

**Requiring Initiation Of The Procurement Process To Secure Construction Manager As-Agent Professional Services For Enhanced Oversight Of The Government Operations Center Capital Project**

Referred to: The Public Works and Capital Projects Committee (Chair Nolan and Legislators Donaldson, Kovacs, Litts, and McCollough), and The Ways and Means Committee (Chairman Gavaris and Legislators Collins, Hansut, Kovacs, Nolan, Roberts, and Uchitelle)

Chairman of the Ways and Means Committee, John Gavaris, offers the following:

WHEREAS, pursuant to Resolution No. 444 of October 19, 2021 the Ulster County Legislature established Capital Project No. 607 Government Operations Center in the amount of \$1,353,624.00 and provided funding for architectural & engineering services; and

WHEREAS, Capital Project No. 607 was amended pursuant to Resolution No. 309 of November 15, 2022, in the amount of \$3,000,000.00, upon the Ulster County Legislature's authorization of the acquisition of real property located at Paradies Lane in the Town of New Paltz for the purposes of siting the Government Operations Center for a total cost of \$4,353,624.00; and

WHEREAS, pursuant to Resolution No. 675 of December 19, 2022 the Ulster County Legislature amended Capital Project No. 607 in the amount of \$365,500.00 to provide additional funding related to site selection, and additional environmental work including testing associated with both the design of the Project and environmental concerns related to the brownfield areas of the project site for a total cost of \$4,719,124.00; and

WHEREAS, pursuant to Resolution No. 319 of June 18, 2024 the Ulster County Legislature amended Capital Project No. 607 in the amount of \$571,650.00 to provide funding related to environmental work with both the design of the Project and environmental concerns related to the brownfield areas of the project site for a total cost of \$5,290,774.00; and

WHEREAS, Resolution No. 159 of 2025 authorized amendments to Capital Project No. 607 to increase the funding available for construction services for the Government Operations Center in the amount of \$29,636,289.00 for a total project cost of \$34,927,063.00; and

WHEREAS, the 2025-2030 Capital Improvement Program estimates the timeline for completion of the project will end on or before December 31, 2026; and

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WHEREAS, work performed under this Capital Project involves the new construction of a new 16,315 square-foot facility off Paradies Lane in the Town of New Paltz including roads, parking improvements, an extension of water services from the Town of New Paltz, a protective enclosure for emergency generator and other electrical equipment, rooftop PV array, and ground-source heating; and

WHEREAS, the Government Operations Center will house the Ulster County's Department of Emergency Services and Information Services Department Data Center and will include an operations center that will be used as a command center as needed during disaster events and other regional emergencies; and

WHEREAS, a project of this complexity, cost, and magnitude, and the enhancement of such vital County services is considered high importance and priority to the Ulster County Legislature; and

WHEREAS, pursuant to § C-11 of the Ulster County Charter, the Legislature must make appropriations, levy taxes, incur indebtedness and adopt a budget, including a capital program; and

WHEREAS, in order to most effectively carry out its duties in relation to a project of this magnitude, the Legislature deems it necessary to obtain professional services to assist in oversight of the Government Operations Center Capital Project; and

WHEREAS, contracting with a Construction Manager As-Agent to act as the Legislature's advocate would ensure that the Legislature's interests are met by completing the following services:

- providing budget advice, making recommendations for managing costs, and helping the Legislature ensure the Capital Project stays within budget;
- monitoring the project schedule, identifying possible delays, and making recommendations for corrective action;
- identifying potential risks to the Capital Project;

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- helping the Legislature maintain general oversight of monies appropriated for the expected quality of work performed by contractors and subcontractors, and professional services such as architects, engineers, and contractors; and

WHEREAS, a Construction Manager As-Agent does not perform actual construction work, but rather will make recommendations in a timely and effective manner to communicate guidance and recommendations to ensure the goals of the project are met; and

WHEREAS, the benefits of hiring a Construction Manager As-Agent include Legislative access to expert oversight and guidance throughout the project lifecycle, streamlining the project delivery process and coordination of work by various stakeholders, helping all parties monitor and stay within budget and to identify potential cost savings, and helping all parties meet project deadlines and minimize delays and unexpected costs by identifying and mitigating potential risks to the project; and

WHEREAS, there is no cost to Ulster County to pursue a Request For Proposals (RFP) and it is necessary to complete this process to obtain a quote for the cost of a Construction Manager As-Agent agreement to determine if the Legislature wishes to move forward with such; and

WHEREAS, pursuant to § C-74 B. (4) of the Ulster County Charter, the Ulster County General Services Director shall perform such other and related duties as shall be required and delegated by the County Executive or County Legislature; now, therefore, be it

RESOLVED, the Ulster County General Services Director shall within sixty (60) days of adoption of this Resolution initiate the request for proposals (RFP) procurement process to consider pursuing a contract for the implementation and provision of Construction Manager As-Agent Professional Services reflective of the roles and responsibilities outlined above; and, be it further

RESOLVED, prior to the RFP document being public, the Chair of the Legislature, or designee, shall have opportunity to provide input on the document; and, be it further

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RESOLVED, the Chair of the Legislature, and designees as determined by the Chair, shall serve as a members of the RFP evaluation committee; and, be it further

RESOLVED, that no section of this resolution shall be interpreted as augmenting the existing Legislative process for expenditures,

and move its adoption.

ADOPTED BY THE FOLLOWING VOTE:

AYES:

NOES:

Passed Committee: Public Works and Capital Projects on \_\_\_\_\_.

Passed Committee: Ways and Means on \_\_\_\_\_.

FINANCIAL IMPACT:

NONE