



# COUNTY OF ERIE

**MARK C. POLONCARZ**

COUNTY EXECUTIVE

November 1, 2019

Erie County Legislature  
92 Franklin Street, 4<sup>th</sup> Floor  
Buffalo, New York 14202

**RE: Erie Community College (SUNY Erie) City Campus Burt Flickinger Athletic Center  
2019 Concrete Panel Stabilization**

Dear Honorable Members:

This resolution is requesting authorization for the County Executive to enter into a contract with Morris Masonry Restoration LLC for the SUNY Erie City Campus Burt Flickinger Athletic Center – 2019 - Concrete Panel Stabilization project. Proposals were solicited by Public Works personnel per General Municipal Law Section 103. The County will receive 50% reimbursement from New York State for this project

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

Sincerely yours,

Mark C. Poloncarz, Esq.  
Erie County Executive

MCP/nt  
Enclosure

cc: William Geary, Commissioner

## **MEMORANDUM**

**To:** Honorable Members of the Erie County Legislature  
**From:** Department of Public Works  
**Re:** Erie Community College (SUNY Erie) City Campus Burt Flickinger Athletic Center – 2019 Concrete Panel Stabilization  
**Date:** November 1, 2019

---

### **SUMMARY**

This resolution is requesting authorization for the County Executive to enter into a contract with Morris Masonry Restoration LLC (“Morris Masonry”) for the SUNY Erie City Campus Burt Flickinger Athletic Center – 2019 – Concrete Panel Stabilization project, located at 21 Oak Street, Buffalo New York 14203.

This project involves the emergency stabilization of two large displaced precast concrete panels at one bay along Swan Street elevation with steel bracing and plates; and re-caulking of this panel. Proposals were solicited from four contractors and only Morris Masonry submitted a cost proposal for the required scope of work. Per General Municipal Law Section 103, the work total is less than \$35,000 and therefore work does not have to be publicly bid. The quote received was less than \$35,000.

### **FISCAL IMPLICATIONS**

Funds for the project are currently available from the previously approved, as adopted Erie County capital budget, Funds Center 122, Fund 480, E.15003 – 2015 Erie Community College Roof Replacement & Waterproofing College-wide.

The Morris Masonry contract will not exceed \$23,000. The County will receive 50% reimbursement from New York State for this project.

### **REASONS FOR RECOMMENDATION**

It is essential that this project be completed as soon as possible to prevent further displacement of the two precast concrete veneer panels, which may eventually lead to catastrophic failure which would greatly endanger pedestrians and vehicular traffic along the Swan Street elevation.

### **BACKGROUND INFORMATION**

It was recently observed during a routine maintenance inspection by SUNY Erie personnel that exterior building caulk for most of the stone panels, precast concrete panels and window openings are failing, causing water penetration behind the panels. Freeze-thaw action has resulted in a number of these panels being displaced, in particular the two precast concrete veneer panels spanning 10’-6” to 43’-0” high above street elevation along the Swan Street elevation.

## **CONSEQUENCES OF NEGATIVE ACTION**

If this approval is not obtained, the two displaced precast concrete panels will be a hazard to pedestrians and vehicular traffic along Swan Street and the concrete panels will continue to deteriorate.

## **STEPS FOLLOWING APPROVAL**

Upon Legislative approval, the County Executive will enter into a contract with Morris Masonry for the SUNY Erie City Campus Burt Flickinger Athletic Center – 2019 – Concrete Panel Stabilization project.

**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 appropriations for the action proposed.



\_\_\_\_\_  
GREGORY G. GACH

Deputy Comptroller  
Comptroller's Office

E.15003 – 2015 Erie Community College Roof Replacement & Waterproofing Collegewide

File Copy (DPW Resolution\_BG\_ECCC BFAC Conc Panel Stab Construction Award.docx)

A RESOLUTION SUBMITTED BY:  
DEPARTMENT OF PUBLIC WORKS

RE: Erie Community College (SUNY Erie) City Campus Burt Flickinger  
Athletic Center - 2019 – Concrete Panel Stabilization

WHEREAS, two large precast concrete panels at one bay of the Burt Flickinger Athletic Center are currently displaced as a result of water penetration and freeze-thaw action due to failing exterior building caulk; and

WHEREAS, per General Municipal Law Section 103, the work total is less than \$35,000 and therefore does not have to be publicly bid; and

WHEREAS, proposals were solicited from four contractors to perform the same scope of work; and Morris Masonry Restoration LLC was the only respondent upon solicitation of proposals to perform the scope of work; and

WHEREAS, the County will receive 50% reimbursement from New York State for this project; and

WHEREAS, the Department of Public Works and Bell & Spina Architects are recommending award of the contract to the lowest responsible respondent.

NOW, THEREFORE, BE IT

RESOLVED, that the County Executive is authorized to enter into a purchase order for construction work with the lowest responsible respondent for the SUNY Erie City Campus Burt Flickinger Athletic Center – 2019 – Concrete Panel Stabilization project, citing General Municipal Law Section 103, for an amount not to exceed as follows:

General Construction Work

Morris Masonry Restoration LLC	Base Bid:	\$ 18,950
<hr/>		
Total Award of General Construction Contract:		\$ 18,950

; and be it further

RESOLVED, that the sum of \$4,050 be allocated to a construction contingency fund with authorization for the County Executive to approve change orders in an amount not to exceed the contingency fund; and be it further

RESOLVED, that change order reductions will result in these funds being returned to the construction contingency fund; and be it further

RESOLVED, that the Comptroller's Office be authorized to make payment for all the above from the approved, as amended 2015 capital budget, Fund 480, Funds Center 122, follows:

E.15003 – 2015 Erie Community College – Roof Replacement & Waterproofing College-wide	\$ 23,000
---------------------------------------------------------------------------------------	-----------

RESOLVED, that two certified copies of this resolution be sent to the Department of Public Works, Commissioner's Office, and one copy each to the Office of the County Executive, the Division of Budget and Management, and the Office of the Comptroller, and one copy to SUNY Erie and Financial Officer.

TO: GREGORY G. 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	Construction Contingency Morris Masonry Restoration LLC
2. AMOUNT OF CONTRACT	Construction Contingency \$4,050 Morris Masonry Restoration LLC \$18,950
3. PROJECT NUMBER	E.15003 – 2015 Erie Community College Roof Replacement & Waterproofing Collegewide
4. PROJECT TITLE	SUNY Erie City Campus Burt Flickinger Athletic Center – 2019 – Concrete Panel Stabilization
5. DEPARTMENT CONTACT	Funding questions: Kristofer Straus at x7294 Letter pickup: Christy Weber at x8301

COMPTROLLER'S OFFICE

COMPLETE ITEMS 6 AND 7

6. AVAILABILITY OF FUNDS	\$ 501,584.39
7. PERFORMED BY	
Date Sent to Comptroller's Office:	October 2 <sup>3</sup> , 2019

[55 compt\_10]

PROJECT TITLE: E.15003 2015 ECC ROOF REPLACEMENT & WATERPROOFING

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>4,242,891.79</u>
Total Project Appropriations	\$ <u>6,000,000.00</u>
Less: Total Expenditure To Date	\$ <u>4,239,524.00</u>
Total Commitments	\$ <u>1,258,891.61</u>
Available Appropriations As Of Date Of Request	\$ <u>501,584.39</u>
Less: Contract Amount	\$ <u>23,000.00</u>
Net Available Appropriations	\$ <u><u>478,584.39</u></u>

Comments: \$152,441.49 cash is in the project. This project is eligible for a 50% reimbursement from NYS.

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Request Approved: 

Request Denied: \_\_\_\_\_

Date: 10/23/19