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COUNTY OF ERIE

MARK C. POLONCARZ
COUNTY EXECUTIVE

April 9, 2013

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

**RE: Erie County Sewer District No. 3
Contract No. 43PS-G General/Mechanical
Contract Close Out – STC Construction, Inc.**

Dear Honorable Members:

Enclosed please find an accompanying memorandum and proposed resolution from the Department of Environment and Planning, Division of Sewerage Management, pertaining to the close out of Contract No. 43PS-G General/Mechanical, with STC Construction, Inc.

Should your honorable body require further information, I encourage you to contact Joseph L. Fiegl in the Department of Environment and Planning. Thank you for your consideration on this matter.

Sincerely,



Mark C. Poloncarz, Esq.
Erie County Executive

MCP:EAP:ms
Enclosure

C: J. Fiegl – Environment and Planning

MEMORANDUM

To: Honorable Members of the Erie County Legislature
From: Department of Environment and Planning
Re: Erie County Sewer District No. 3
Contract No. 43PS-G General/Mechanical
Contract Close Out – STC Construction, Inc.
Date: March 11, 2013

SUMMARY

Acceptance and approval of Contract No. 43PS-G General/Mechanical in the final contract amount of \$299,175.00 together with Change Order No. 1 (final) providing a decrease of \$29,327.00 in Erie County Sewer District No. 3 Bond Account C.00073, as well as authorization to issue final payment to the contractor, STC Construction, Inc., is requested.

FISCAL IMPLICATIONS

There will be no impact on the County's General Fund. The funds for this contract were allocated from Erie County Sewer District No. 3 Bond Account No. C.00073.

REASONS FOR RECOMMENDATION

All scheduled improvements required by the contract documents have been completed. As a result, it is the Department's recommendation to finalize this contract.

BACKGROUND INFORMATION

Contract No. 43PS-G General/Mechanical was bid on June 21, 2011 and awarded by the Erie County Legislature on July 21, 2011, Legislative Comm. 9E-10 (2011). This contract installed the Crescent Avenue Pumping Station to replace the South Buffalo Pumping Station in Erie County Sewer District No. 3

CONSEQUENCES OF NEGATIVE ACTION

Contract default on the part of the County of Erie could be claimed by the Contactor.

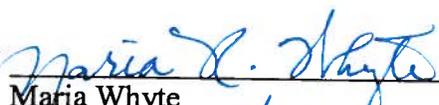
STEPS FOLLOWING APPROVAL

The County of Erie will execute the final change order and make a final payment to STC Construction, Inc.

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 capital appropriations for the action proposed.

Signed  Date 3/13/13
Title Stefan Mychajliw
 Comptroller

Jef

Maria Whyte
Commissioner 3/11/13

EAP:ms
Encl.
Cc: M. Whyte
 J.Fiegl/0.11.0 Leg.Ltr (w/encl.)
 J.Carr/J.Mallory/J.Russell/3.3.3.43PS-G (w/encl.)
 S.Tirone

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A RESOLUTION SUBMITTED BY
Department of Environment and Planning

RE: Erie County Sewer District No. 3
Contract No. 43PS-G General/Mechanical
Contract Close Out – STC Construction, Inc.

WHEREAS, pursuant to Legislative Comm. 9E-10 (2011) Contract No. 43PS-G General/Mechanical was awarded to STC Construction, Inc. for construction of the Crescent Avenue Pumping Station; and

WHEREAS, the Erie County Division of Sewerage Management has advised that all scheduled improvements are now completed; and

WHEREAS, the Erie County Department of Environment and Planning has recommended the acceptance of Contract No. 43PS-G General/Mechanical, in the final contract amount of \$299,175.00 which includes Change Order No. 1(final), a decrease of \$ 29,327.00, and recommends approval for final payment.

NOW, THEREFORE BE IT

RESOLVED, that Contract No. 43PS-G General/Mechanical between the County of Erie and STC Construction, Inc. (63 Zoar Valley Rd., Springville, New York 14141-0459) is accepted in the final contract amount of \$299,175.00 which includes Change Order No. 1 (final), a decrease of \$29,327.00, and is allocated in Erie County Sewer District No. 3 Bond Account C.00073; and be it further

RESOLVED, that the Erie County Comptroller be directed to make final payment for Contract No. 43PS-G General/Mechanical to STC Construction, Inc., for a total contract amount of \$299,175; and be it further

RESOLVED, that the Clerk of the Legislature be directed to send one (1) certified copy each to the County Executive, the Erie County Comptroller, the Director of Budget and Management and Kristen Walder, Assistant County Attorney and two (2) certified copies of this resolution to Joseph L. Fiegl, P.E., Department of Environment and Planning.



DEPARTMENT OF ENVIRONMENT AND PLANNING
 DIVISION OF SEWERAGE MANAGEMENT
 CONSTRUCTION CONTRACT CHANGE FORM

Date: January 11, 2013

Change Order No. 1 FINAL Amount (\$29,327.00) Bond Account C.00073

Contract No. 43PS-G File No. 3.3.3.43PS-G

Project Crescent Avenue Pumping Station

Contractor's Name STC Construction, Inc.

Contractor's Address 63 Zoar Valley Road, Springville, New York 14141-0459

Description of Change to Contract:

Bid Item G-14, General Contingency Allowance is being adjusted from a total of \$20,000.00 to \$40,139.00. Twelve items outlined on page 2 (Attachments #1 through #12) were reimbursed from the General Contingency Allowance for a total of \$40,139.00. The contract quantities were adjusted to reflect actual installed quantities (from the as built survey). The total final change order cost, is a decrease of \$29,327.00 as shown on Attachment #13, Final Adjustment of Quantities.

Reason for Modification:

In accordance with the contract documents, the Contractor shall be compensated for the work performed and authorized.

Time Extension:

A no cost time extension was necessary from February 12, 2012 to January 11, 2013 to complete the work, and to process the close-out. Onsite work was substantially completed by October 26, 2012.

Indirect Costs:

No indirect costs are a result of this Change Order.

Additional Engineering Costs:

There are no additional engineering costs.

Contract Cost Summary:

Original Contract	\$328,502.00
Change Order No. 1 (Final)	<u>(\$29,327.00)</u>
Final Contract Amount	\$299,175.00

Attachments

- Attachment #1 - In lieu of milling and paving as described in Pay Item #10, the contractor was directed to place a truing and leveling course and then overlay with 1.5" asphalt top course for the agreed upon, same total cost of Item #10.
\$31,000.00.
- Attachment #2 - Furnish and install a Stilling Well in the Crescent Avenue Pumping Station wetwell.
\$1,250.00.
- Attachment #3 - Upgrade the Crescent Avenue Pumping Station control panel enclosure from SS304 grade to SS316 grade as directed by ECDEP/DSM.
\$340.00.
- Attachment #4 - Contractor was directed to fill (with concrete) a void area beneath the existing manhole that the South Buffalo Grinder Pump Station discharges into.
\$1,281.00.
- Attachment #5 - Change out the manhole frame and cover to a low profile style frame and cover at existing manhole (before the wetwell) at the Crescent Avenue Pumping Station.
\$138.00.
- Attachment #6 - Added a PVC drain line from the hatchway frame to the sump in the Valve Chamber at the Crescent Avenue Pumping Station. \$324.00.
- Attachment #7 - Received a credit for eliminating the manhole steps replacements at the existing Pleasant Ave. MH Rehab location and for eliminating the installation of one internal manhole seal at the existing force main discharge manhole located adjacent to the Old East Eden Road Pumping Station.
(\$505.00).
- Attachment #8 - To protect traffic and our new Crescent Ave. Pumping Station, the contractor was directed to extend the existing guardrail.
\$506.00
- Attachment #9 - The Town of Hamburg requested additional topsoil and seeding along both shoulders of the Town's section of West Crescent Ave. in area of 1.5" asphalt overlay.
\$2,000.00.
- Attachment #10 - An additional pipe bollard was installed adjacent to the Crescent Ave. Pumping Station to protect traffic and the station itself.
\$1,087.00
- Attachment #11 - Two additional pipe bollards were installed at the South Buffalo Grinder Pump Station to protect the station from vehicular traffic.
\$1,497.00

Attachment #12 - To facilitate 1.5" asphalt overlay on Old East Eden Road, it was necessary for the contractor to raise three existing manhole frames. \$1,221.00.

Attachment #13 - Final Adjustment of Quantities Summary.

CONTRACTOR _____ DATE _____
Jason C. Rice (STC Construction, Inc.)

ENGINEER _____ DATE _____
Daniel Kolkmann, (CRA Infrastructure & Engineering, Inc.)

COUNTY OF ERIE _____ DATE _____
Joseph L. Fiegl, P.E., Deputy Commissioner - DSM

ERIE COUNTY LEGISLATURE COMMITTEE NO. _____ DATE _____

ERIE COUNTY SEWER DISTRICT NO. 3 BOARD OF MANAGERS DATE _____