



**Ontario County
Board of Supervisors**

Robert A. Green, Jr., Vice-Chairman
Kristin A. Mueller, Clerk
Diane R. Foster, Deputy Clerk

Jack F. Marren, Chairman
Ontario County Municipal Building
20 Ontario Street
Canandaigua, New York 14424

Phone: 585-396-4447
E-Mail: BOS@co.ontario.ny.us

**AGENDA
SPECIAL BOARD MEETING
January 31, 2019**

**Location: Ontario County Safety Training Facility
2914 County Road 48
Town of Hopewell
Canandaigua, NY 14424
At 6:30 P.M**



SPECIAL MEETING CALLED TO ORDER:

PLEDGE OF ALLEGIANCE: led by Supervisor Vedora

ROLL CALL:

REPORTS OF COUNTY OFFICIALS:

PRIVILEGE OF THE FLOOR:

RESOLUTIONS:

1. Capital Project No. 02-2014 – County Road 33 Reconstruction – Transfer of Funds – Department of Public Works

Public Works
2. Capital Project No. 03-2013 – No Cost Time Extension and Contract Amendment with The Pike Company, Inc. for Professional Construction Management Services – 74 Ontario Street Renovation – Phase II and Sheriff's firing Range Project

Public Works
3. Capital Project No. 03-2013 – 74 Ontario Street Renovation – Phase II – Budget Transfer

Public Works

4. Capital Project No. 03-2013 – 74 Ontario Street Renovation – Phase II – Award Contracts for Construction, Contract Amendment for Construction Administration Services
Public Works
5. Capital Project No. 03-2013 – 74 Ontario Street Renovation – Phase II – Acceptance of Change Order – General Construction – Manning Squires Hennig Co., Inc.
Public Works
6. Capital Project No. 03-2013 – 74 Ontario Street Renovation – Phase II – Acceptance of Change Order – HVAC – Nairy Mechanical LLC
Public Works
7. Capital Project No. 03-2013 – 74 Ontario Street Renovation – Phase II – Acceptance of Change Order – Electrical – Billitier Electric, Inc.
Public Works

UNFINISHED BUSINESS:

ADJOURNMENT:

Ontario County

Board of Supervisors

Canandaigua, New York 14424

Supervisor Lightfoote offered the following resolution and moved its adoption:

RESOLUTION NO. 49-2019
CAPITAL PROJECT NO. 02-2014
COUNTY ROAD 33 RECONSTRUCTION
TRANSFER OF FUNDS
DEPARTMENT OF PUBLIC WORKS

WHEREAS, Resolution No. 605-2014 created Capital Project No. 2-2014, Reconstruction of County Road 33; and

WHEREAS, This is a multi-year, three phase project that provided drainage, road and safety improvements on County Road 33 from Boswell Corners at County Road 34 north to the Richmond town line; and

WHEREAS, The third and last phase is substantially complete; and

WHEREAS, There are unused funds of \$829,494.20 remaining in the project (\$664,651.32 of unused contingency and \$164,842.88 of contract under runs for Phase 3 of the Project); and

WHEREAS, The Commissioner of Public Works recommends transferring said unused funds to the General Fund's Construction, Reconstruction, Acquisition, Repair, and Maintenance Reserve (A0878B0000); and

WHEREAS, The Public Works Committee and Ways and Means Committee have reviewed this proposal and recommend its acceptance; now, therefore, be it

RESOLVED, That \$829,494.20 be transferred from CP 02-2014, County Road 33 Reconstruction, to the General Fund's Construction, Reconstruction, Acquisition, Repair, and Maintenance Reserve (A0878B0000); and further

RESOLVED, That the Department of Finance is authorized to make the necessary accounting and budget entries to affect the intent of this resolution; and further

RESOLVED, That a certified copy of this resolution be sent by the Clerk of this Board to the Department of Finance.



STATE OF NEW YORK }
County of Ontario }

I do hereby certify that I have compared the preceding with the original thereof, on file in the Office of the Clerk of the Board of Supervisors at Canandaigua, New York, and that the same is a correct transcript therefrom and of the whole of said original; and that said original was duly adopted at a meeting of the Board of Supervisors of Ontario County held at Canandaigua, New York, on January 31, 2019.

Given under my hand and official seal February 1, 2019

Kristin A. Mueller
Kristin A. Mueller, Clerk of the Board of Supervisors of Ontario County, NY

Ontario County

Board of Supervisors

Canandaigua, New York 14424

Supervisor Lightfoote offered the following resolution and moved its adoption:

RESOLUTION NO. 50-2019
CAPITAL PROJECT NO. 3-2013
NO COST TIME EXTENSION AND CONTRACT AMENDMENT
WITH THE PIKE COMPANY, INC. FOR PROFESSIONAL
CONSTRUCTION MANAGEMENT SERVICES
74 ONTARIO STREET RENOVATION – PHASE II
AND SHERIFF’S FIRING RANGE PROJECT

WHEREAS, Resolution No. 297-2013 established Capital Project No. 3-2013, 74 Ontario Street Renovation – Phase II for the purposes of completing architectural and engineering design, interior renovations, and core mechanicals replacement for sections of the 74 Ontario Street building (hereinafter Project); and

WHEREAS, Resolutions Nos. 294-2017, 614-2017, and 485-2018 authorized a contract and contract amendments, respectively, with The Pike Company, One Circle Street, Rochester, NY 14607 for professional construction management services related to said Project, contemplating a 12 month duration of construction for the renovations of 74 Ontario Street; and

WHEREAS, During the course of design of said renovations of 74 Ontario Street and analysis of construction scheduling, The Pike Company has determined that a fifteen (15) month duration of construction is necessary, and

WHEREAS, Resolution No. 695-2018 adopted the County’s 2019-2024 Capital Improvement Plan; and

WHEREAS, Said plan included funding in 2019 for the reconstruction and expansion of the Ontario County Sheriff’s Firing Range; and

WHEREAS, The Pike Company has submitted a proposal dated January 24, 2019, a copy of which is on file with the Clerk of this Board as Schedule “A” of the proposed contract amendment, wherein The Pike Company proposes to: 1. Reduce the amount of the existing contract by Ten Thousand Dollars (\$10,000) as a credit for the 95% cost estimate for the 74 Ontario Street project, 2. Provide an additional three (3) months of Construction Management Services during the construction phase of the 74 Ontario Street project from twelve (12) months to fifteen months duration at no additional cost to the County, and 3. Provide construction management services in the

form of cost estimating during design and up to 10 hours of qualified staff time per week during the construction phase of the Ontario County Sheriff's Firing Range Project that occurs during the construction phase of the 74 Ontario Street project; and

WHEREAS, The Public Works Committee and Ways and Means Committee have reviewed this resolution and recommend its adoption; now, therefore, be it

RESOLVED, That the proposal of The Pike Company, Inc. to provide an additional three (3) months of the professional construction management services during the construction phase of the renovation of 74 Ontario Street, reduce the contract amount by Ten Thousand Dollars (\$10,000.00) as a credit for the cost estimate prepared at 95% design, and provide construction management services for the Ontario County Firing Range Project is hereby accepted subject to review and approval by the County Attorney as to form; and further

RESOLVED, Upon review and approval by the County Attorney as to form, the Board of Supervisors hereby approves and empowers the County Administrator to execute a contract amendment with The Pike Company, Inc. reducing the total amount of the contract by Ten Thousand Dollars (\$10,000.00) for an overall total contract amount of Five Hundred Ninety Four Thousand Nine Hundred Fifty Two Dollars and Thirty Cents (\$594,952.30); and further

RESOLVED, That the term of said contract shall be extended to July 31, 2021; and further

RESOLVED, That the Department of Finance is authorized to make all necessary budgetary and accounting entries to effect the intent of this resolution for a total project budget of Ten Million Four Hundred Thousand Dollars (\$10,400,000.00); and further

RESOLVED, That a copy of this resolution be sent by the Clerk of the Board to the Department of Finance, and Mr. Mark Bollin, Project Director, The Pike Company, One Circle Street, Rochester, NY 14607.



STATE OF NEW YORK }
County of Ontario }

I do hereby certify that I have compared the preceding with the original thereof, on file in the Office of the Clerk of the Board of Supervisors at Canandaigua, New York, and that the same is a correct transcript therefrom and of the whole of said original; and that said original was duly adopted at a meeting of the Board of Supervisors of Ontario County held at Canandaigua, New York, on January 31, 2019.

Given under my hand and official seal February 1, 2019

Kristin A. Mueller
Kristin A. Mueller, Clerk of the Board of Supervisors of Ontario County, NY

Ontario County

Board of Supervisors

Canandaigua, New York 14424

Supervisor Lightfoote offered the following resolution and moved its adoption:

RESOLUTION NO. 51-2019
CAPITAL PROJECT NO. 03-2013
74 ONTARIO STREET RENOVATION – PHASE II
BUDGET TRANSFER

WHEREAS, Resolution No. 297-2013 created Capital Project No. 03-2013, 74 Ontario Street Renovation – Phase II; and

WHEREAS, Resolution No.'s 218-2017, 615-2017, and 444-2018 awarded contracts to QPK Design, LLP for professional services related to the concept design, final design, bid documents, bidding, and bid award for a total amended contract amount of \$909,134.00; and

WHEREAS, Resolution No.'s 294-2017, 614-2017, and 485-2018 awarded contracts to The Pike Company for professional construction management services related to the project, including constructability analysis, cost estimating, bidding and bid award, and construction services for a total amended contract amount of \$604,952.30; and

WHEREAS, Bids for construction of the project have been released, duly advertised and opened by the Purchasing Department as Bid B18023, copies of which are on file with the Clerk of this Board; and

WHEREAS, The estimated total cost of the project is \$14,011,415 including contingencies; and

WHEREAS, Additional funding in the amount of \$3,611,415 is needed to fund this project; and

WHEREAS, Additional sources of funds have been identified; and

WHEREAS, The Public Works Committee and Ways and Means Committee have reviewed this resolution and recommend its approval; now, therefore, be it

RESOLVED, That the Ontario County Board of Supervisors hereby authorizes the following budget transfer:

A 0511 B 0878	Appropriated Reserve – CRARM Reserve	+\$1,199,494.00
A 0511 B 7206	Appropriated Reserve – Potential Liabilities	+\$100,000.00
A 0599 B 0000	Appropriated Fund Balance	+\$1,030,000.00
A 1680 9999 E 4530	Agency Contracts	-\$300,000.00
A 9999 R 2725	Video Lottery/Tribal State Monies Signal & Communications	+\$946,911.00
A 9950 E 9950	Transfer to Capital Project	+\$3,576,405.00

and further

RESOLVED, That the budget for Capital Project No. 03-2013, 74 Ontario Street Renovation – Phase II, be amended as follows:

Line	Description	Existing Budget	Change	Amended Budget
<i>Expenditures:</i>				
HBR 1646 E 2100	Furniture & Furnishings	\$650,000.00	-\$200,255.00	\$449,745.00
HBR 1646 E 4038	Moving Expenses	\$40,000.00	-\$38,743.00	\$1,257.00
HBR 1646 E 4260	Consultation & Professional	\$654,952.30	-\$42,500.00	\$612,452.30
HBR 1646 E 4444	Financing of Debt	\$0.00	+\$25,000.00	\$25,000.00
HBR 1646 E 4491	General Construction	\$7,100,000.00	-\$57,428.30	\$7,042,571.70
HBR 1646 E 4492	HVAC	\$0.00	+\$1,885,690.00	\$1,885,690.00
HBR 1646 E 4493	Electrical	\$0.00	+\$1,300,500.00	\$1,300,500.00
HBR 1646 E 4494	Plumbing & Fire Suppression	\$0.00	+\$892,700.00	\$892,700.00
HBR 1646 E 4495	Architectural & Engineering	\$1,008,634.00	+\$221,735.00	\$1,230,369.00
HBR 1646 E 4498	Asbestos & Related Testing	\$10,000.00	+\$2,900.00	\$12,900.00
HBR 1646 E 4731	Contingency	\$577,913.70	-\$550,903.70	\$27,010.00
HBR 1646 E 4739	Lease of Temporary Office Space	\$3,000.00		\$3,000.00
HBR 1646 E 4743	Change Order Contingency	\$350,000.00	+\$170,220.00	\$520,220.00
HBR 1646 E 4865	Administration	\$5,500.00	+\$2,500.00	\$8,000.00
<i>Revenue:</i>				
HBR 1646 R 4385	Homeland Security Grant	\$200,000.00	-\$64,990.00	\$135,010.00
HBR 1646 R 5036	Interfund Transfer – General Fund	\$2,850,000.00	+\$2,376,911.00	\$5,226,911.00
HBR 1646 R 5048	Interfund Transfer- Reserve	\$2,150,000.00	+\$1,299,494.00	\$3,449,494.00
HBR 1646 R 5710	Serial Bonds	\$5,200,000.00		\$5,200,000.00

and further

RESOLVED, That the Department of Finance is hereby authorized to make any and all budgetary and accounting entries to effect the intent of this resolution for a total project budget of Fourteen Million Eleven Thousand Four Hundred Fifteen Dollars and Zero Cents (\$14,011,415); and further

RESOLVED, That a copy of this resolution be sent by the Clerk of this Board to the Finance Department.



STATE OF NEW YORK)
County of Ontario)

I do hereby certify that I have compared the preceding with the original thereof, on file in the Office of the Clerk of the Board of Supervisors at Canandaigua, New York, and that the same is a correct transcript therefrom and of the whole of said original; and that said original was duly adopted at a meeting of the Board of Supervisors of Ontario County held at Canandaigua, New York, on January 31, 2019.

Given under my hand and official seal February 1, 2019

Kristin A. Mueller
Kristin A. Mueller, Clerk of the Board of Supervisors of Ontario County, NY

Ontario County

Board of Supervisors

Canandaigua, New York 14424

Supervisor Lightfoote offered the following resolution and moved its adoption:

RESOLUTION NO. 52-2019
CAPITAL PROJECT NO. 03-2013
74 ONTARIO STREET RENOVATION – PHASE II
AWARD CONTRACTS FOR CONSTRUCTION,
CONTRACT AMENDMENT FOR CONSTRUCTION ADMINISTRATION SERVICES

WHEREAS, Resolution No. 297-2013 created Capital Project No. 03-2013, 74 Ontario Street Renovation – Phase II; and

WHEREAS, Resolution No.'s 218-2017, 615-2017, and 444-2018 awarded contracts to QPK Design, LLP for professional services related to the concept design, final design, bid documents, bidding, and bid award for a total amended contract amount of \$909,134; and

WHEREAS, Resolution No.'s 294-2017, 614-2017, and 485-2018 awarded contracts to The Pike Company for professional construction management services related to the project, including constructability analysis, cost estimating, bidding and bid award, and 12 months of construction services for a total amended contract amount of \$604,952.30; and

WHEREAS, Bids for construction of the project have been released, duly advertised and opened by the Purchasing Department as Bid B18023, copies of which are on file with the Clerk of this Board; and

WHEREAS, After reviewing the bids it was determined that the lowest responsive/responsible bids for the project were submitted by:

Item	Contract	Vendor Name	Base Bid (minus material allowances)	Material Allowances	Alternates	Total Contract
1	General Construction with Asbestos Removal and Alternates 3 & 5	Manning Squires Hennig Co., Inc. 8426 Seven Springs Rd. Batavia, NY 14020	\$6,145,000.00	\$0.00	\$134,000.00	\$6,279,000.00
2	Plumbing & Fire Protection	Nairy Mechanical LLC 105 Commercial St. Webster, NY 14580	\$892,700.00	\$0.00	\$0.00	\$892,700.00
3	HVAC	Nairy Mechanical LLC 105 Commercial St. Webster, NY 14580	\$1,905,700.00	\$0.00	\$0.00	\$1,905,700.00
4	Electrical Work - Substitution Package	Billitier Electric, Inc. 760 Brooks Ave. Rochester, NY 14619	\$1,317,000.00	\$10,000.00	\$0.000	\$1,327,000.00
	TOTALS		\$10,260,400.00	\$10,000.00	\$134,000.00	\$10,404,400.00

and

WHEREAS, An additional amount of \$520,220, representing 5.0% of the value of the total bids, will be placed in a separate line item in the capital project budget titled “Change Order Contingency” to provide funding and flexibility for Change Orders that occur on construction projects; and

WHEREAS, QPK Design, LLP has provided a proposal for construction administration services for the duration of the project for a cost not to exceed \$249,700; and

WHEREAS, The Public Works Committee and Ways and Means Committee have reviewed and recommend approval of this resolution; now, therefore, be it

RESOLVED, That upon review and approval of the County Attorney as to form, the Board of Supervisors hereby awards contracts to the lowest responsive/responsible bidders for the Total Bid/Contract amounts as follows:

Item	Contract	Vendor Name	Base Bid (minus material allowances)	Material Allowances	Alternates	Total Contract
1	General Construction with Asbestos Removal and Alternates 3 & 5 (HBR 1646 E 4491)	Manning Squires Hennig Co., Inc. 8426 Seven Springs Rd. Batavia, NY 14020	\$6,145,000.00	\$0.00	\$134,000.00	\$6,279,000.00
2	Plumbing & Fire Protection (HBR 1646 E 4494)	Nairy Mechanical, LLC 105 Commercial St. Webster, NY 14580	\$892,700.00	\$0.00	\$0.00	\$892,700.00
3	HVAC (HBR 1646 E 4492)	Nairy Mechanical, LLC 105 Commercial St. Webster, NY 14580	\$1,905,700.00	\$0.00	\$0.00	\$1,905,700.00
4	Electrical Work – Substitution Package (HBR 1646 E 4493)	Billitier Electric, Inc. 760 Brooks Ave. Rochester, NY 14619	\$1,317,000.00	\$10,000.00	\$0.00	\$1,327,000.00
	TOTALS		\$10,260,400.00	\$10,000.00	\$134,000.00	\$10,404,400.00

and further

RESOLVED, That upon review and approval of the County Attorney as to form, the Board of Supervisors hereby approves a contract amendment with QPK Design, LLP for construction administration services for a cost not to exceed \$249,700 for the duration of the project, for a total amended contract of \$1,158,834; and further

RESOLVED, The County Administrator be and hereby is authorized and empowered to execute said contracts and all other documents necessary or appropriate to effectuate the purposes of this resolution; and further

RESOLVED, That William Wright, Commissioner of the Department of Public Works, is hereby designated as being administratively responsible for the construction of this project, and further

RESOLVED, That the following Change Order approval process is hereby approved for Capital Project No. 03-2013:

1. Mr. Wright is hereby authorized and empowered to approve and sign individual Change Orders up to \$7,500 in value, upon recommendation of the Architect (QPK Design, LLC) and the Construction Manager (The Pike Company), provided that the total amount of all Change Orders Authorized does not exceed the funds available in Line HBR 1646 E 4743, Change Order Contingency, and

2. Change Orders of more than \$7,500 in value shall also require approval of the Chairman of the County's Public Works Committee, and

3. A complete report of all Change Orders approved for the contracts awarded herein shall be presented by Mr. Wright at the regularly scheduled meeting of the Public Works Committee, and such report shall include an accounting of the remaining funds available in line HBR 1646 E 4743, Change Order Contingency; and

4. Mr. Wright shall file fully executed originals of each Change Order with the Contractor, the Department of Finance, and the Clerk of the Board of Supervisors who shall place each Change Order in the contract file associated with this resolution; and

5. The Department of Finance is hereby authorized to transfer funds from line HBR 1646 E 4743, Change Order Contingency, to the appropriate expense line of Capital Project No. 03-2013 as necessary to fund each Change Order as it is Approved; and further

RESOLVED, That the Department of Finance is hereby authorized to make any and all budgetary and accounting entries to effect the intent of this resolution for a total project budget of Fourteen Million Eleven Thousand Four Hundred Fifteen Dollars and Zero Cents (\$14,011,415); and further

RESOLVED, That copies of this resolution be sent by the Clerk of this Board to Manning Squires Hennig Co., Inc., Nairy Mechanical, LLC, Billitier Electric, Inc., QPK Design, LLC, The Pike Company and the Department of Finance.



STATE OF NEW YORK }
County of Ontario }

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Given under my hand and official seal February 1, 2019

Kristin A. Mueller
Kristin A. Mueller, Clerk of the Board of Supervisors of Ontario County, NY

Ontario County

Board of Supervisors

Canandaigua, New York 14424

Supervisor Lightfoote offered the following resolution and moved its adoption:

RESOLUTION NO. 53-2019
CAPITAL PROJECT NO. 03-2013
74 ONTARIO STREET RENOVATION – PHASE II
ACCEPTANCE OF CHANGE ORDER
GENERAL CONSTRUCTION – MANNING SQUIRES HENNIG CO., INC.
Please contact the Board of Supervisors Office for this Resolution.



STATE OF NEW YORK }
County of Ontario }

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Kristin A. Mueller, Clerk of the Board of Supervisors of Ontario County, NY

Ontario County

Board of Supervisors

Canandaigua, New York 14424

Supervisor Lightfoote offered the following resolution and moved its adoption:

RESOLUTION NO. 54-2019

CAPITAL PROJECT NO. 03-2013

74 ONTARIO STREET RENOVATION – PHASE II

ACCEPTANCE OF CHANGE ORDER

HVAC – NAIRY MECHANICAL LLC

Please contact the Board of Supervisors Office for this Resolution.



STATE OF NEW YORK }
County of Ontario }

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Kristin A. Mueller, Clerk of the Board of Supervisors of Ontario County, NY

Ontario County

Board of Supervisors

Canandaigua, New York 14424

Supervisor Lightfoote offered the following resolution and moved its adoption:

RESOLUTION NO. 55-2019

CAPITAL PROJECT NO. 03-2013

74 ONTARIO STREET RENOVATION – PHASE II

ACCEPTANCE OF CHANGE ORDER

ELECTRICAL – BILLITIER ELECTRIC, INC.

Please contact the Board of Supervisors Office for this Resolution.



STATE OF NEW YORK }
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Kristin A. Mueller, Clerk of the Board of Supervisors of Ontario County, NY