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COUNTY OF ERIE

MARK C. POLONCARZ

COUNTY EXECUTIVE

April 22, 2013

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

**Re: Savage Road Bridge over Dry Creek - Construction Award
Town of Sardinia - Erie County - PIN 5757.30**

Dear Honorable Members:

The Department of Public Works is requesting authorization to award and enter into a contract with the responsible low bidder for the Savage Road Bridge over Dry Creek Project, establish a construction contingency, and execute a new contract with project engineers Wendel of Buffalo, New York for construction inspection and services during construction.

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

Sincerely,

A handwritten signature in blue ink that reads "Mark C. Poloncarz".

Mark C. Poloncarz, Esq.
Erie County Executive

MCP/bb
Enclosure

cc: John Loffredo, Commissioner

MEMORANDUM

COMPTROLLER'S
RECEIVED

13 MAR 19 AM 11:06

To: Honorable Members of the Erie County Legislature
From: Department of Public Works
Re: Savage Road Bridge over Dry Creek - Construction Award
Town of Sardinia - Erie County - PIN 5757.30
Date: March 19, 2013

SUMMARY

Request adoption of a resolution to authorize the County Executive to award and enter into a contract with the responsible low bidder for the Savage Road Bridge over Dry Creek Project once bids are taken and the lowest responsible bidder is determined; establish a construction contingency; and negotiate a new contract with project engineers Wendel for construction inspection and services during construction.

FISCAL IMPLICATIONS

The total cost for the construction phase of this project is currently estimated at \$935,000.00. Local share required for this Project is \$187,000.00 and is available in B.12003 - 2012 Savage Road Bridge Reconstruction. The Project is under an Agreement with the NYSDOT Locally Administered Federal Aid Program and is eligible for 80% Federal reimbursement.

REASONS FOR RECOMMENDATION

Timely award of the contract is necessary so that the contractor can begin work as soon as possible. The project benefits from Federal funds through the Locally Administered Federal Aid Program.

BACKGROUND INFORMATION

This project is approved by the New York State Department of Transportation in their current Capital Program 5-year Plan to be funded through the Locally Administered Federal Aid Program. In order not to delay the project, it is recommended the County Executive be authorized to execute a contract with the responsible low bidder, establish the construction contingency, and negotiate a new contract with project engineers Wendel once bids are taken and analyzed.

CONSEQUENCES OF NEGATIVE ACTION

The construction phase of the Project will not be implemented in a timely manner. As a result, Federal aid for the project could be lost. Negative action would halt project advancement, expose the county traveler to health and safety risks, and jeopardize existing and future reimbursement funding through this program.

STEPS FOLLOWING APPROVAL

The lowest responsible bidder will be determined by the Department of Public Works and a contract will be awarded. The County Executive will execute the construction contract, establish a construction contingency, and execute the negotiated new contract with project engineers Wendel. Construction work will begin as soon as possible depending on the weather. The Department of Public Works will notify the Legislature, for information only, the bid results and contract awardee.

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.

Deputy

STEFAN L. MYCHAJLIW
Comptroller
Gregory Gaele

JCL/JGM/dab

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

**RE: Savage Road Bridge over Dry Creek - Construction Award
Town of Sardinia, Erie County - PIN 5757.30**

WHEREAS, the Savage Road Bridge over Dry Creek Project PIN 5757.30 will be advertised, bid, and ready for award of construction contract to the responsible low bidder; and

WHEREAS, the Savage Road Bridge over Dry Creek Project PIN 5757.30 will replace a deteriorating bridge; and

WHEREAS, funding for this Federal Aid Project was approved and is available in B.12003 - 2012 Savage Road Bridge Reconstruction in the amount of \$935,000.00 (\$187,000.00 required local share); and

WHEREAS, it is necessary that this approval be granted, so that the contract can be awarded to allow the contractor to begin work as soon as possible; and

WHEREAS, in order to facilitate the Savage Road Bridge over Dry Creek Project it will be necessary for the County to execute the construction contract with the responsible low bidder and establish a construction contingency; and

WHEREAS, a new contract must be negotiated with project engineers Wendel of Buffalo, New York, for construction inspection and engineering services during construction.

NOW, THEREFORE, BE IT

RESOLVED, that the County Executive be authorized and is hereby directed to award and execute a contract for the Savage Road Bridge over Dry Creek Project PIN 5757.30 between the County of Erie and the lowest responsible bidder, establish a construction contingency and execute a negotiated new contract between the County of Erie and project engineers Wendel of Buffalo, New York; and be it further

RESOLVED, that funding for the Savage Road Bridge over Dry Creek Federal Aid Project be allocated from fund B.12003 - 2012 Savage Road Bridge Reconstruction in an amount not to exceed \$935,000.00 (\$187,000.00 local share); and be it further

RESOLVED, that the County Executive of the County of Erie is hereby authorized to execute all necessary agreements, certifications or reimbursement requests for Federal Aid on behalf of the County of Erie with the New York State Department of Transportation in connection with the advancement or approval of the Project; and be it further

RESOLVED, that the Department of Public Works will inform the Erie County

Legislature, for information only, as to what contractor was the successful low responsible bidder for the Savage Road Bridge over Dry Creek Project PIN 5757.30; 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, 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: STEFAN I. MYCHAJLIW, COMPTROLLER

PROPOSED RESOLUTIONS REQUIRING RULE 55

CONTRACT APPROVAL CHECKLIST
CONFIRMATION OF AVAILABILITY OF FUNDS IN CAPITAL PROJECTS

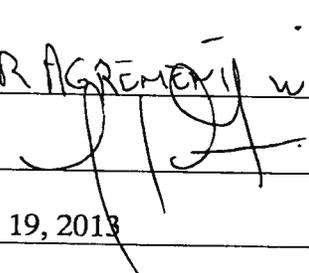
REQUESTING DEPARTMENT

COMPLETE ITEMS 1 THROUGH 5

- | | |
|-----------------------|--|
| 1. CONTRACTOR'S NAME | <u>Low Bidder and Wendel</u> |
| 2. AMOUNT OF CONTRACT | <u>\$935,000.00 (not to exceed)</u> |
| 3. PROJECT NUMBER | <u>B.12003</u> |
| 4. PROJECT TITLE | <u>2012 Savage Road Bridge Reconstruction</u> |
| 5. DEPARTMENT CONTACT | <u>Funding questions: Charles A. Sickler, PE at 8372
Letter pickup: Diane Bukowski at 8301</u> |

COMPTROLLER'S OFFICE

COMPLETE ITEMS 6 AND 7

- | | |
|------------------------------------|---|
| 6. AVAILABILITY OF FUNDS | <u>\$ PER AGREEMENT with G.C.</u> |
| 7. PERFORMED BY | <u></u> |
| Date Sent to Comptroller's Office: | <u>March 19, 2013</u> |

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