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# COUNTY OF ERIE

**MARK C. POLONCARZ**

COUNTY EXECUTIVE

July 15, 2021

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

**RE: Extension of Term Contracts for On-Call General Civil &  
Geotechnical Engineering Services and  
On Call Emergency Bridge & Culvert Engineering Services  
Countywide  
IMMEDIATE CONSIDERATION**

Dear Honorable Members:

In anticipation of infrastructure work for the County Department of Parks, Recreation and Forestry under the "RENEW" plan, approved via COMM. 13E-15 on July 8, 2021, the Department of Public Works, Division of Highways is requesting authorization for the County Executive to execute extensions of term contracts with Bergmann Associates and Greenman-Pedersen Inc. for On-Call General Civil & Geotechnical Engineering services and with CHA Consulting for On Call Emergency Bridge & Culvert Engineering Services.

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

Sincerely yours,

Mark C. Poloncarz, Esq.  
Erie County Executive

MCP/ec/dab  
Enclosure

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

## **MEMORANDUM**

**To:** Honorable Members of the Erie County Legislature  
**From:** Department of Public Works, Division of Highways  
**Re:** Extension of Term Contracts for On-Call General Civil &  
Geotechnical Engineering Services and  
On Call Emergency Bridge & Culvert Engineering Services  
Countywide  
**Date:** July 15, 2021

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### **SUMMARY**

Your Honorable Body authorized the extension to June 1, 2022 of two three-year term contracts with Bergmann Associates and Greenman-Pedersen Inc. for on-call general civil and geotechnical engineering services via COMM. 9E-10 (May 13, 2021). Your Honorable Body also authorized an On-Call Emergency Bridge & Culvert Engineering Services contract for CHA with an expiration date of December 31, 2021 via COMM. 14E-16 (July 11, 2019). With work planned for the Department of Public Works (DPW), and work to be handled by DPW for the Department of Parks, Recreation and Forestry (Parks) under the RENEW plan, the accompanying resolution requests the extension of all three contracts to December 31, 2022. These extensions provide the necessary flexibility to efficiently advance work under the RENEW plan while at the same time progressing the RFP and consultant selection process for the next round of On-Call contracts.

### **FISCAL IMPLICATIONS**

The On-Call General Civil & Geotechnical Engineering Services Contracts each carry an aggregate assignment limit of \$500,000 per contract over the life of the contract. Each assignment under the On-Call General Civil & Geotechnical Engineering Services Contracts requires Legislative approval.

DPW is requesting authorization to raise the aggregate assignment limit by \$250,000 to \$750,000 for the On-Call General Civil & Geotechnical Engineering Services Contracts. These funds are to be applied to the Parks' project approved by the Legislature on July 8, 2021 in the RENEW legislation, COMM. 13E-15. A time extension from June 1, 2022 to December 31, 2022 is also being requested for these contracts.

Due to the nature of the work under the On-Call Emergency Bridge & Culvert Engineering Services Contract project, assignments may be made within funds previously authorized by the Legislature. The attached resolution is requesting a time extension only, from December 31, 2021 to December 31, 2022. There are no changes to the terms of the contract.

Funding for work handled by DPW for the Parks Department will be paid for by the newly authorized Parks capital project – A.211XX – Parks Supplemental Capital Funding, Fund 410, Funds Center 164.

### **REASONS FOR RECOMMENDATION**

The extension to the end of 2022 is necessary to advance and complete projects under the RENEW plan in a timely and efficient fashion while progressing the RFP and consultant

selection process for the next round of On-Call contracts.

### **BACKGROUND INFORMATION**

Consultant selection and engagement is a time-consuming process that can take up to 6 months to complete, including the RFP process, Legislative approval, and contract execution. The requested contract extensions allow for work to be designed in time for the 2022 construction season and for the design firms to see the projects through to completion. For disasters and emergencies, should any occur, term contracts permit a more rapid response.

### **CONSEQUENCES OF NEGATIVE ACTION**

The term contract extensions will not be executed and the flexibility and efficiency they provide for RENEW plan work completed through 2022 will not be available.

### **STEPS FOLLOWING APPROVAL**

The On-Call contracts with Bergmann Associates and Greenman-Pedersen will be extended through December 31, 2022 and the aggregate assignment level will be increased by \$250,000 to \$750,000. The On-Call contract with CHA Consulting, Inc. will be extended through December 31, 2022.

**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.



JOHN SOLECKI  
Associate Deputy Comptroller  
Comptroller's Office

A.211XX - Parks Supplemental Capital Funding

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

RE:           Extension of Term Contracts for On-Call General Civil &  
              Geotechnical Engineering Services and  
              On Call Emergency Bridge & Culvert Engineering Services  
              Countywide

WHEREAS, new work has been authorized by the Erie County Legislature for both the Department of Public Works (DPW) and the Department of Parks, Recreation and Forestry (Parks) under the RENEW plan approved on July 8, 2021 via COMM. 13E-15; and

WHEREAS, it is anticipated that the DPW will be handling both its own infrastructure work and that of the Parks Department; and

WHEREAS, the County has existing term contracts with Bergmann Associates and Greenman Pedersen, Inc. for the provision of On-Call General Civil and Geotechnical Services which were authorized by the County Legislature via COMM 6E-5 on April 26, 2018 and extended until June 1, 2022 via COMM. 9E-10 on May 13, 2021; and

WHEREAS, the County has an existing term contract with CHA Consulting for the provision of On Call Emergency Bridge & Culvert Engineering Services that ends on December 31, 2021; and

WHEREAS, in order to efficiently progress work under the RENEW plan intended for construction in 2022 it is desired to extend all three On Call contracts to December 31, 2022; and

WHEREAS, it is also desired to increase the On-Call contracts for General Civil and Geotechnical Services by \$250,000 to a new aggregate assignment of \$750,000 to include the Parks RENEW projects.

NOW, THEREFORE, BE IT

RESOLVED, that the County Executive is hereby authorized to execute contract extensions to December 31, 2022 for the current On-Call contracts with Bergmann Associates, Greenman-Pedersen, Inc., and CHA Consulting; and be it further

RESOLVED, that the County Executive is also authorized to execute contract amendments to the On-Call contracts with Bergmann Associates and Greenman-Pedersen, Inc. to increase by \$250,000 to a new aggregate assignment of \$750,000; and be it further

RESOLVED, that funding is available in the newly authorized Parks capital project – A.211XX – Parks Supplemental Capital Funding, Fund 410, Funds Center 164; and be it further

RESOLVED, that five (5) certified copies of this resolution be forwarded 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, the Department of Parks,

Recreation, and Forestry, the Office of the County Attorney, and the Office of the Comptroller.

TO: JOHN SOLECKI, COMPTROLLER'S OFFICE

PROPOSED RESOLUTIONS REQUIRING RULE 55

CONTRACT APPROVAL CHECKLIST  
CONFIRMATION OF AVAILABILITY OF FUNDS IN CAPITAL PROJECTS

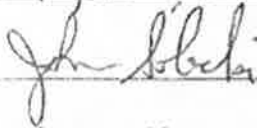
REQUESTING DEPARTMENT

COMPLETE ITEMS 1 THROUGH 5

- |                       |   |
|-----------------------|---|
| 1. CONTRACTOR'S NAME  | <u>Bergmann Associates and Greenman Pedersen, Inc.</u>                            |
| 2. AMOUNT OF CONTRACT | <u>\$250,000 increase to aggregate assignment</u>                                 |
| 3. PROJECT NUMBER     | <u>A.211XX – Parks Supplemental Capital Funding</u>                               |
| 4. PROJECT TITLE      | <u>Extension of Term Agreements</u>   |
| 5. DEPARTMENT CONTACT | <u>Funding questions: Darlene Svilokos<br/>Letter pickup: Christy Weber X8301</u> |

COMPTROLLER'S OFFICE

COMPLETE ITEMS 6 AND 7

- |                                    |   |
|------------------------------------|---|
| 6. AVAILABILITY OF FUNDS           | <u>\$ 14,300,000.00</u>   |
| 7. PERFORMED BY                    | <u></u> |
| Date Sent to Comptroller's Office: | <u>July 12, 2021</u>  |