



COUNTY OF ERIE

MARK C. POLONCARZ

COUNTY EXECUTIVE

September 24, 2015

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

**RE: Erie County Sewer District No. 6
Contract No. 51
Contract Close Out – New Frontier Excavating & Paving, Inc.**

Dear Honorable Members:

Enclosed please find an accompanying memorandum and proposed resolution from the Department of Environment and Planning, Division of Sewerage Management, pertaining to the close out of Contract No. 51 with New Frontier Excavating.

Should your Honorable Body require further information, I encourage you to contact Joseph Fiegl, P.E., Department of Environment and Planning, Division of Sewerage Management. Thank you for your consideration on this matter.

Sincerely yours,

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

Mark C. Poloncarz, Esq.
Erie County Executive

MCP:JAC:cs
Enclosure

C: J. Fiegl – Environment and Planning

MEMORANDUM

To: Honorable Members of the Erie County Legislature
From: Department of Environment and Planning
Re: Erie County Sewer District No. 6
Contract No. 51
Contract Close Out – New Frontier Excavation & Paving, Inc.
Date: September 24, 2015

SUMMARY

Acceptance and approval of Contract No. 51 in the final contract amount of \$161,086.04 together with Change Order No. 1 (final), a decrease of (\$32,793.36) in Erie County Sewer District No. 6 Bond Account, as well as authorization to issue final payment to the contractor, New Frontier Excavating & Paving, Inc. is requested.

FISCAL IMPLICATIONS

There will be no impact on the County's General Fund. The funds for this contract were allocated from Erie County Sewer District No. 6 Bond Account No. C.00064.

REASONS FOR RECOMMENDATION

All scheduled improvements required by the contract documents have been completed. As a result, it is the Department's recommendation to finalize this contract.

BACKGROUND INFORMATION

Contract No. 51 was bid on October 23, 2014 and awarded by the Erie County Legislature on November 25, 2014, Legislative Comm. 21E-16 (2014). This contract replaced sanitary sewers in Kennedy Drive in Erie County Sewer District No. 6.

CONSEQUENCES OF NEGATIVE ACTION

Contract default on the part of the County of Erie could be claimed by the Contactor.

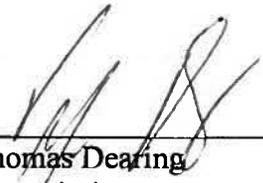
STEPS FOLLOWING APPROVAL

The County of Erie will execute the final change order and make a final payment to New Frontier Excavating & Paving.

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 capital appropriations for the action proposed.

Signed _____ Date 9/17/10
Title Gregory Gach
Deputy Comptroller

08 

Thomas Dearing
Commissioner

JAC:cs

Encl.

Cc: T. Dearing

J.Fiegl/0.11.0 Leg.Ltr (w/encl.)

J.Carr/J.Mallory/D.Skowronski/8.3.3.11A (w/encl.)

S.Tirone

V:\Sewerage Management\Project Files\Construction\District 8\11\Close out contract 11A JD Northrup.docx

A RESOLUTION SUBMITTED BY
Department of Environment and Planning

RE: Erie County Sewer District No. 6
Contract No. 51
Contract Close Out – New Frontier Excavating & Paving, Inc.

WHEREAS, pursuant to Legislative Comm. 21E-16 (2014) Contract No. 51 was awarded to New Frontier Excavating & Paving for the rehabilitation of sanitary sewers on Kennedy Drive in Erie County Sewer District No. 6; and

WHEREAS, the Erie County Division of Sewerage Management has advised that all scheduled improvements are now completed; and

WHEREAS, the Erie County Department of Environment and Planning has recommended the acceptance of Contract No. 51, General, in the final contract amount of \$161,086.04 which includes Change Order No. 1 (final), a decrease of (\$32,793.36), and recommends approval for final payment.

NOW, THEREFORE BE IT

RESOLVED, that Contract No. 51 between the County of Erie and New Frontier Excavating & Paving, Inc. (8265 East Eden Rd., Eden, NY) is accepted in the final contract amount of \$161,086.04 which includes Change Order No. 1 (final), a decrease of (\$32,793.36), and is allocated in Erie County Sewer District No. 6 Bond Account C.00064; and be it further

RESOLVED, that the Erie County Comptroller be directed to make final payment for Contract 51, General, to New Frontier Excavating & Paving, Inc. for a total contract amount of \$161,086.04; and be it further

RESOLVED, that the Clerk of the Legislature be directed to send one (1) certified copy each to the County Executive, the Erie County Comptroller, the Director of Budget and Management and Kristen Walder, Assistant County Attorney; and two (2) certified copies of this resolution to Joseph L. Fiegl, P.E., Department of Environment and Planning.

PROJECT TITLE: C.00064 2005 ECSD #6 Inc & Imp \$4M

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

IF NO, RETURN THIS REQUEST TO THE DEPARTMENT

IF YES, COMPLETE THE FOLLOWING VERIFICATION

2) PROJECT AVAILABLE APPROPRIATION

TOTAL PROJECT REVENUES \$ 2,413,976.80

TOTAL PROJECT APPROPRIATIONS \$ 4,409,712.50

LESS: TOTAL EXPENDITURE TO DATE \$ 2,819,317.55

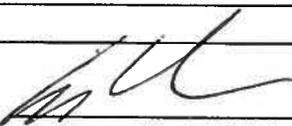
TOTAL COMMITMENTS \$ 434,776.59

AVAILABLE APPROPRIATIONS AS OF DATE OF REQUEST \$ 1,155,618.36

LESS: CONTRACT AMOUNT (Unused portion) (29,793.36)

NET AVAILABLE APPROPRIATIONS \$ 1,185,411.72

COMMENTS: Contract closeout.

REQUEST APPROVED: 

REQUEST DENIED: _____

DATE: 9/17/15

**COUNTY OF ERIE
DEPARTMENT OF ENVIRONMENT & PLANNING
DIVISION OF SEWERAGE MANAGEMENT**

COMPTROLLER'S
RECEIVED

19 SEP 17 AM 8:27

**** MEMORANDUM ****

FROM:  James A. Carr, P.E., Assistant Deputy Commissioner
TO: Gregory Gach, Deputy Comptroller
DATE: September 16, 2015
RE: Erie County Sewer District No. 6
Contract No. 51
Contract Close Out – New Frontier Excavating & Paving, Inc.

Enclosed for your review and signature is a Legislative Communication pertaining to the above referenced project. The funds for this contract were allocated from the ECSD No. 6 Bond Account C.00064.

Please call x8383 when ready for pickup.