



COUNTY OF ERIE

MARK C. POLONCARZ
COUNTY EXECUTIVE

October 13, 2016

Erie County Legislature
92 Franklin Street – 4th Floor
Buffalo, New York 14202

**Re: Bridge Steel & Deck Repairs
Increase of Project Funding and Award
Various Towns, Erie County - NYS PIN 5761.33**

Dear Honorable Members:

The County Executive is requesting authorization to increase the project funding for the Bridge Steel & Deck Repairs project in order to award and execute agreements with L.C. Whitford Co, Inc. and CHA Companies.

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

Sincerely,

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

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: Bridge Steel & Deck Repairs
Increase of Project Funding and Award
Various Towns, Erie County - NYS PIN 5761.33
Date: October 13, 2016

SUMMARY

NYSDOT provided Erie County a Locally Administered Federal Aid (LAFA) Agreement for the Bridge Steel & Deck Repairs project in the amount of \$1,190,000. to cover the costs associated with steel and deck repairs, localized painting, construction inspection and administration and an appropriate contingency for County Bridges approved by your Honorable Body in Comm. 14E-11 (2016). Public bids were opened on August 4, 2016 for the subject project. The lowest responsible bid received from LC Whitford Co, Inc. is \$1,289,300, the negotiated cost of construction inspection from CHA Companies is \$100,000., and an appropriate contingency is \$128,000. These costs exceed the Locally Administered Federal Aid agreement with NYSDOT by \$327,300.

Erie County DPW is requesting authorization to (1) supplement the Project budget with funds available in SAP Account B.15011, 2015 Preservation of Bridges, Construction Program, Fund Center 123, Fund 420, (2) award and enter into agreements with the vendors, and (3) establish a contingency for the vendors listed above.

FISCAL IMPLICATIONS

The proposed resolution requests that Erie County increase the project budget from \$1,190,000 to \$1,517,300. The Locally Administered Federal Aid Project in the amount of \$1,190,000 is available in B.14011, 2014 Federal Aid Bridge Preservation, Construction. The resolution requests that the \$327,300 difference be made available for the construction, construction engineering, construction inspection services from SAP Account B.15011, 2015 Preservation of Bridges, Construction Program, Fund Center 123, Fund 420. Project budget will be used to award, enter into agreements with, and establish contingency for L.C. Whitford and CHA Companies.

REASONS FOR RECOMMENDATION

Department of Public Works determined that the Project costs are fair, reflect the market for the services required, and are in the best interest of the Erie County taxpayer. For successful execution of this Project, existing funds of \$1,190,000 are insufficient for known and projected costs through project closeout. Additional funds are necessary to award and complete the Project.

BACKGROUND INFORMATION

The allotted Federal and State funding for the Project are insufficient. Moving the project forward is a priority to address county-wide bridge infrastructure deficiencies. The additional funding allows Erie County to meet the requirements of the LAFA agreement and receive reimbursement of the Federal and State funds dedicated to this project.

CONSEQUENCES OF NEGATIVE ACTION

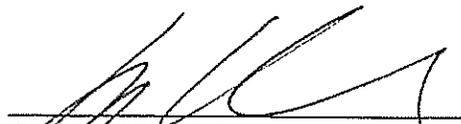
If the additional funds are not approved, the project will not be able to be awarded and the bridges will continue to deteriorate becoming a health and safety hazard for the travelling public. Erie County also risks loss of approximately \$1,130,500. in available Federal and State reimbursements through the LAFA agreement towards the Project expense.

STEPS FOLLOWING APPROVAL

The contract will be awarded to the lowest bidder L.C. Whitford Co. Inc. and Project designers CHA Companies for construction phase engineering services. The additional funding will be made available and used as necessary for the completion of the 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.


GREGORY GACH
Deputy Comptroller
Comptroller's Office

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

RE: Bridge Steel & Deck Repairs (6 Bridges)
Project Funding Increase and Award
Various Towns, Erie County -NYS PIN 5761.33

WHEREAS, the New York State Department of Transportation provided Erie County a Locally Administered Federal Aid (LAFA) Agreement for the Bridge Steel & Deck Repairs (6 Bridges), Various Towns, Erie County PIN 5761.33 (the "Project") in the amount of \$1,190,000 to cover the costs associated with steel and deck repairs, localized painting, construction inspection and administration and an appropriate contingency for six (6) County Bridges; and

WHEREAS the Legislature approved accepted and approved this agreement via Comm. 14E-11(2016); and

WHEREAS, public bids were opened on August 4, 2016 for the Project, and the Department of Public Works recommends award of construction to lowest responsible bidder L.C. Whitford Co., Inc. in the amount of \$1,289,300, amending CHA Companies' design agreement for the construction inspection and engineering services in the amount of \$100,000, and establishing a Project contingency of \$128,000; and

WHEREAS, the total cost of the Project, in the amount of \$1,517,300, exceeds the Locally Administered Federal Aid agreement with NYSDOT of \$1,190,000 authorized in B.14011, 2014 Bridge Preservation Construction Program by \$327,300; and

WHEREAS, DPW is requesting authorization to supplement the Project budget with funds available in SAP Account B.15011, 2015 Preservation of Bridges, Construction Program, Fund Center 123, Fund 420.

NOW, THEREFORE, BE IT

RESOLVED, that this Honorable Body authorizes Project funds, SAP Account B.15011, 2015 Preserve Bridge Construction Fund Center 123, Fund 240, in the amount of \$327,300 be made available for the Project; and be it further

RESOLVED, that the County Executive be authorized and is hereby directed to award and execute construction contract with low bidder L.C. Whitford Co. Inc., execute construction phase amendment with project engineers CHA Companies, Inc., and establish a Project contingency for any required Change Orders to the project in the amount not to exceed \$1,517,300, \$1,190,000 from B.14011, 2014 Bridge Preservation Construction Program and \$327,300 from B.15011, 2015 Preservation of Bridges, Construction Program ; and be it further

RESOLVED, that the Clerk of the Legislature be instructed to forward three (3) certified copies of this resolution to the Commissioner of Public Works, and 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, DEPUTY, COMPTROLLER'S OFFICE

RE: 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 | L.C. Whitford Co. ,Inc. = \$1,289,300.
CHA Companies, Inc. = \$100,000.
Contingency = \$128,000. |
| 2. AMOUNT OF CONTRACT | \$1,517,300.00 |
| 3. PROJECT NUMBER | B.14011, 2014 Bridge Preservation, Construction
B.15011, 2015 Preservation of Bridges, Construct |
| 4. PROJECT TITLE | Bridge Steel Deck Repairs PIN 5761.33
ECDPW Project No FA-BR MISC4-16 |
| 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

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|------------------------------------|-------------------------|
| 6. AVAILABILITY OF FUNDS | \$ 1,012,866.40 |
| 7. PERFORMED BY | <i>Greg R. Mitchell</i> |
| Date Sent to Comptroller's Office: | October 3, 2016 |

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