



COUNTY OF ERIE

MARK C. POLONCARZ

COUNTY EXECUTIVE

June 3, 2019

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

**RE: Lake Avenue (CR 200) Reconstruction- Village of Blasdell, Town of Hamburg
Award of Construction Contract and Contract for Construction
Phase Engineering Services and Agreement with Railroads
IMMEDIATE CONSIDERATION REQUESTED**

Dear Honorable Members:

The Department of Public Works, Division of Highways is requesting authorization to award a contract to the lowest responsible bidder, Occhino Corp. for the above noted project. Additionally, we are requesting authorization to enter into a contract with LaBella Associates, for construction engineering and construction inspection services. We are also requesting authorization to enter into agreements with Norfolk Southern Railroad and CSX Railroad to reimburse them for construction phase services, including engineering review, railroad flagging, protective services, and railroad permitting, as necessary

Should your Honorable Body require further information, I encourage you to contact William E. Geary, Jr., Commissioner, Department of Public Works. Thank you for your consideration on this matter.

Sincerely yours,

Mark C. Poloncarz, Esq.
Erie County Executive

MCP:wss
Enclosure

cc: William E. Geary, Jr., Commissioner, Department of Public Works

MEMORANDUM

To: Honorable Members of the Erie County Legislature
From: Department of Public Works/Division of Highways
Re: Lake Avenue (CR 200) Reconstruction- Village of Blasdell, Town of Hamburg
Award of Construction Contract and Contract for Construction
Phase Engineering Services and Agreement with Railroads
ECDPW Project No. CAP-200-19
Date: June 3, 2019

SUMMARY

Authorization is being requested to award a construction contract for the Lake Avenue (CR 200) Reconstruction Project to the lowest responsible bidder, Occhino Corp. In addition, authorization is being requested to award a construction engineering and inspection services agreement to LaBella Associates and to establish a construction contingency with authorization for the County Executive to execute approved change orders for the project. Authorization is being requested to enter into agreements, as necessary, with Norfolk Southern Railroad and CSX Railroad for construction phase engineering services, railroad flagging, protective services, and railroad permitting

FISCAL IMPLICATIONS

The estimated budget for this project is \$4,150,000 which is available from the following: Fund 420, Funds Center 123, Project B.17001- 2017 Preservation of Roads – Construction – Lake Avenue (\$2,400,000), Project B.19002 - 2019 Preservation of Roads – Construction –Lake Avenue (\$1,500,000) and Project B.19009 – 2019 Turn Back of Roads (\$250,000).

REASONS FOR RECOMMENDATION

It is necessary that these approvals be granted, so the Contract can be awarded to allow the Contractor to begin construction as soon as possible, and have the Project completed as quickly as possible.

BACKGROUND INFORMATION

The condition of the road and of the existing drainage facilities presents a safety hazard to the travelling public.

CONSEQUENCES OF NEGATIVE ACTION

If the resolution is not approved the existing roadway will continue to physically and functionally deteriorate.

STEPS FOLLOWING APPROVAL

As soon as possible, a Contract will be awarded and construction will begin depending on the weather and the availability of materials.

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 funding.



JOHN SOLECKI

Director of Accounting Services/Cash Management
Comptroller's Office

B.17001

B.19002

B.19009

Lake Avenue (CR 200) Reconstruction- Village of Blasdell, Town of Hamburg

CAP-200-19

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

RE: Lake Avenue (CR 200) Reconstruction- Village of Blasdell, Town of Hamburg
Award of Construction Contract and Contract for Construction
.Phase Engineering Services and Agreement with Railroads
ECDPW Project No. CAP-200-19

WHEREAS, bids were taken on March 28, 2019, for the Lake Avenue (CR 200) Reconstruction Project; ECDPW Project No. CAP-200-19 in the Village of Blasdell and the Town of Hamburg; and

WHEREAS, the construction contract was awarded to Occhino Corp. for an amount of \$3,574,949.12; and

WHEREAS, it is necessary to award a contract for construction inspection and engineering services during construction of the Project to LaBella Associates for an amount of \$260,000; and

WHEREAS, it is necessary to establish a Construction Contingency (including required fees for railroads, as necessary) of \$315,050.88 for the Project with authorization to execute related Change Orders; and

WHEREAS, the estimated cost of the Project in the amount of \$4,150,000 is available in Fund 420, Projects B.17001 – 2017 Preservation of Roads Construction – Lake Ave., B.19002 – 2019 Preservation of Roads Construction – Lake Ave., and B.19009 – 2019 Turn Back of Roads to Towns.

NOW, THEREFORE, BE IT

RESOLVED, that the County Executive be authorized to award and execute a contract for ECDPW Project No. CAP-200-19, between the County of Erie and the lowest responsible bidder, Occhino Corp. for an amount of \$3,574,949.12; and be it further

RESOLVED, that the County Executive be authorized to execute a contract for construction inspection and engineering services during construction of the Project with LaBella Associates for an amount of \$260,000; and be it further

RESOLVED, that the County Executive be authorized to establish a Project contingency and execute Project related change orders and railroad agreements, as necessary, for an amount of \$315,050.88; and be it further

RESOLVED, that the total cost of the contracts for construction, construction inspection, engineering services during construction, the Project contingency and railroad agreements is in the amount of \$4,150,000; and be it further

RESOLVED, that funding in the amount of \$4,150,000 is available in Fund 420, Funds Center 123 as follows:

B.17001	2017 Preservation of Roads – Construction – Lake Avenue	\$2,400,000
B.19002	2019 Preservation of Roads – Construction – Lake Avenue	\$1,500,000
B.19009	2019 Turn Back of Roads	\$ 250,000
	Total Cost	\$4,150,000

; and be it further

RESOLVED, that the Clerk of the Legislature be instructed to forward five (5) certified copies of this resolution to the Department of Public Works, Division of Highways, and one copy each to the Office of the County Executive, the Division of Budget and Management, and the Office of the Comptroller.

TO: JOHN SOLECKI, 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	Occhino Corp.	\$3,574,949.12
		LaBella Associates	\$ 260,000.00
		Construction Contingency	\$ 315,050.88
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2.	AMOUNT OF CONTRACT	\$4,150,000.00	
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3.	PROJECT NUMBER	B.17001	\$2,400,000
		B.19002	\$1,500,000
		B.19009	\$ 250,000
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4.	PROJECT TITLE	Lake Avenue-Reconstruction – Award of Construction Contract & Engineering Services	
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5.	DEPARTMENT CONTACT	Funding questions: Jonathan Rivera at 2210 Letter pickup: Christy Weber at 8301	
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COMPTROLLER'S OFFICE

COMPLETE ITEMS 6 AND 7

6.	AVAILABILITY OF FUNDS	^{B.17001} \$ 2,400,000.00	^{B.19002} 1,500,000.00	^{B.19009} 250,000.00
7.	PERFORMED BY	<u>John R. Mitchell</u>		
	Date Sent to Comptroller's Office:	<u>May 30, 2019</u>		

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OFFICE OF THE COMPTROLLER REVIEW

DATE: 5/21/2019

PROJECT TITLE: B.19009 2019 Turn Back of Roads to Towns

1) IS THE REASON FOR THIS CONTRACT CONSISTENT WITH THE PURPOSE OF THE PROJECT: YES X NO

2) PROJECT AVAILABLE APPROPRIATION

Total Project Revenues	\$ <u> -</u>
Total Project Appropriations	\$ <u> 1,000,000.00</u>
Less: Total Expenditure To Date	\$ <u> -</u>
Total Commitments	\$ <u> 750,000.00</u>
Available Appropriations As Of Date Of Request	\$ <u> 250,000.00</u>
Less: Contract Amount	\$ <u> 250,000.00</u>
Net Available Appropriations	\$ <u> -</u>

Comments: There is no cash in the project. This is based on planned borrowing. The bond sale has not yet occurred. This resolution supersedes the one previously approved on 4/5/2019.

Request Approved: *John Soluski*

Request Denied: _____

Date: 5/31/19