

October 25, 2018

ECONOMIC DEVELOPMENT COMMITTEE
REPORT NO. 15

ALL MEMBERS PRESENT.

CHAIR SAVAGE PRESENT AS EX-OFFICIO MEMBER.

1. RESOLVED, the following item is hereby received and filed:

a. COMM. 19M-3 (2018)

EDEN TOWN CLERK: “Resolution of Eden Town Board - Notifying EC of Defects on County Highways in Eden”
(Chair’s Ruling)

2. COMM. 19E-15 (2018)

COUNTY EXECUTIVE

WHEREAS, a project for the replacement of the Heise Road bridge over Ransom Creek BR 283-01 (BIN 3326690) in the Town of Clarence, Erie County (the “Project”) was authorized by your honorable body via Communication 13E-23 (2010); and

WHEREAS, it is desired to award the Project in 2018 and to progress construction during the 2019 construction season; and

WHEREAS, after a public bid opening on October 4, 2018, it is desired to award a construction contract to the lowest responsible bidder, Union Concrete Construction Corp., in an amount not to exceed \$748,617; and

WHEREAS, it is desired to execute a contract with Watts Architecture & Engineering, D.P.C., the project consultant, for construction phase engineering and inspection services in an amount not to exceed \$150,000; and

WHEREAS, it is desired to establish a construction contingency in the amount of \$78,310.88 by which the County Executive may execute change orders and/or AE amendments if necessary; and

WHEREAS, it is estimated that the total cost of the Project should not exceed \$976,927.88; and

WHEREAS, funds, in the amount of \$976,927.88, necessary for the project are available in SAP Fund 420, Funds Center 123, Projects:

B.14018, 2014 Preservation of Bridges & Culverts in the amount of \$122,433.64

B.15011, 2015 Preservation of Bridges & Culverts in the amount of \$139,494.24

B.16014, 2016 Preservation of Bridges & Culverts in the amount of \$715,000.00.

NOW, THEREFORE, BE IT

RESOLVED, that the Erie County Legislature hereby approves the above subject Project; and be it further

RESOLVED, that the County Executive is authorized to award a construction contract to the lowest responsible bidder, Union Concrete Construction Corp., for the Project in an amount not to exceed \$748,617; and be it further

RESOLVED, that the County Executive is authorized to execute an agreement with Watts Architecture & Engineering, D.P.C. for construction phase engineering services in an amount not to exceed \$150,000; and be it further

RESOLVED, that the County Executive is authorized to establish a construction contingency in the amount of \$78,310.88 and execute change orders and/or AE amendments, if necessary, for the Project; and be it further

RESOLVED, that Funds, in the total amount of \$976,927.88, be made available for the Project from the following SAP Fund 420, Funds Center 123, Projects:

B.14018, 2014 Preservation of Bridges & Culverts in the amount of \$122,433.64

B.15011, 2015 Preservation of Bridges & Culverts in the amount of \$139,494.24

B.16014, 2016 Preservation of Bridges & Culverts in the amount of \$715,000.00;

and be it further

RESOLVED, that the Clerk of the Legislature will be instructed to forward five (5) certified copies of this Resolution to the Department of Public Works, Division of Highways, and also one copy each to the Office of the County Executive, the Division of Budget and Management, and the Office of the Comptroller.
(6-0)

3. COMM. 19E-16 (2018)

COUNTY EXECUTIVE

WHEREAS, the resurfacing of Abbott Road (CR-04), McKinley Parkway (CR-204), and Armor Duells Road (CR-44) are all eligible for funding under Title 23, U.S. Code, as amended, that calls for the apportionment of the costs of such program to be borne at the ratio of 80% Federal funds and 20% non-Federal funds; and

WHEREAS, the three Project agreements and their authorizations were approved in the combined amount of \$760,000 via Comm. 6E-3, Comm. 6E-4, and Comm. 6E-16 on April 12, 2018; and

WHEREAS, the County of Erie desires to enter into a single Supplemental Agreement with the New York State Department of Transportation (NYSDOT) for all three projects under one combined PIN, 5762.25, in the combined amount of \$760,000 in the most efficient and economical way to proceed with the Project for these short tracks of roadway; and

WHEREAS, the Department of Public Works is requesting authorization to have the County Executive execute the combined Supplemental Agreement; and

WHEREAS, the Department of Public Works requests authorization to work with the Division of Budget and Management to best effectuate the combination of funding for the Project from the three (3) Pay-As-You-Go Capital Project budgets in Fund 420, Funds Center 123: B.18052 – Abbott Road Design PIN 5761.74, B.18053 – 2018 McKinley Pkwy Design PIN 5761.75, and B.18054 – 2018 Armor Duells Rd Design PIN 5762.25 into a new Capital Project: 2018 PIN 5762.25 – Resurfacing of Abbott Road; Route. 20 – Milestrip Road and McKinley Parkway; Route 20 – Willet and Armor Duells Road; Abbott – Duerr Road in the single amount of \$760,000.

NOW, THEREFORE, BE IT

RESOLVED, that the County Executive is hereby authorized to enter into a single Supplemental Agreement with the New York State Department of Transportation (NYSDOT) for the resurfacing of Abbott Road (CR-04), McKinley Parkway (CR-204), and Armor Duells Road (CR-44) merged under one PIN, 5762.25 in the combined amount of \$760,000; and be it further

RESOLVED, that the Department of Public Works, Division of Highways and the Division of Budget and Management are hereby authorized to best effectuate the combination of funding for the Project from the three (3) Pay-As-You-Go Capital Project budgets in Fund 420, Funds Center 123: B.18052 – Abbott Road Design PIN 5761.74 (\$200,000), B.18053 – 2018 McKinley Pkwy Design PIN 5761.75 (\$200,000) , and B.18054 – 2018 Armor Duells Rd Design PIN 5762.25 (\$360,000) into a new Capital Project: 2018 PIN 5762.25 – Resurfacing of Abbott Road; Route. 20 – Milestrip Road and McKinley Parkway; Route 20 – Willet and Armor Duells Road; Abbott – Duerr Road in the single amount of \$760,000; and be it further

RESOLVED, that in the event the amount required to pay in the first instance 100% of the Federal and non-Federal shares of the costs of the Project's design phases I-VI exceeds the appropriated amount of \$760,000, the County of Erie shall convene its Legislature as soon as possible to appropriate said excess amount immediately upon the notification by the New York State Department of Transportation thereof; and be it further

RESOLVED, that should the Department of Public Works be awarded addition federal or New York State revenue for the Project under this combined PIN, the Division of Budget be advised to accept the funds and adjust the budget accordingly; and be it further

RESOLVED, that the County Executive of the County of Erie is hereby authorized to execute all necessary Agreements, related Supplemental 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 identified in the State/Local Agreement; and providing for the administration of the Project and the Municipality's first instance funding of Project costs and permanent funding of the local share of Federal Aid- and State Aid-eligible Project costs and all Project costs within appropriations therefore that are not so eligible; and be it further

RESOLVED, that a certified copy of this resolution be filed with the New York State Commissioner of Transportation, by attaching it to any necessary Agreement in connection with the Project; and be it further

RESOLVED, that the Clerk of the Legislature forward six (6) certified copies of this Resolution to the Department of Public Works, Division of Highways, to be forwarded to the New York State Department of Transportation; and one copy each to the Office of the County Executive, the Division of Budget and Management, the Office of the County Attorney, and the Office of the Comptroller. (6-0)

PATRICK B. BURKE
CHAIR