



COUNTY OF ERIE

MARK C. POLONCARZ

COUNTY EXECUTIVE
June 5, 2026

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

**RE: Agreement with NYSDOT and Award of Construction Contracts Locally Administered Federal Aid Bridge Preservation Project 2025 Vertical Down Substructure Repairs (3 Bridges)
Towns of Amherst, Orchard Park & West Seneca, Erie County
NYS PIN 5764.18**

Dear Honorable Members:

We are forwarding for your approval a proposed resolution seeking authorization for the County of Erie to participate in the above-noted Project. This project requires the County Executive to enter into an Agreement with the New York State Department of Transportation (NYSDOT). Award a construction contract to the lowest responsible bidder, Oakgrove Construction, Inc., enter into a construction phase engineering agreement with CHA Consulting, Inc.

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

Sincerely yours,

Mark C. Poloncarz, Esq.
Erie County Executive

MCP/jtd
Enclosure

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

MEMORANDUM

To: Honorable Members of the Erie County Legislature
From: Department of Public Works
Re: Agreement with NYSDOT and Award of Construction Contracts Locally Administered Federal Aid Bridge Preservation Project 2025 Vertical Down Substructure Repairs (3 Bridges)
Towns of Amherst, Orchard Park & West Seneca, Erie County
NYS PIN 5764.18
Date: June 5, 2026

SUMMARY

Authorization is requested for the County Executive to enter into a Locally Administered Federal Aid Agreement with the New York State Department of Transportation (NYSDOT) for the 2025 Vertical Down Substructure Repairs (3 Bridges), PIN 5764.18. Authorization is also being requested to award a construction contract to the lowest responsible bidder, Oakgrove Construction, Inc., enter into an agreement with CHA Consulting, Inc. for construction phase engineering and inspection services, and to establish a project contingency.

FISCAL IMPLICATIONS

The Locally Administered Federal Aid Project agreement for the construction phase is \$2,600,000. The Federal Aid reimbursement is \$2,080,000, the Marchiselli (State) reimbursement is \$390,000. and a local share of \$130,000. The total budget of \$2,600,000 is available in Project B.24012 -- 2024 Federal Aid Preservation of Bridges in Fund 420, Funds Center 123.

REASONS FOR RECOMMENDATION

The Erie County Department of Public Works has completed the design phase of the Project and desires to advance the Project by entering into an Agreement for the construction and construction inspection phase with NYSDOT. This Project benefits from Federal Aid reimbursement through the Locally Administered Federal Aid Program.

BACKGROUND INFORMATION

This project has been approved by NYSDOT in their current Capital Program to be funded with Federal aid funds for the repairs to the bridges. The original scope of work for this project included only repairs to the substructures on the three (3) bridges. During the design phase, it was noted that additional repairs are needed due to the extreme winter accelerating deterioration of the bridges. The most significant of these is the Maple Road Bridge over Ellicott Creek (BIN 3326390) in the Town of Amherst, where the asphalt wearing surface of the bridge has rapidly deteriorated and required numerous patches to be installed. Replacement of the full wearing surface and installation of a new waterproof membrane is needed to improve the ride quality and prolong the life of the concrete bridge deck and was thus added to the project.

CONSEQUENCES OF NEGATIVE ACTION


If the proposed resolution is not approved, the repairs necessary to maintain and prolong the life of Erie County's infrastructure will not occur and the bridge structures will continue to deteriorate. Failure to execute this Agreement will jeopardize receipt of federal funding for the Project and possibly the loss of eligibility for future Federal Aid Program participation.

STEPS FOLLOWING APPROVAL

The County Executive will execute Agreements with the NYSDOT, the lowest responsible bidder, Oakgrove Construction, Inc., and CHA Consulting, Inc. for a successful and timely implementation of this project. Budgets as stated in the resolution will be adjusted.

COMPTROLLER'S OFFICE REVIEW

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

 5/22/26

Timothy C. Callan
Deputy Comptroller
Comptroller's Office

B.24012

NYS PIN 5764.18 – 2025 Vertical Down Substructure Repairs (3 Bridges)

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

RE: Agreement with NYSDOT and Award of Construction Contracts Locally Administered Federal Aid Bridge Preservation Project 2025 Vertical Down Substructure Repairs (3 Bridges)
Towns of Amherst, Orchard Park & West Seneca, Erie County
NYS PIN 5764.18

WHEREAS, the 2025 Vertical Down Substructure Repairs (3 Bridges), PIN 5764.18, (the "Project") is eligible for funding under Title 23, U.S. Code, as amended, that calls for the apportionment of Federal and State funds, and a local share; and

WHEREAS, the County of Erie desires to advance the Construction phase of the Project by making a commitment for the Federal and non-Federal share of the costs of the project; and

WHEREAS, the County of Erie desires to execute an Agreement with the New York State Department of Transportation (NYSDOT) in the amount of \$2,600,000 of which the local share is \$65,000, for the Project; and

WHEREAS, the County of Erie wants to award the construction project to the lowest responsible bidder, Oakgrove Construction, Inc., in the amount of \$2,233,727, enter into an agreement with CHA Consulting, Inc. for construction inspection and construction administration for \$183,000, and to establish a project contingency in an amount of \$183,273 totaling an amount not to exceed \$2,600,000; and

NOW, THEREFORE, BE IT

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

RESOLVED, that authorization is hereby given for the County Executive or Deputy County Executive to enter into an Agreement with the New York State Department of Transportation (NYSDOT) with a federal share of \$2,080,000, a non-federal share of \$390,000 and a County share of \$130,000 thus totaling \$2,600,000; and be it further

RESOLVED, that authorization is hereby given for the County Executive or Deputy County Executive to execute the construction contract with the lowest responsible bidder, Oakgrove Construction, Inc. in the amount of \$2,233,727.00; and be it further

RESOLVED, that authorization is hereby given to the County Executive or Deputy County Executive to execute, a construction phase engineering services agreement with CHA Consulting, Inc in the amount of \$183,000, and establish a project contingency of 183,273 for a total project cost not to exceed \$2,600,000; and be it further

RESOLVED, that authorization is hereby given for the County of Erie to pay in the first instance 100% of Federal and non-Federal shares of the cost of construction and construction inspection phases of the Project or portions thereof with the understanding that qualified costs may be eligible for federal-aid and or state-aid reimbursement; and be it further

RESOLVED, that authorization is hereby given to the County of Erie to accept all Federal and State reimbursements from the NYSDOT Agreement, as well as any other additional Federal or State funding which may be made available; and be it further

RESOLVED, that the total sum of \$2,600,000 for the construction, and construction inspection phase and project contingency is available in Project B.24012 – 2024 Federal Aid Preservation of Bridges, Fund 420, Funds Center 123; and be it further

RESOLVED, that authorization is hereby given to the Division of Budget and Management to adjust Capital Project B.24012 – 2024 Federal Aid Preservation of Bridges, as follows:

	Current Budget	Increase / (Decrease)	Revised Budget
REVENUES			
405160 NYS Marchiselli	\$ 201,000	\$ 390,000	\$ 591,000
414000 Federal Aid	\$2,712,000	\$1,088,000	\$3,800,000
475000 Gen Oblig Bond Proceeds	<u>\$ 788,000</u>	<u>\$ 0</u>	<u>\$ 788,000</u>
TOTAL	<u>\$3,701,000</u>	<u>\$1,478,000</u>	<u>\$5,179,000</u>
 APPROPRIATIONS			
CAPITALPROJECTS	<u>\$3,701,000</u>	<u>\$1,478,000</u>	<u>\$5,179,000</u>
TOTAL	<u>\$3,701,000</u>	<u>\$1,478,000</u>	<u>\$5,179,000</u>

and be it further

RESOLVED, that authorization is hereby given to the Director of Budget and Management to adjust the Project budget for any and all additions or reductions in Federal and/or State revenue that are made available for this Project; 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 construction and construction inspection phases exceeds the amount appropriated, the County of Erie shall convene its Legislature as soon as possible to appropriate said excess amount immediately upon the notification by the NYSDOT thereof; and be it further

RESOLVED, that authorization is hereby given to the County Executive or Deputy County Executive of the County of Erie to execute all necessary Agreements, certifications or reimbursement requests for Federal Aid on behalf of the County of Erie, with the NYSDOT 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 permanent funding of

the local share of Federal 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

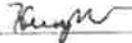
RESOLVED, that the Clerk of the Legislature forward two (2) certified copies of this Resolution to the Department of Public Works, Division of Highways, to be forwarded to the NYSDOT; and be it further

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

TO: TIMOTHY C. CALLAN, 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	NYS Department of Transportation Oakgrove Costruction, Inc. – Lowest Bidder CHA Consulting, Inc. <hr/>
2. AMOUNT OF CONTRACT	\$2,233,727 Oakgrove Construction, Inc. \$ 183,000 CHA Consultants \$ 183,273 Contingency \$2,600,000 Total, not to exceed <hr/>
3. PROJECT NUMBER	B.24012 – \$2,600,000 <hr/>
4. PROJECT TITLE	2025 Vertical Down Substructure Repairs (3 Bridges) – PIN 5764.18 <hr/>
5. DEPARTMENT CONTACT	Funding questions: William Geary at 7555 Letter pickup: Christy Weber at 8301 <hr/>

<u>COMPTROLLER'S OFFICE</u>	<u>COMPLETE ITEMS 6 AND 7</u>
6. AVAILABILITY OF FUNDS	\$1,682,574.26 before budget increase
7. PERFORMED BY	 <hr/>
Date Sent to Comptroller's Office:	5/21/2026 <hr/>

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