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COUNTY OF ERIE

MARK C. POLONCARZ
COUNTY EXECUTIVE

April 4, 2016

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

Re: 2016 Highway Projects – Authorization to Appropriate Funds and Enter into Contracts

Dear Honorable Members:

Please find enclosed a resolution from the Department of Public Works seeking legislative authorization of 2016 highway construction projects and appropriations and pre-approval of bids for contracting. The resolution includes an Exhibit showing the 2016 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: 2016 Highway Projects – Authorization to Appropriate Funds and Enter into Contracts
Date: April 4, 2016

SUMMARY

As has been done in 2014 and 2015, the Department of Public Works requests legislative authorization to commence work on County roads and bridges as expeditiously as possible and to provide relief to the traveling public. Accordingly, legislative preapproval of 2016 highway construction, design and testing contracts and authority to appropriate funds for 2016 highway work is requested.

FISCAL IMPLICATIONS

The following funding sources in an amount not to exceed $26,807,000 will be subject to the expedited contract approval process:

Currently Authorized in the 2016 Budget
2016 Approved Capital Budget/Division of Highways Budget (bond proceeds, federal aid and 2016 budgeted pay-as-you-go funds): $19,607,000

Funding Authorization Requested in the Attached Resolution
2015 Re-appropriation to 2016: $5,000,000

Surplus Prior Year Transfer Tax Revenue: $2,200,000

REASONS FOR RECOMMENDATION

Every effort should be made to expedite highway rehabilitation projects to take advantage of the favorable weather and the condition of roads and bridges. In 2014 and 2015 this Honorable Body approved of this expedited pre-approved contract process.

The process will begin with the Department of Public Works utilizing approved bidding procedures starting with the advertisement and award of all 2016 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 completion 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 will be lost.

STEPS FOLLOWING APPROVAL

Upon approval of this resolution, the County Executive will be authorized to commence the 2016 highway and bridge projects. The County Executive shall execute 2016 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: 2016 Highway Projects – Authorization to Appropriate Funds and Enter into Contracts

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, due to the condition 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 2016 highway and related work.

NOW, THEREFORE, BE IT

RESOLVED, that in order to best promote the public interest and expedite 2016 highway work, the award of 2016 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 2016 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 2016 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 2016 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 $26,807,000 from the following funding sources:

2016 Approved Capital Budget/Division of Highways Budget (bond proceeds, federal aid and 2016 budgeted pay-as-you-go funds):	$19,607,000
Surplus Prior Year Transfer Tax Revenue:	$2,200,000
2015 Re-appropriation to 2016:	$5,000,000

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 13, 2016; and be it further

RESOLVED, that the following adjustments are hereby authorized:

2016 Fund 210		Account	Increase/ (Decrease)
Highway Fund 210 – Expense and Revenue Adjustments			
Revenue			
123	Highways (DPW)		
	486000	Inter-fund Revenue Subsidy	5,000,000
	Highways (DPW) Total		5,000,000
Expense			
123	Highways (DPW)		
	570000	Inter-fund Transfer Subsidy	3,000,000
123	561440	Motor Vehicles	2,000,000
	Highways (DPW) Total		5,000,000
		Net - Fund 210 - Revenue less Expense	**0**

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 $3,000,000 from the original pay-as-you-go budgeted amount of $6,750,000 to $9,750,000; and be it further

RESOLVED, that the re-appropriation of $5,000,000 from 2015 into the 2016 Budget will be further memorialized and authorized within the annual Budget Balancing Amendments resolution; 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 2016; and be it further

RESOLVED, that periodic informational reports shall be filed with the Legislature by the Department of Public Works indicating awarded 2016 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 - 2016 Highway Budget

April 4, 2016

Exhibit A

A. Construction Projects

Project	Town	Funding	Mileage	Estimated Cost	Legislative District
Miscellaneous Overlay Program					
Micropave					
various	various	Pay As You Go	21.00	$1,000,000	various
			Total	$1,000,000	
Oil and Chip					
various	various	Pay As You Go	180.00	$4,000,000	various
			Total	$4,000,000	
Crack Sealing					
To Be Determined	various	Pay As You Go		$500,000	various
			Total	$500,000	
			Subtotal	$5,500,000	
Misc, Turn Back Roads to Towns, Mill and Overlay, Bridge Construction					
various	various	2016 Bond Funds		$1,000,000	various
			Total	$1,000,000	
Mill and Overlay					
Big Tree Road - Route 75 to Bayview	Hamburg	Pay As You Go	1.15	$625,000	Dixon
Girdle Road - Clinton to Bullis	Elma	Pay As You Go	1.10	$625,000	Lorigo
			Total	$1,250,000	
Highway Safety Improvements (Guiderail, etc.)					
To Be Determined	various	2016 Bond Funds		$400,000	various
			Sub Total	$400,000	
Capital Right of Way					
TBD	various	2016 Bond Funds		$100,000	various
			Total	$100,000	
Road Construction					
Tonawanda Creek Road	Tonawanda	2016 Bond Funds		$500,000	Rath III
			Sub Total	$500,000	

Erie County Department of Public Works - 2016 Highway Budget
Exhibit A

A. Construction Projects

Project	Town	Funding	Mileage	Estimated Cost	Legislator
Federal Aid Projects Right of Way					
Tonawanda Rails to Trails	Tonawanda	Federal Aid 2016 Bond Funds		$50,000	Savage
		(Erie County Share - $18,000)	**Total**	**$50,000**	
Federal Aid Projects Construction					
Salt Road Bridge	Clarence	Federal Aid 2016 Bond Funds		$2,512,000	Rath III III
Tonawanda Rails to Trails	Tonawanda	Federal Aid 2016 Bond Funds		$40,000	Savage, Hardwick
		(Erie County Share - $510,400)	**Total**	**$2,552,000**	
Federal Aid Bridge Preservation - Construction					
2016 Bridge Painting	various			$500,000	various
Bridge Washing and Deck Sealing	various			$515,000	various
Bridge Vertical Down, Bearings, Railings, Joints	various			$650,000	various
		(Erie County Share - $333,000)	**Subtotal**	**$1,665,000**	
Preservation of Roads Construction - Various Maintenance					
Goodrich Road	Clarence	2016 Bond Funds		$2,000,000	Rath III
			Sub Total	**$2,000,000**	
Asset Management Software Tools and Equipment					
		2016 Bond Funds		$350,000	
			Total	**$350,000**	
Preservation of Bridges and Culverts Construction					
Heise Road Bridge	Clarence	2016 Bond Funds		$715,000	Rath III
			Sub Total	**$715,000**	
Preservation of Bridges and Culverts Construction Inspection					
various	various	2016 Bond Funds		$400,000	various
			Sub Total	**$400,000**	
Preservation of Bridges and Culverts Work to Address Flags					
various	various	2016 Bond Funds		$500,000	various
			Sub Total	**$500,000**	

Erie County Department of Public Works - 2016 Highway Budget
Exhibit A

B. Design Projects

Project	Town	Funding		Estimated County Cost	Legislator
Preservation of Roads Design					
East and West Road	West Seneca	2016 Bond Funds			Lorigo
North Main Street	Evans	2016 Bond Funds	2.30		Mills
Lake Avenue	Hamburg	2016 Bond Funds	1.50		Dixon
			Sub Total	**$1,250,000**	
Preservation of Bridges and Culverts Design					
various	various	2016 Bond Funds		$250,000	various
			Sub Total	**$250,000**	
Road Slides Design					
various	various	2016 Bond Funds		$800,000	various
			Sub Total	**$800,000**	
Road Slides Right of Way					
various	various	Federal Aid 2016 Bond Funds		$175,000	various
			Sub Total	**$175,000**	
Federal Aid Bridge Preservation - Design					
various	various	2016 Bond Funds		$150,000	various
			Sub Total	**$150,000**	

C. Roads and Bridges

Project	Town	Funding	Mileage	Estimated Cost	Legislator
Micro Pave Roads					
Baseline	Grand Island	Pay As you Go	0.44		Hardwick
Brant Angola	Brant	Pay As you Go	3.10		Mills
California	Orchard Park	Pay As you Go	1.70		Mills
Clark	Hamburg	Pay As you Go	1.30		Dixon
East Eden	Hamburg	Pay As you Go	1.60		Dixon
Freeman	Orchard Park	Pay As you Go	2.52		Mills
Gypsy	East Aurora	Pay As you Go	0.60		Lorigo
Hopkins	Amherst	Pay As you Go	1.20		Rath, Loughran
Knox	East Aurora	Pay As you Go	1.85		Lorigo
Legion	Hamburg	Pay As you Go	0.50		Dixon
Mill Street	Springville	Pay As you Go	0.50		Mills
North Davis	East Aurora	Pay As you Go	2.95		Lorigo
Rice	Elma	Pay As you Go	2.03		Lorigo
Slade Ave	Orchard Park	Pay As you Go	0.52		Mills
Ward	East Aurora	Pay As you Go	0.55		Lorigo
Waverly	Concord	Pay As you Go	1.00		Mills
Mill and Overlay Roads					
Ridge Road	West Seneca	Pay As you Go	1.00		Lorigo
George Urban Boulevard	Cheektowaga	Pay As you Go	1.00		Morton
Eggert Road	Amherst	Pay As you Go	0.75		Loughran
Whitehaven Road	Grand Island	Pay As you Go	1.60		Hardwick
Bridges Less then 20 ft.					
#127-5 East River Road	Grand Island	Transfer Tax Surplus			Hardwick
#321-03French Rd	Cheektowaga	Transfer Tax Surplus			Morton
#397-01Hayes Hollow	Colden	Transfer Tax Surplus			Lorigo
#200-01BLake Ave	Hamburg	Transfer Tax Surplus			Dixon
#192-03 Maple Rd	Amherst	Transfer Tax Surplus			Rath III
#467-01 North Creek Rd	Hamburg	Transfer Tax Surplus			Dixon
#127-5 Old Lake Shore Rd	Hamburg	Transfer Tax Surplus			Dixon
#228-M1 Springville/Boston Rd	Concord	Transfer Tax Surplus			Mills
#228-M2 Springville/Boston Rd	Concord	Transfer Tax Surplus			Mills
#228-11 Springville/Boston Rd	Concord	Transfer Tax Surplus			Mills
#228-13 Springville/Boston Rd	Concord	Transfer Tax Surplus			Mills
			Sub Total	$2,200,000	

Amendment to COMM. 7E-8 (2016)
April 14, 2016

Amend COMM. 7E-8 to include the following resolved clause before the final resolved clause:

RESOLVED, that there shall be no deletion from the list presented without prior legislative approval; and, be it further