



ECLEG APR11 '16 AM10:08

# COUNTY OF ERIE

**MARK C. POLONCARZ**  
COUNTY EXECUTIVE

April 6, 2016

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

**Re: Award of Construction for  
Rehabilitation of Bullis Road Bridge over Buffalo Creek  
Town of Elma, Erie County, PIN 5760.54**

Dear Honorable Members:

Please find enclosed for your approval a resolution authorizing the County to award a contract to the low bidder, Oakgrove Construction, enter into a construction phase engineering agreement with CHA Consulting, Inc., and establish a project contingency for the Rehabilitation of Bullis Road Bridge over Buffalo Creek project.

Should your Honorable Body require further information, I encourage you to contact Commissioner John Loffredo. Thank you for your consideration on this matter.

Sincerely,

A handwritten signature in black ink, appearing to read "Mark C. Poloncarz", written over a faint, larger version of the same signature.

Mark C. Poloncarz, Esq.  
Erie County Executive

MCP/dms/dab

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:** Award of Construction for Rehabilitation of Bullis Road Bridge over Buffalo Creek, Town of Elma, Erie County, PIN 5760.54  
**DATE:** April 6, 2016

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### **SUMMARY**

Authorization is requested to award a construction contract to the low bidder, Oakgrove Construction, enter into a construction phase engineering agreement with CHA Consulting, Inc., and establish a Project contingency for the Rehabilitation of Bullis Road Bridge over Buffalo Creek project.

### **FISCAL IMPLICATIONS**

The total cost of this project is currently estimated at \$1,536,017. The total budget is available in the following Fund 420, BA123 Project Fund accounts:

B.13002, 2013 Bridge Enhancement Programs	\$167,750.00
B.14024, 2014 Capital Road Overlay Project (PAYGO)	\$604,539.00
B.15019, 2015 Capital Road Overlay Project (PAYGO)	\$500,000.00
B.15011, 2015 Preservation of Bridges, Construction	\$263,728.00

The award of construction to Oakgrove Construction, the construction phase engineering services with CHA Consulting, Inc., and the Project Contingency will not exceed the maximum project allowance of \$1,536,017.

### **REASONS FOR RECOMMENDATION**

The Erie County Department of Public Works has completed the design phase of the Project and desires to advance the construction and construction engineering phase of the Project.

### **BACKGROUND INFORMATION**

This project had initially been approved by the New York State Department of Transportation in their Capital Program Plan to be funded with Federal Aid and NYS Marchiselli funds. However, the Locally Administered Federal Aid Program funds for this Project are not available, and the bridge condition continues to deteriorate.

### **CONSEQUENCES OF NEGATIVE ACTION**

If the proposed resolution is not approved, the Rehabilitation of the Bullis Road Bridge over Buffalo Creek will continue to deteriorate and pose problems for the traveling public.

**STEPS FOLLOWING APPROVAL**

Budget as stated in the resolution will be adjusted. The County Executive will execute Agreements with the responsible low bidder, Oakgrove Construction and CHA Consulting, Inc. for successful and timely implementation of this project.

**COMPTROLLER'S OFFICE REVIEW**

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



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Gregory Gach  
Deputy Comptroller  
Comptroller's Office

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

RE: Award of Construction for  
Rehabilitation of the Bullis Road Bridge over Buffalo Creek  
Town of Elma, Erie County, PIN 5760.54

WHEREAS, the design phase of the Bullis Road Bridge over Buffalo Creek, PIN 5760.54, (the "Project") was approved via Communication 10E-18 of May 28, 2015; and

WHEREAS, the County of Erie desires to advance the Construction phase of the Project;  
and

WHEREAS, bids were taken for the Rehabilitation of Bullis Road Bridge over Buffalo Creek, PIN 5760.54 in the Town of Elma, on October 22, 2015, and the lowest responsible bidder was Oakgrove Construction, in the amount of \$1,258,017; and

WHEREAS, the Department of Public Works was notified of the lack of Federal and New York State revenue through the Locally Administered Federal Aid Program for the Project and has identified available funds to carry out the Project; and

WHEREAS, the Department of Public Works recommends the Project progress through the Construction phase to prevent further deterioration of the bridge; and

WHEREAS, the Department of Public Works seeks authorization for the County Executive to enter into agreements with low bidder Oakgrove Construction, in the amount of \$1,258,017, design phase engineers CHA Consulting, Inc. for construction phase engineering and inspection services in the amount of \$88,000., and establish a Construction Contingency in an amount not to exceed \$190,000.

NOW, THEREFORE, BE IT

RESOLVED, that the Erie County Legislature hereby approves the above subject Project phase; and be it further

RESOLVED, that the County Executive be authorized to award and execute contracts between the County of Erie and Oakgrove Construction, CHA Consulting, Inc., establish a Construction Contingency, execute Change Orders for the Rehabilitation of Bullis Road over Buffalo Creek, PIN 5760.54 in the Town of Elma for a total project amount of \$1,536,017; and be it further

RESOLVED, that the Project Fund B.13002, 2013 Bridge Enhancement Programs, Fund Center 123, Fund 420, be adjusted for the lack of available program Federal and State funds through the Locally Administered Federal Aid Program in the amount of \$641,250 as follows:

REVENUES		CURRENT BUDGET	INCREASE/ DECREASE	REVISED BUDGET
Account	Description			
405160	NYS Marchiselli	\$ 354,000	(\$ 101,250)	\$ 252,750
414000	Federal Aid	\$ 2,480,000	(\$ 540,000)	\$1,940,000
445070	Prem on Obligation	\$ 54,162.12	\$ 0	\$ 54,162.12
475000	Gen Oblig Bond Proc	<u>\$345,837.88</u>	<u>\$ 0</u>	<u>\$ 345,837.88</u>
<u>TOTAL REVENUES</u>		<u>\$3,234,000</u>	<u>(\$ 641,250)</u>	<u>\$2,592,750</u>

APPROPRIATIONS

Capital Projects	Capital Project Exp	<u>\$3,234,000</u>	<u>(\$ 641,250)</u>	<u>\$2,592,750</u>
<u>TOTAL APPROPRIATIONS</u>		<u>\$3,234,000</u>	<u>(\$ 641,250)</u>	<u>\$2,592,750</u>

; and be it further

RESOLVED, that the estimated total sum of the construction and construction inspection Phase of the Project, \$1,536,017, is hereby appropriated from:

B.13002 - 2013 Bridge Enhancement Programs	\$167,750.00
B.14024 - 2014 Capital Road Overlay Project (PAYGO)	\$604,539.00
B.15019 - 2015 Capital Road Overlay Project (PAYGO)	\$500,000.00
B.15011 - 2015 Preservation of Bridges, Construction	\$263,728.00

; and be it further

RESOLVED, the County Executive is hereby authorized to execute the construction contract with the responsible low bidder, Oakgrove Construction, and enter into a construction phase engineering service agreement with project designers CHA Consulting, Inc., and establish a Construction Contingency in an amount not to exceed \$1,536,017.; 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 (1) 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  
Oakgrove Construction \$1,258,017.00  
CHA Consulting, Inc. \$ 88,000.00  
Construction Contingency \$ 190,000.00
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2. AMOUNT OF CONTRACT(S) \$1,536,017.00
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3. PROJECT NUMBER  
B.13002 = \$167,750.00  
B.14024 = \$604,539.00  
B.15019 = \$500,000.00  
B.15011 = \$263,728.00
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4. PROJECT TITLE  
B.13002 - 2013 Bridge Enhancements Program  
B.14024 - 2014 Capital Overlay Program PAYGO  
B.15019 - 2015 Capital Overlay Program PAYGO  
B.15011 - 2015 Preservation of Bridges, Construction
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5. DEPARTMENT CONTACT  
Funding questions: Charles A. Sickler, PE at 8372  
Letter pickup: Diane Bukowski at 8301
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COMPTROLLER'S OFFICE

COMPLETE ITEMS 6 AND 7

6. AVAILABILITY OF FUNDS

B. 13002 1,461,079.88

B. 15019 → \$3,073,249.99

B. 14024 \$ 643,807.04

B. 15011 → \$ 1,307,032.35

7. PERFORMED BY

Date Sent to Comptroller's Office:

March 9, 2016

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Comm. 7E-11  
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