

WARREN COUNTY PUBLIC WORKS - DPW COMMITTEE MEETING

Tuesday, July 31, 2012
9:30 am

AGENDA

CALL TO ORDER..... Chairman Ralph Bentley
APPROVAL OF MINUTES..... Chairman Ralph Bentley
NEW BUSINESS..... Chairman Ralph Bentley

Page

1 DPW OT Report..... Jeff Tennyson
2 DPW Fuel Report..... Jeff Tennyson
5 (R) New Contract – Lanfear Rd Bridge Rehab (low responsible bid)... Jeff Tennyson
6 (R) Amend Grant – Beach Rd Reconstruction Project..... Jeff Tennyson
14 (R) Amend Contract – B&L Beach Rd Recon..... Jeff Tennyson
21 (R) Fill Vacant Position – Assistant Engineer..... Jeff Tennyson

Transfers

22 D5112 Rd Projects: Diamond Pt -8171 to Haviland -8172 (\$20,000).... Jeff Tennyson

Items of Interest

- Beach Road Reconstruction – Kubricky Const. Corp & DEC Section (photo)
- West Brook Parking Lot Progress (photo)
- 13th Lake Rd Bridge over 13th Lake Creek Repairs (photo)

OLD BUSINESS..... Chairman Ralph Bentley
REFERRALS (pg 23)..... Chairman Ralph Bentley
PRIVILEGE OF THE FLOOR..... Chairman Ralph Bentley
ADJOURNMENT..... Chairman Ralph Bentley

DPW OVERTIME ALL DIVISIONS

	January	February	March	April	May	June	July	August	September	October	November	December	TOTAL
2008	4180	4743	1796	301	940	889	707	343	1443	416	2919	1261	19938
2009	3155	1311	36	123	659	619	317	325	930	215	381	1813	9884
2010	1668	1462	89	205	120	489	390	251	1094	196	299	1147	7410
2011	2481	2238	1459	270	1464	1072	304	990	1482	866	396	577	13599
2012	1950	881	722	108	245	543	449						4898

Average	2687	2127	820	201	686	722	433	477	1237	423	999	1200	11146
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Department of Public Works
 Diesel & Unleaded Fuel Expense
 for Period Ending June 30, 2012
 As of 07/19/2012

Year	January	February	March	April	May	June
2005	\$ 22,274.00	\$ 17,760.00	\$ 17,567.00	\$ 12,256.00	\$ 16,605.00	\$ 25,525.00
2006	\$ 30,076.00	\$ 19,299.00	\$ 19,327.00	\$ 15,096.00	\$ 26,956.00	\$ 24,890.00
2007	\$ 28,267.00	\$ 28,178.00	\$ 24,103.00	\$ 24,179.00	\$ 22,350.00	\$ 22,934.00
2008	\$ 41,643.00	\$ 51,796.00	\$ 27,756.00	\$ 27,519.00	\$ 33,621.00	\$ 43,618.00
2009	\$ 31,901.00	\$ 19,323.00	\$ 14,152.00	\$ 14,041.00	\$ 15,832.00	\$ 20,211.00
2010	\$ 20,251.00	\$ 21,890.00	\$ 18,052.00	\$ 20,409.00	\$ 21,826.00	\$ 24,286.00
2011	\$ 41,395.00	\$ 42,921.00	\$ 40,756.40	\$ 21,979.34	\$ 36,389.79	\$ 43,952.57

Seven Year Ave \$ 30,829.57 \$ 28,738.14 \$ 23,101.91 \$ 19,354.19 \$ 24,797.11 \$ 29,345.22
 Ave. Minus high/low \$ 30,782.60 \$ 26,322.20 \$ 21,361.00 \$ 19,140.87 \$ 24,271.60 \$ 28,250.60

Actual 2012 \$ 40,027.00 \$ 25,334.00 \$ 31,974.00 \$ 28,001.77 29323.87 33578.02

Year	July	August	September	October	November	December	Year Total
2005	\$ 20,883.00	\$ 21,524.00	\$ 19,501.00	\$ 19,546.00	\$ 19,160.00	\$ 23,180.00	\$ 235,781.00
2006	\$ 23,890.00	\$ 27,924.00	\$ 19,789.00	\$ 21,014.00	\$ 12,504.00	\$ 17,912.00	\$ 258,677.00
2007	\$ 20,053.00	\$ 23,292.00	\$ 18,961.00	\$ 26,637.00	\$ 22,830.00	\$ 41,035.00	\$ 302,819.00
2008	\$ 41,711.00	\$ 36,772.00	\$ 36,849.00	\$ 33,330.00	\$ 20,615.00	\$ 34,086.00	\$ 429,316.00
2009	\$ 20,694.00	\$ 20,001.00	\$ 20,226.00	\$ 19,534.00	\$ 14,865.00	\$ 34,086.00	\$ 244,866.00
2010	\$ 21,243.00	\$ 22,945.00	\$ 21,119.00	\$ 18,731.00	\$ 18,193.00	\$ 24,298.00	\$ 253,243.00
2011	\$ 25,992.71	\$ 34,175.23	\$ 37,901.04	\$ 29,037.34	\$ 33,796.55	\$ 25,754.67	\$ 414,051.64

Seven Year Ave. \$ 24,923.82 \$ 26,661.89 \$ 24,906.58 \$ 23,975.62 \$ 20,280.51 \$ 28,621.67 \$ 305,536.23
 Ave. Minus high/low \$ 22,540.54 \$ 32,465.06 \$ 23,496.80 \$ 23,153.67 \$ 19,132.60 \$ 28,280.93 \$ 299,198.47

Actual 2012 \$ 40,027.00 \$ 25,334.00 \$ 31,974.00 \$ 28,001.77 29323.87 33578.02

Projected Budget Bal. 7/1/2012 \$ 223,238.41

Projected Additional Expense \$ 177,945.00

Projected Budget Overage or (Shortage) @ current rates \$ 45,293.41

**Department of Public Works
Diesel Fuel Used (Gallons)
for Period Ending June 30, 2012
As of 07/19/2012**

Year	January	February	March	April	May	June
2005	10795	8602	7782	4283	6876	10495
2006	11575	6480	6355	4488	8658	7438
2007	9445	9661	7290	7073	6345	6402
2008	10159	13655	5861	5145	6221	7891
2009	10599	6650	4841	5260	5787	6958
2010	5893	6673	4558	5435	6311	7306
2011	10891	10687	8845	3703	7415	10142

Seven Year Ave. 11560 10401 7589 5898 7936 9439
Ave. Minus high/low 10573 8495 6426 4922 6438 7947

Actual 2012 8954 4932 6757 5843 6383 8165
Projected 2011

Year	July	August	September	October	November	December	Year Total
2005	8563	8044	6451	5550	6468	7986	91895
2006	7051	8300	6169	6769	3462	5198	81943
2007	5315	6384	4924	6714	4795	10400	84748
2008	7298	6746	7082	6934	6088	10618	93698
2009	6756	6580	6297	6382	4344	7906	78360
2010	5241	7121	6401	5031	4576	6062	70608
2011	5480	7377	9046	6592	7705	5256	93139
Seven Year Ave.	6529	7222	6624	6282	5348	7632	84913
Ave. Minus high/low	6380	7174	6873	6401	5254	7522	84406

Actual 2012 6380 7174 6873 6401 5254 7522 41034
Projected 2012 6380 7174 6873 6401 5254 7522 39604

Current Price \$3.13
Projected Cost \$123,961

**Department of Public Works
Unleaded Fuel Used (Gallons)
for Period Ending June 30, 2012
As of 07/18/2012**

Year	January	February	March	April	May	June
2005	3690	2654	2838	2789	2796	3836
2006	3271	3137	3200	2445	3045	3204
2007	3495	3099	3345	3059	2927	2937
2008	3725	3406	3359	3117	3252	3235
2009	3960	3465	3229	2824	2914	3341
2010	2587	2606	3063	3149	2849	3069
2011	3959	3528	3927	3002	3414	3459

Six Year Ave. 3455 3061 3172 2897 2964 3270
 Ave. Minus high/low 3628 3152 3239 3161 2997 3262

Actual 2012 3174 2562 2486 2274 2646 2727
Projected 2012

Year	July	August	September	October	November	December	Year Total
2005	2809	3097	3450	3301	2675	3386	37321
2006	2848	2841	2605	3022	2340	2725	34683
2007	2874	3200	2799	3300	3229	3625	37889
2008	3524	3342	3533	3835	2863	4170	41361
2009	3294	3032	3293	2845	2317	3081	37595
2010	3019	2832	3224	2803	2833	3269	35303
2011	2588	3279	2855	2616	2511	2773	37911

Six Year Ave. 3061 3057 3151 3184 2710 3376 37359
 Ave. Minus high/low 3099 3090 3124 3054 2644 3227 37204

Actual 2012 3099 3090 3124 3054 2644 3227 15869
Projected 2012 3099 3090 3124 3054 2644 3227 18238

Current Price \$ 2.96 \$
 Projected Cost \$ 53,984

RESOLUTION REQUEST FORM NO. 3***Request for New Contract*****DEPARTMENT NAME: DPW****DATE: 7/31/12**

- (a) Is this a Result of a Bid or Request for Proposal? Bid
- (b) Purpose of Contract: Lanfear Road (CR 76) over Stony Creek Bridge Repairs
- (c) Name of Contractor: TBD - Bid opening Wednesday, September 5, 2012
- (d) Address of Contractor: TBD
- (e) Contractor's Contact Person and Telephone Number: TBD
- (f) Has or will the Contract be provided, if so, please attach:
- (g) Commencement Date of Contract: TBD
- (h) Termination Date of Contract: Upon completion of work
- (i) Payment Provisions:
 - i) lump sum amount TBD
 - ii) hourly rate amount
 - iii) total amount not to exceed
 - iv) how will payments be made (i.e. monthly, quarterly, upon completion of the project, etc.
- (j) Where are the Funds for this Contract? List Budget Code, (with title), Object Code (with title), and Amount: OR Capital Project OR Capital Reserve Project Number, and Title, and Amount: H321.9550 280 Lanfear Road (CR 76) over Stony Creek Bridge Repair Project

RESOLUTION REQUEST FORM NO. 6

Request to Amend or Extend Existing Grant

DEPARTMENT NAME:

DATE: 7/31/12

- (a) Purpose of Grant Amendment: Supplemental Agreement No. 6 for Beach Road (CR 51/6) Reconstruction Project
- (b) Resolution No. which Authorized Original Application and Grant: 403 of 2007
- (c) Name of Grantor: New York State Department of Transportation
- (d) Address of Grantor: 50 Wolf Road, Albany, NY 12205
- (e) Grantor's Contact Person and Telephone Number: Karen Hulihan, 485-7734
- (f) Has or Will the Grant Amendment or Grant Extension be provided, if so, Please Attach? Yes
- (g) Effective Date of Amendment or Extension: Upon Execution
- (h) Termination Date of Amendment or Extension: 12/31/2017
- (i) Total Dollar Amount Involved (not to exceed): \$55,200

Supplemental No. 6	\$44,160 Federal Share (80%)
	\$11,040 State Share (20%)
	\$ 0 Local Match Share (0%)

- (j) Is a Budget amendment required? **No** If yes, please complete and submit Form No. 7.
- (k) Are the funds to go into a Capital Project or Capital Reserve Project? **No** If yes, also complete and submit Form No. 8 or Form No. 9, as applicable.
- (l) Is a Local Share Required? **No** If Yes, Where are the Funds? List Budget Code (with title), Object Code (with title), and Amount **OR** Capital Project **OR** Capital Reserve Project Number and Title and Amount: H277.9550 280 Beach Road (CR 51/6) Reconstruction Project

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Municipality/Sponsor: **County of Warren**

PIN: 1757.28 BIN:

Comptroller's Contract No. **D030237**

Supplemental Agreement No.6

Date Prepared: 7/30/2012 By: hlr

Initials

Press F1 for instructions in the blank fields:

SUPPLEMENTAL AGREEMENT No. 6 to D030237 (Comptroller's Contract No.)

This Supplemental Agreement is by and between:

the New York State Department of Transportation ("NYSDOT"), having its principal office at 50 Wolf Road, Albany, NY 12232, on behalf of New York State ("State");

and

County of Warren (the Municipality/Sponsor)

Acting by and through the **County Superintendents of Public Works**

with its office at **4028 Main Street, Warrensburg, NY 12885.**

This amends the existing Agreement between the parties in the following respects only (*check applicable categories*):

Amends a previously adopted Schedule A by (*check as applicable*):

amending a project description

amending the contract end date

amending the scheduled funding by:

adding additional funding (*check and enter the # phase(s) as applicable*):

adding phase which covers eligible costs incurred on/after / /

adding phase which covers eligible costs incurred on/after / /

increasing funding for a project phase(s)

adding a pin extension

change from Non-Marchiselli to Marchiselli

deleting/reducing funding for a project phase(s)

other ()

Amends a previously adopted Schedule "B" (Phases, Sub-phase/Tasks, and Allocation of Responsibility)

Amends the text of the Agreement as follows (*insert text below*):

Municipality/Sponsor: **County of Warren**

PIN: 1757.28 BIN:

Comptroller's Contract No. **D030237**

Supplemental Agreement No.6

Date Prepared: 7/30/2012 By: hlr

Initials

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Press F1 for instructions in the blank fields:

IN WITNESS WHEREOF, the parties have caused this Agreement to be executed by their duly authorized officials as of the date first above written.

MUNICIPALITY/SPONSOR:

MUNICIPALITY/SPONSOR ATTORNEY:

By: _____

By: _____

Print Name: _____

Print Name: _____

Title: _____

STATE OF NEW YORK)
)ss.:
COUNTY OF **Warren**)

On this _____ day of _____, 20__ before me personally came _____ to me known, who, being by me duly sworn did depose and say that he/she resides at _____; that he/she is the _____ of the Municipal/Sponsor Corporation described in and which executed the above instrument; (except New York City) that it was executed by order of the _____ of said Municipal/Sponsor Corporation pursuant to a resolution which was duly adopted on _____ and which a certified copy is attached and made a part hereof; and that he/she signed his/her name thereto by like order.

Notary Public

APPROVED FOR NYSDOT:

**APPROVED AS TO FORM:
STATE OF NEW YORK ATTORNEY GENERAL**

BY: _____
For Commissioner of Transportation

Agency Certification: In addition to the acceptance of this contract I also certify that original copies of this signature page will be attached to all other exact copies of this contract.

By: _____
Assistant Attorney General

Date: _____

COMPTROLLER'S APPROVAL:

By: _____
For the New York State Comptroller
Pursuant to State Finance Law '112

NYSDOT/ State-Local Agreement - Schedule A for PIN 1757.28

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OSC Municipal Contract #: D030237 **Contract Start Date:** 5/11/2007 (mm/dd/yyyy) **Contract End Date:** 12/31/2017 (mm/dd/yyyy)
 Check, if date changed from the last Schedule A

Purpose: Original Standard Agreement Supplemental Schedule A No. 6

Agreement Type: Locally Administered Municipality/Sponsor (Contract Payee): County of Warren
 Other Municipality/Sponsor (if applicable):
 State Administered *List participating Municipality(ies) and the % of cost share for each and indicate by checkbox which Municipality this Schedule A applies.*
 Municipality: % of Cost share
 Municipality: % of Cost share
 Municipality: % of Cost share

Authorized Project Phase(s) to which this Schedule applies: PE/Design ROW Incidentals
 ROW Acquisition Construction/CI/CS

Work Type: HWY RECONST **County (If different from Municipality):**

Project Description (Check, if changed from last Schedule A): Beach Road Reconstruction, Village of Lake George
Additional Project Description (if required): Warren County
Marchiselli Eligible Yes No

Approved Marchiselli Allocations in Legislature's Comprehensive List FOR ALL PHASES *To compute Total Costs in the last row and column, right click in each field and select "Update Field."*

Check box to indicate change from last Schedule A	State Fiscal Year(s)	Project Phase			TOTAL
		PE/Design	ROW (RI & RA)	Construction/CI/CS	
<input checked="" type="checkbox"/>	Cumulative total for all prior SFYs	\$90,000.00	\$11,000.00	\$742,000.00	\$843,000.00
<input type="checkbox"/>	Current SFY	\$0.00	\$0.00	\$0.00	\$ 0.00
Authorized Allocations to Date		\$90,000.00	\$11,000.00	\$742,000.00	\$843,000.00

A. Summary of allocated MARCHISELLI Program Costs FOR ALL PHASES *For each PIN Fiscal Share below, show current costs on the rows indicated as "Current." Show the old costs from the previous Schedule A on the row indicated as "Old." To compute Total Current Costs in the last row, right click in each field and select "Update Field."*

PIN Fiscal Share	"Current" or "Old" entry indicator	Federal Funding Program	Total Costs	FEDERAL Participating Share and Percentage	STATE MARCHISELLI Match	LOCAL Matching Share	LOCAL DEPOSIT AMOUNT (Required only if State Administered)
1757.28.121	Current	STP	\$805,810.00	\$644,648.00 (80%)	\$90,000.00 **	\$71,162.00	\$0.00
	Old	STP	\$750,610.00	\$600,488.00 (80%)	\$90,000.00 **	\$60,122.00	\$0.00
1757.28.221	Current	STP	\$100,990.00	\$80,792.00 (80%)	\$11,000.00 **	\$9,198.00	\$0.00
	Old	STP	\$100,990.00	\$80,792.00 (80%)	\$11,000.00 **	\$9,198.00	\$0.00
1757.28.321	Current	STP	\$6,713,164.00	\$5,370,532.00 (80%)	\$742,000.00 **	\$600,632.00	\$0.00
	Old	STP	\$6,713,164.00	\$5,370,532.00 (80%)	\$742,000.00	\$600,632.00	\$0.00
.	Current		\$	\$	\$	\$	\$0.00
	Old		\$	\$	\$	\$	\$
.	Current		\$	\$	\$	\$	\$
	Old		\$	\$	\$	\$	\$
.	Current		\$	\$	\$	\$	\$
	Old		\$	\$	\$	\$	\$
TOTAL CURRENT COSTS:			\$7,619,964.00	\$6,095,972.00	\$843,000.00	\$680,992.00	\$ 0.00

NYS DOT/State-Local Agreement – Schedule A

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B. Summary of Other (including Non-allocated MARCHISELLI) Participating Costs FOR ALL PHASES For each PIN Fiscal Share, show current costs on the rows indicated as "Current.". Show the old costs from the previous Schedule A on the row indicated as "Old." To compute Total Current Costs in last row, right click in each field and select "Update Field."

Other PIN Fiscal Shares	'Current' or 'Old' entry indicator	Funding Source	TOTAL	Other FEDERAL	Other STATE	Other LOCAL
..	Current		\$	\$	\$	\$0.00
	Old		\$	\$	\$	\$
..	Current		\$	\$	\$	\$
	Old		\$	\$	\$	\$
..	Current		\$	\$	\$	\$
	Old		\$	\$	\$	\$
..	Current		\$	\$	\$	\$
	Old		\$	\$	\$	\$
..	Current		\$	\$	\$	\$
	Old		\$	\$	\$	\$
..	Current		\$	\$	\$	\$
	Old		\$	\$	\$	\$
..	Current		\$	\$	\$	\$
	Old		\$	\$	\$	\$
TOTAL CURRENT COSTS:			\$ 0.00	\$ 0.00	\$ 0.00	\$ 0.00

C. Total Local Deposit(s) Required for State Administered Projects:	\$0.00
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D. Total Project Costs To compute Total Costs in the last column, right click in the field and select "Update Field."

Total FEDERAL Cost	Total STATE MARCHISELLI Cost	Total Other STATE Cost	Total LOCAL Cost	Total Costs (all sources)
\$6,095,972.00	\$843,000.00	\$	\$680,992.00	\$7,619,964.00

E. Point of Contact for Questions Regarding this Schedule A (Must be completed)	Name: <u>Heidi Romines</u> Phone No: <u>518-457-9161</u>
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See Agreement (or Supplemental Agreement Cover) for required contract signatures.

NYS DOT/State-Local Agreement – Schedule A

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Footnotes: (See LPB Website for link to sample footnotes)

- This Supplemental Schedule A increases the Design Phase (from \$750,610 to \$805,810); an increase of \$55,200.
- Marchiselli Funding required for the Design Phase currently totals \$120,872 i.e. [15% of \$805,810], however, only \$90,000 is available
- Marchiselli Funding required for the Right-of-Way Phases currently totals \$15,149 i.e. [15% of \$100,990], however, only \$11,000 is available
- Marchiselli Funding required for the Construction Phases currently totals \$1,006,975 i.e. [15% of \$6,713,164], however, only \$742,000 is available
- Marchiselli funding hereunder is limited by the amount authorized on the Comprehensive List. Additional Marchiselli funding is contingent on appropriate increase(s) to the Comprehensive List and the execution of a Supplemental Schedule A providing such additional funds.
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SAMPLE RESOLUTION BY MUNICIPALITY
(Locally Administered Project)
RESOLUTION NUMBER: _____

(12)

Authorizing the implementation, and funding in the first instance 100% of the federal-aid and State "Marchiselli" Program-aid eligible costs, of a transportation federal-aid project, and appropriating funds therefore.

WHEREAS, a Project Beach Road Reconstruction, in the Town and Village of Lake George, Warren County, P.I.N. 1757.28 (the Project") is eligible for funding under Title 23 U.S. Code, as amended, that calls for the apportionment of the costs such program to be borne at the ratio of 80% Federal funds and 20% non-federal funds; and

WHEREAS, the County of Warren desires to advance the Project by making a commitment of 100% of the non-federal share of the costs of Preliminary Engineering, Right of Way and Construction / Construction Inspection / Construction Support.

NOW, THEREFORE, the Warren County Board of Supervisors, duly convened does hereby

RESOLVE, that the County Board of Supervisors hereby approves the above-subject project; and it is hereby further

RESOLVED, that the County Board hereby authorizes the County of Warren to pay in the first instance 100% of the federal and non-federal share of the cost of Design, Right of Way and Construction / Construction Inspection / Construction Support work for the Project or portions thereof; and it is further

RESOLVED, that the sum of \$7,564,764.00 (Seven million five hundred sixty-four thousand seven hundred sixty-four dollars and no cents) (\$750,610.00 for Preliminary Engineering, \$100,990.00 for Right of Way and \$6,713,164 for Construction / Construction Inspection / Construction Support) has been appropriated from H277.9550 280 – Beach Road (CR 51/6) Reconstruction Project and made available to cover the cost of participation in the above phase of the Project; and it is further

RESOLVED, that the additional sum of \$55,200.00 (Fifty-five thousand two hundred dollars and no cents) (\$55,200 for additional Preliminary Engineering) is hereby appropriated from _____ [or, appropriated pursuant to _____] and made available to cover the cost of participation in the above phase of the Project; and it is further

RESOLVED, that in the event the full federal and non-federal share costs of the project exceeds the amount appropriated above, the Board of Supervisors of Warren County shall convene as soon as possible to appropriate said excess amount immediately upon the notification by the New York State Department of Transportation thereof, and it is further

RESOLVED, that the Chairman of the Board of Supervisors of Warren County be and is hereby authorized to execute all necessary Agreements, certifications or reimbursement requests for Federal Aid and/or Marchiselli Aid on behalf of the County of Warren 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 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 it is 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 it is further

RESOLVED, this Resolution shall take effect immediately

STATE OF NEW YORK)
COUNTY OF _____)

)S.S:

I, _____, Clerk of the _____ New York, do hereby certify that I have compared the foregoing copy of the resolution with the original resolution of file in my office and that the same is a true and correct transcript of said original resolution and of the whole thereof as duly adopted by said _____ at a meeting duly called and held at _____ on _____ by the required necessary vote of the members to approved the resolution.

WITNESS, my hand and the official seal of the _____ of _____, New York, the _____ day of _____, 20__

Clerk

RESOLUTION REQUEST FORM NO. 4

Request for Extending, Rescinding or Amending Existing Contract

DEPARTMENT NAME: DPW

DATE: 7-31-12

- (a) Purpose of Contract Change: Supplemental Consultant Agreement No. 5 for the Beach Road (CR 51/6) Reconstruction Project

- (b) Resolution Number, or Numbers if Amended, which Authorized the Original Contract: 404 of 2007

- (c) Name of Contractor: Barton & Loguidice, PC

- (d) Address of Contractor: 10 Airline Drive, Suite 200., Albany, NY 12205

- (e) Contractor's Contact Person and Telephone Number: Rob Sipzner, PE, 218-1801

- (f) Commencement Date of Extension: Upon Execution

- (g) Termination Date of Extension: Until Complete

- (h) Payment Provisions:
 - i) lump sum amount
 - ii) hourly rate amount
 - iii) total amount not to exceed Add \$55,200
 - iv) how will payments be made (i.e. monthly, quarterly, upon completion of the project, etc.

- (i) Where are the Funds for this Contract? List Budget Code, (with title), Object Code (with title), and Amount: **OR** Capital Project **OR** Capital Reserve Project Number, and Title, and Amount: H277.9550 280 Beach Rd (CR 51/6) Reconstruction Project

**Architectural/ Engineering
Consultant Agreement**
Supplemental Agreement No. 5

PIN (s) 1757.28 Municipal Contract No. _____

Agreement made this ____ day of _____, _____ by and between

County of Warren
(municipal corporation)

having its principal office at 4028 Main Street, in Warrensburg, New York 12885 (the "Municipality")

and

Barton & Loguidice, P.C. with its office at 10 Airline Drive, Albany, New York 12205
(the "*Consultant*")

WITNESSETH:

WHEREAS, in connection with a federal-aid project funded through the New York State Department of Transportation ("NYSDOT") identified for the purposes of this agreement as **Beach Road Reconstruction Project** (as described in detail in Attachment A annexed hereto, the "Project") the Municipality has sought to engage the services of a Consultant Engineer) to perform the scope of services described in Attachment "B" of the original agreement as annexed hereto; and

WHEREAS, in accordance with required consultant selection procedures, including applicable requirements of NYSDOT and/or the Federal Highway Administration ("FHWA") the Municipality has selected the Consultant to perform such services in accordance with the requirements of this Agreement; and

WHEREAS, _____, is authorized to enter this Agreement on behalf of the Municipality,

NOW, THEREFORE, the parties hereto agree as follows:

ARTICLE 1. DOCUMENTS FORMING THIS AGREEMENT

This agreement consists of the following:

- Agreement Form - this document titled "Architectural/Engineering Consultant Agreement";
- Attachment "A" - Project Description and Funding;
- Attachment "B" – Supplemental Task List;
- Attachment "C" - as applicable, Staffing Rates, Hours, Reimbursables and Fee.

ARTICLE 2. SCOPE OF SERVICES/STANDARD PRACTICES AND REQUIREMENTS.

2.1 The CONSULTANT shall render all services and furnish all materials and equipment necessary to provide the Municipality with plans, estimates and other services and deliverables more specifically described in Attachment "B" of the original agreement as supplemented by Attachment "B" herein.

2.2 The CONSULTANT shall ascertain the applicable practices of the Municipality, NYSDOT and/or FHWA prior to beginning any of the work of this PROJECT. All work required under this Agreement shall be performed in accordance with these practices, sound engineering standards, practices and criteria, and any special requirements, more particularly described in Attachment "B".

2.3 Except as herein modified, the Original Agreement dated June 29, 2007 including any amendments or revisions thereto not modified herein, remains in full force and effect.

2.4 The CONSULTANT will commence work no later than ten (10) days after receiving notice to proceed from the Municipality.

ARTICLE 3. COMPENSATION METHODS, RATES AND PAYMENT

3.1 As full compensation for Consultant's work, services and expenses hereunder the Municipality shall pay to the CONSULTANT, and the CONSULTANT agrees to accept compensation based the methods designated and described below. Payment of the compensation shall be in accordance with the Interim Payment procedures shown in the table and the final payment procedure in Article 6.

3.2 For services rendered pursuant to this Supplement, the CONSULTANT shall be paid on a Cost Plus Fixed Fee Method, as described in Section 3.1 of the original agreement, with an amount not to exceed \$55,200.

3.3 The revised maximum amount payable shall be increased to \$1,721,803 as shown on Exhibit C of Attachment C. Direct Technical Salaries shall not exceed the maximums shown in Exhibit A of Attachment C unless approved in writing by the Municipality. The overhead allowance as initially established at 178% in all events not to exceed 185% for Office Staff. The fixed fee for these supplemental services will be \$5,300.

IN WITNESS WHEREOF, the parties have duly executed this Agreement effective the day and year first above written.

Reference: Municipality Contract Supplemental Agreement # 5

Municipality	Consultant
by: _____	by: _____
Date: _____	Date: _____

STATE OF NEW YORK

ss:

COUNTY OF _____

On this _____ day of _____, 2012 before me, the subscriber, personally appeared to me known, who, being by me duly sworn, did depose and say; that he/she resides in _____, New York; that he/she is the _____ of _____, New York, the corporation described in and which executed the foregoing instrument; that he/she is the authorized with the execution of the matter herein provided for, and that he/she signed and acknowledged the said instrument in his/her position as a duly authorized representative of County.

Notary Public, _____ County, N.Y.

STATE OF NEW YORK)

COUNTY OF _____ ss:

On this _____ day of _____, 2012, before me personally came _____, to me known, who being by me duly sworn, did depose and say that he/she resides in the _____, NY; that he/she is the _____, of the corporation described in and which executed the above instrument; that he/she is the authorized with the execution of the matter herein provided for, and that he/she signed and acknowledged the said instrument in his/her position as a duly authorized representative of the corporation.

Notary Public, _____ County, NY

Attachment A

Architectural/ Engineering Consultant Agreement
Project Description and Funding

PIN: 1757.28
BIN: NA

Term of Agreement Ends: 6/30/2014

Main Agreement Amendment to Agreement [add identifying #]

Supplement to Agreement #5

Phase of Project Consultant to work on:

P.E./Design ROW Incidentals ROW Acquisition Construction, C/I, & C/S

Dates or term of Consultant Performance:

Start Date: 4/1/2007

Finish Date: 6/30/2014

PROJECT DESCRIPTION:

**Beach Road Reconstruction
Route 9 (Canada Street) to Route 9L
Including NYSDEC Section**

Project Location:

Village of Lake George, Warren County, New York

Consultant Work Type(s): See Attachment B for more detailed Task List.

MAXIMUM AMOUNT OF FUNDS FOR ALL COMPENSATION PAYABLE UNDER THIS AGREEMENT FOR THE SCOPE OF WORK DESCRIBED IN ATTACHMENT B FOR THE PROJECT DESCRIBED IN THIS ATTACHMENT A, OTHERWISE IN ACCORDANCE WITH THE CHOSEN METHOD OF COMPENSATION AND OTHER TERMS OF THIS AGREEMENT:

Supplemental Agreement #5: \$55,200

Exhibit A, Page 2
Staffing Table - NYSDEC Section Supplemental No. 5

Beach Road Reconstruction
 PIN 1757.28

JOB TITLE	ASCE (A) OR NICET (N) GRADE	3	4	6	7	Total Hours	2012 Hourly Rate	DIRECT TECHNICAL LABOR
Principal	IX (A)						\$ 97.85	\$ -
Senior Vice President	IX (A)			1		1	\$ 81.37	\$ 81.37
Vice President	IX (A)						\$ 61.62	\$ -
Senior Associate	VIII (A)			6	1	7	\$ 63.35	\$ 443.42
Senior Managing Engineer	VII (A)	8	8	28	4	48	\$ 50.50	\$ 2,424.04
Managing Engineer	VI (A)						\$ 42.64	\$ -
Senior Construction Manager	V (A)						\$ 49.96	\$ -
Construction Manager	IV (A)						\$ 43.26	\$ -
Senior Project Landscape Architect	VII (A)			4		4	\$ 32.91	\$ 131.63
Senior Project Engineer	V (A)						\$ 37.69	\$ -
Project Engineer	IV (A)	16	12	80	24	132	\$ 31.39	\$ 4,144.06
Senior Managing Environmental Scientist	VII (A)						\$ 46.61	\$ -
Environmental Scientist III	III (A)		4			4	\$ 24.79	\$ 99.17
Engineer III	III (A)	16	16	120	32	184	\$ 28.13	\$ 5,175.79
Engineer II	II (A)						\$ 25.16	\$ -
Engineer I	I (A)						\$ 22.28	\$ -
Resident Engineer	IV (N)						\$ 41.20	\$ -
Principal Engineering Technician	IV (N)			96		96	\$ 31.42	\$ 3,015.84
Senior Engineering Technician	IV (N)						\$ 28.66	\$ -
Senior Designer	IV (N)						\$ 25.54	\$ -
Office Engineer	IV (N)						\$ 32.96	\$ -
Senior Inspector	III (N)						\$ 32.96	\$ -
Senior Inspector	III (N)						\$ 32.96	\$ -
Senior Inspector (Half Time)	III (N)						\$ 32.96	\$ -
Inspector	II (N)						\$ 22.66	\$ -
Engineering Aide	I (N)						\$ 26.27	\$ -
Sr. Group Tech Asst/Tech Typist	NA						\$ 19.42	\$ -
Group Technical Assistant/Tech Typist	NA	2	6	4	16	28	\$ 15.86	\$ 444.14
	TOTAL	42	46	339	77	504		\$ 15,959.46

Exhibit C
Supplemental 5 Summary

Beach Road Reconstruction
PIN 1757.28

PE Design

1757.28.121

Item IA, Direct Technical Salaries (estimated) subject to audit	office	\$	15,959
	field	\$	-
Item IB, Direct Technical Salaries Premium Portion of overtime subject to audit (estimate)		\$	-
Item II, Direct Non-Salary Cost (estimated) subject to audit		\$	1,030
Item II Direct Non-Salary Cost (estimated) subject to audit (Sub-Contractor Cost) (Infiltration Tests)		\$	4,500
Item III, Overhead (estimated) subject to audit	office rate 1.78 %	\$	28,408
		\$	-
Item IV, Fixed Fee (negotiated)		\$	5,300
TOTAL ESTIMATED PROJECT COST		\$	55,197
Maximum Amount Payable - Supplemental Agreement No. 5		\$	<u>55,200</u>

RESOLUTION REQUEST FORM NO. 12

Schedule "A"

NOTICE OF INTENT TO FILL VACANT POSITION

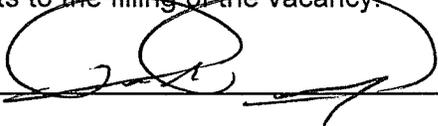
This notice of intent is filed whenever a department head plans to fill an *existing* funded position in their budget that is vacated due to a retirement, resignation, termination or promotion. This notice may not be used for requests to create a *new* position. For complete instructions on the procedure to be followed, see the reverse of this form.

DEPARTMENT HEAD COMPLETES THIS SECTION

Department DPW Payroll Dept. No. 19.62
 Title of Position ASST. ENGINEER# 2 Annual Salary \$43,000 - \$48,000 Grade
 Budget code and title D5020 ENGINEERING Union Non-Union
 This position is vacated due to: Retirement Resignation Termination Promotion Other
 Employee No. 8466
 Is this position mandated? Yes No Is the position reimbursable? Yes No
 Source of reimbursement: Federal % State % Other %
 Impact to Budget: Position is budgeted for \$48,000
 Personnel Officer has approved this form when initialed. _____

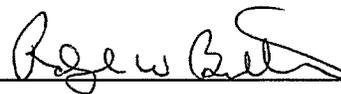
COUNTY ADMINISTRATOR COMPLETES THIS SECTION

Name of Committee Public Works Date 7/31/2012
 The Administrator has no objection to the filling of the vacancy.
 The Administrator objects to the filling of the vacancy.

Administrator Signature 

SUPERVISORY COMMITTEE COMPLETES THIS SECTION

Name of Committee Public Works Date 7/31/2012
 The committee has no objection to the filling of the vacancy.
 The committee objects to the filling of the vacancy.

Ranking Committee Member Signature 

PERSONNEL/HUMAN RESOURCES COMMITTEE COMPLETES THIS SECTION

Date _____
 The Personnel/Human Resources Committee has no objection to the filling of the vacancy.
 The Personnel/Human Resources Committee objects to the filling of the vacancy.

Ranking Committee Member Signature _____

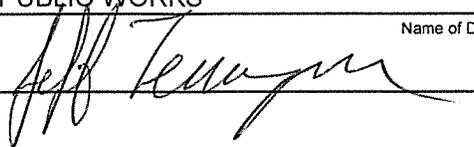
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REQUEST FOR TRANSFER OF FUNDS

TO: JOAN SADY, CLERK, WARREN COUNTY BOARD OF SUPERVISORS

FROM: PUBLIC WORKS

Name of Department

SIGNED:  DATE: _____

<u>FROM CODE</u>	<u>TITLE</u>	<u>TO CODE</u>	<u>TITLE</u>	<u>AMOUNT</u>
D5112 8171	Diamond Pnt Road	D5112 8172	Haviland Road	\$20,000.00

Please state reason for transfers requested:

Adjusted scope of work

CONTINGENT FUND TRANSFER REQUESTS

<u>FROM CODE</u>	<u>TITLE</u>	<u>TO CODE</u>	<u>TITLE</u>	<u>AMOUNT</u>
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Please state reason for transfer request:

Please file original request with Clerk of the Board and retain copy for your records.

REFERRALS - AUGUST 2012

PUBLIC WORKS: (Including DPW; Parks, Recreation & Railroad; Solid Waste & Recycling; and Warren County Sewer)

DPW:

No items this month.

PARKS, RECREATION & RAILROAD:

- 1) Mr. Dusek and Mr. Auffredou to review Railroad Operator Contract and the Insurance Law to determine whether insurance recoveries received for damage sustained to the White House Building could be transferred to SNCR in light of the fact that they have made repairs to the building at their expense. (07.03.12)

SOLID WASTE & RECYCLING:

No items this month.

WARREN COUNTY SEWER:

No items this month.

COUNTY FACILITIES: (Including Airport and Buildings & Grounds)

AIRPORT:

No items this month.

BUILDING & GROUNDS:

- 1) Resolution No. 256 (approved at 04.20.12 Board meeting) authorized agreement for installation of alarm interface at the Municipal Center Building for an amount not to exceed \$2,500 with the source of funding to be the Contingent Fund; the appropriate code for funds to be transferred to is to be determined when the work is completed. (04.20.12)