

1. Agenda

Documents:

[AGENDA.07.17.2018.PDF](#)

2. Supporting Documents

Documents:

[CC SUPPORTING DOC. 2018.07.17.PDF](#)

COMMON COUNCIL AGENDA July 17, 2018

7:00 PM Public Hearing on the proposed new Zoning update

- Call Meeting to Order
- Salute to the Flag of the United States
- Public Comments
- Mayor's Report
- Minutes – Approval of minutes for June 12, July 3

AGENDA:

Item #1 – Consideration of a Resolution to approve the Special Event application for the Summer Reading Program Finale Party on Saturday August 18, 2018 from 10AM-1PM in the Courthouse Park. (Mayor Tobin)

Item #2 – Consideration of a Resolution to waive the application fees for the Summer Reading Program Finale Party. (Mayor Tobin)

Item #3 – Consideration of a Resolution to commit NYS CDBG program income received by the City since April 1, 2018 to-date to the City's fiscal year 2018 CDBG application for Phase II of the Clinton Avenue Water Project. (Thoma Consultants)

Item #4 – Consideration of a Resolution to appoint Laura Morak as the Deputy Registrar for the City Clerk's Office. (Raymond A. Parker)

Item #5 – Consideration of a Resolution to Recognize and appropriate proceeds from the annual bicycle sale at the Armory by the Cortland City Police, which was held on July 7, 2018, during which 25 bicycles were sold for a total of \$600.00. (DC Sandy)

- \$300 9/11 Memorial Foundation
- \$300 Water Works Deer Fund

Item #6 – Discuss and approve the donation of 12-16 leftover bicycles from sale to Royal Family Kids, a non-for-profit summer camp for abused, neglected and abandoned children, based upon written request. (DC Sandy)

Item #7 – Consideration of a Resolution to accept Economy Paving's low bid of \$583,358.00 for the Madison St Rehabilitation Project. (Chris Bistocchi)

Item #8 – Consideration of a Resolution to enter into agreement with CDM Smith for \$134,000 for the Construction Inspection and Engineering for Madison St Rehabilitation Project. (Chris Bistocchi)

Item #9 – Consideration of a Resolution to accept the low bid from Carter's Tree Service the Tree removal contract to Carter's Tree removal for the amount of 14,500.00. (Nic Dovi)

Item #10 – Consideration of a Resolution to issue a RFP for Replacement of Roof and Chiller and Rebuilding Parking Lot at City Hall. (Nic Dovi)

- Whereas**, the City has not replaced either the roof or chiller at City Hall since originally constructed, and
- Whereas**, it is the opinion of the City's Building and Grounds Supervisor that periodic repairs will not resolve continuing damage caused by the current condition of the roof, and
- Whereas**, third floor offices and equipment therein suffered severe damages caused by water intrusion from storms on July 2, 2018, and

Whereas, the condition of the roof makes it probable that the damage caused by the storm of July 2, 2018 will reoccur in future storms, and
Whereas, the conditions cause by the current status of the roof will result in permanent structural damage to the building, and
Whereas, the useful lives of replaced roof and chiller systems are at least 30 years, and
Whereas, the useful of a newly paved parking lot is 10 years, and
Whereas, the condition of the parking lot is at such state of despair that it presents a safety hazard to people and damage risk to vehicles, and
Whereas, the City anticipates future continued use of the building for at least 30 years, and
Whereas, the pre-RFP cost of replacing the roof is \$175,000, and
Whereas, the pre-RFP cost of replacing the chiller system is \$125,000, and
Whereas, the pre-RFP cost of replacing the parking lot surface is \$200,000, and
Whereas, the annual debt service of a 20 year \$277,500, with a 10 year component for the parking lot at 4.00 percent is estimated to be \$44,900.
Therefore be it Resolved, that the City is authorized to issue RFP’s for replacement of roof and chiller systems and rebuilding the parking the parking lot at City Hall, and
Be It Further Resolved, that the City arrange for long-term financing for the costs of replacing the roof and chiller systems and rebuilding the parking lot less reimbursements from the New York State Court System and less any financial participation by New York State agencies and departments and cause such indebtedness to be exempt from the Constitutional Debt Limit, and
Be it Further Resolved that the City collaborate with the Central New York Regional Planning and Development Board, NYSERDA and NYPA to pursue State assistance for costs associated with energy efficient improvements.

Item #11 – Consideration of a Resolution to Revise the Adopted 2018 General Fund Budget to Fund the Acquisition of a Tractor. (Nic Dovi)

Whereas, the City is in need of a tractor to replace a tractor sold at auction, and
Whereas, the cost of a new replacement tractor is \$37,800, and
Whereas, the City will receive a trade in-allowance of \$9,000 for a tractor, and
Whereas, the City has received \$13,800 from the sale of surplus property to be applied towards the acquisition of a new tractor, and
Whereas, a shortfall in funding exists in the amount of \$15,000, and
Whereas, the tractor will be purchase from Account A5010-540500 DPW Administration Funct Equipment.
Therefore be it Resolved, that the following accounts within the 2018 General Fund Adopted Budget be revised as follows:

Department	Account Number	Account Description	Available Budget @ July 11, 2018	Action	Transfer	Revised Available Budget
Common Council	A1010-541500	Professional Fees	\$ 12,023	Reduce	\$ 3,000	\$ 9,023
Mayor	A1210-541901	Mayor Initiatives	\$ 15,500	Reduce	\$ 4,000	\$ 11,500
Taxes of City Property	A1950-540000	General	\$ 5,600	Reduce	\$ 2,000	\$ 3,600
DPW Street Cleaning	A8170-540100	Motor Equip Op	\$ 4,250	Reduce	\$ 2,500	\$ 1,750
Storm & Sanitary Sewer	A8140-540100	Motor Equip Op	\$ 2,230	Reduce	\$ 1,000	\$ 1,230
Storm & Sanitary Sewer	A8140-540200	Funct Equipment	\$ 5,050	Reduce	\$ 2,500	\$ 2,550
DPW Administration	A5010-540500	Funct Equipment	\$ 5,215	Addition	\$ 28,800	\$ 34,015
DPW Administration	A5010-42665	Sale of Equipment	\$ 13,820	Reduce	\$ 13,800	\$ 20
Net Effect on Budget					\$ -	

Item #12 – Consideration of a Resolution to Revise the 2018 Adopted General Fund to Fund the Acquisition of a Fire Department Rescue Truck. (DC Friedman)

Whereas, Common Council has authorized by Resolution Number 201 of 2017 the acquisition of a Rescue Truck at a cost not to exceed \$400,000 and an Engine at a cost not to exceed \$600,000. The actual costs will be funded in part from a \$190,000 FEMA Grant.
Whereas, the Rescue truck is scheduled for delivery on July 24, 2018, and
Whereas, the estimated delivered cost of the Rescue truck is \$391,000, and
Whereas, the cost of the Rescue truck and Engine, net of the FEMA Grant, will be financed by the issuance of a debt in the Fall of 2018 upon delivery of the Engine.
Therefore be it Resolved, that the 2018 Adopted General Fund be revised as follows to reflect the acquisition of the Rescue truck

Department	Account Number	Account Description	Available Budget @ July 11, 2018	Action	Transfer	Revised Available Budget
Fire Department	A3410-42770	Other Unclassified Revenue		0 Addition	\$ 391,100	\$ 391,100
Fire Department	A3410-540200	Motor Equipment Rep	\$ 30,711	Addition	\$ 391,100	\$ 421,811
Net Effect of Budget					<u>\$ -</u>	

Item #13 – DRI update (Mayor Tobin)

Item #14 – Parker School update (Mayor Tobin)

Item #15 – Discussion on Cemetery. (Alderman Bennett)

Item #16 – Discussion on Chapter 300-11 of the City Zoning. (Alderman Silliman)

Adjournment



Cortland Free Library

CHARTERED 1925

Tammy Sickmon, *Interim Director*



July 11, 2018

Dear Mayor Tobin and Fellow City Council Members:

We would greatly appreciate if Mayor Tobin and fellow City Council members would consider our Special Event Application at the next scheduled City Council meeting on July 17, 2017. Each year we have a summer reading program for the children and families of our community. The program is free and runs from June 25th to August 15th. We are only in week three of the Summer Reading Program and already over 250 children have signed up and read over 59,000 minutes. Additionally 28 teens are participating and have read 14,316 pages so far. To celebrate their outstanding success we would like to have a Summer Reading Finale Party in Courthouse Park on Saturday, August 18th, 2017. We would be offering games, announcing Summer Reading Raffle and other prize winners, as well as having various musical performances such as The Dryden Intergenerational Band. We would like to also have food offered from the Cortland Crush Dugout vendor. Please consider our application and thank you for your time.

Sincerely,

Tammy Sickmon, MLIS
Interim Library Director
Youth Services Librarian

Phone: (607) 753-1042
Fax: (607) 753-7329

32 Church Street
Cortland, NY 13045

dir@cortlandfreelibrary.org
cortlandfreelibrary.org

City of Cortland Special Event Application

Event Name: Summer Reading Program Finale Party Today's Date: 7/11/18
 Event Contact: Tammy Sickman CDP Member? Yes No
 Address: 32 Church St. Cortland, NY 13045 New Event Existing Event
 Email: dir@cortlandfreelibrary.org Phone: 607-753-1043
 Will proceeds of your event benefit a charitable cause that provides service to Cortland residents? Yes No If yes, name the charitable causes: _____ Non-profit Tax ID: 106571

Event Information

NAME OF EVENT: Summer Reading Finale Party
 TYPE OF EVENT (i.e., walkathon, street fair, festival, etc.): Celebration for youth that participated in the Summer Reading Prog.
 EVENT LAYOUT If the event is a walkathon, run, etc., attach a map of route and/or street closures. If the event is a festival or street fair, attach a map to indicate location of street blockages requested, booth alignment and type of merchandise vended from each booth:

DATE DAY 1:	DATE DAY 2:
<u>Sat., August 18, 2018</u>	
<input type="checkbox"/> STREET CLOSURE: Start Time: <u>10:00am</u> End Time: <u>1:00pm</u> Street: _____ <input type="checkbox"/> LOT CLOSURE: Start Time: _____ End Time: _____ Lot: _____ <input checked="" type="checkbox"/> AMPLIFIED MUSIC: Start Time: <u>10:00am</u> End Time: <u>1:00pm</u>	<input type="checkbox"/> STREET CLOSURE: Start Time: _____ End Time: _____ Street: _____ <input type="checkbox"/> LOT CLOSURE: Start Time: _____ End Time: _____ Lot: _____ <input type="checkbox"/> AMPLIFIED MUSIC: Start Time: _____ End Time: _____

START LOCATION: Courthouse Park END LOCATION: Courthouse Park
 EXPECTED # OF PARTICIPANTS: 150 # OF SPECTATORS: _____ # OF VEHICLES: 2 HOTELS: Is this event expected to generate area overnight stays? If so, estimated # of rooms: _____

Event Components

- | | | |
|---|--|--|
| Location/Safety
<input checked="" type="checkbox"/> City park use
<input type="checkbox"/> City streets blocked
<input type="checkbox"/> City sidewalks blocked
<input type="checkbox"/> City parking lots closed
<input type="checkbox"/> City barricades
<input type="checkbox"/> City cones
<input type="checkbox"/> Animal ban
<input type="checkbox"/> Animals are part of the event
<input type="checkbox"/> EMTs needed on site
<input type="checkbox"/> Police escort requested
Waste Management
<input type="checkbox"/> City litter pickup
<input type="checkbox"/> City street sweeping
Other components not listed: _____ | Structures
<input type="checkbox"/> Temporary structures
<input checked="" type="checkbox"/> Canopies up to 10' x 10'
<input checked="" type="checkbox"/> Grounded tents over 10' x 10'
<input type="checkbox"/> Beer and/or wine garden
<input type="checkbox"/> Street banner requested
<input type="checkbox"/> Rides or amusements
<input checked="" type="checkbox"/> Showmobile rental requested
<input type="checkbox"/> Portable restrooms
<input type="checkbox"/> Seating area
Sound
<input type="checkbox"/> Fireworks
<input checked="" type="checkbox"/> Amplified sound or music
<input type="checkbox"/> Ceremonial Gun Salute | Food
<input type="checkbox"/> Food cooked on-site
Alcohol
<input type="checkbox"/> Alcohol sold on-site
<input type="checkbox"/> Alcohol served
Vending
<input type="checkbox"/> Vending of goods
<input checked="" type="checkbox"/> Vending of food
Power Source
<input checked="" type="checkbox"/> City electricity use
<input type="checkbox"/> Generator use
Insurance
<input checked="" type="checkbox"/> General Liability Insurance certificate
<input type="checkbox"/> Liquor Liability Insurance certificate |
|---|--|--|

Fire Approval: _____
 CPD Approval: _____
 Council Approval: _____

Marketing budget: NA Admission Fee: Free

SOUND DEVICE PERMIT APPLICATION

DATE REQUESTED: 7/11/2018

ISSUANCE DATE: _____

NAME: Tammy Sickman / Cortland Free Library EXPIRATION DATE: _____

ADDRESS: 32 Church St.
Cortland, ny
13045

TELEPHONE: 607-753-1043

TYPE OF SOUND DEVICE: PA system Times: 10am - 1pm

NON-PROFIT: Yes

(*Please check if you are a non-profit group therefore no licensing fee applies)

LICENSE FEE: Fixed Location-\$250 Mounting upon Motor Vehicle-\$500

FOR BUSINESS: \$100

Fixed Location: For the use or operation of any radio, phonograph, microphone or other device by which sounds are magnified and caused to be heard over any public street or public place from any one fixed location and not in, or mounted upon a motor vehicle, the sum of \$250 for any day or part of a day for which the applicant desires permission hereunder. (Code of Ordinances 193-5 Noise Article II Sound Devices [adopted 8-5-1969 as Ch. 12, Art. VI, of the 1969 Code of Ordinances])

Mounting upon motor vehicle: For the use or operation of any radio, phonograph, microphone or other device by which sounds are magnified and caused to be heard over any public street or public place to be used in, or mounted upon, a motor vehicle, the sum of \$500 for any day or part of a day for which the applicant desires permission hereunder. (Code of Ordinances 193-5 Noise Article II Sound Devices [adopted 8-5-1969 as Ch. 12, Art. VI, of the 1969 Code of Ordinances])

Business permit fee: For the use or operation of any radio, phonograph, microphone or other device by which sound is magnified and caused to be heard over any public street or public place from any one fixed location and not mounted on a motor vehicle, the sum of \$100 for up to 6 events, as approved by Common Council in 2015.

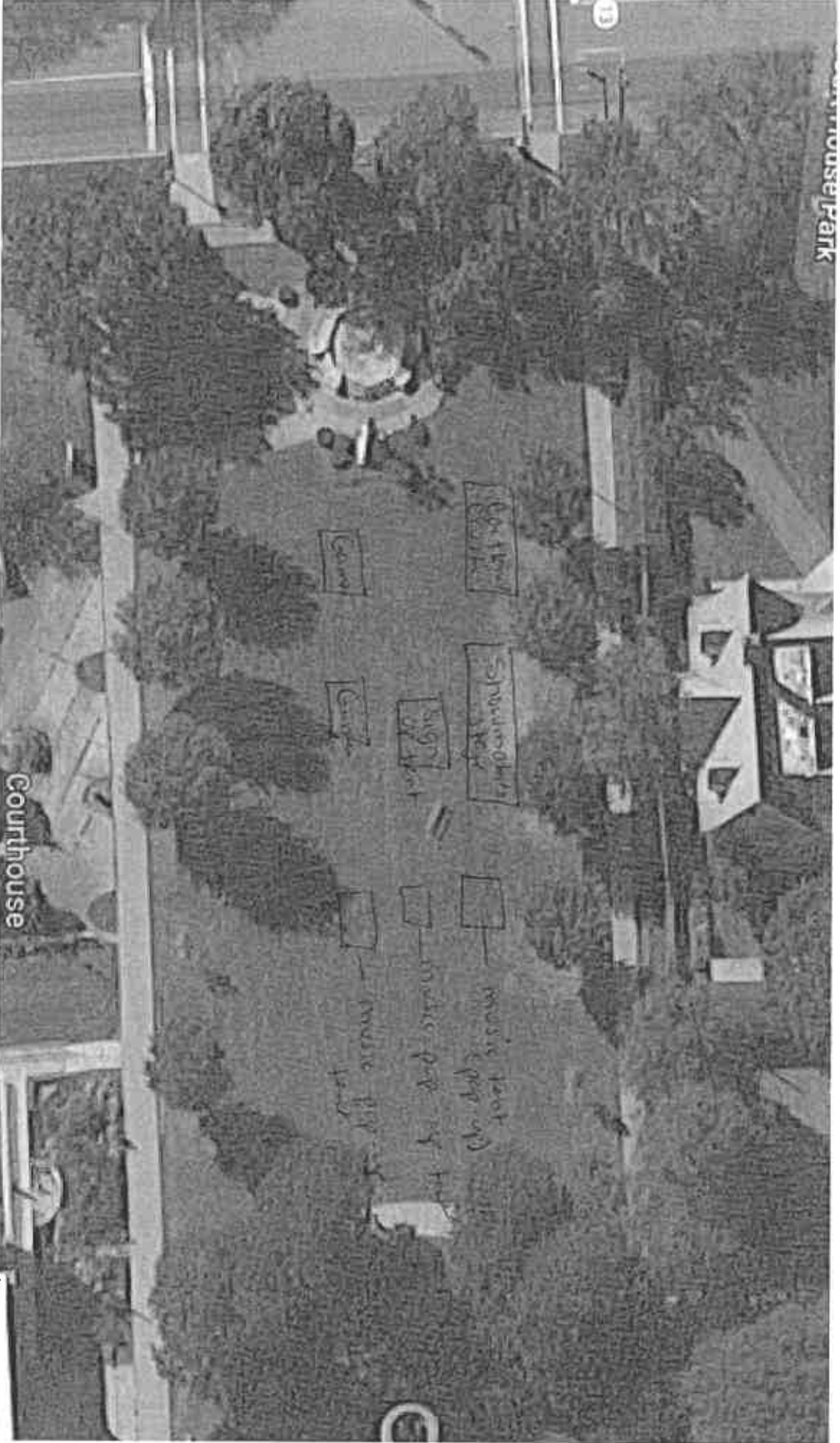
Tammy Sickman
Signature of Applicant

7/11/18
Date

APPLICATION MUST BE FILED WITH APPLICATION FEE AT LEAST TWO (2) WEEKS BEFORE FUNCTION AND ONE (1) WEEK PRIOR TO COMMON COUNCIL MEETING TO ALLOW TIME FOR APPROVAL.

IF APPROVED, YOUR PERMIT WILL BE MAILED TO YOU.

IF NOT APPROVED, YOUR APPLICATION FEE WILL BE RETURNED TO YOU.



Courthouse



CERTIFICATE OF LIABILITY INSURANCE

DATE (MM/DD/YYYY)
07/10/2018

THIS CERTIFICATE IS ISSUED AS A MATTER OF INFORMATION ONLY AND CONFERS NO RIGHTS UPON THE CERTIFICATE HOLDER. THIS CERTIFICATE DOES NOT AFFIRMATIVELY OR NEGATIVELY AMEND, EXTEND OR ALTER THE COVERAGE AFFORDED BY THE POLICIES BELOW. THIS CERTIFICATE OF INSURANCE DOES NOT CONSTITUTE A CONTRACT BETWEEN THE ISSUING INSURER(S), AUTHORIZED REPRESENTATIVE OR PRODUCER, AND THE CERTIFICATE HOLDER.

IMPORTANT: If the certificate holder is an ADDITIONAL INSURED, the policy(ies) must have ADDITIONAL INSURED provisions or be endorsed. If SUBROGATION IS WAIVED, subject to the terms and conditions of the policy, certain policies may require an endorsement. A statement on this certificate does not confer rights to the certificate holder in lieu of such endorsement(s).

PRODUCER Bailey Place Insurance 2 N. Main Street PO Box 10 Cortland NY 13045		CONTACT NAME: Paul Neske PHONE (A/C No. Ext): (807) 758-2805 FAX (A/C No.): (807) 753-3742 E-MAIL ADDRESS: pneske@baileypplace.com	
INSURED Cortland Free Library 32 Church Street Cortland NY 13045		INSURER(S) AFFORDING COVERAGE INSURER A: Utica National Insurance of Ohio INSURER B: Utica Mutual Insurance Company INSURER C: INSURER D: INSURER E: INSURER F:	
		NAIC # 25976	

COVERAGES CERTIFICATE NUMBER: 17-18 Master REVISION NUMBER:

THIS IS TO CERTIFY THAT THE POLICIES OF INSURANCE LISTED BELOW HAVE BEEN ISSUED TO THE INSURED NAMED ABOVE FOR THE POLICY PERIOD INDICATED. NOTWITHSTANDING ANY REQUIREMENT, TERM OR CONDITION OF ANY CONTRACT OR OTHER DOCUMENT WITH RESPECT TO WHICH THIS CERTIFICATE MAY BE ISSUED OR MAY PERTAIN, THE INSURANCE AFFORDED BY THE POLICIES DESCRIBED HEREIN IS SUBJECT TO ALL THE TERMS, EXCLUSIONS AND CONDITIONS OF SUCH POLICIES. LIMITS SHOWN MAY HAVE BEEN REDUCED BY PAID CLAIMS.

INSR LTR	TYPE OF INSURANCE	ADDL SUBR INSD	WVD	POLICY NUMBER	POLICY EFF (MM/DD/YYYY)	POLICY EXP (MM/DD/YYYY)	LIMITS
A	<input checked="" type="checkbox"/> COMMERCIAL GENERAL LIABILITY <input type="checkbox"/> CLAIMS-MADE <input checked="" type="checkbox"/> OCCUR GEN'L AGGREGATE LIMIT APPLIES PER: <input type="checkbox"/> POLICY <input type="checkbox"/> PROJECT <input type="checkbox"/> LOC OTHER:		Y	CPP1508709	09/01/2017	09/01/2018	EACH OCCURRENCE \$ 1,000,000 DAMAGE TO RENTED PREMISES (Ea occurrence) \$ 100,000 MED EXP (Any one person) \$ 5,000 PERSONAL & ADV INJURY \$ 1,000,000 GENERAL AGGREGATE \$ 2,000,000 PRODUCTS - COMP/OP AGG \$ 2,000,000
A	AUTOMOBILE LIABILITY <input type="checkbox"/> ANY AUTO OWNED AUTOS ONLY <input checked="" type="checkbox"/> HIRED AUTOS ONLY <input type="checkbox"/> SCHEDULED AUTOS NON-OWNED AUTOS ONLY			5060762	09/01/2017	09/01/2018	COMBINED SINGLE LIMIT (Ea accident) \$ 1,000,000 BODILY INJURY (Per person) \$ BODILY INJURY (Per accident) \$ PROPERTY DAMAGE (Per accident) \$
	UMBRELLA LIAB EXCESS LIAB DED RETENTION \$						EACH OCCURRENCE \$ AGGREGATE \$
B	WORKERS COMPENSATION AND EMPLOYERS' LIABILITY ANY PROPRIETOR/PARTNER/EXECUTIVE OFFICER/MEMBER EXCLUDED? (Mandatory in NH) If yes, describe under DESCRIPTION OF OPERATIONS below	Y/N	N/A	1532845	01/01/2018	01/01/2019	<input checked="" type="checkbox"/> PER STATUTE <input type="checkbox"/> OTHER E.L. EACH ACCIDENT \$ 100,000 E.L. DISEASE - EA EMPLOYEE \$ 100,000 E.L. DISEASE - POLICY LIMIT \$ 500,000

DESCRIPTION OF OPERATIONS / LOCATIONS / VEHICLES (ACORD 101, Additional Remarks Schedule, may be attached if more space is required)
Cortland County is listed as additional insured in regards to the Summer Reading Program Grand Finale to be held on Saturday, August 18th, 2018.

CERTIFICATE HOLDER Cortland County 60 Central Ave. Cortland NY 13045	CANCELLATION SHOULD ANY OF THE ABOVE DESCRIBED POLICIES BE CANCELLED BEFORE THE EXPIRATION DATE THEREOF, NOTICE WILL BE DELIVERED IN ACCORDANCE WITH THE POLICY PROVISIONS. AUTHORIZED REPRESENTATIVE <i>Stephen D. Franco</i>
--	--



CITY OF CORTLAND
OFFICE OF COMMUNITY DEVELOPMENT
THOMA DEVELOPMENT CONSULTANTS

25 Court Street, Cortland, New York 13045 Ph. 607.753.1433 Fx. 607.753.6818
www.cortland.org

MEMORANDUM

TO: Mayor Brian Tobin and Members of City Common Council

FROM: Thoma Development Consultants

RE: Commitment of Program Income to 2018 CDBG application

DATE: July 11, 2018

Our staff is in the process of preparing a CDBG application for fiscal year 2018 for Phase II of the Clinton Avenue Water Project. Applications are due July 27th.

As discussed at your June 19th meeting, the NYS Office of Community Renewal (OCR) notified all past and present CDBG recipients of a change in policy regarding retention and re-use of "program income". The change in policy resulted in the City committing \$248,440 in "uncommitted" program income to Phase I of the Clinton Avenue Water Project in lieu of returning it to the State.

As part of the 2018 application process, applicants have to report funds received since April 1, 2018, if in excess of \$35,000. The certification submitted to OCR previously reported on uncommitted program income as of March 31, 2018. If the recently received funds are not committed to the application, the State will automatically reduce the applicant's request. The City has received about \$50,000 in the last three months and should, therefore, commit these funds to the application to take advantage of applying for the full \$750,000 available. The exact amount of program income to commit will not be known until July 16th.

I am attaching a resolution for your consideration to commit program income funds to the 2018 application. The amount to be committed is noted as "TBD". We will advise you at the meeting of the amount available.

We strongly encourage you to approve this resolution to maximize the funds to be applied to this project. This is a "use or lose" situation. Please give Linda a call if you want to discuss this matter. She can be reached at 607-753-1433.

Attachment

"The Crown City"

**PROPOSED RESOLUTION FOR COMMITMENT OF PROGRAM INCOME TO 2018 CDBG
APPLICATION**

Resolution Number ___ of 2018

Whereas, the City of Cortland has received funds known as program income under the New York State Community Development Block Grant (CDBG) Program (the "Program"), and

Whereas, the Housing Trust Fund Corporation (HTFC), the funding mechanism for the NYS Office of Community Renewal (OCR), which administers the Program, recently changed its policy regarding the retention and re-use of program income to require CDBG recipients to return program income that is uncommitted or is unlikely to be applied to an eligible activity by March 31, 2019, and

Whereas, pursuant to 24 CFR 570.489(e)(3)(ii)(C) "the State must require units of general local government, to the maximum extent feasible, to disburse program income...before requesting additional funds from the State for activities", and

Whereas, the HTFC/OCR requires local governments applying for 2018 CDBG funds to certify to "uncommitted" program income on hand at the time of CDBG application submission or risk termination of any open grant agreement and the recapture of CDBG funds disbursed, and

Whereas, the City has received approximately \$TBD in program income since the last reporting and commitment of funds to-date,

NOW, Therefore Be It Resolved: that uncommitted program income of \$TBD received by the City since April 1, 2018 is hereby committed to the City's 2018 CDBG application for Phase II of the Clinton Avenue Water Project.



July 11, 2018

City of Cortland
Attn: Deputy Chief Paul Sandy
25 Court Street
Cortland, NY 13811

Dear Deputy Chief Sandy,

Royal Family Kids #378, a camp that serves abused, neglected and abandoned children of the southern tier is seeking a donation of 12 – 16 bicycles from your city.

Your donation would help provide hours of fun to 30+ foster children ages 6-11 in our community this summer. Children who have been unable to enjoy the little things that children should enjoy. Simple things like play. Things like riding a bike. At Royal Family Kids we show them they are important, valuable and just as capable as any other child in this world of becoming a contributing and normal member of our community, that they are perfect just the way that they are, and that for one special week it is ok to be a child.

RFKC relies on people and corporations within New York such as yours to provide the much needed funds and donations for fundraising to provide a week long resident camp to 30+ children. Without the generosity of you, and others, we would not exist. It takes nearly \$25,000 to operate our camp each year, and with this being our first year in New York costs are particularly high.

We hope that you will find us worthy and thank you for all you do for the county, the community, and the state of New York.

For the Kids,

David Caldwell, Director
Royal Family Kids #378
EIN# 83-0977299

MEMORANDUM OF BIDS SHEET

Project Authorized for Letting by NYSDOT on 05/17/2018

Project Advertised for 15 business days beginning 06/01/2018

Letting Date: 02/24/2017


Contract No. 3755.33

County: Cortland

No. Of Bids: 3		Low Bid of \$	is	% of Estimate \$
	A	Economy Paving Co., Inc.	\$583,358.00	91.15%
	B	Procon Contracting	\$666,000.00	104.06%
	C	Slate Hill Constructors Inc.	\$702,702.50	109.80%

Please refer to the attached Bid Analysis spreadsheet for unit prices bid by all bidders.

I hereby certify that this contract was bid in accordance with standard competitive bidding procedures and requirements and this tabulation includes all bids received at a public bid opening held at the office of the Cortland County Department of Public Works on June 22, 2018 for a contract in Cortland County known as Madison Street Bridge Rehabilitation.



Christopher Bistocchi
Superintendent of Public Works
City of Cortland

7/9/18
(Date)

BID OPENING, VERIFICATION AND SPONSOR RECOMMENDATION SHEET
Support for Concurrence In Award

Computation:

Verified by: Sean Murphy

Date: 06/27/2018

Contract No.: PIN 3756.13

Bid Opening Date: 06/22/2018

Contract Description: Madison Street Bridge Rehabilitation

The Sponsor Received 3 bids
Bidders in rank order:

<u>Rank</u>	<u>Bidder Name</u>	<u>Bid Amount</u>	<u>Contract Goal %</u>
	Engineer's Estimate:	\$ 640,000.00	<u>DSE Utilization %</u>
1	Economy Paving Co., Inc.	\$ 583,358.00	9%
2	Procon Contracting	\$ 666,000.00	9%
3	Slate Hill Constructors, Inc.	\$ 702,702.50	9%

Irregularities found: None

A summary of the bid analysis is attached for NYSDOT's review.

Also find attached are the bid tabulations of the project, showing bid item details for at least the low three acceptable bids.

The Lowest Responsible Bidder: Economy Paving Co., Inc. Low Bid: \$ 583,358.00

Total Bid	\$ <u>583,358.00</u>
Federal share at 80%, is	\$ <u>466,686.40</u>
Local share at 20%, is	\$ <u>116,671.60</u>

I recommend the award of the above contract to the lowest responsible bidder

I recommend rejection of all bids

Dated

7/9/18

Signature


Chris Biscocchi
Superintendent of Public Works
City of Cortland

**AMENDMENT NO: 1
TO AGREEMENT
BETWEEN
OWNER AND ENGINEER**

This Amendment No: 1 is made and entered into this day of , 2018 to the Agreement between Camp Dresser McKee & Smith (CDM Smith) ("ENGINEER") and City of Cortland ("OWNER") dated June 30, 2016, ("the Agreement").

WHEREAS, ENGINEER and OWNER entered into the Agreement for the Madison Street Bridge under PIN 3756.13, and

WHEREAS, the parties desire to amend the Agreement so as to amend the scope of work, time periods of performance and payment, and/or responsibilities of OWNER; and

WHEREAS, the Agreement provides that any amendments shall be valid only when expressed in writing and signed by the parties.

NOW THEREFORE, in consideration of the mutual understandings and Agreements contained herein, the parties agree to amend the Agreement as follows:

1. The Basic Services of ENGINEER as described in the Agreement are amended and supplemented as follows:

Construction Inspection Services as described in Exhibit A.

2. The responsibilities of OWNER as described in the Agreement are amended and supplemented as follows:

No Changes from Article 3 of the original Agreement

3. The time periods for the performance of ENGINEER's services as set forth in the Agreement are amended and supplemented as follows:

July 15, 2018 to June 30, 2019

4. The payment for services rendered by ENGINEER shall be as set forth below:

Additional fee as described in Exhibit B. The maximum amount payable is changed from \$120,000.00 to \$254,000.00.

5. Except as herein modified, all terms and conditions of the Agreement shall remain in full force and effect.

IN WITNESS WHEREOF, the parties hereto have executed this amendment on the date indicated above for the purpose herein expressed.

ENGINEER

DATE:

OWNER

DATE:

12/27/2011

EXHIBIT A
SCOPE OF SERVICES

**Construction Support and Inspection Services for
Madison Street Bridge Rehabilitation
BIN 2207800**

PIN 3756.13

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Section 1 - General

1.01 Project Description and Location

This project is known as: Rehabilitation of Bridges at Various Locations In Cortland, NY

PIN: 3755.33

Project Description: Construction support and inspection services per Sections 1-10 of this scope of services.

Project Limits: Approximately 100 feet maximum from each end of each bridge.

Municipality: City of Cortland

County: Cortland

All work performed by the Consultant at the Consultant's Initiative must be within the current project limits specified above.

1.02 Contract Administrator

The Municipality's Contract Administrator for this project is Mr. Christopher Bistocchi, who can be reached at (607) 756-6221.

All correspondence to the Municipality should be addressed to:

Mr. Christopher Bistocchi, Superintendent
City of Cortland
Department of Public Works
19 South Franklin Street
Cortland, NY 13045

1.03 Project Classification

This project is assumed to be a Class II action under USDOT Regulations, 23 CFR 771.

Classification under the New York State Environmental Quality Review Act (SEQRA) Part 617, Title 6 of the Official Compilation of Codes, Rules, and Regulations of New York State (6 NYCRR Part 617) is expected to be a Type II action.

1.04 Categorization of Work

Project work is generally divided into the following sections:

Section 1	General
Section 2	Data Collection & Analysis – NOT INCLUDED
Section 3	Preliminary Design – NOT INCLUDED
Section 4	Environmental – NOT INCLUDED

Section 5	Right-of-Way – NOT INCLUDED
Section 6	Detailed Design – NOT INCLUDED
Section 7	Advertising, Bid Opening and Award – NOT INCLUDED
Section 8	Construction Support
Section 9	Construction Inspection
Section 10	Estimating & Technical Assumptions

When specifically authorized in writing to begin work the **Consultant** will render all services and furnish all materials and equipment necessary to provide the **Municipality** as specifically described in Sections 8, 9 and 10.

1.05 Project Familiarization

The **Municipality** will provide the **Consultant** with the following information:

- N/A

The **Consultant** will become familiar with the project before starting any work. This includes a thorough review of all supplied project information and a site visit to become familiar with field conditions.

1.06 Meetings

The **Consultant** will prepare for and attend all meetings as directed by the **Municipality's** Contract Administrator. Meetings may be held to:

- Construction pre-start
- Discuss and resolve construction issues or disputes
- Project review by NYSDOT.

The **Consultant** will be responsible for the preparation of all meeting minutes; the minutes will be submitted to meeting attendees within one (1) week of the meeting date.

The **Municipality** shall publish all required legal notices. The **Consultant** will provide assistance in preparation of legal notices when so directed by the **Municipality**.

1.07 Cost and Progress Reporting

For the duration of this agreement, the **Consultant** will prepare and submit to the **Municipality** on a monthly basis a Cost Control Report, a Progress Report, a Project Schedule and an Invoice in a format approved by the **Municipality**. The beginning and ending dates defining the reporting period will correspond to the beginning and ending dates for billing periods, so that this reporting process can also serve to explain billing charges. (In cases where all work under this contract is officially suspended by the **Municipality**, this task will not be performed during the suspension period.)

1.08 Policy and Procedures

Construction support and inspection of this project will be progressed in accordance with the current Locally Administered Federal Aid Procedures (LAFAP) manual, including the latest updates.

1.09 Specifications

The project will be designed and constructed in accordance with the current edition of the NYSDOT Standard Specifications for Construction and Materials, including all applicable revisions, and in accordance with City requirements. Project is planned to be developed using US traditional units.

1.10 Subconsultants

Not Applicable.

1.11 Subcontractors

The Consultant will procure any necessary subcontractors in accordance with the requirements of the "Locally Administered Federal Aid Procedures Manual".

Section 2 - Data Collection & Analysis

Data Collection and Analysis is **NOT INCLUDED** in this Scope of Services.

2.01 Design Survey

2.02 Design

2.03 Determination of Existing Conditions

2.04 Accident Data and Analysis

2.05 Traffic Counts

2.06 Capacity Analysis

2.07 Future Plans for Roadway and Coordination with Other Projects

2.08 Soil Investigations

2.09 Hydraulic Analysis

2.10 Bridge Inspection and Evaluation

2.11 Pavement Evaluation

Section 3 - Preliminary Design

Preliminary Design is NOT INCLUDED in this Scope of Services.

- 3.01 Design Criteria**
- 3.02 Development of Alternatives**
- 3.03 Cost Estimates**
- 3.04 Preparation of Draft Design Approval Document**
- 3.05 Advisory Agency Review**
- 3.06 Public Information Meeting(s) and/or Public Hearing(s)**
- 3.07 Preparation of Final Design Approval Document**

Section 4 – Environmental

Environmental is NOT INCLUDED In this Scope of Services.

- 4.01 NEPA Classification**
- 4.02 SEQRA Classification**
- 4.03 Screenings and Preliminary Investigations**
- 4.04 Detailed Studies and Analyses**
- 4.05 Permits and Approvals**
- 4.06 Environmental Hearing**

Section 5 - Right-of-Way

Right-of-Way is NOT INCLUDED in this Scope of Services.

- 5.01 General**
- 5.02 Right-of-Way Boundaries**
- 5.03 Right-of-Way Survey, Mapping and Acquisitions**
- 5.04 Title Search**
- 5.05 Title Review and Certification**
- 5.06 Property Owner Interview**
- 5.07 Real Property Appraisal Requirements**
- 5.08 Appraisals and Appraisal Reports**
- 5.09 Appraisal Review**
- 5.10 Compensation Amount**
- 5.11 Revisions to Appraisals and Appraisal Reports**
- 5.12 Acquisition**
- 5.13 Right-of-Way Clearance Certification**

Section 6 - Detailed Design

Detailed Design is NOT INCLUDED in this Scope of Services.

- 6.01 Preliminary Bridge Plans**
- 6.02 Advance Detail Plans (ADP)**
- 6.03 Final Plans**
- 6.04 Contract Documents**
- 6.05 Cost Estimate**
- 6.06 Utilities**
- 6.07 Railroads**
- 6.08 Bridge Inventory and Load Rating Forms**
- 6.09 Information Transmittal**

Section 7 - Advertisement, Bid Opening and Award

Advertisement, Bid Opening and Award is NOT INCLUDED in this Scope of Services.

7.01 Advertisement

7.02 Pre-Construction Meeting & Other Services Prior to Construction

7.03 Bid Opening (Letting)

7.04 Award

Section 8 - Construction Support

8.01 Construction Support

The **Consultant** will provide design response to unanticipated or changed field conditions, analyze and participate in proposed design changes, and interpret design plans.

Work under this section will always be in response to a specific assignment from the **Municipality** under one of the tasks below:

- In response to unanticipated and/or varying field conditions or changes in construction procedures, the **Consultant** will conduct on-site field reconnaissance and, where required, prepare Field Change Sheets modifying pertinent contract plan sheets.
- The **Consultant** will analyze and make recommendations on the implementation of changes proposed by the **Municipality** or the construction contractor. This includes the Traffic Control Plan.
- The **Consultant** will interpret and clarify design concepts, plans and specifications.
- The **Consultant** will review and approve structural shop drawings and material specifications for construction.

8.02 As-Built Drawings

When the project is completed, the **Municipality** shall deliver a marked-up set of plans to the **Consultant**. The **Consultant** shall transfer the as-built information on these plans to the digital drawings.

Section 9 – Construction Inspection

9.01 Equipment

The **Contractor** will furnish office space, basic office furnishings, internet service, equipment and supplies for the **Consultant**, as part of the contract.

The **Consultant** will furnish all other field equipment and field laboratory supplies required to properly perform the inspection services listed below.

9.02 Inspection

The **Consultant** will provide contract administration and construction inspection services from such time as directed to proceed until the completion of the final agreement and issuance of final payment for the contract. The **Consultant** must assume responsibility, as appropriate, for the administration of the contract including maintaining complete project records, processing payments, performing detailed inspection work and on-site field tests of all materials and items of work incorporated into the contract consistent with federal policies and the specifications and plans applicable to the project.

9.03 Municipal Project Engineer

The **Municipality** will assign a Project Engineer to the contract covered by this agreement. This Project Engineer will be the **Municipal's** official representative on the contract and the **Consultant** must report to and be directly responsible to said Project Engineer.

9.4 Ethics

Prior to the start of work, the **Consultant** will submit to the **Municipality** a statement regarding conflicts of interest.

9.5 Health and Safety Requirements

The **Consultant** must provide all necessary health and safety related training, supervision, equipment and programs for their inspection staff assigned to the project.

9.6 Staff Qualifications and Training

The **Consultant** must provide sufficient trained personnel to adequately and competently perform the requirements of this agreement.

9.7 Scope of Services/Performance Requirements

A. Quality

The **Consultant** will enforce the specifications and identify in a timely manner to the

Municipality local conditions, methods of construction, errors on the plans or defects in the work or materials which would conflict with the quality of work, and conflict with the successful completion of the project.

B. Record Keeping & Payments to the Contractor

- 1) All records must be kept in accordance with the directions of the Municipality. The Consultant must take all measurements and collect all other pertinent information necessary to prepare daily inspection reports, monthly and final estimates, survey notes, record plans showing all changes from contract plans, photographs of various phases of construction, and other pertinent data, records and reports for proper completion of records of the contract.
- 2) Any record plans, engineering data, survey notes or other data provided by the Municipality should be returned to the Municipality at the completion of the contract. Original tracings of record plans, maps, engineering data, the final estimate and any other engineering data produced by the Consultant will bear the endorsement of the Consultant. Any documents that require an appropriate review and approval of a Professional Engineer (P.E.) licensed and registered to practice in New York State must be signed by the P.E.
- 3) Unless otherwise modified by this agreement, the Consultant will check, and when acceptable, approve all structural shop drawings.
- 4) The Consultant will maintain as-built drawings as work is progressed. Copies will be provided to the Municipality at the completion of construction.
- 5) The Consultant must submit the final estimate of the contract to the Municipality within four (4) weeks after the date of acceptance of the contract. All project records must be cataloged, indexed, packaged, and delivered to the Municipality within five (5) weeks after the date of the acceptance of the contract.

C. Health & Safety/Maintenance and Protection of Traffic

- 1) The Consultant must ensure that all inspection staff assigned to the project are knowledgeable concerning the health and safety requirements of the contract per Municipality policy, procedures and specifications and adhere to all standards. Individual inspectors must be instructed relative to the safety concerns for construction operations they are assigned to inspect to protect their personal safety, and to ensure they are prepared to recognize and address any contractor oversight or disregard of project safety requirements.
- 2) The Consultant is responsible for monitoring the Contractor's and Subcontractor's efforts to maintain traffic and protect the public from damage to person and property within the limits of, and for the duration of the contract.

D. Monitoring Equal Opportunity/Labor Requirements

The Consultant must assign to one individual the responsibility of monitoring the Contractor's adherence to Equal Opportunity and Labor requirements contained in the contract. The Consultant, when monitoring the Contractor's Equal Opportunity and Labor compliance, will utilize the guidance contained in the contract, standard specifications and the Municipality's policies.

Section 10 - Estimating & Technical Assumptions & Base Task List

10.01 Estimating Assumptions

The following assumptions have been made for estimating purposes:

- | | |
|-----------|--|
| Section 1 | Estimate <u>6</u> meetings during the life of this agreement.
Estimate <u>4</u> cost and progress reporting periods will occur during the life of this agreement. |
| Section 2 | This section is not included. |
| Section 3 | This section is not included. |
| Section 4 | This section is not included. |
| Section 5 | This section is not included. |
| Section 6 | This section is not included. |
| Section 7 | This section is not included. |
| Section 8 | Estimate <u>16</u> hours for shop drawing review. |

Section 9

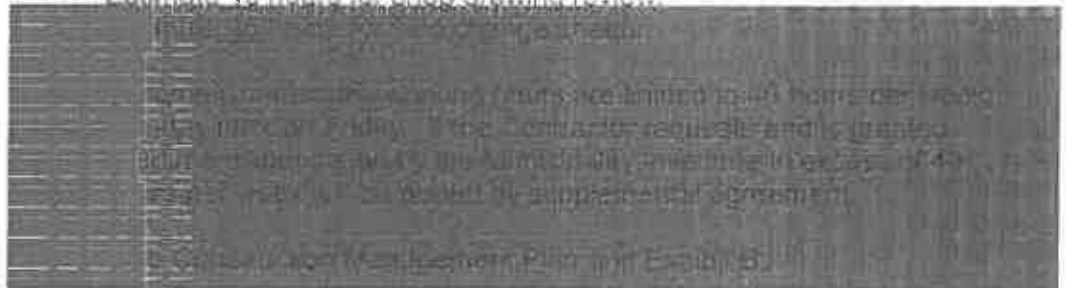


EXHIBIT B
FEE SCHEDULE

**Construction Support and Inspection Services for
Madison Street Bridge Rehabilitation
BIN 2207800**



BIN 3755.13

**EXHIBIT B-1
SALARY SCHEDULE**

**Camp Dresser McKee & Smith
(CDM Smith)
PIN 3756.13**

**CI Services for Madison Street Bridge Rehabilitation
BIN 2207800
City of Cortland, New York**

JOB TITLE	ASCE (A) OR NICET (N) GRADE	PRESENT	PROJECTED	MAX. HOURLY RATES		OVERTIME CATEGORY
		RATE Apr-18	RATE Jun-18	<u>2019</u>	<u>2020</u>	
Principal	VII (A)	\$69.57	\$69.57	\$73.05	\$76.70	A
Project Manager	VI (A)	\$47.00	\$47.00	\$48.41	\$49.86	A
Structural Engr. P.E.	V (A)	\$46.50	\$46.50	\$47.43	\$48.38	B
Resident Eng.	IV (N)	\$48.00	\$48.00	\$52.00	\$53.04	C
Senior Inspector	III (N)	\$40.00	\$40.00	\$44.00	\$44.88	C
CADD Tech.	II (A)	\$27.50	\$27.50	\$28.88	\$30.32	C

NOTE: It shall be the ENGINEER'S responsibility to pay prevailing wage rates and supplements as required by the Labor Department, for services requiring such rates and supplements.

ENGINEER'S OVERTIME COMPENSATION POLICY

Category A - No overtime compensation.

Category B - overtime compensated at straight time rate.

Category C - overtime compensated at straight time rate x 1.50

Night shift hours will be billed on the basis of 1.10 times regular straight hours.

Night shift differential will be paid for hours worked between 4:00 PM and 6:00 AM.

Overtime applies to hours worked in excess of the normal working hours of 40 hours per week.

Night shift differential or OT will be paid at whichever is higher, but not a combination of both.

Version Date: 6/21/2018

**EXHIBIT B-2
ESTIMATE OF DIRECT NON-SALARY COST**

**Camp Dresser McKee & Smith
(CDM Smith)
PIN 3758.13
CI Services for Madison Street Bridge Rehabilitation
BIN 2207800
City of Cortland, New York**

**Direct Non-Salary Costs
1. TRANSPORTATION**

Total

Travel

<i>Project Manager</i>	Trips	Miles Per	Total mi		
CDM Smith Syracuse office to Field office	3	80	240		
CDM Smith Syracuse office to City DPW office	8	80	640		
			<u>880</u>	\$0.580	\$510.40

Resident Engineer

Field office to CDM Smith Syracuse office	4	80	320		
Field office to City DPW office	8	10	80		
Misc	4	60	240		
			<u>640</u>	\$0.580	\$371.20

TOTAL TRAVEL \$882.00

2. EXPENDABLE TECHNICAL SUPPLIES AND EQUIPMENT

a. Conc. Cyl. Molds	18 molds	\$6.00 Each	\$108.00
b. Spray paint, Keel	1 box	\$20.00 Each	\$20.00

TOTAL SUPPLIES \$128.00

3. OWNER'S PROTECTIVE INSURANCE (Estimated for 2 years) \$2,400.00

4. Prints , Production and MISC

a. Prints and Production	5 months @	\$20.00 / month	\$100.00
b. Postage (Express Mail, Ups, etc)	6 pkgs @	\$15.00 Each	\$90.00
c. APPIA user license for RE	7 months @	\$167.00 / month	\$1,169.00
c. APPIA user license for PM	7 months @	\$167.00 / month	\$1,169.00

TOTAL MISC \$2,528.00

TOTAL DIRECT NON-SALARY COST \$6,938.00

Subcontractor Cost

4. MATERIALS TESTING SERVICES

a. Plant Inspection	2	Visits @	\$450 per visit	\$900
b. Cylinder Breaks	18	cylinders @	\$80 per cylinder	\$1,440
c. Material Samplings	3	days @	\$300 per day	\$900
d. Laboratory Proctors	3	tests @	\$120 per test	\$360
e. Sieve Analysis	3	tests @	\$80 per test	\$240
g. HAZ MAT (Asbestos/lead paint) Testing Contingencies				\$4,000
h. Inspector mileage	6	Site visits	\$50 per visit	\$300
i. Inspector mileage for beam testin	2	Site visits	\$50 per visit	\$100

\$8,240.00

Materials Testing Services Project Management Costs (10%) \$820.00

TOTAL DIRECT NON-SALARY COST (Sub-Contractor Estimated Lump Sum) \$9,060.00

Version Date: 6/21/2018

**EXHIBIT B-4
SUMMARY
Camp Dresser McKee & Smith
(CDM Smith)
PIN 3756.13
CI Services for Madison Street Bridge Rehabilitation
BIN 2207800
City of Cortland, New York**

Item I, Direct Technical Salaries

Direct Technical Salaries (Field)
(Estimated), Subject to Audit **\$44,928**

Direct Technical Salaries Premium Portion of Overtime
(Estimated), Subject to Audit **\$720**

Direct Technical Salaries (Office)
(Estimated), Subject to Audit **\$3,791**

Item II, Direct Non-Salary Cost

(Estimated), Subject to Audit **\$5,938**

Direct Non-Salary Cost (Subcontractor Costs)
(Estimated), Subject to Audit **\$9,060**

Item III, Overhead

(Estimated), Subject to Audit

Overhead (Field) @116%
(Estimated), Subject to Audit **\$52,116**

Overhead (Office) @165%
(Estimated), Subject to Audit **\$6,255**

Item IV, Fixed Fee

(Negotiated) @ 10% **\$10,700**

Total Estimated Cost **\$133,508**

MAXIMUM AMOUNT PAYABLE **\$134,000**

6/21/2018