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# COUNTY OF ERIE

**MARK C. POLONCARZ**

COUNTY EXECUTIVE

February 15, 2016

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

**RE: Penora Street - CR23 Phase 3 - Erie County Project No CAP-23-14  
Village of Depew – Construction Contract Increase**

Dear Honorable Members:

Please find enclosed a proposed resolution authorizing the Department of Public Works, Division of Highways, to execute a project Change Order for the Penora Street Phase 3 Improvements Project with Union Concrete and Construction Corp.

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

Sincerely,

Mark C. Poloncarz, Esq.  
Erie County Executive

MCP:ws/dab

cc: John Loffredo, Department of Public Works

## MEMORANDUM

**To:** Honorable Members of the Erie County Legislature  
**From:** Department of Public Works  
**Re:** Penora Street - CR23 Phase 3-Erie County Project No CAP-23-14  
Village of Depew – Construction Contract Increase  
**Date:** February 15, 2016

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### **SUMMARY**

The Department of Public Works recommends approval to increase the scope of work and project budget via a Change Order on the Penora Street Rehabilitation Project No. CAP-23-14, a Construction Contract with Union Concrete and Construction Corp. (UCC).

### **FISCAL IMPLICATIONS**

The attached proposed resolution requests \$26,012.80 be allocated in B.12008.4 – 2012 Preservation of Bridges.

### **REASONS FOR RECOMMENDATION/ BACKGROUND**

#### **INFORMATION**

In an effort to complete the project and close it out, the quantities have been computed from field measurements and increases and decreases have been calculated. After negotiations, DPW has agreed to the project increase. This Change Order will allow final payment and project close out.

### **CONSEQUENCES OF NEGATIVE ACTION**

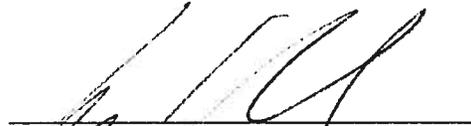
The Project will not be able to be closed out.

### **STEPS FOLLOWING APPROVAL**

The County Executive will sign the negotiated change order and final payment will be made.

**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 funds



Gregory Gach  
Deputy Comptroller  
Comptroller's Office

File: (hgwy.penora.contract increase.1.28.16)

**A RESOLUTION SUBMITTED BY:  
DEPARTMENT OF PUBLIC WORKS**

**RE: Penora Street CR23 Phase 3-Erie County Project No CAP-23-14  
Village of Depew – Construction Contract Increase**

WHEREAS, bids were taken for the Rehabilitation/Reconstruction of Penora Street CR 23, Phase 3 Project, in the Village of Depew, on February 20, 2014. The low responsible bidder was Union Concrete and Construction Corp. (UCC) of West Seneca, at a low bid amount of \$1,415,963.6; and

WHEREAS, the project was allowed to be awarded to the lowest responsible bidder via Legislative approval at the April 3, 2014 legislative session (Comm. 5E-11 (2014)); and

WHEREAS, additional funding is required to complete payment for work already in place to pay for quantity increases for both road and bridge repairs, and to close out contract.

NOW, THEREFORE, BE IT

RESOLVED, that the County Executive be authorized and is hereby directed to approve an increase to the Scope of Work and item quantities, and execute a Change Order for the Penora Street Rehabilitation Project No. CAP-23-14, for an amount not to exceed \$26,012.80; and be it further

RESOLVED, that the amount of \$26,012.80 be utilized from B.12008.4 - 2012 Preservation of Bridges for a Scope of Work increase to the Construction Contract with Union Concrete and Construction Corp. for an amount not to exceed \$26,012.80; and be it further

RESOLVED, that three certified copies of this resolution be sent 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, 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 Union Concrete & Construction Corp.  
(dba UCC)
2. AMOUNT OF CONTRACT \$1,734,067.90 /change order \$26,012.80
3. PROJECT NUMBER B.12008.4 – 2012 Preservation of Bridges
4. PROJECT TITLE Penora Street CR23-Phase 3 Erie County Project  
CAP-23-14 – Village of Depew Construction  
Contract Increase
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 \$ 62,381.62
  7. PERFORMED BY JOE MIRABELLI
- Date Sent to Comptroller's Office: January 28, 2016

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