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LISA M. RAMUNDO  
COMMISSIONER

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April 30, 2024

Hon. Chairwoman Joanne Cunningham  
Albany County Legislature  
112 State Street, Rm. 710  
Albany, NY 12207

Dear Chairwoman Cunningham:

The Department of Public Works is requesting the Legislature's approval of a third amendment to an agreement with Bette and Cring, LLC for additional construction costs for work on SR 85 due to unanticipated soil conditions.

In March, 2022, the County Purchasing Agent received two (2) bids for this project. Our engineering staff along with the County's hired Consultant reviewed the bids and recommended the award of this contract to the low bidder, Bette and Cring, LLC. The full bid amount was \$3,280,544.00, which covered all of the work described in the RFB.

There was not enough money in the 2022 Capital Plan at that time to pay the full bid amount, so the contract was awarded at an adjusted base contract amount of \$2,696,344.00 (Resolution No. 147 for 2022), which excluded compensation for the work described in the RFB relating to wall refacing along Route 85; it was anticipated that an amendment to the agreement for the work would be awarded to Bette and Cring later in time, contingent upon approval of the County's 2023 Capital Plan, with compensation in an amount equal to the difference between the full bid amount and the amount approved pursuant to Res. No. 147 for 2022.

The County's 2023 Capital Plan had since been approved. Pursuant to Resolution 76 of 2023, the contract with Bette and Cring was amended to reflect a contract total of \$3,280,544.00.

Amendment Two (Resolution 319 of 2023) added \$346,000.00 to Bette and Cring's contract, for a new contract total of \$3,626,544.00. This amendment was necessitated by failure of the bridge and the amount includes \$71,000.00 for construction and removal of the temporary shoring, \$140,000.00 for demolition and removal of the damaged steel, and \$135,000.00 for all of the work involved in installing the temporary structure.

Unsuitable soil was encountered during excavation for storm drain removal and replacement work on SR 85. The additional costs to remove and replace the soil with suitable material amounted to \$84,916.18 in

additional construction costs. We are requesting to amend Bette and Cring's contract by \$84,916.18, for a new contract total of \$3,711,460.18. These additional costs will be reimbursed by the State.

If there are any questions or further information is needed, please feel free to contact my office.

Sincerely,

Lisa M. Ramundo  
Commissioner

cc: Hon. Dennis Feeney, Majority Leader  
Hon. Frank Mauriello, Minority Leader  
Rebekah Kennedy, Majority Counsel  
Arnis Zilgme, Minority Counsel