

**Amending Capital Project 568 - Electric Bus Charging Infrastructure Project—Authorizing The Chair Of The Legislature To Execute An Amended Customer Project Commitment With New York Power Authority And Amending Capital Project 568- Department Of Public Transportation (Ulster County Area Transit)**

Referred to: The Energy and Environment Committee (Chairwoman Greene and Legislators Bruno, Criswell, Petit, and Wawro), The Economic Development, Tourism, Housing, Planning and Transit Committee (Chairman Cahill and Legislators Archer, Corcoran, Delaune, Litts, Maio, and Uchitelle), The Public Works and Capital Projects Committee (Chairman Fabiano and Legislators Cahill, Greene, Heppner, and Litts), and The Ways and Means Committee (Chairman Gavaris and Legislators Archer, Bartels, Haynes, Maio, Parete, Ronk, and Walter)

Chairman of the Economic Development, Tourism, Housing, Planning, and Transit Committee, Brian B. Cahill, and Deputy Chair Herbert Litts, III offer the following:

WHEREAS, this Resolution has been submitted by the County Executive on behalf of the Ulster County Department of Public Transportation; and

WHEREAS, the approved 2021-2026 Capital Improvement Program includes a project ‘Electric Bus Charging Infrastructure’ in the amount of \$256,606.00; and

WHEREAS, Capital Project No. 568 was established pursuant to Resolution No. 111 dated March 17, 2020 in the amount of \$251,606 for the implementation of electric bus charging infrastructure; and

WHEREAS, the New York Power Authority is the sole contractor authorized by the New York State Department of Environmental Conservation (NYSDEC) for the implementation of electric bus charging equipment projects using Volkswagen Settlement Appendix D cost share funds; and

WHEREAS, the Ulster County Legislature authorized the Chair of the Legislature to enter into a Master Cost Recovery Agreement with NYPA pursuant to Resolution No. 72 dated February 19, 2019; and

WHEREAS, it was determined during design that the site layout should be adjusted to accommodate needs of the UCAT facility and that features should be incorporated into the electrical system design to allow future development of the electrical infrastructure at the site to support full transit fleet electrification; and

WHEREAS, during the design phase of the project, the County completed a NYSERDA-funded Transit Electrification Study which identified the best courses of action to fully electrify the UCAT fleet and informed the County’s charging infrastructure needs; and

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WHEREAS, during the design phase of the project, the County was awarded \$100,000 from the New York State and Municipal Facilities Capital (SAM) program for the installation of a solar array on the UCAT facility and established Capital Project No. 577 pursuant to Resolution No. 302 dated September 15, 2020; and

WHEREAS, the proposed changes to this capital project allow for installation of an electrical system at the UCAT facility that (1) has capacity for the future installation of additional electric vehicle charging equipment, (2) is configured to be solar-ready for the interconnection of a rooftop solar PV system and (3) allows connection of a generator to supply automatic backup power to both the building and the bus charging equipment; and

WHEREAS, the County has executed purchase orders with New Flyer of America and UCAT has completed the pre-build process and expects the first delivery of electric buses in the fourth quarter 2021; and

WHEREAS, the amount of Volkswagen Settlement cost share funds applied to the project is \$465,000; and

WHEREAS, the estimated cost for the proposed changes would create an increase to the project of \$501,623.00 bringing the total estimated cost of the project to \$753,299.00; and

WHEREAS, the required funds necessary to execute the Customer Project Commitment for the amended scope of work is in the amount of \$753,229.00; and

WHEREAS, Resolution No. 510 dated December 18, 2018 and Resolution, 493 dated December 19, 2017 amended County Capital Project 513 through funds received following grant applications to the New York State Department of Transportation Modernization and Enhancement Program and allocated funding to UCAT in the amounts of \$127,924.00 and \$265,000.00 for projects that have been funded through other sources for a total of available state funds of \$394,924.00, which can now be reallocated and is now available for allocation to this project and

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WHEREAS, the Director of Public Transportation requests that Capital Project No. 568, Electric Bus Charging Infrastructure, be amended to reflect a change in the amount of \$501,623.00 to include an adjusted site layout and considerations for future transit fleet electrification; and; now, therefore be it

RESOLVED, that the 2021 Ulster County Capital Fund Budget is hereby amended as follows:

	<u>INCREASE</u>	<u>AMOUNT</u>
HH.5997.0568-2300.2550 (App.#)	Other Equipment/Construction	\$501,623.00
HH.5997.0568-3500-5710 (Rev. #)	Serial Bonds	\$501,623.00

and, be it further

RESOLVED, that the Chair of the Ulster County Legislature is hereby authorized to execute the Authorization to Proceed letter and amended Customer Project Commitment with NYPA in the form as filed with the Clerk of the Ulster County Legislature or as modified with the approval of the County Attorney,

and move its adoption.

ADOPTED BY THE FOLLOWING VOTE:

AYES: 22      NOES: 0  
(Legislator Ronk arrived at 7:47 PM)

Passed Committee: Energy and Environment on May 3, 2021

Passed Committee: Economic Development, Tourism, Housing, Planning, and Transit on May 4, 2021

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Passed Committee: Public Works and Capital Projects on May 5, 2021

Passed Committee: Ways and Means on May 11, 2021

FINANCIAL IMPACT:

\$501,623.00 – COUNTY CAPITAL FUND APPROPRIATIONS

\$501,623.00 – COUNTY REVENUE - SERIAL BONDS

(\$394,924 NYS REIMBURSEMENT)

STATE OF NEW YORK

ss:

COUNTY OF ULSTER

I, the undersigned Clerk of the Legislature of the County of Ulster, hereby certify that the foregoing resolution is the original resolution adopted by the Ulster County Legislature on the 18<sup>th</sup> Day of May in the year Two Thousand Twenty-One, and said resolution shall remain on file in the office of said clerk.

IN WITNESS WHEREOF, I have hereunto set my hand and seal of the County of Ulster this 20<sup>th</sup> Day of May in the year Two Thousand Twenty-One.

[s] Victoria A. Fabella  
Victoria A. Fabella, Clerk  
Ulster County Legislature

Submitted to the County Executive this  
20<sup>th</sup> Day of May 2021.

Approved by the County Executive this  
25<sup>th</sup> Day of May 2021.

[s] Victoria A. Fabella  
Victoria A. Fabella, Clerk  
Ulster County Legislature

[s] Patrick K. Ryan  
Patrick K. Ryan, County Executive