

SUSPENSION



COUNTY OF ERIE

MARK C. POLONCARZ

COUNTY EXECUTIVE

August 31, 2016

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

IMMEDIATE CONSIDERATION REQUESTED

**Re Rehabilitation of Berg Road Bridge Over Smokes Creek and Rehabilitation of Berg Road (CR187) from Abbott Road to Orchard Park Road
Towns of Orchard Park and West Seneca**

Dear Honorable Members:

Please find attached for your approval a proposed resolution authorizing the County of Erie to award a contract to the lowest responsible bidder, Oakgrove Construction for the Rehabilitation of Berg Road Bridge over Smokes Creek and Rehabilitation of Berg Road (CR187) from Abbott Road to Orchard Park Road.

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

Sincerely,

A handwritten signature in black ink, appearing to read "Mark C. Poloncarz", written in a cursive style.

Mark C. Poloncarz, Esq.
Erie County Executive

MCP/cs/dab

cc: John C. Loffredo, Department of Public Works

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MEMORANDUM

TO: Honorable Members of the Erie County Legislature
FROM: Department of Public Works
RE: Rehabilitation of Berg Road Bridge Over Smokes Creek and Rehabilitation of Berg Road (CR187) from Abbott Road to Orchard Park Road
Township of Orchard Park and West Seneca
DATE: August 31, 2016

SUMMARY

Authorization is being requested for approval to award construction, design and testing contracts and establishing contract contingencies up to 15 percent, all as designated by the Commissioner of Public Works to the lowest responsible contract bidder, Oakgrove Construction and CHA Engineers for construction inspection services for the Rehabilitation of Berg Road Bridge and Berg Road from Abbott Road to Orchard Park Road.

FISCAL IMPLICATIONS

The total cost for the bridge rehabilitation and road rehabilitation shall be in a total amount not to exceed \$1,645,384.

Funds for the Project are available in BA123, Fund 420, SAP Project B.16050.

REASONS FOR RECOMMENDATION

The Erie County Department of Public Works has received red structural bridge flags from the State of New York for the Berg Road Bridge over Smokes Creek. As a result, the County is now on notice that it must address the subject bridge deficiencies, in a timely manner, or close the bridge to pedestrian traffic, and eventually vehicular traffic. In conjunction with the bridge work, Berg Road from Abbott Road to Orchard Park Road is rated a 5 (Poor) and carries over 6,200 vehicles per day. It will be more economically feasible and less disruptive to the public to address both of these projects at the same time.

BACKGROUND INFORMATION

The current bridge deck can be reused if repairs are done immediately. However if the deck is subjected to another winter it will further deteriorate and have to be replaced at an additional cost. The road segment is also severely deteriorated and has a Road Score (2015) of 5 (Poor), out of 10, along with a daily traffic count greater than 6,200 vehicles per day.

CONSEQUENCES OF NEGATIVE ACTION

Berg Road Bridge will not be improved and will pose a hazard to the traveling public. The bridge red flags will not be addressed and will lead to closing of this important structure.

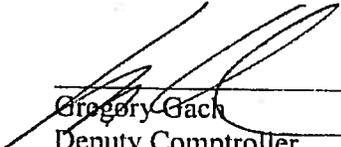
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STEPS FOLLOWING APPROVAL

The County Executive will execute an agreement with the lowest responsible bidder, Oakgrove Construction and CHA Engineering for services during construction, for successful and timely implementation of this bridge and road project.

COMPTROLLER'S OFFICE REVIEW

The proposed legislation has been reviewed by the Office of the Comptroller and is related to authorized capital projects for which there are sufficient appropriations for the action proposed.



Gregory Gach
Deputy Comptroller
Comptroller's Office

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TO: GREGORY GACH, DEPUTY, 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	<u>Oakgrove Construction \$1,348,160 CHA Engineers \$ 95,000 Construction Contingency \$ 202,224</u>
2. AMOUNT OF CONTRACT	<u>\$1,645,384</u>
3. PROJECT NUMBER	<u>B.16050</u>
4. PROJECT TITLE	<u>Emergency Rehabilitation of Berg Road Bridge Over Smokes Creek and Rehabilitation of Berg Road (CR187) from Abbott Road to Orchard Park Road - Towns of Orchard Park & West Seneca</u>
5. DEPARTMENT CONTACT	<u>Funding questions: Charles A. Sickler, PE at 8372 Letter pickup: Diane Bukowski at 8301</u>
COMPTROLLER'S OFFICE	COMPLETE ITEMS 6 AND 7
6. AVAILABILITY OF FUNDS	<u>\$ 6,578,863.61</u>
7. PERFORMED BY	<u><i>Jeff R. Minibelli</i></u>
Date Sent to Comptroller's Office:	<u>August 31, 2016</u>

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

Re: Rehabilitation of Berg Road Bridge over Smokes Creek and Rehabilitation of Berg Road (CR187) from Abbott Road to Orchard Park Road
Towns of Orchard Park and West Seneca

WHEREAS, the Berg Road Bridge over Smokes Creek has received from the State of New York, red structural flags for the poor condition of the pedestrian section of the bridge; and

WHEREAS, the County is now on notice that it must address the subject bridge deficiencies, in a timely manner, or close the bridge to pedestrian traffic and eventually vehicular traffic; and

WHEREAS, the County received bids on August 29, 2016 for the rehabilitation of Berg Road Bridge over Smokes Creek, with the lowest responsible bidder being Oakgrove Construction at its bid of \$1,348,160; and

WHEREAS, in conjunction with the bridge work, Berg Road from Abbott Road to Orchard Park Road is rated a 5 (Poor) and carries over 6,200 vehicles per day; and

WHEREAS, it will be more economically feasible and less disruptive to the public to address both of these projects at the same time; and

WHEREAS, the County desires to continue an agreement with the design engineer for this project, CHA Engineers, in the amount of \$95,000.00 for the construction services of this project; and

WHEREAS, the Department of Public Works in order to successfully implement the project in a timely manner, it will be necessary for the County to execute the construction contract with responsible low bidder, Oakgrove Construction, enter into a construction phase engineering services agreement with CHA Consultants, and establish a construction contingency of 15%, for a total amount not to exceed \$1,645,384; and

WHEREAS, Erie County was awarded \$2,019,636 in additional highway aid through the PAVE-NY program; and

WHEREAS, the Department of Public Works wishes to utilize PAVE-NY funds to advance highway projects.

NOW, THEREFORE, BE IT

RESOLVED, that in order to best promote the public interest and expedite the bridge rehabilitation, construction, design and testing, contracts will be awarded to CHA Engineers for an amount of \$95,000.00, and establish a contract contingency amount not to exceed 15 percent

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(\$202,224) as designated by the Commissioner of Public Works and the County Executive, is hereby authorized and directed to execute said contracts; and be it further

RESOLVED, that the Commissioner of Public Works has determined the lowest responsible construction bidder to be Oakgrove Construction at their bid amount of \$1,348,160 and authorization is hereby granted to award a contract for this project to Oakgrove Construction; and be it further

RESOLVED, that Erie County is authorized to accept PAVE-NY funding in the amount of \$2,019,636; and be it further

RESOLVED, that the Division of Budget and Management is authorized to adjust the 2016 operating and capital budgets as needed; and be it further

RESOLVED, that the total cost of all contracts for the bridge and road rehabilitation work shall not exceed \$1,645,384; and be it further

RESOLVED, that the following authorized Project funds: BA123, Fund 420, SAP Project B.16050 in the amount of \$1,645,384 be made available for the Project; and be it further

RESOLVED, that the Clerk of the Legislature forward three (3) 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.