SUSPENSION

COUNTY OF ERIE

MARK C. POLONCARZ
COUNTY EXECUTIVE

March 20, 2015

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

Re: Intersection Improvement Project PIN 5758.22
Strickler Road-CR 269 at County Road-CR282
Town of Clarence

Dear Honorable Members:

The Department of Public Works, Division of Highways is requesting authorization to allocate additional funds for the Strickler Road at County Road Federal Aid project; and execute related engineering services and inspection change orders with Bergmann Associates.

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,

Mark C. Poloncarz, Esq.
Erie County Executive

MCP/MA/dab

MEMORANDUM

To: Honorable Members of the Erie County Legislature
From: Department of Public Works/Office of the Commissioner
RE: Intersection Improvement Project PIN 5758.22
Strickler Road-CR 269 at County Road-CR282
Town of Clarence
Date: March 20, 2015

SUMMARY

Through Comm. 20E-4, approved on November 5, 2014 your Honorable Body authorized the County's participation in the Strickler Road at County Road Locally Administered Federal Aid Agreement (LAFA) Project. Authorization was also provided to the County Executive to enter into agreements responsible low bidder, Occhino Corp and Bergmann Associates for design and construction engineering & inspection services. The award to Occhino Corp and consultant engineering services with Bergmann Associates exceed the NYSDOT LAFA agreement allocation of $665,000 by approximately $20,000. However, the Division of Highways is confident the bidder's proposal is fair and in the best economic interest to the taxpayers of Erie County, and would like to finance the shortfall from existing, available funds.

FISCAL IMPLICATIONS

The original total cost of the project was estimated and approved at $665,000.00 with funds from B.00151 – 2006 Unanticipated Road & Bridge Design & Construction – Federal Aid. The project total is currently estimated at $685,000.00, a project budget shortfall of $20,000. The Department of Public Works intends on financing the shortfall with Fund 420, BA123, B.14015.4 2014 Preservation of Roads, Highway Safety Enhancements Program and execute negotiated change orders with Bergmann Associates for the design, construction engineering and inspection services for this project.

REASONS FOR RECOMMENDATION

Erie County will have completed the construction phase of the Project in Spring 2015. The federally funded High Risk Rural Road program provided insufficient funding to meet the actual costs of design and construction services and inspection.

BACKGROUND INFORMATION

The total Project was previously authorized via Comm. 20E-4 of November 5, 2014. The Project was approved by the New York State Department of Transportation in their current Capital Program 5-year Plan with funding from the Locally Administered Federal Aid Program and was let in the fall of 2013.

CONSEQUENCES OF NEGATIVE ACTION

The Construction Phase of the Project will not be fully funded and therefore, not completed. As a result this intersection on the Erie County Highway System will not realize the safety benefits that would be provided to the travelling public.

STEPS FOLLOWING APPROVAL

Highway Division will proceed with the execution of design and construction engineering services and inspection change orders, in accordance with the Federal and NYSDOT guidelines, with Bergmann Associates.

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 account balances for the action proposed.

GREGORY GACH
Deputy Comptroller
Comptroller's Office

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

RE: Intersection Improvement Project PIN 5758.22
Strickler Road-CR 269 at County Road-CR282
Town of Clarence

WHEREAS, the Erie County Legislature through Comm. 20E-4 of November 5, 2014 authorized the participation in the federally funded Intersection Improvement project; PIN 5758.22 Intersection Safety Improvements for Strickler Road-CR 269 at County Road-CR 282 (the project) in the amount of $665,000; and

WHEREAS, the awards to low bidders, Occhino Corp. and Bergmann Associates construction services and inspection agreements exceed the project estimate of $665,000.00 by approximately $20,000.00; and

WHEREAS, the Erie County Department of Public Works, Division of Highways, is confident the bidder and consulting engineer proposals are fair and in the best economic interest to the taxpayers of Erie County, and would like to finance the shortfall from existing available funds.

NOW, THEREFORE, BE IT

RESOLVED, that the Erie County Legislature hereby approves the federally funded Intersection Improvement project; PIN 5758.22 Intersection Safety Improvements for Strickler Road at County Road; and be it further

RESOLVED, that this Honorable Body hereby authorizes the allocation of $20,000.00, from B.14015.2 2014 Preservation of Roads, Highway Safety Improvements Program, Business Area 123, Fund 420 for the shortfall in the federal aid project, and execution of related change orders with Bergmann Associates for intersection safety improvements; and be it further

RESOLVED, that three (3) certified copies of this resolution be forwarded to the Department of Public Works, Office of the Commissioner, and one copy each to the Office of the County Executive, the Division of Budget and Management, the Office of the County Attorney, 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	Bergmann Associates
2. AMOUNT OF CONTRACT	$20,000.00
3. PROJECT NUMBER	B.14015.2
4. PROJECT TITLE	Preservation of Roads Highway Safety Enhancements (Strickler County Intersection)
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	$ 84,475.28
7. PERFORMED BY	Don Nelson
Date Sent to Comptroller's Office:	March 16, 2015

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