



DANIEL P. MCCOY  
COUNTY EXECUTIVE

DANIEL C. LYNCH  
DEPUTY COUNTY EXECUTIVE

COUNTY OF ALBANY  
DEPARTMENT OF PUBLIC WORKS  
449 NEW SALEM ROAD  
VOORHEESVILLE, NEW YORK 12186-4826  
(518) 765-2055 - FAX (518) 447-7047  
[www.albanycountyny.gov](http://www.albanycountyny.gov)

LISA M. RAMUNDO  
COMMISSIONER

SCOTT D. DUNCAN  
DEPUTY COMMISSIONER

July 24, 2023

Hon. Andrew Joyce, Chairman  
Albany County Legislature  
112 State Street, Rm. 710  
Albany, NY 12207

Dear Chairman Joyce:

The Department of Public Works is requesting the Legislature's approval of a second amendment to an agreement with Bette and Cring, LLC for costs to remove the damaged rail trail bridge steel and facilitate construction of a temporary rail trail bridge over SR 85.

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 has 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.

In light of the additional work needed to remove the damaged steel and facilitate construction of the temporary bridge, we are requesting to amend Bette and Cring's contract by \$346,000.00, for a new contract total of \$3,626,544.00. This 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. The County will seek to be reimbursed for these costs.

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

Sincerely,

Lisa M. Ramundo  
Commissioner

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



# County of Albany

Harold L. Joyce  
Albany County Office  
Building  
112 State Street - Albany,  
NY 12207

## Legislation Text

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File #: TMP-4464, Version: 1

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### REQUEST FOR LEGISLATIVE ACTION

#### Description (e.g., Contract Authorization for Information Services):

Contract Authorization for a Second Amendment to Bette & Cring LLC Contract for the Damaged Rail Trail Bridge over SR85

Date: July 21, 2023  
Submitted By: Lisa M. Ramundo  
Department: Public Works  
Title: Commissioner  
Phone: 518-765-2055  
Department Rep.  
Attending Meeting: Lisa M. Ramundo

#### Purpose of Request:

- ☐ Adopting of Local Law
- ☐ Amendment of Prior Legislation
- ☐ Approval/Adoption of Plan/Procedure
- ☐ Bond Approval
- ☐ Budget Amendment
- ☒ Contract Authorization
- ☐ Countywide Services
- ☐ Environmental Impact/SEQR
- ☐ Home Rule Request
- ☐ Property Conveyance
- ☐ Other: (state if not listed) [Click or tap here to enter text.](#)

### CONCERNING BUDGET AMENDMENTS

#### Increase/decrease category (choose all that apply):

- ☐ Contractual
- ☐ Equipment
- ☐ Fringe
- ☐ Personnel

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**File #:** TMP-4464, **Version:** 1

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- ☐ Personnel Non-Individual  
☐ Revenue

Increase Account/Line No.: Click or tap here to enter text.  
Source of Funds: Click or tap here to enter text.  
Title Change: Click or tap here to enter text.

### **CONCERNING CONTRACT AUTHORIZATIONS**

**Type of Contract:**

- ☒ Change Order/Contract Amendment  
☐ Purchase (Equipment/Supplies)  
☐ Lease (Equipment/Supplies)  
☐ Requirements  
☒ Professional Services  
☐ Education/Training  
☐ Grant

Choose an item.

Submission Date Deadline Click or tap to enter a date.

- ☐ Settlement of a Claim  
☐ Release of Liability  
☐ Other: (state if not listed) Click or tap here to enter text.

**Contract Terms/Conditions:**

**Party (Name/address):**

Bette & Cring, LLC  
22 Century Hill Drive  
Suite 201  
Latham, NY 12110

**Additional Parties (Names/addresses):**

Click or tap here to enter text.

Amount/Raise Schedule/Fee: \$346,000.00  
Scope of Services: Removal of Compromised Bridge Structure

Bond Res. No.: Click or tap here to enter text.  
Date of Adoption: Click or tap here to enter text.

### **CONCERNING ALL REQUESTS**

Mandated Program/Service: Yes ☐ No ☒  
If Mandated Cite Authority: Click or tap here to enter text.

Is there a Fiscal Impact: Yes ☒ No ☐  
Anticipated in Current Budget: Yes ☐ No ☒

County Budget Accounts:

Revenue Account and Line: Click or tap here to enter text.  
Revenue Amount: Click or tap here to enter text.

Appropriation Account and Line: D95112.44436  
Appropriation Amount: \$346,000.00

Source of Funding - (Percentages)

Federal: Click or tap here to enter text.  
State: Click or tap here to enter text.  
County: 100%  
Local: Click or tap here to enter text.

Term

Term: (Start and end date) 7/26/23-8/31/23  
Length of Contract: One Month

Impact on Pending Litigation

Yes ☐ No ☒  
If yes, explain: Click or tap here to enter text.

Previous requests for Identical or Similar Action:

Resolution/Law Number: Click or tap here to enter text.  
Date of Adoption: Click or tap here to enter text.

**Justification:** (state briefly why legislative action is requested)

The Department of Public Works is requesting the Legislature's approval of a second amendment to an agreement with Bette and Cring, LLC for costs to remove the damaged rail trail bridge steel and facilitate construction of a temporary rail trail bridge over SR 85.

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 has 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.

In light of the additional work needed to remove the damaged steel and facilitate construction of the temporary bridge,

we are requesting to amend Bette and Cring's contract by \$346,000.00, for a new contract total of \$3,626,544.00. This 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. The County will seek to be reimbursed for these costs.

RESOLUTION NO. 76

AMENDING RESOLUTION NO. 147 FOR 2022 REGARDING CONSTRUCTION SERVICES FOR THE ALBANY COUNTY RAIL TRAIL OVER NEW SCOTLAND ROAD (NY ROUTE 85) BRIDGE REPLACEMENT PROJECT

Introduced: 3/13/23

By Public Works Committee, A. Joyce and Miller:

WHEREAS, By Resolution No. 147 for 2022, this Honorable Body authorized an agreement with Bette & Cring, LLC for construction services regarding the Albany County Rail Trail Over New Scotland Road (NY Route 85) Bridge Replacement Project in the amount of \$2,696,344 for a term commencing April 1, 2022 and ending December 31, 2023, and

WHEREAS, Since the original contract was awarded at an adjusted base contract rate, the Commissioner of the Department of Public Works has requested authorization to amend the aforementioned agreement in the amount of \$584,200 to complete additional work related to wall resurfacing along Route 85, with a new total amount not to exceed \$3,280,544, now, therefore, be it

RESOLVED, By the Albany County Legislature that Resolution No. 147 for 2022 is hereby amended to indicate a new total amount not to exceed \$3,280,544, and, be it further

RESOLVED, That the County Attorney is authorized to approve said amendment as to form and content, and, be it further

RESOLVED, That the Clerk of the County Legislature is directed to forward certified copies of this resolution to the appropriate County Officials.

*Adopted by unanimous vote – 3/13/23*

State of New York  
County of Albany

This is to certify that I, the undersigned, Clerk of the Albany County Legislature, have compared the foregoing copy of the resolution and/or local law with the original resolution and/or local law now on file in the office, and which was passed by the Legislature of said County on the 13<sup>th</sup> day of March, 2023, a majority of all members elected to the Legislature voting in favor thereof, and that the same is a correct and true transcript of such original resolution and/or local law and the whole thereof.



IN WITNESS THEREOF, I have hereunto set my hand and the official seal of the County Legislature this 15<sup>th</sup> day of March, 2023.

A handwritten signature in cursive script, reading "Nicole Chambers", is written over a horizontal line.

Clerk, Albany County Legislature



RESOLUTION NO. 147

AUTHORIZING AN AGREEMENT WITH BETTE & CRING, LLC FOR  
CONSTRUCTION SERVICES REGARDING THE ALBANY COUNTY RAIL  
TRAIL OVER NEW SCOTLAND ROAD (NY ROUTE 85) BRIDGE  
REPLACEMENT PROJECT

Introduced: 5/9/22

By Public Works Committee and Mr. Commisso:

WHEREAS, The Commissioner of the Department of Public Works has requested authorization to enter into an agreement with Bette & Cring, LLC in the amount of \$2,696,344 for construction services regarding the Albany County Rail Trail Over New Scotland Road (NY Route 85) Bridge Replacement Project for a term commencing April 1, 2022 and ending December 31, 2023, and

WHEREAS, The Commissioner indicated that the work includes removal of the existing three span steel railroad bridge and pier units and replacing with a through-girder steel structure, with a single span of 140 feet, drainage improvements, and reconstructing the roadway for the removal of one of the sidewalks and providing shoulders to the roadway , and

WHEREAS, The Department of Public Works, through the County Purchasing Agent, issued a request for bids and two bids were received pertaining to the project, and

WHEREAS, The Department of Public Works engineering staff along with the County's hired consultant reviewed said bids and recommended awarding the contract to Bette & Cring, LLC as the lowest responsible bidder, now, therefore be it

RESOLVED, By the Albany County Legislature that the County Executive is authorized to enter into an agreement with Bette & Cring, LLC, Latham, New York 12110 LLC in the amount of \$2,696,344 for construction services regarding the Albany County Rail Trail Over New Scotland Road (NY Route 85) Bridge Replacement Project for a term commencing April 1, 2022 and ending December 31, 2023, and, be it further

RESOLVED, That the County Attorney is authorized to approve said agreement as to form and content, and, be it further

RESOLVED, That the Clerk of the County Legislature is directed to forward certified copies of this resolution to the appropriate County Officials.

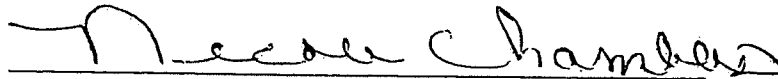
*Adopted by unanimous vote – 5/9/22*

State of New York  
County of Albany

This is to certify that I, the undersigned, Clerk of the Albany County Legislature, have compared the foregoing copy of the resolution and/or local law with the original resolution and/or local law now on file in the office, and which was passed by the Legislature of said County on the 9<sup>th</sup> day of May, 2022, a majority of all members elected to the Legislature voting in favor thereof, and that the same is a correct and true transcript of such original resolution and/or local law and the whole thereof.



IN WITNESS THEREOF, I have hereunto set my hand and the official seal of the County Legislature this 11<sup>th</sup> day of May, 2022.



Clerk, Albany County Legislature

July 25, 2023

Albany County Dept. of Public Works  
ATTN: Lisa Ramundo, Commissioner  
449 New Salem Road  
Voorheesville, New York 12186

Re: 18-C541 – Albany County Rail Trail Bridge Replacement

Dear Ms. Ramundo:

As requested, the current approximate costs related to the shoring of the collapsed structure and placement of a temporary bridge are below.

Design, construction, and removal temporary shoring is estimated to total approximately \$71,000. Force account records have been and will continue to be kept for all work related to the shoring.

Installation of the temporary bridge and necessary modifications to the existing abutment to accommodate the temporary structure is estimated to total approximately \$135,000. This shall be tracked via Force Account records and/or agreed prices once final design is presented to Bette & Cring.

Please note these costs are approximate and may be subject to change based upon the actual scope of work once final design is provided.

Should you have any questions please feel free to contact me.

Respectfully,

*Matthew Schmitt*

Matthew Schmitt, PM



July 20, 2023

Albany County Dept. of Public Works  
ATTN: Lisa Ramundo, Commissioner  
449 New Salem Road  
Voorheesville, New York 12186

Re: 18-C541 – Albany County Rail Trail Bridge Replacement

Dear Ms. Ramundo:

Please receive this letter as confirmation that the County has approved the agreed price submitted by Bette & Cring, utilizing Sessler Wrecking for removal of the compromised structure for the Lump Sum Total of \$140,000.00 as per the attached quote. Sessler has engaged their engineer to prepare the removal plan per NYSDOT Specifications and is preparing equipment and personnel for mobilization to the site to expedite the removal of the structure. Bette & Cring requests that the change order process for this agreed price be initiated and expedited to allow for timely payment to Sessler Wrecking once their scope of work is completed. As stated in the letter sent earlier on July 20, 2023, Bette & Cring will not be charging Overhead and Profit on this portion of the work.

Additionally, please provide specific locations for the delivery of the materials that are to be retained by the County at your earliest convenience to assist with expediting the removal of the compromised structure.

Should you have any questions please feel free to contact me.

Respectfully,

*Matthew Schmitt*

Matthew Schmitt, PM



1257 State Route 96  
Waterloo, NY 13165  
demo@sesslerwrecking.com



Phone: 315-539-3353  
Toll Free: 800-833-3967  
Fax: 315-539-3967

Building, Bridge & Industrial Demolition | Environmental Services | Marine Services | Site Preparation

<b>To:</b>	Bette & Cring	<b>Contact:</b>	
<b>Address:</b>	22 Century Hill Drive Latham, NY 12110	<b>Phone:</b>	(518) 213-1010
		<b>Fax:</b>	(518) 213-1050
<b>Project Name:</b>	Albany County Rail Trail Over New Scotland Rd (NY Route 85) REV1	<b>Bid Number:</b>	
<b>Project Location:</b>	Slingerlands, NY	<b>Bid Date:</b>	7/18/2023

Item #	Item Description	Estimated Quantity	Unit	Unit Price	Total Price
1	Removing Existing Superstructures - Partially Collapsed New Structure	1.00	LS	\$140,000.00	\$140,000.00

**Total Bid Price:** \$140,000.00

**Notes:**

• **Assumptions**

- Assumes a total of 1 mobilizations.
- Assumes unrestricted use of minimum 8,000 lbs hammer and unrestricted sawcutting for all items.
- Assumes no day or night noise restrictions.
- Assumes all work to be performed Monday-Friday, no allowances for weekend work are included.
- Responsible for complying with all OSHA Lead, Silica, and Safety Regulations.
- Assumes all existing steel to be retained by the owner.

• **Inclusions**

- Includes State Prevailing Wage Rates, or Union Rates, or Davis Bacon Rates.
- Includes union workforce of laborers and operators only. All other union obligations are excluded. General Contractor to provide Master Mechanic if required.
- Includes NY PE stamped engineering plans for bridge demolition as required.
- Includes trucking of concrete and asphalt debris up to 5 miles. General Contractor to provide disposal area capable of accepting unprocessed concrete and asphalt within 5 miles at no charge.
- Includes removal and transportation of existing steel to owner designated location. Sessler will minimize torch cutting of existing steel the extent feasible.

• **Exclusions**

- Excludes all utility removal; cutting, capping or rerouting of utilities. Assumes all utilities shall be isolated and severed by others prior to Sessler mobilization.
- Excludes engineering, installation, management or removal of temporary or permanent shoring systems, support girders, support of excavation, or bracing.
- Excludes the removal of asbestos or any other hazardous or regulated materials.
- Excludes lead paint abatement if required. Sessler will torch cut existing steel with lead paint in place utilizing 3ft torches, PAPRs and employee lead level monitoring.
- Excludes all hand removal, wire sawing, core drilling, hydro demolition and all other forms of selective demolition.
- Excludes night time lighting.
- Excludes all erosion and sediment control.
- Excludes earth excavation of any kind.
- General Contractor to provide a water source within 500' of site for dust control.
- General Contractor to provide maintenance and protection of vehicular, pedestrian, and railroad traffic as applicable.
- Excludes substructure removal.
- Excludes protection of existing roadways, structures and temporary shoring. Sessler will make reasonable efforts to minimize damage to existing structures. Sessler will not be responsible for any repair work for damage caused by removal of bridge.
- Excludes salvage of any equipment or materials remaining on bridge at the time of demolition
- Excludes Bid Bond, Performance & Payment Bond (Bond can be provided at additional cost of 1%).

**Payment Terms:**

Pricing reflects payment terms of NET 30-days.

**ACCEPTED:**

The above prices, specifications and conditions are satisfactory and hereby accepted.

**Buyer:** \_\_\_\_\_

**Signature:** \_\_\_\_\_

**Date of Acceptance:** \_\_\_\_\_

**CONFIRMED:**

**L.M. Sessler Excavating & Wrecking**

**Authorized Signature:**



**Estimator:** LaVerne Sessler  
315-719-8675 [laverne@sesslerwrecking.com](mailto:laverne@sesslerwrecking.com)