



# COUNTY OF ERIE

**MARK C. POLONCARZ**

COUNTY EXECUTIVE

April 9, 2015

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

**Re: 2015 Highway Projects – Authorization to Appropriate Funds and Enter into Contracts**  
**IMMEDIATE CONSIDERATION REQUESTED**

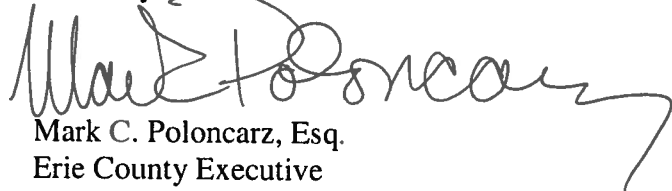
Dear Honorable Members:

Please find enclosed a resolution from the Department of Public Works seeking legislative authorization of 2015 highway construction projects and appropriations and pre-approval of bids for contracting. The resolution includes an Exhibit showing the 2015 road and bridge projects to be conducted.

Representatives from the Department of Public Works and Division of Budget and Management are available to answer questions regarding this request.

Thank you for your consideration on this matter.

Sincerely,



Mark C. Poloncarz, Esq.  
Erie County Executive

MCP/tcc

cc: Robert W. Keating, Director of Budget and Management  
John Loffredo, PE, Commissioner of Public Works

## **MEMORANDUM**

**To:** Erie County Legislature  
**From:** Department of Public Works/Office of the Commissioner  
**Re:** 2015 Highway Projects – Authorization to Appropriate Funds and Enter into Contracts  
**Date:** April 9, 2015

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### **SUMMARY**

This winter has been extremely harsh on the County's highway infrastructure and has created new deterioration to the County's facilities. As a result, it is critical that the Department of Public Works (DPW) commence repairs, rehabilitation and reconstruction on as many highway projects as possible and every effort should be made to expedite this work during the limited construction season.

In order to commence work on County roads and bridges as expeditiously as possible and to provide relief to the traveling public, legislative preapproval of 2015 highway construction, design and testing contracts and authority to appropriate funds for the 2015 highway work is requested.

### **FISCAL IMPLICATIONS**

The following funding sources in an amount not to exceed \$29,421,400 will be subject to the expedited contract approval process:

#### Currently Authorized in the 2015 Budget

2015 Approved Capital Budget/Division of Highways Budget (bond proceeds, federal aid and 2015 budgeted pay-as-you-go funds): \$21,110,000

#### Funding Authorization Requested in the Attached Resolution

2014 Budget Adjustment and 2015 Re-appropriation: \$5,841,400

Surplus Prior Year Transfer Tax Revenue: \$2,470,000

### **REASONS FOR RECOMMENDATION**

Every effort should be made to expedite highway rehabilitation projects due to the damage sustained this winter. In 2014 the Department of Public Works met with the Comptroller's Office to develop an acceptable procedure under the expedited pre-approved contract process and your Honorable Body approved of this process in April 2014. To expedite necessary road work in 2015, legislative authorization is sought for the same process in 2015.

The process will begin with the Department of Public Works utilizing approved bidding procedures

starting with the advertisement and award of all 2015 highway construction projects pursuant to applicable Local and New York State public bidding laws. Award contracts will be reviewed by the Comptroller's Office to verify that the source of funds allows for the expedited pre-approved contract process. Contracts will then be forwarded to the County Executive for signature. The Comptroller's Office will issue vendor payments upon complete of appropriate SAP documents by DPW.

### **CONSEQUENCES OF NEGATIVE ACTION**

Highway rehabilitation and reconstruction projects will be delayed and work will commence later than desired. In addition, opportunities to take advantage of lower pricing by contractors early in 2015 will be lost.

### **STEPS FOLLOWING APPROVAL**

Upon approval of this resolution, the County Executive will be authorized to commence the 2015 highway and bridge projects. The County Executive shall execute 2015 construction contracts to the lowest responsible bidders, as well as the design and testing contracts to firms designated by the Commissioner of Public Works. The Comptroller's Office shall then appropriate and release payments as necessary for the projects.

RESOLUTION SUBMITTED BY  
DEPARTMENT OF PUBLIC WORKS

**Re: 2015 Highway Projects – Authorization to Appropriate Funds and Enter into Contracts**

WHEREAS, this past winter was extremely harsh on the County's highway infrastructure;  
and

WHEREAS, it is critical that the Department of Public Works accomplish as many highway rehabilitation projects and commence projects as soon as possible, including taking advantage of the short construction season and the availability of lower pricing by contractors by early bidding; and

WHEREAS, that due to the severity of the 2014-2015 winter conditions and resulting deterioration of County facilities, every effort must be made to expedite this work, which includes seeking pre-approval from the Erie County Legislature to award highway construction, design and testing contracts and to appropriate funds for 2015 highway and related work.

NOW, THEREFORE, BE IT

RESOLVED, that in order to best promote the public interest and expedite 2015 highway work, the award of 2015 highway construction, design and testing contracts as designated by the Commissioner of Public Works for projects listed in Exhibit A and any other necessary projects added to the 2015 road list by the Commissioner of Public Works are hereby preapproved by the Erie County Legislature and the County Executive is hereby authorized and directed to execute said contracts; and be it further

RESOLVED, that pre-approval is contingent upon the advertisement and award of all 2015 highway construction projects pursuant to applicable Local and New York State public bidding laws; and be it further

RESOLVED, that the Commissioner of Public Works shall determine the lowest responsible construction bidders and submit recommendations to the County Executive; and be it further

RESOLVED, that the pre-approved contract authorization shall apply to the 2015 Highway Project contracts, as designated by the Commissioner of Public Works and noted on the attached Exhibit A document, and shall not exceed an aggregate total of \$29,421,400 from the following funding sources:

2015 Approved Capital Budget/Division of Highways Budget (bond proceeds, federal aid and 2015 budgeted pay-as-you-go funds):	\$21,110,000
Surplus Prior Year Transfer Tax Revenue:	\$2,470,000
2014 Budget Adjustment and 2015 Re-appropriation:	\$5,841,400

and be it further

RESOLVED, that the appropriation of Transfer Tax revenue may only occur following a public hearing by the Erie County Legislature which has taken place on April 20, 2015; and be it further

RESOLVED, that authorization is hereby provided to transfer in 2014 an amount totaling \$5,841,400 to interfund expense designated for Highway Road Repair and then to re-appropriate such funding into the 2015 Budget as follows:

<b>2014 Fund 110</b>	<b>Account</b>	<b>Increase/ (Decrease)</b>
<b>General Fund 110 - Expense and Revenue Adjustments</b>		
<b>Revenue</b>		
14010	County-wide Accounts Budget	
402520	Gaming Facilities Aid	3,000,000
	<b>Total - General Fund 110 Revenue Adjustment</b>	<b>3,000,000</b>
<b>Expense</b>		
14020	County-wide Interfund Accounts	
570020	Interfund – Road	5,841,400
120	Social Services	
525000	MMIS-Medicaid	(2,841,400)
	<b>Total - General Fund 110 Expense Adjustment</b>	<b>3,000,000</b>
	<b>Net – Fund 110 Revenue less Expense</b>	<b>0</b>

<b>2015 Fund 210</b>	<b>Account</b>	<b>Increase/ (Decrease)</b>
<b>Highway Fund 210 – Expense and Revenue Adjustments</b>		
<b>Revenue</b>		
123	Highways (DPW)	
486000	Interfund Revenue Subsidy	5,841,400
	Highways (DPW) Total	5,841,400
<b>Expense</b>		
123	Highways (DPW)	
570000	Interfund Transfer Subsidy	5,841,400
	Highways (DPW) Total	5,841,400
	<b>Net - Fund 210 - Revenue less Expense</b>	<b>0</b>

and be it further

RESOLVED, that authorization is hereby provided to the Director of Budget and Management to adjust revenue and expense items in order to increase the 2015 Highways Capital Overlay Program by \$5,841,400 from the original pay-as-you-go budgeted amount of \$6,500,000 to \$12,341,400; and be it further

RESOLVED, that the Comptroller's Office is directed to effectuate the release of funds for road projects based on requests from the Department of Public Works from the above-noted funding sources or related sources of funds made available in 2015; and be it further

RESOLVED, that periodic informational reports shall be filed with the Legislature by the Department of Public Works indicating awarded 2015 highway project contracts and contractors; and be it further

RESOLVED, that certified copies of this resolution be sent to the Department of Public Works, Office of the Commissioner, Office of the County Executive, the Division of Budget and Management and the Office of the Comptroller.

# Erie County Department of Public Works - 2015 Highway Budget

April 9, 2015

## Exhibit A

### A. Construction Projects

Project	Town	Funding	Mileage	Estimated Cost
<b>Miscellaneous Overlay Program</b>				
Micro pave	various	Pay As You Go	25.00	\$1,200,000
			Total	\$1,200,000
<b>Oil and Chip</b>				
	various	Pay As You Go	80.00	\$2,800,000
			Total	\$2,800,000
<b>Mill and Overlay</b>				
To Be Determined	various			\$0
			Total	\$0
			Subtotal	\$4,000,000
<b>Misc. Turn Back Roads to Towns, Mill and Overlay, Bridge Construction</b>				
	various	Pay As You Go		\$1,000,000
			Total	\$1,000,000
<b>Utility Commitments - Overlay</b>				
Losson Road	Cheektowaga	Pay As You Go		\$500,000
Seneca Street	West Seneca	Pay As You Go		\$500,000
Evans Street	Amherst	Pay As You Go		\$300,000
Wehrle Intersection	Amherst	Pay As You Go		\$200,000
various		Pay As You Go		
			Total	\$1,500,000
<b>Asset Management Software</b>				
		2015 Bond Funds		\$350,000
			Total	\$350,000
<b>Asset Management Software Tools Gasboy Integration</b>				
		2015 Bond Funds		\$200,000
			Total	\$200,000
<b>Federal Aid Projects Right of Way</b>				
Kenmore Avenue	Tonawanda/Bufalo	Federal Aid 2015 Bond Funds		\$700,000
		(Erie County Share - \$70,000)		
			Total	\$700,000

# Erie County Department of Public Works - 2015 Highway Budget

April 9, 2015

## Exhibit A

### A. Construction Projects

Project	Town	Funding	Mileage	Estimated Cost
<b>Federal Aid Projects Construction</b>				
Salt Road Bridge	Clarence	Federal Aid 2015 Bond Funds		\$2,000,000
Kenmore Avenue	Tonawanda/Buffalo	Federal Aid 2015 Bond Funds		\$660,000
Tonawanda Rails to Trails	Tonawanda	Federal Aid 2015 Bond Funds		\$250,000
		(Erie County Share - \$1,110,000)	Total	\$2,910,000
<b>Federal Aid Bridge Preservation - Construction</b>				
2015 Bridge Painting	various			\$800,000
Bridge Washing and Deck Sealing	various			\$525,000
Bridge Vertical Down, Bearings, Railings, Joints	various			\$500,000
		(Erie County Share - \$405,000)	Subtotal	\$1,825,000
<b>Small Bridge Inspection Program</b>				
	various	2015 Bond Funds		\$600,000
			Sub Total	\$600,000
<b>Preservation of Roads Construction - Various Maintenance</b>				
Lake Avenue	Hamburg/Orchard Park	2015 Bond Funds		\$3,000,000
Brighton Road	Tonawanda	2015 Bond Funds		\$1,000,000
			Sub Total	\$4,000,000
<b>Highway Safety Improvements (Guardrail, etc.)</b>				
To Be Determined	various	2015 Bond Funds		\$400,000
			Sub Total	\$400,000
<b>Preservation of Bridges Construction</b>				
Jamison Road Bridge	Elma	2015 Bond Funds		\$2,200,000
Small Bridge Inspection Flags	various	2015 Bond Funds		\$800,000
			Sub Total	\$3,000,000
<b>Dam Preservation Rehabilitation and Regulatory Compliance Construction</b>				
			Sub Total	\$125,000
			Sub Total	\$125,000

**A. 2015 Construction Total \$20,610,000**



**Erie County Department of Public Works - 2015 Highway Budget**

**April 9, 2015**

**Exhibit A**

**B. Design Projects**

Project	Town	Funding	Estimated County Cost
<b>Dam Preservation Rehabilitation and Regulatory Compliance Design</b>			
various		2015 Bond Funds	\$125,000
		<b>Sub Total</b>	<b>\$125,000</b>
<b>Federal Aid Bridge Preservation - Design</b>			
various		Federal Aid 2015 Bond Funds	\$125,000
		<b>Sub Total</b>	<b>\$125,000</b>
<b>Preservation of Bridges and Culverts Design</b>			
various		2015 Bond Funds	\$250,000
		<b>Sub Total</b>	<b>\$250,000</b>

**B. 2015 Design Total \$500,000**

**C. Additional 2015 Projects**

Project	Town	Funding	Mileage	Estimated Cost
<b>Overlay</b>				
Amsdell Road	Hamburg	Additional 2015 Pay-as-You-Go		\$950,000
Fisher Road	West Seneca	Transfer Tax		\$550,000
Langer Road	West Seneca	Additional 2015 Pay-as-You-Go		\$350,000
George Urban Boulevard	Cheektowaga	Additional 2015 Pay-as-You-Go		\$800,000
Goodrich Road	Clarence	Additional 2015 Pay-as-You-Go		\$1,850,000
Colvin Boulevard	Tonawanda	Additional 2015 Pay-as-You-Go		\$500,000
various		Additional 2015 Pay-as-You-Go		
		<b>Total</b>		<b>\$5,000,000</b>
<b>Miscellaneous</b>				
Evans Shoreline Trail	Evans	Additional 2015 Pay-as-You-Go		\$60,000
Elmwood Avenue Pedestrian Project	Tonawanda	Transfer Tax		\$120,000
Tonawanda Rails to Trails	Tonawanda	Additional 2015 Pay-as-You-Go		\$206,400
Kenmore Avenue Railroad Viaduct	Tonawanda	Additional 2015 Pay-as-You-Go		\$275,000
Girdle Road Bridge	Elma	Transfer Tax		\$1,800,000
Scoby Dam USACE Project	Concord	Additional 2015 Pay-as-You-Go		\$850,000
various		various		
		<b>Subtotal</b>		<b>\$3,311,400</b>

**C. Additional 2015 Projects Total \$8,311,400**

**Exhibit A**

**Erie County Department of Public Works - 2015 Highway Budget**

**A. 2015 Construction Total      \$20,610,000**

**B. 2015 Design Total      \$500,000**

**C. Additional 2015 Projects Total      \$8,311,400**

**2015 Highway Budget Total      \$29,421,400**