



COUNTY OF ERIE

MARK C. POLONCARZ

COUNTY EXECUTIVE

May 29, 2025

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

**RE: Rehabilitation of William St. (CR 207) from Union Road (NYS 277) to Tamark Road, Town of Cheektowaga
NYSDOT Agreement and Contract for Engineering Design Services
PIN 5764.11**

Dear Honorable Members:

The Department of Public Works, Division of Highways is requesting authorization for the County Executive to enter into an agreement with New York State Department of Transportation (NYSDOT) for the above referenced project. The Department is also requesting authorization for the County Executive to execute an agreement with the design firm of CHA Consulting Inc. for engineering design services 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,

A handwritten signature in blue ink that reads "Mark C. Poloncarz". The signature is fluid and cursive.

Mark C. Poloncarz
Erie County Executive

MCP/dms
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: Rehabilitation on William St. from I-90 to Union Road, Town of Cheektowaga
NYSDOT Agreement and Contract for Engineering Design Services
PIN 5764.11
Date: May 29, 2025

SUMMARY

The Department of Public Works is seeking authorization to enter into an agreement with the New York State Department of Transportation (NYSDOT) for the engineering design and Right of Way Incidentals phases of the above referenced federal aid project.

Additionally, the Department is requesting authorization to execute an agreement between the County of Erie and the design firm of CHA consulting for engineering design services, and to establish a project contingency for a total project design cost not to exceed \$1,000,000.00. CHA Consulting was selected using the Procedures for Locally Administered Federal Aid Projects (PLAFAP) guidelines.

FISCAL IMPLICATIONS

The total cost of the engineering design and Right of Way incidentals phase with a project contingency for this project is currently estimated at \$1,000,000. The NYSDOT Agreement is in the amount of \$1,000,000 and funding is available in B.23005 – 2023 Federal Aid – Road Design. The budget needs to be adjusted for federal and non-federal monies and an allocation of a local (County) share in the amounts listed below:

B.23005 – 2023 Federal Aid Road Design	
Federal Aid Revenue	\$800,000
Marchiselli Revenue	\$150,000
Local Share	<u>\$ 50,000</u>
	\$1,000,000

The negotiated agreement between Erie County and CHA Consulting Inc, as the project design engineer, for engineering design services plus a project contingency will not exceed the total budget of \$1,000,000. Should the agreement receive any additional federal or non-federal reimbursements in the future, the capital project budget would be adjusted to reflect that increase.

REASONS FOR RECOMMENDATION

The Rehabilitation of William St. project is eligible for Federal Aid which allows the County of Erie to utilize available county funds and leverage federal and New York State funds towards the improvement of its infrastructure. CHA Consulting is recommended as project design engineers because of their expertise, experience, and manpower to provide the County of Erie with the service required. Erie County is eligible for reimbursement, from federal funds and NYS Marchiselli funds, under this Agreement with NYSDOT.

BACKGROUND INFORMATION

The existing William St. pavement section is showing signs of distress with longitudinal cracking. The road has received numerous patches due to pavement failures and utility repairs, and the existing drainage system needs repairs. The project objective is to correct identified pavement deficiencies, to extend the useful life of the pavement, and to maintain a structurally sound road.

The project meets eligibility requirements for the federal NHPP funds and is approved by the NYSDOT in their current Capital Program to be funded with federal aid and NYS Marchiselli funds.

CONSEQUENCES OF NEGATIVE ACTION

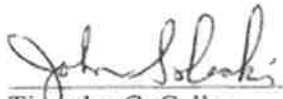
This action is required to ensure project advancement and financing through the Locally Administered Federal Aid Program using NHPP funds to pay for the design costs of the road rehabilitation. Negative action would halt design and result in continued deterioration of the road surface, decreased rideability, increased maintenance responsibilities and cost, as well as jeopardize existing and future reimbursement funding available through this program.

STEPS FOLLOWING APPROVAL

The Highway Division will proceed with execution of agreements in accordance with the federal and NYSDOT guidelines. Upon the Erie County Legislature's approval, the County Executive will execute agreements between CHA Consulting and the County and the State and Local agreement between Erie County and New York State.

COMPTROLLER'S OFFICE REVIEW

The proposed legislation has been reviewed by the Office of the Comptroller and is related to an authorized capital project for which there are sufficient appropriations for the action proposed.

 3/15/25
Timothy C. Callan
Deputy Comptroller
Comptroller's Office

B.23005 – Fed Aid Road Design
PIN 5764.11

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

RE: Rehabilitation of William St. (CR 207) from Union Road (NYS 277)) to Tamark Road Town of Cheektowaga
 NYSDOT Agreement and Contract for Engineering Design Services
 PIN 5764.11

WHEREAS, the Rehabilitation of William St. (CR 207) from Union Road (NYS 277) to Tamark Road, in the Town of Cheektowaga, PIN 5764.11 (the "Project") is eligible for funding under Title 23, U.S. Code, as amended, that calls for the apportionment of federal funds and a non-federal share; and

WHEREAS, the County of Erie desires to execute an Agreement with the New York State Department of Transportation (NYSDOT) to obtain federal and non-federal reimbursement funds, for the Project; and

WHEREAS, the County of Erie desires to advance the Project by making a commitment to advance the reimbursable federal and non-federal shares of the costs of the Engineering Design and Right of Way Incidentals phases of the Project; and

WHEREAS, this agreement is in the amount of \$1,000,000, which provides for the County of Erie's required local share commitment of \$50,000 and acceptance of federal revenue in the amount of \$800,000 and State Marchiselli revenue in the amount of \$150,000 for the design engineering and Right of Way incidentals phases of the Project, and

WHEREAS, after the Federal Aid RFQ process, the firm of CHA Consulting Inc., was selected as having the necessary expertise, experience, and manpower to provide the County of Erie with design engineering services for the rehabilitation of the above noted segment of William St.; and

WHEREAS, the Department desires to enter into an Engineering Design Services agreement with CHA Consulting Inc. and establish a project contingency with the project total not to exceed \$1,000,000; and

WHEREAS, there are sufficient funds for the project in Fund 420, Funds Center 123, B.23005 – 2023 Federal Aid – Road Design.

NOW, THEREFORE, BE IT

RESOLVED, that the Erie County Legislature hereby authorizes the County of Erie to participate in the Highway Resurfacing/ Rehabilitation of William St., PIN 5764.11 (the "Project"); and be it further

RESOLVED, that authorization is hereby given to the County Executive or Deputy County Executive to execute the Agreement between the County of Erie and NYSDOT; and be it further

RESOLVED, that the NYSDOT Agreement, in the amount of \$1,000,000 provides for \$800,000 in federal aid, \$150,000 in Marchiselli State funds, and \$50,000 in local County funds; and be it further

RESOLVED, that authorization is hereby given to the Department of Public Works, Division of Highways with the Division of Budget and Management to adjust the budgets of Capital Project B.23005, 2023 Federal Aid – Road Design, Fund 420, Funds Center 123 and that the funds be made available to cover the cost of participation in the above phases of the Project, as follows:

		CURRENT BUDGET	INCREASE/ DECREASE	REVISED BUDGET
REVENUES				
405160	NYS Marchiselli Funds	\$ 389,400	\$ 150,000	\$ 539,400
414000	Federal Aid	\$3,610,600	\$(150,000)	\$3,460,600
475000	Gen. Oblig. Bond	<u>\$1,750,000</u>	<u>\$ 0</u>	<u>\$1,750,000</u>
TOTAL REVENUES		<u>\$5,750,000</u>	<u>\$ 0</u>	<u>\$5,750,000</u>
APPROPRIATIONS				
Capital Project Exp		<u>\$5,750,000</u>	<u>\$ 0</u>	<u>\$5,750,000</u>
TOTAL APPROPRIATIONS		<u>\$5,750,000</u>	<u>\$ 0</u>	<u>\$5,750,000</u>

and be it further

RESOLVED, that authorization is hereby given to the County Executive or Deputy County Executive to award and execute an agreement between the County of Erie and the selected Project Design Engineers, CHA Consulting Inc, for engineering design services plus a project contingency in an amount not exceed \$1,000,000; and be it further

RESOLVED, that authorization is hereby given for the Director of Budget and Management to adjust the Project budget for any and all additions or reductions in federal and/or non-federal revenue that are made available for this Project; and be it further

RESOLVED, that authorization is hereby given to accept all federal and state reimbursements from the NYSDOT Agreement, as well as any other federal or non-federal funding which may be made available; and be it further

RESOLVED, that authorization is hereby given to the County of Erie to pay for the first instance 100% of the federal and non-federal shares of the cost of the Project or portions thereof, with an understanding that qualified costs may be eligible for federal aid and non-federal aid reimbursement; 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 cost of the Project's Design Engineering and Right of Way Incidentals phases exceeds the amount appropriated above, 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 authorization is hereby given to the County Executive or Deputy County Executive to execute all necessary Agreements, certifications or reimbursement requests for federal and non-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 providing for the administration of the Project and the County's first instance funding of Project costs and all Project costs within appropriations therefore that are not so eligible; and be it further

RESOLVED, that authorization is hereby given for the County Executive or Deputy County Executive to execute any necessary change orders, amendments, and agreements; 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, Office of the Commissioner, to be forwarded to the New York State Department of Transportation; and be it further

RESOLVED, that the Clerk of the Legislature forward three (3) certified copies of this Resolution to the Department of Public Works, Office of the Commissioner, and one copy each to the the County Executive's Office, Comptroller's Office and Division of Budget and Management.

TO: TIMOTHY C. CALLAN, COMPTROLLER'S OFFICE

RE: 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 | New York State Department of Transportation;
CHA Consulting Inc. |
| 2. AMOUNT OF CONTRACT | \$ 1,000,000 |
| 3. PROJECT NUMBER | B.23005 |
| 4. PROJECT TITLE | 2023 Fed Aid Project Design
5764.11 Rehab of William St. |
| 5. DEPARTMENT CONTACT | Funding questions: Darlene Svilokos. at 7801
Letter pickup: Christy Weber at 8301 |

COMPTROLLER'S OFFICE

COMPLETE ITEMS 6 AND 7

- | | |
|------------------------------------|--------------------------------------------------------------------------------------|
| 6. AVAILABILITY OF FUNDS | \$ 3,751,950.00 |
| 7. PERFORMED BY |  |
| Date Sent to Comptroller's Office: | 05/13/2025 |

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