



Incorporated 1872

## VILLAGE OF CLAYTON

425 Mary St. ♦ PO Box 250 ♦ Clayton ♦ 1000 Islands ♦ New York 13624  
Phone: (315) 686-5552 Fax: (315) 686-2132  
TTD: 1-800-662-1220

### RESOLUTION #2020-09

#### VILLAGE OF CLAYTON BOARD OF TRUSTEES

#### AUTHORIZING AGREEMENT WITH LUCK BROTHERS TO INSTALL SANITARY SEWER FORCE MAIN BETWEEN RIVERSIDE DRIVE PUMP STATION AND NYS DOT RIGHT OF WAY

**WHEREAS**, the Village of Clayton, Jefferson County, New York, is working with the New York State Department of Transportation (NYSDOT) to perform utility betterments within the NYSDOT State Road 970L reconstruction and resurfacing project, and

**WHEREAS**, the Village is also undertaking a wastewater system improvement project and a portion of the work designed to be completed in this project falls within the footprint of the work being performed by the NYSDOT, and

**WHEREAS**, the Village has requested the NYSDOT to install a 12" sewer forcemain from the Riverside Drive pump station across Riverside Drive and down Merrick Street for a total length of 173 Feet. The NYSDOT has confirmed that they are unable to have their contractor perform work outside of the NYSDOT Right of Way (ROW), and

**WHEREAS**, the prime contractor for the NYSDOT, Luck Bros., is completing the force main installation across Riverside Drive within the NYSDOT ROW and has provided the Village with a proposal for their work to connect to the Riverside Drive Pump Station that is outside of the NYSDOT ROW of \$17,807.55, and

**WHEREAS**, the Village also received a proposal from New Century Electric to complete the work outside the NYSDOT ROW which was \$43,089.28. Both New Century Electric and Luck Bros. contractors are currently onsite performing work for this project and due to the time restraints of the NYSDOT project no other proposals were requested, and

**WHEREAS**, the Village has reviewed the proposal provided by Luck Bros. and determined that the fee is fair and reasonable for the scope of work required, and deemed that the most efficient method to complete this work is to utilize the existing NYSDOT contractor that is completing the remainder of the Riverside Drive Forcemain installation in the DOT ROW, and

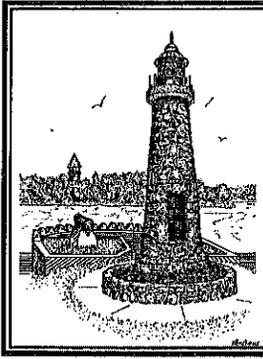
**WHEREAS**, given the timing required for the project to be completed it is not feasible to obtain a third proposal and utilizing Luck Bros. will ensure that the work can be completed as required by the NYSDOT to maintain their construction schedule, thereby avoiding additional costs.

**NOW, THEREFORE**, be it resolved by the Board of Trustees of the Village of Clayton, the Mayor is authorized to enter into an agreement with Luck Bros. Inc. for an amount of \$17,807.55 to perform the work outside of the NYSDOT ROW to install the new 12" sewer forcemain.

The question of the adoption of the foregoing resolution was duly put to a vote, and upon roll call, the vote was as follows:

|                             |        |
|-----------------------------|--------|
| Norma J. Zimmer, Mayor      | yes    |
| Steven Badour, Trustee      | yes    |
| Nancy Hyde, Trustee         | yes    |
| Michelle Grybowski, Trustee | yes    |
| Jeremy Kellogg, Trustee     | absent |

The foregoing resolution was thereupon declared duly adopted, on May 11<sup>th</sup>, 2020



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STATE OF NEW YORK            )  
  ) ss:  
COUNTY OF JEFFERSON        )

I, Joanne Lenhard-Boye, the undersigned Village Clerk of the Village of Clayton, in the County of Jefferson, New York,

**DO HEREBY CERTIFY** that I have compared **RESOLUTION #2020-09** (attached) with the original thereof filed in my office on May 11<sup>th</sup>, 2020, and that the same is a true and correct copy of the original and of the whole thereof so far as the same relates to the subject matters referred to therein.

**I FURTHER CERTIFY** that all members of the Board of Trustees of the Village of Clayton had due notice of said resolution.

**IN WITNESS WHEREOF**, I have hereunto set my hand and affixed the seal of the Village of Clayton, New York the 11<sup>th</sup>, day of May, 2020.

  
\_\_\_\_\_  
Joanne Lenhard-Boye  
Village Clerk

(SEAL)