



YATES COUNTY LEGISLATURE
417 Liberty Street
Penn Yan, New York 14527
Phone 315-536-5150
Fax 315-536-5166

Leslie Church
Chairwoman

Emilee D. Miller
Clerk

Date: 10/3/22
TO: Department Heads
Legislators
Press
Public
FROM: Emilee D. Miller, Clerk of the Yates County Legislature
RE: Special Legislative Meeting

NOTICE

The Yates County Legislature will meet in special session on October 4, 2022 at 12:30 p.m. in the Legislative Chambers located at 417 Liberty St., Penn Yan, NY 14527 to consider the proposed resolution that follows.

Zoom information:

Join from a PC, Mac, iPad, iPhone or Android device:

Please click this URL to join.

<https://us02web.zoom.us/j/85068156423?pwd=aFcyeFlSTXR5VjkrVUVncUtLOXILZz09>

Webinar ID: 850 6815 6423

Passcode: 061455

Or One tap mobile:

+16469313860,,85068156423# US

+16465588656,,85068156423# US (New York)

Or join by phone:

Dial(for higher quality, dial a number based on your current location):

US: +1 646 931 3860 or +1 646 558 8656

Resolution No. 348-22

Motioned By: Banach

Date: 10/4/22

Seconded By:

**RESOLUTION AUTHORIZING IMMEDIATE REPAIRS TO THE EMBANKMENT ON
THE PROPERTY AND ADJACENT PROPERTIES NEAR 1861 WEST LAKE ROAD,
PENN YAN, NEW YORK**

WHEREAS, on or about March 25, 2022 an embankment slide occurred on the property at 1861 West Lake Road, Penn Yan; and

WHEREAS, the existing bank is unstable requiring repairs which has created a hazardous condition causing one lane of West Lake Road to be temporarily closed; and

WHEREAS, the County has contracted with Barton & Loguidice from Syracuse, New York to provide design documents and specifications to make the necessary repairs to this embankment, the road structure and any associated utilities and resident utility services; and

WHEREAS, the requested design documents were received from Barton & Loguidice for review by the County; and

WHEREAS, a pre-construction meeting was held with all interested parties, residents and contractors on September 14, 2022 resulting in quotes being received from three (3) contractors on September 28, 2022;

<u>Contractor</u>	<u>Total Quote</u>
City Hill Excavating, Inc.	\$330,905.00
TRT Masonry, Inc.	\$345,000.00
Marchionda Excavating, Inc.	\$385,000.00

WHEREAS, the Highway Superintendent has reviewed the bids and recommends that the project be awarded to City Hill Excavating, Inc. of Penn Yan, New York for a total price of \$330,905.00; and

WHEREAS, pursuant to the provisions of Section 103(4) of the General Municipal Law of the State of New York, the Yates County Legislature has determined that this problem constitutes an emergency arising out of an unforeseen occurrence or condition whereby circumstances affecting life, health, safety or property, requiring immediate action which cannot await competitive bidding;

NOW, THEREFORE, BE IT RESOLVED, to award the project to City Hill Excavating, Inc. for the total price of \$ 330,905.00, contingent upon the receipt of their insurances, performance bond and executed agreement; and be it further

RESOLVED, that contingent upon the approval of the County Attorney the Chairwoman is hereby authorized to execute any and all necessary documents, including but not limited to the aforementioned agreement with City Hill Excavating, Inc.; and be it further

RESOLVED, that copies of this resolution be forwarded to the County Administrator, the Highway Superintendent, the Director of Finance, Matt Schooley of Barton & Loguidice, and Jared Miller of City Hill Excavating, Inc.