



City of Kingston Finance and Audit Committee
Meeting Agenda
Wednesday, April 11, 2018

CITIBUS UPDATE AND DISCUSSION

NEW BUSINESS

Kevin Bryant, Corporation Counsel Re: Met Life Park
[20180329130208.pdf](#)

Allen Winchell, WWTF Re: Budget Tranfer Request
[20180329130135.pdf](#)

Ralph Swenson, Engineer Re: Westbrook Lane Storm Sewer
[Committee Report - Westbrook Lane Storm Sewer_041118.pdf](#)
[Noble_Westbrook Lane Storm Sewer Funding Request_032718.pdf](#)
[Permit 6938 UCPW.pdf](#)
[CK-171 - BID TAB.pdf](#)
[CK-171_Westbrook Lane Storm Sewer Bid Results.pdf](#)
[cont.sf.KINGSTON.Stormwater.ConstructionPhase.pdf](#)
[Recommendation of Award.pdf](#)

Public Works Re: 2017 Transfers for bus damage and vactor
[Transfer Bus Damage Perry's 3-20-18.pdf](#)
[Transfer Robins - Vactor 3-20-18.pdf](#)

Ralph Swenson Re: Tannery Brook Drainage Easements
[Committee Report for March 14, 2018.pdf](#)
[Noble_Tannery Brook Drainage_030618.pdf](#)
[Tannery Brook Alignment Washington to Linderman.docx](#)
[Tannery Brook Alignment Washington to Warren.docx](#)
[Tannery Brook Easement Alignment_Washington to Linderman.pdf](#)
[Tannery Brook Easement_Linderman to Warren.pdf](#)

1 OLD BUSINESS

Finance and Audit Committee Agenda Item Report

Meeting Date: April 11, 2018

Submitted by: Carly Winnie

Submitting Department: Corporation Counsel

Item Type: Proposed Resolution

Agenda Section: New Business

Subject:

Kevin Bryant, Corporation Counsel Re: Met Life Park

Suggested Action:

Attachments:

[20180329130208.pdf](#)

CITY OF KINGSTON
Office of Corporation Counsel
kbryant@kingston-ny.gov

Steven T. Noble, Mayor



Kevin R. Bryant, Corporation Counsel
Daniel Gartenstein, Asst. Corporation Counsel

TO: Hon. James L. Noble
President, Common Council

FROM: Kevin R. Bryant *KB*
Corporation Counsel

DATE: March 28, 2018

RE: Met Life Park

Prospect & Green LLC are desirous of donating the Met Life Park a/k/a Barman Park portions to the City of Kingston pursuant to the terms set forth in the attached letter from Michael A. Moriello, Esq. dated February 22, 2018.

Please refer said matter to the appropriate Committee for consideration.

RISELEY & MORIELLO
ATTORNEYS AT LAW
111 Green Street
Post Office Box 4465
Kingston, New York 12402
E-Mail: mike@moriellolaw.com

Richard F. Riseley
Michael A. Moriello

Tel: (845) 338-6603
Fax: (845) 340-1614

February 22, 2018

City of Kingston
Office of City Corporation Counsel
Kevin Bryant, Esq.
Dan Gartenstein, Esq.
City Hall
420 Broadway
Kingston, New York 12401

RE: Deed to Lands and Improvements Situate at Met Life
Park: Prospect & Green LLC With the City of Kingston

VIA HAND DELIVERY

Dear Kevin and Dan:

This correspondence is to confirm that I have met with representatives of RUPCO, Inc. and Prospect & Green LLC concerning the conveyancing of the above referenced real property by Deed to the City of Kingston, same in connection with the above referenced matter.

In this regard, I am enclosing a copy of the current Deed to the subject premises, together with the relevant 1979 and 1956 Lease Agreements affecting the publicly utilized portions of the premises.

It is my understanding that Prospect & Green LLC will be donating the "Met Life Park" a/k/a "Barrman Park" portions of the premises to the City of Kingston by Deed, which shall be executed by the Grantor and the Grantee, said Deed further memorializing that the Parkland portion of the premises shall be perpetually devoted to public parkland purposes.

Presently, the lands are described as being comprised of one (1) parcel of land and a subdivision of said lands will be required to effect the donation and deeded conveyance. Accordingly, Chris Zell, PLS, Brinnier & Larios, PC, has prepared a subdivision map and associated metes and bounds description for the Parkland premises, copies of which are annexed hereto for your review.

Parenthetically, I note that the parcel possesses two (2) tax map numbers, presumably owing to the historical disposition of the Lease upon the Metropolitan Life Building portion of the premises.

Certain reservations and recitals will need to be provided for within the call of the Deed and my client will work with the City of Kingston to arrive at mutually acceptable language with respect thereto.

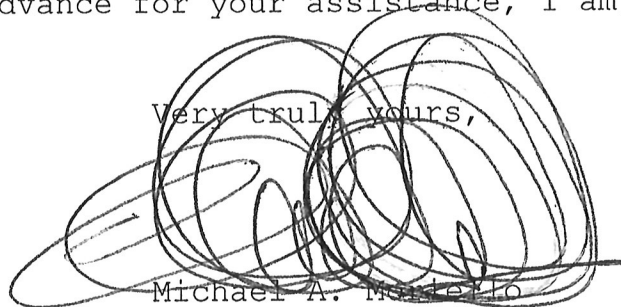
I am further advised that my client would like the City of Kingston to replace the existing chain link fence as a memorialized part of this transaction.

In addition, my client will work cooperatively with the City of Kingston to affect any procedures which are required at law to convey the parkland to the City of Kingston.

Please take the matter up with the City of Kingston Common Council at your convenience and feel free to contact me with any questions you may have.

Thanking you both in advance for your assistance, I am,

Very truly yours,

A large, dense, and somewhat chaotic handwritten signature in dark ink, appearing to be "Michael A. Madeiro".

Michael A. Madeiro

MAM:def

Enclosures

cc: Mr. Kevin O'Connor [with enclosures & via e-mail and regular mail]

Mr. Guy Kempe [via e-mail, without enclosures]

Christopher J. Zell, PLS [via e-mail, without enclosures]

Finance and Audit Committee Agenda Item Report

Meeting Date: April 11, 2018

Submitted by: Carly Winnie

Submitting Department: Waste Water Treatment Plant

Item Type: Budget Transfer

Agenda Section: New Business

Subject:

Allen Winchell, WWTF Re: Budget Transfer Request

Suggested Action:

Attachments:

[20180329130135.pdf](#)

THE CITY OF KINGSTON COMMON COUNCIL

FINANCE AND AUDIT COMMITTEE REPORT

REQUEST DESCRIPTION

INTERNAL TRANSFER _____
AUTHORIZATION _____
CLAIMS _____

CONTINGENCY TRANSFER _____
BUDGET MODIFICATION ☒
ZONING _____

TRANSFER _____
BONDING REQUEST _____
OTHER _____

DEPARTMENT 8130 Waste Water Treatment Facility DATE 3/15/18

Description: Move monies from 8130.101 to
8130.109 \$5,746.00

topay Roy Thomas out of title mechanic's pay.
This is for 2018, Budget.

Estimated Financial Impact 0

Signature A. Weckert

Motion by _____

Seconded by _____

Action Required: _____

SEQRA Decision:

Type I Action _____

Type II Action _____

Unlisted Action _____

Negative Declaration of Environmental Significance: _____

Conditioned Negative Declaration: _____

Seek Lead Agency Status: _____

Positive Declaration of Environmental Significance: _____

<u>Committee Vote</u>	<u>YES</u>	<u>NO</u>
Douglas Koop, Chairman		
Reynolds Scott-Childress Ward 3		
Anthony Davis, Ward 6		
Patrick O'Reilly, Ward 7		
Steven Schabot, Ward 8		

FROM:

TO:

G1-8130-11-5101	\$5,746.00	G1-8130-11-5109	\$5,746.00
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Finance and Audit Committee Agenda Item Report

Meeting Date: April 11, 2018

Submitted by: Carly Winnie

Submitting Department: Engineering

Item Type: Authorization Request

Agenda Section: New Business

Subject:

Ralph Swenson, Engineer Re: Westbrook Lane Storm Sewer

Suggested Action:

Attachments:

[Committee Report - Westbrook Lane Storm Sewer_041118.pdf](#)

[Noble_Westbrook Lane Storm Sewer Funding Request_032718.pdf](#)

[Permit 6938 UCPW.pdf](#)

[CK-171 - BID TAB.pdf](#)

[CK-171_Westbrook Lane Storm Sewer Bid Results.pdf](#)

[cont.sf.KINGSTON.Stormwater.ConstructionPhase.pdf](#)

[Recommendation of Award.pdf](#)

THE CITY OF KINGSTON COMMON COUNCIL

FINANCE AND AUDIT
COMMITTEE REPORT

REQUEST DESCRIPTION

INTERNAL TRANSFER _____
AUTHORIZATION X
CLAIMS _____

CONTINGENCY TRANSFER _____
BUDGET MODIFICATION _____
ZONING _____

TRANSFER _____
BONDING REQUEST X
OTHER _____

DEPARTMENT Engineering

DATE March 27, 2018

Description: Westbrook Lane Storm Sewer (CK-171) Bids were received on Thursday, March 22, 2018. The apparent low bidder was Arold Construction Co., Inc. of Kingston, NY, at \$238,375.00

Request is made for funding (bonding) in the amount of \$265,000 to cover construction, inspection and administration of the project.

Request is also made for authorization of the Mayor to execute all necessary documents associated with the project.

Estimated Financial Impact \$265,000

Signature Ralph Swenson



Motion by _____

Seconded by _____

Action Required:

SEQRA Decision:

Type I Action _____

Type II Action _____

Unlisted Action _____

Negative Declaration of Environmental Significance: _____

Conditioned Negative Declaration: _____

Seek Lead Agency Status: _____

Positive Declaration of Environmental Significance: _____

<u>Committee Vote</u>	<u>YES</u>	<u>NO</u>
Douglas Koop, Chairman		
Reynolds Scott-Childress Ward 3		
Anthony Davis, Ward 6		
Patrick O'Reilly, Ward 7		
Steven Schabot, Ward 8		

CITY OF KINGSTON
Office of the City Engineer
rswenson@kingston-ny.gov



Ralph E. Swenson, P.E., City Engineer

Steven T. Noble, Mayor

March 27, 2018

Mr. James L. Noble, Jr.
Alderman-At-Large
President of the Common Council
Kingston City Hall
420 Broadway
Kingston, New York 12401

RE: Westbrook Lane Storm Sewer (CK-171)
Recommendation of Award

Dear President Noble:

Following up upon my January 18, 2018 correspondence regarding the periodic flooding of the Herzog Lumber Yard adjacent to the Kingston Plaza, bids were received on Thursday, March 22, 2018. The apparent low bidder was Arold Construction Co., Inc. of Kingston, NY, at \$238,375.00.

Attached are a Bid Tabulation and Letter of Recommendation for Contract Award by Dennis Larios, P.E. for your review and consideration to supplement my previous communication. In addition, also attached is a proposal from Brinnier & Larios, P.C. for contract services in the amount of \$16,500.

I request bonding in the amount of \$265,000, which includes the full contract amount plus \$10,125 (4.3%) for contingency and \$16,500 for contract administration and periodic on-site inspection.

Respectfully Submitted,

Ralph Swenson
City Engineer

Cc: Steven T. Noble, Mayor
Douglas Koop, Chairman, Finance and Audit Committee
John Tuey, Comptroller
Joe Chenier, Superintendent of Public Works
Kevin Bryant, Corporation Counsel



PERMIT # 6938

This Permit is hereby issued this 22th day of March, 2018, and is agreed to by and between the County of Ulster, a municipal corporation and a county of the State of New York, with principal offices at 244 Fair Street, Kingston, New York 12401 (the "County"), and the City of Kingston, having its principal offices at 420 Broadway, Kingston New York 12401 (the "Permittee").

WHEREAS, the Permittee has requested access to a portion of the County's Ulster & Delaware railroad right-of-way in the City of Kingston for the purposes of repairing a municipal sewer line; and

WHEREAS, the County is willing to grant the Permittee access to the right-of-way for the requested purposes.

NOW THEREFORE, in consideration of the promises and the covenants set forth below, the Permittee and the County hereby agree as follows:

1. The County hereby grants a Permit (the "Permit") to the Permittee, its employees, agents, contractors and subcontractors, to access the County's Ulster & Delaware railroad right-of-way between Westbrook Lane and the intersection of Schwenk Drive, Fair Street, and Clinton Avenue in the City of Kingston as further identified in Schedule A of this Permit, for the purpose of repairing its sewer line.
2. The Permittee, its employees, agents, and subcontractors shall perform the work in a manner determined to be the most expeditious and effective, while still providing for the safety of those performing the work and others at the site. The Permittee must utilize appropriate safety equipment on County property to facilitate the safe passage of its employees, agents, contractors and subcontractors, pedestrians, cyclists, and vehicular traffic over the County property.
3. The Permittee, as well as contractors and subcontractors of the Permittee, shall provide the County with certificates of insurance as required in Schedule B, which is attached hereto and is hereby made a part of this Agreement.
4. The Permittee will defend, settle, and without limitation satisfy any judgment against it and/or the County in connection with all claims and/or litigation filed against it by all entities and individuals for injuries and/or property damage related to the Permittee's activities in the County right of way.
5. The Permittee shall indemnify and save the County harmless from any claim, judgment, and/or cause of action resulting from injury or damage to third parties and/or property resulting from the acts, negligence and/or willful misconduct of the Permittee or its employees, agents, contractors and/or subcontractors in conducting the work on the County right-of-way, provided further only to the extent that such loss is only directly attributable to such conduct.
6. The drainage, sewer or water pipes or appurtenances which are laid under this permit shall be so placed as to not interrupt or interfere with public travel upon the highway or operation of the railroad; and every drainage, sewer or water pipes must be placed at least four (4) feet below and in such a manner as in no way to interfere with the macadam, track, shoulders or drainage ditches of the highway/railroad and upon the completion of the work the highway shall be left in good condition as before the work was performed and to be done to the entire satisfaction of the County's Commissioner of Public Works.
7. It is understood by the Permittee that any installation made under this permit does not in any way become the responsibility of the County and should it be necessary to relocate same due to reconstruction of the highway/railroad such relocation will be made at the expense of the applicant or his assigns.
8. It is agreed by the Permittee that any injury or disturbance of the macadam portion of the highway, railroad, its shoulders or drainage ditches which may occur hereafter by reason of the laying of said drainage, sewer or water pipes and their appurtenances shall be repaired by and at the expense of the Permittee to the satisfaction of the County's Commissioner of Public Works.

9. The County's Commissioner of Public Works may, upon the failure of the Permittee to comply with any of the conditions contained herein, revoke this permit and remove any pipes, or hydrants, or other appurtenances which may have been placed in the right-of-way under this permit.
10. Work under this permit to be commenced within thirty days from date of permit and continued in an expeditious manner.
11. If requested by the County Commissioner of Public Works the Permittee shall submit a detailed plan of structure to be built, with a description of proposed method of construction.

IN WITNESS WHEREOF, the parties have executed this Permit on the date herein below set forth.

By: 
Name: JOSEPH A. CHENIER
Title: Superintendent
Date: 3/19/18

COUNTY OF ULSTER
By: 
Name: Thomas Jackson
Title: Commissioner
Date: 3/22/18



CERTIFICATE OF LIABILITY INSURANCE

DATE (MM/DD/YYYY)

3/16/2018

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 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 Marshall & Sterling, Inc. 103 Executive Dr., Suite 101 New Windsor NY 12553		CONTACT NAME: Susan Bell PHONE (A/C, No, Ext): (845) 567-1000 FAX (A/C, No): (845) 567-1030 E-MAIL: sbell@marshallsterling.com ADDRESS:	
INSURED City of Kingston 420 Broadway Kingston NY 12401		INSURER(S) AFFORDING COVERAGE INSURER A: US Specialty Insurance Company INSURER B: INSURER C: INSURER D: INSURER E: INSURER F:	
		NAIC # 29599	

COVERAGES**CERTIFICATE NUMBER:** CL1762136699**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 INSD	SUBR WVD	POLICY NUMBER	POLICY EFF (MM/DD/YYYY)	POLICY EXP (MM/DD/YYYY)	LIMITS
A	☒ COMMERCIAL GENERAL LIABILITY ☐ CLAIMS-MADE ☒ OCCUR GEN'L AGGREGATE LIMIT APPLIES PER: ☒ POLICY ☐ PROJECT ☐ LOC OTHER:			CPKG80820007	6/25/2017	6/25/2018	EACH OCCURRENCE \$ 1,000,000 DAMAGE TO RENTED PREMISES (Ea occurrence) \$ 1,000,000 MED EXP (Any one person) \$ 10,000 PERSONAL & ADV INJURY \$ 1,000,000 GENERAL AGGREGATE \$ 3,000,000 PRODUCTS - COM/OP AGG \$ 3,000,000 CO01 \$ 1,000,000
A	☒ AUTOMOBILE LIABILITY ☐ ANY AUTO ☐ ALL OWNED AUTOS ☐ HIRED AUTOS ☐ SCHEDULED AUTOS ☐ NON-OWNED AUTOS			CPKG80820007	6/25/2017	6/25/2018	COMBINED SINGLE LIMIT (Ea accident) \$ 1,000,000 BODILY INJURY (Per person) \$ BODILY INJURY (Per accident) \$ PROPERTY DAMAGE (Per accident) \$ Uninsured motorist combined \$ 1,000,000
A	☒ UMBRELLA LIAB ☐ EXCESS LIAB ☐ OCCUR ☐ CLAIMS-MADE DED ☒ RETENTION \$ 100,000			CPKG80820007	6/25/2017	6/25/2018	EACH OCCURRENCE \$ 10,000,000 AGGREGATE \$ 10,000,000
	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						PER STATUTE ☐ OTH-ER ☐ E.L. EACH ACCIDENT \$ E.L. DISEASE - EA EMPLOYEE \$ E.L. DISEASE - POLICY LIMIT \$
A	Public Risk Prof Liability			CPKG80820007	6/25/2017	6/25/2018	Per Occurrence/Aggregate 1,000,000
A	Sexual Abuse & Molestation			CPKG80820007	6/25/2017	6/25/2018	Per Occurrence/Aggregate 1,000,000

DESCRIPTION OF OPERATIONS / LOCATIONS / VEHICLES (ACORD 101, Additional Remarks Schedule, may be attached if more space is required)

County of Ulster is provided additional insured status when required by written contract or agreement per endorsement PKGLI0040(2006) with respect to the City's permit request for access to a portion of the County's Ulster & Delaware railroad for Right of Way work during the Sewer replacement.

CERTIFICATE HOLDER**CANCELLATION**

County of Ulster
PO Box 1800
Kingston, NY 12401

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

Kevin Viana/SBELL

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CONTRACT NO. CK-171 - GENERAL CONSTRUCTION
STORM SEWER REPLACEMENT
CITY OF KINGSTON, ULSTER COUNTY, NEW YORK

BID TABULATION
BRINNIER AND LARIOS, P.C.

Bid Date: Mach 22, 2018 - 2:00 PM

				Arold Construction Co., Inc. 51 Powder Mill Bridge Rd. Kingston, NY 12401		H. Osterhoudt Excavating 11Spring Street Ellenville, NY 12428		Sun Up Enterprises, Inc. 1607 Route 376 Wappingers Falls, NY 12590		Hubbell Inc. P.O. Box 664 Margaretville, NY 12455		Roehrs Construction, Inc. P.O. Box 406 Clintondale, NY 12515	
Item No.	Quantity	Unit	Description of Work	Unit Price	Amount	Unit Price	Amount	Unit Price	Amount	Unit Price	Amount	Unit Price	Amount
1	1	LS	Maintenance & Protection of Traffic	\$ 10,000.00	\$ 10,000.00	\$ 8,250.00	\$ 8,250.00	\$ 23,585.00	\$ 23,585.00	\$ 2,000.00	\$ 2,000.00	\$ 10,245.00	\$ 10,245.00
2	1	LS	Site Prep., Maintenance & Restoration	\$ 20,000.00	\$ 20,000.00	\$ 32,462.00	\$ 32,462.00	\$ 19,700.00	\$ 19,700.00	\$ 25,000.00	\$ 25,000.00	\$ 42,210.00	\$ 42,210.00
3	4	Each	Precast Concrete Manholes	\$ 8,000.00	\$ 32,000.00	\$ 8,200.00	\$ 32,800.00	\$ 4,300.00	\$ 17,200.00	\$ 10,000.00	\$ 40,000.00	\$ 8,800.00	\$ 35,200.00
4	605	LF	18" Dia. PVC Storm Sewer	\$ 115.00	\$ 69,575.00	\$ 109.00	\$ 65,945.00	\$ 140.00	\$ 84,700.00	\$ 105.00	\$ 63,525.00	\$ 338.00	\$ 204,490.00
5	1	LS	County RR Crossing in 30 inch Steel Carrier Pipe	\$ 60,000.00	\$ 60,000.00	\$ 70,532.00	\$ 70,532.00	\$ 75,000.00	\$ 75,000.00	\$ 98,900.00	\$ 98,900.00	\$ 57,000.00	\$ 57,000.00
6	140	CY	Pavement Subbase	\$ 40.00	\$ 5,600.00	\$ 39.00	\$ 5,460.00	\$ 54.00	\$ 7,560.00	\$ 75.00	\$ 10,500.00	\$ 44.00	\$ 6,160.00
7	75	Tons	Asphaltic Concree Base Course	\$ 250.00	\$ 18,750.00	\$ 160.00	\$ 12,000.00	\$ 257.00	\$ 19,275.00	\$ 180.00	\$ 13,500.00	\$ 110.00	\$ 8,250.00
8	45	Tons	Asphaltic Concrete Top Course	\$ 250.00	\$ 11,250.00	\$ 160.00	\$ 7,200.00	\$ 260.00	\$ 11,700.00	\$ 190.00	\$ 8,550.00	\$ 110.00	\$ 4,950.00
9	60	CY	Select Backfill	\$ 20.00	\$ 1,200.00	\$ 36.50	\$ 2,190.00	\$ 54.00	\$ 3,240.00	\$ 49.00	\$ 2,940.00	\$ 30.00	\$ 1,800.00
			TOTAL AMOUNT BASE BID		\$ 228,375.00		\$ 236,839.00		\$ 261,960.00		\$ 264,915.00		\$ 370,305.00
			ALLOWANCE		\$ 10,000.00		\$ 10,000.00		\$ 10,000.00		\$ 10,000.00		\$ 10,000.00
			TOTAL AMOUNT BID		\$ 238,375.00		\$ 246,839.00		\$ 271,960.00		\$ 274,915.00		\$ 380,305.00

DENNIS M. LARIOS, P.E.
Lic. No. 58747

CHRISTOPHER J. ZELL, L.L.S.
Lic. No. 49629

BRINNIER and LARIOS, P.C.
PROFESSIONAL ENGINEERS & LAND SURVEYORS
67 MAIDEN LANE
KINGSTON, NEW YORK 12401
—
TELEPHONE (845) 338-7622
FAX (845) 338-7660

DESIGN
REPORTS
SUPERVISION
CONSULTING SERVICES

SUBDIVISIONS
TITLE SURVEYS
TOPOGRAPHIC SURVEYS

CONTRACT CK-171

STORM SEWER REPLACEMENT

CITY OF KINGSTON

ULSTER COUNTY, NEW YORK

Thursday, March 22, 2018 - 2:00 PM

NAME & ADDRESS OF CONTRACTOR	TOTAL AMOUNT BID (includes \$10,000.00 Allowance)	BID BOND	CERT. CHECK
Advanced Enterprise Concrete & Excavation 40 Mullens Lane Saugerties, NY 12477			
Amity Construction Corp. 24 Haviland Road Poughkeepsie, NY 12601			
Arold Construction Co. 51 Powder Mill Bridge Kingston, NY 12401	\$ 238,375.	✓	
Bast Hatfield Construction, LLC 1399 Crescent Vischer Ferry Rd, Suite 2 Clifton Park, NY 12065			
Bellamy Construction Co. 6684 Amsterdam Road Scotia, NY 12302			
Evergreen Mountain Contracting 25 Evergreen Mountain Rd Westkill, NY 12491			
Friedlander Construction 171 Main Street New Paltz, NY 12561			
Green Meadows Enterprises, Inc. 1061 Plains Road Wallkill, NY 12589			
Hubbell, Inc. P.O. Box 664 Margaretville, NY 12455	\$274,915.	✓	
Merritt Construction Inc. 6 Staghorn Drive Saugerties, New York 12477			

NAME & ADDRESS OF CONTRACTOR	TOTAL AMOUNT BID (includes \$10,000.00 Allowance)	BID BOND	CERT. CHECK
H. Osterhoudt Excavation, Inc. 11 Spring Street Ellenville, New York 12428	\$ 246,839.00	✓	
Parrott Enterprises, Inc. 319 North Plank Road Newburgh, NY 12550			
Roehrs Construction Inc. PO Box 406 Clintondale, NY 12515	\$ 380,305.00	✓	
Sun Up Enterprises 1607 Rte 376 Wappingers Falls, NY 12590	\$ 271,960.00	✓	
Ulster Excavating 909 Orlando Street Kingston, NY 12401			

AGREEMENT
BETWEEN
OWNER AND ENGINEER
FOR
PROFESSIONAL SERVICES

THIS IS AN AGREEMENT made as of March 28, 2018
between The City of Kingston, 420 Broadway, Kingston, NY 12401 (OWNER)
and Brinnier and Larios, P.C. , 67 Maiden Lane, Kingston, NY 12401 (ENGINEER).

OWNER intends to utilize Professional Engineering Services for Survey Services and Engineering Support Services for contract administration and inspection services related to a storm sewer replacement project through an easement at the Herzog's Lumber Yard. Specifically, a new storm sewer will be designed to replace an old City Storm sewer that has become dysfunctional. The sewer will run from a manhole on the property of NYSOPR and run through a designed route through the Lumber Yard, under the County of Ulster Railroad, and to a Catch Basin situated between the Walgreens store and the Herzogs Garden Center.

CONTRACT PROVISIONS

These Standard Contract Provisions shall apply to all work completed on this Project unless modified in writing:

Services

The City of Kingston intends to replace all or portions of the storm sewer which runs from Westbrook Lane through the Lumber Yard and connects at a storm sewer system in the Kingston Plaza. The scope of engineering services shall include:

1. Preparation and Administration of Construction Contracts
2. On-site Inspections as necessary to Verify Work and Make Certifications to the City of Kingston. Shop Drawing Review.
3. Third party testing if required.

Client's Responsibilities

Owner shall make available all records and data pertinent to the Project and will give all reasonable assistance in obtaining such additional information as may be required. The Owner shall provide access to and make all provisions to enter upon public and private lands as required to perform the Engineering Services.

Standard Rates

Current rates for Services, effective through 12/31/17, are as per Attachment "A", hereto made a part of this Contract. Work is to be billed at these rates.

Payment

Payment is due within sixty (60) days after the invoice date. If this payment is not made, the Engineer, after giving a written notice, may suspend services under this Agreement until paid in full. Interest charges of 10% (annual rate) may be charged on all invoices over sixty (60) days past due.

Term

The contract shall expire on December 31, 2018.

Maximum Amount

This maximum amount of the contract, exclusive of inspections, shall be as follows:

Contract Administration	\$ 2,000.00
Inspections and Shop Drawing Review	\$ 12,500.00
Allowance for 3 rd Party Testing	\$ 2,000.00

Inspections shall be billed at hourly rates included in Attachment A.

Insurance

The Engineer shall provide professional liability insurance in the minimum amount of \$2,000,000.00. The Engineer shall provide general liability insurance in the minimum amount of \$ 1,000,000.00. The Engineer shall provide evidence of Workman's Compensation Insurance coverage satisfactory to the City of Kingston.

Contract Disputes

All claims, disputes and other matters in question between the parties of this Agreement, arising out of or relating to this Agreement or the breach thereof, shall be decided in the courts of the State of New York, unless both parties agree to alternative dispute resolution.

Executed By:

ENGINEER: **BRINNIER AND LARIOS, P.C.**

_____ Date: _____
Dennis M. Larios, P.E., President

Owner: **CITY OF KINGSTON**

I have read, understand and accept the conditions stated in this Agreement.

Accepted By: _____ Title: Mayor

Owner: CITY OF KINGSTON Date: _____

ATTACHMENT A
BRINNIER & LARIOS, P.C.

COMPANY BILLING RATES AND CLASSIFICATIONS

BILLING RATE SCHEDULE BY EMPLOYEE CLASSIFICATION

All other work shall be billed at the following hourly rates, unless otherwise stipulated.

EFFECTIVE JANUARY 1, 2018 THROUGH DECEMBER 31, 2018

1)	Engineering Principal	\$ 175.00/Hr.
2)	Survey Principal	140.00/Hr.
3)	Sr. Project Engineer 1,2,3,4,5,6	140.00/Hr.
4)	Structural Engineer 1	100.00/Hr
5)	Project Engineer 1,2	100.00/Hr.
6)	CAD Operator1	78.00/Hr.
7)	CAD Operator 2	75.00/Hr.
8)	CAD Operator 3	70.00/Hr.
9)	Chief Resident Engineer 1,2	85.00/Hr
10)	Chief Resident Engineer 3	80.00/Hr
11)	Inspector 1	75.00/Hr.
12)	Blue-printer	40.00/Hr.
13)	Survey Field Crew	1,780.00/day
14)	Office Plotter & Computing-1	85.00/Hr.
15)	Office Plotter & Computing-2	75.00/Hr.

SUBCONTRACTS: 1.1 x Subcontract Cost

Billing Rates include: all clerical support, normal US mail, phone, overhead, and profit.

(1) New York State Minimum Wage Rates included in this rate

DENNIS M. LARIOS, P.E.
Lic. No. 58747

CHRISTOPHER J. ZELL, L.L.S.
Lic. No. 49629

BRINNIER and LARIOS, P.C.
PROFESSIONAL ENGINEERS & LAND SURVEYORS
67 MAIDEN LANE
KINGSTON, NEW YORK 12401
—
TELEPHONE (845) 338-7622
FAX (845) 338-7660

DESIGN
REPORTS
SUPERVISION
CONSULTING SERVICES

SUBDIVISIONS
TITLE SURVEYS
TOPOGRAPHIC SURVEYS

March 23, 2018

Ralph Swenson, P.E., City Engineer
City of Kingston
City Hall
420 Broadway
Kingston, New York 12401

RE: Contract No. CK-171
Storm Sewer Replacement
City of Kingston

Dear Mr. Swenson:

On Thursday, March 22, 2018, five (5) bids were opened for the above referenced project (copy of bid tabulation enclosed).

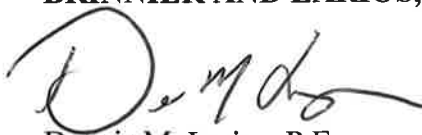
Arold Construction Co., Inc., of 51 Powder Mill Bridge Road, Kingston, New York was low bidder with a bid of \$238,375.00. We have reviewed the bid documents submitted by Arold Paving Co., Inc. and find them to be complete and bid bonding requirements fulfilled.

We hereby recommend that the City of Kingston award Contract No. CK-171 - Storm Sewer Replacement to Arold Construction Co., Inc. in the amount of \$238,375.00. Enclosed please find three (3) copies of a "Notice of Award," which is to be executed by the City once the bid has been accepted.

If you have any questions, please do not hesitate to contact me.

Very truly yours,

BRINNIER AND LARIOS, P.C.


Dennis M. Larios, P.E.
President

DML/prl
Enclosures

cc: Arold Construction Co., Inc.
Brian Woltman, Purchasing Agent

Finance and Audit Committee Agenda Item Report

Meeting Date: April 11, 2018

Submitted by: Carly Winnie

Submitting Department: Public Works

Item Type: Budget Transfer

Agenda Section: New Business

Subject:

Public Works Re: 2017 Transfers for bus damage and vector

Suggested Action:

Attachments:

[Transfer Bus Damage Perry's 3-20-18.pdf](#)

[Transfer Robins - Vector 3-20-18.pdf](#)

CITY OF KINGSTON
Department of Public Works
publicworks@kingston-ny.gov

Joseph A. Chenier, Superintendent



Steven T. Noble, Mayor

March 12, 2018

Hon. James Noble, President
Common Council
420 Broadway
Kingston, NY 12401

Dear President Noble;

Attached please find a transfer request to move funds from a revenue account to expense account to cover the repairs of one of our buses. The bus sustained damage during a towing process. The vendor's insurance company has reimbursed us for the parts and labor. This transfer will enable us to pay for the associated expenses.

Your assistance in this matter is greatly appreciated.

Sincerely,

Joseph A. Chenier
Superintendent Public Works

Cc: Comptroller John Tuey
Transit Supervisor, Toni Roser

FINANCE AND ECONOMIC DEVELOPMENT

COMMITTEE REPORT

Internal Transfer	<u>XX</u>	Contingency Transfer	
Transfer		Authorization	
Budget Modification		Bonding Request	
Claims	<u>Zoning</u>	Other	

Department: *Public Works* **Date:** *March 12, 2018*

2017 YEAR END TRANSFERS

A1 **Transfer To:** **G1** **Transfer From:**

5630 14 5444	Bus Vehicle Maintenance	3,122.46	5630 22 42680	Bus Insurance Recovery	3,122.46
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Damage to Citibus during towing. Reimbursement from vendor's insurance company to cover parts and labor

Estimated Financial Impact _____ Signature _____

Motion By _____

Seconded By _____

Action Required _____

SEQRA Decision:

Type I Action _____

Type II Action _____

Unlisted Action _____

Negative Declaration of Environmental Significance _____

Conditioned Negative Declaration _____

Seek Lead Agency Status _____

Positive Declaration of Environmental Significance _____

Committee Vote	Yes	No
Douglas Koop, Ward 2 Chairman		
Reynolds Scott-Childress, Ward 3		
Tony Davis, Ward 6		
Patrick O'Reilly, Ward 7		
Steven Schabot, Ward 8		

CITY OF KINGSTON
Department of Public Works
publicworks@kingston-ny.gov

Joseph A. Chenier, Superintendent



Steven T. Noble, Mayor

March 12, 2018

Hon. James Noble, President
Common Council
420 Broadway
Kingston, NY 12401

Dear President Noble;

Attached please find a transfer request for the purchase of a new vector truck for the Sewer Department. Also funds will be transferred from Public Works to the Parks Department to cover the transfer of a laborer to this Department.

Your assistance in this matter is greatly appreciated.

Sincerely,

Joseph A. Chenier
Superintendent Public Works

Cc: Comptroller John Tuey

FINANCE AND ECONOMIC DEVELOPMENT

COMMITTEE REPORT

Internal Transfer	_____	Contingency Transfer	_____
Transfer	XX	Authorization	_____
Budget Modification	_____	Bonding Request	_____
Claims	Zoning	Other	_____

Department: *Public Works* **Date:** *March 12, 2018*

2017 YEAR END TRANSFERS

A1	Transfer To:		A1	Transfer From:	
7110 11 5101	<i>Parks Regular Pay</i>	34,019.00	8164 11 5101	<i>DPW Recycling Regular Pay</i>	34,019.00
7110 14 5471	<i>Parks Contracted Service</i>	480.00	1490 14 5472	<i>DPW Admin Contracted Service</i>	330.00
			1490 18 5834	<i>DPW Uniform Allowance</i>	150.00
	<i>Total</i>	34,499.00		<i>Total</i>	34,499.00

Funds for transfer of Bart Robins from Public Works to Parks and Recreation

Estimated Financial Impact _____ Signature _____

Motion By _____

Seconded By _____

Action Required _____

SEQRA Decision:

Type I Action _____

Type II Action _____

Unlisted Action _____

Negative Declaration of Environmental Significance _____

Conditioned Negative Declaration _____

Seek Lead Agency Status _____

Positive Declaration of Environmental Significance _____

Committee Vote	Yes	No
Douglas Koop, Ward 2 Chairman		
Reynolds Scott-Childress, Ward 3		
Tony Davis, Ward 6		
Patrick O'Reilly, Ward 7		
Steven Schabot, Ward 8		

Finance and Audit Committee Agenda Item Report

Meeting Date: April 11, 2018

Submitted by: Carly Winnie

Submitting Department: Engineering

Item Type: Authorization Request

Agenda Section: New Business

Subject:

Ralph Swenson Re: Tannery Brook Drainage Easements

Suggested Action:

Attachments:

[Committee Report for March 14, 2018.pdf](#)

[Noble_Tannery Brook Drainage_030618.pdf](#)

[Tannery Brook Alignment Washington to Linderman.docx](#)

[Tannery Brook Alignment Washington to Warren.docx](#)

[Tannery Brook Easement Alignment_Washington to Linderman.pdf](#)

[Tannery Brook Easement_Linderman to Warren.pdf](#)

THE CITY OF KINGSTON COMMON COUNCIL

FINANCE AND AUDIT COMMITTEE REPORT

<u>REQUEST DESCRIPTION</u>		
INTERNAL TRANSFER _____ AUTHORIZATION <u>x</u> _____ CLAIMS _____	CONTINGENCY TRANSFER _____ BUDGET MODIFICATION _____ ZONING _____	TRANSFER _____ BONDING REQUEST _____ OTHER _____

DEPARTMENT Engineering DATE March 9, 2018

Description: Tannery Brook Drainage improvements are needed between Washington Avenue and Warren Street. Prior to starting work easements must be secured. There is a need for survey work to adequately describe 8 easements at a cost of approximately \$6,500.

_____ Request authorization to secure the required easements at a cost of \$6,500.

_____ Requested funding of \$6,500 shall be provided through a transfer of funds from Contingency to 1440.411 Engineering Consultants.

Estimated Financial Impact \$6,500.00 Signature 

Motion by _____

Seconded by _____

Action Required:

SEQRA Decision:

Type I Action _____

Type II Action _____

Unlisted Action _____

Negative Declaration of Environmental Significance: _____

Conditioned Negative Declaration: _____

Seek Lead Agency Status: _____

Positive Declaration of Environmental Significance: _____

<u>Committee Vote</u>	<u>YES</u>	<u>NO</u>
Douglas Koop, Chairman		
Reynolds Scott-Childress Ward 3		
Anthony Davis, Ward 6		
Patrick O'Reilly, Ward 7		
Steven Schabot, Ward 8		

CITY OF KINGSTON
Office of the City Engineer
rswenson@kingston-ny.gov



Ralph E. Swenson, P.E., City Engineer

Steven T. Noble, Mayor

March 6, 2018

Mr. James L. Noble, Jr.
Alderman-At-Large
President of the Common Council
Kingston City Hall
420 Broadway
Kingston, New York 12401

RE: Tannery Brook Drainage

Dear President Noble:

As you know, the Tannery Brook is an important drainage conduit serving a large segment of the City of Kingston. Improvements to the channel have been made over the years to improve channel capacity in conjunction with needed sanitary sewer improvements, and stand-alone flooding abatement efforts. There remain two unimproved segments of the Tannery Brook, the portion between Washington Avenue and Warren Street, and that portion upstream of Hewitt to the Linderman Avenue crossing. At this time we are focused upon the portion between Washington Avenue and Warren Street for two reasons, first, this area is prone to flooding due to a lack of hydraulic capacity, and second, the sanitary sewer between Linderman Avenue and Warren Street is the sole remaining length of the Tannery Brook Sanitary Sewer yet unimproved, running parallel to and in close proximity to the Tannery Brook.

In addition, we will once again be applying for funding under the NYS Bridges and Culverts Grant Program; these easements are a necessary component that will allow for this work to proceed.

I have recently requested property easements for the properties impacted by the Tannery Brook and Tannery Brook Sanitary Sewer through our Corporation Counsel's Office, and in an effort to support that request, have requested survey documentation from local surveyors. Initial estimate for the survey work is \$6,500.00.

Please forward to the appropriate Common Council Committee for further discussion and recommendation.

Respectfully Submitted,

Ralph Swenson
City Engineer

Cc: Steven T. Noble, Mayor
Douglas Koop, Chair, Finance Committee
John Tuey, Comptroller



Tannery Brook Alignment between Washington Avenue and Linderman Avenue



Tannery Brook Alignment between Washington Avenue and Warren Street



④

56.107-

