Works, Office of the Commissioner, to be forwarded to the New York State Department of Transportation; and be it further

RESOLVED, that the Clerk of the Legislature forward one (1) certified copies of this Resolution to the Department of Public Works, Office of the Commissioner, and also 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

REQUESTING DEPARTMENT

COMPLETE ITEMS 1 THROUGH 5

1. CONTRACTOR'S NAME

TBD, low bidder
CHA Consultants
Contingency

2. AMOUNT OF CONTRACT

\$500,000.00 (not to exceed)

3. PROJECT NUMBER

B.13002 Bridge Enhancements
Agreement w/NYS DOT & Award Construction
Bridge Washing (240 Bridges) & Deck Sealing
(18 Bridges)

4. PROJECT TITLE

Various Towns, Erie County NYS PIN 5760.55

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

\$406,114.12 plus anticipated \$400,000, in Fed Aid

7. PERFORMED BY

Don Wilson

Date Sent to Comptroller's Office:

August 26, 2015
