

*Monroe County  
Clerk of the Legislature*


**Cheryl M. Rozzi**  
Clerk



**Casey K. DiCaro**  
Deputy Clerk

**David Grant**  
Assistant Deputy Clerk

**MEMORANDUM**

**TO:** Legislators, Directors, Staff and Media  
**FROM:** Cheryl M. Rozzi, Clerk of the Legislature   
**DATE:** March 22, 2012  
**RE:** Matter of Importance – File No. 12-0136

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**12-0136 –** Amend the 2012-2017 Capital Improvement Program, the 2012 Capital Budget and Bond Resolution 344 of 2008 to Expand the Scope and Increase the Project Authorization; Authorize a Contract with Villager Construction, Inc. for Construction Services; and Authorize a Contract with the Monroe County Water Authority for the Westfall Road Phase III Project in the Town of Brighton and the City of Rochester - As A Matter of Importance – County Executive Maggie Brooks

This referral was not made to committee at the preceding meeting of the Legislature on March 13, 2012 but has been determined by President Jeffrey R. Adair to be of sufficient importance to warrant referral between Legislative meetings, pursuant to Sections 545-24 (C) of the Rules of the Monroe County Legislature.

Attachment



# Office of the County Executive

Monroe County, New York

**Maggie Brooks**  
County Executive

**Daniel M. DeLaus, Jr.**  
Deputy County Executive  
No. **120136**  
Not to be removed from the  
Office of the  
Legislature of  
Monroe County  
Committee Assignment  
**TRANSPORTATION -L**  
**WAYS & MEANS**

March 21, 2012

To The Honorable  
Monroe County Legislature  
407 County Office Building  
Rochester, New York 14614

**Subject:** Amend the 2012-2017 Capital Improvement Program, the 2012 Capital Budget and Bond Resolution 344 of 2008 to Expand the Scope and Increase the Project Authorization; Authorize a Contract with Villager Construction, Inc. for Construction Services; and Authorize a Contract with the Monroe County Water Authority for the Westfall Road Phase III Project in the Town of Brighton and the City of Rochester

Honorable Legislators:

I recommend that Your Honorable Body amend the 2012-2017 Capital Improvement Program, the 2012 Capital Budget and Bond Resolution 344 of 2008 to expand the scope and increase the project authorization; authorize a contract with Villager Construction, Inc. for construction services; and authorize a contract with the Monroe County Water Authority for the Westfall Road Phase III Project in the Town of Brighton and the City of Rochester.

This project involves reconstruction, rehabilitation and widening of the roadway, closed drainage, water main installation and improvements, signal improvements, granite curbing, concrete sidewalks, pavement markings, signage and landscape restoration. A portion of the water main will be installed as a Monroe County Water Authority betterment share.

The scope and cost of this project has changed dramatically since it was initially programmed in the Capital Improvement Program. Asphalt costs have increased largely due to the unforeseen escalation in oil prices that have occurred resulting in an increase in overall construction costs. In addition, due to increased development in the area, the scope of the project changed considerably as compared to initial plans, including reconstructing, adding auxiliary lanes and signal improvements at East Henrietta Road; increasing the planned through lanes and signal improvements at South Clinton Avenue; adding a structural overlay; roadway and off-roadway drainage improvements; retaining walls and landscaping, and the installation of water main requested by the Monroe County Water Authority, all that were not originally anticipated. These factors resulted in additional design, right-of-way and construction costs well above the original plan. The total estimated project cost is now \$7,000,000. The increased cost (\$3,590,000) will be offset by the percentage of funding through Federal and State aid and Monroe County Water Authority betterment.

Major funding will be provided by Federal and New York State Department of Transportation funds in the amount of approximately 92.1% of the project cost, by the Monroe County Water Authority in the approximate amount of 2.5% of the project cost, and by the property owner at Sawgrass Extension in the approximate amount of 0.5% with overall project administration by Monroe County. The funding provided by the Monroe County Water Authority is for water main installation.

This project is scheduled to be considered by the Monroe County Planning Board on March 22, 2012.

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The following five (5) bids were received on March 14, 2012:

Villager Construction, Inc.	\$4,761,331.30
Keeler Construction Co., Inc.	5,134,199.70
Sealand Contractors, Corp.	5,373,000.70
Crane Hogan Structural Systems, Inc.	5,597,242.00
Zoladz Construction Co. Inc.	6,436,556.22

The bids have been reviewed and the Department of Transportation recommends the award of the contract to the lowest responsible bidder, Villager Construction, Inc., in the amount of \$4,761,331.30.

**The specific legislative actions required are:**

1. Amend the 2012-2017 Capital Improvement Program and the 2012 Capital Budget to expand the scope and increase the project authorization by \$3,590,000 for the Westfall Road Phase III project, from \$3,410,000 to \$7,000,000, making the total project authorization \$7,000,000.
2. Amend Bond Resolution 344 of 2008 to increase financing for the Westfall Road Phase III project, capital fund 1409, from \$3,410,000 to \$7,000,000, for a total authorization of \$7,000,000.
3. Authorize the County Executive, or her designee, to execute a contract with Villager Construction Inc., 425 Old Macedon Center Road, Fairport NY 14450, in the amount of \$4,761,331.30 for construction services, for the Westfall Road Phase III project, and any amendments necessary to complete the project within the total capital fund(s) appropriation.
4. Authorize the County Executive, or her designee, to execute a contract, and any amendments thereto, with the Monroe County Water Authority, for reimbursement to the County of appropriate costs relating to the installation of water main in conjunction with the Westfall Road Phase III project, in the estimated amount of \$119,000, with the final amount to be determined upon project completion.

Environmental assessments have been completed for the Westfall Road Phase III project and it was determined that there would be no significant effect on the environment.

Funding for these services, consistent with authorized uses, will be included in capital fund 1409 once the additional financing authorization requested herein is approved and in any capital fund(s) created for the same intended purpose. No additional net County support is required in the current Monroe County budget.

The records in the office of the Monroe County Treasury have indicated that neither Villager Construction Inc., nor any of its principal officers, owe any delinquent Monroe County property taxes. The principal officers of the firm are:

Richard K. Clark, President and Treasurer  
James J. Bell, Jr., Vice President  
Timothy O. Lawless, Secretary

I recommend that this matter be referred to the appropriate committee(s) for favorable action by Your Honorable Body.

Sincerely,

  
Maggie Brooks  
County Executive