

Amending Capital Project No. 260 - Bailey Bridge (BIN 3347090), A Project for the Bridge Replacement On Denning Road Over The East Branch Of The Neversink Creek – Transportation Improvement Project (TIP) Not On The State Highway System – Amending the 2016 – 2021 Capital Improvement Program – Department Of Public Works (Highways And Bridges)

Referred to: The Public Works and Capital Projects Committee (Chairman Fabiano and Legislators Greene, Litts, Loughran, and Maloney), and The Ways and Means Committee (Chairman Gerentine and Legislators Allen, Bartels, Belfiglio, Briggs, Maio, and Maloney)

Chairman of the Public Works and Capital Projects Committee, Dean J. Fabiano, and Deputy Chairman Peter M. Loughran offer the following:

WHEREAS, this resolution has been submitted by the County Executive on behalf of the Department of Public Works (Highways and Bridges); and

WHEREAS, a Project for Denning Road over the East Branch of the Neversink Creek in the Town of Denning: the Bailey Bridge (BIN 3347090), PIN 8758.79 (the “Project”) is eligible for funding under Title 23 U.S. Code, as amended, that calls for the apportionment of the costs of such program to be borne at the ration of 80% federal funds 20% non-federal funds; and

WHEREAS, this Project is eligible for New York State Marchiselli Aid, and if this aid becomes available, then Ulster County’s financial obligation to the Project will be diminished from its present 20% share to a 5% share; and

WHEREAS, Ulster County desires to advance the Project by making a commitment of 100% of the non-federal share of the cost of the construction work; and

WHEREAS, the Project was approved and it was resolved to advance the Project by making a commitment of 100% of the non-federal share of the costs of construction work in the amount of \$3,057,000.00 pursuant to Resolution No. 263 dated July 15, 2014, as amended in Resolution No. 218 dated May 19, 2015, and as further amended in Resolution No. 98 dated February 16, 2016; and

WHEREAS, the Contractor has identified a survey error which has been confirmed by the Consultant Engineer, C&S Companies, who was responsible for said survey, which has resulted in the unanticipated need to relocate the existing temporary bridge in order to progress the Project; and

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WHEREAS, it has been found necessary to modify the existing Capital Project as a result of the survey error for additional construction costs for the Project in the amount of \$242,000; and, now, therefore be it

RESOLVED, that the Ulster County Legislature hereby authorizes Ulster County to pay in the first instance 100% of the federal and non-federal share of the cost of construction work for the Project or portions thereof; and, be it further

RESOLVED, that the Ulster County 2016-2021 Capital Program be amended to increase the Project by \$242,000.00 from \$3,832,610.00 to \$4,074,610.00, and made available to cover the cost of relocation of the temporary bridge; and, be it further

RESOLVED, that in the event the full federal and non-federal share costs of the Project exceeds the amount appropriated above, the Ulster County Legislature shall convene as soon as possible to appropriate said excess amount immediately upon the notification by the County Executive; and, be it further

RESOLVED, that the Chairman of the Ulster County Legislature be authorized to execute all necessary agreements, certifications or reimbursement requests for Federal Aid and/or applicable Marchiselli Aid on behalf of Ulster County with the New York State Department of Transportation in connection with the advancement or approval of the Project and providing for the administration of the Project and the municipality's first instance funding of Project costs and permanent funding of the local share of federal-aid and state-aid eligible Project costs and all Project costs within appropriations therefore that are not so eligible; and, be it further

RESOLVED, that in addition to the Chairman of the Ulster County Legislature, the following municipal titles: Commissioner of Public Works, County Engineer, County Comptroller, and County Attorney are also hereby authorized to execute and necessary Agreements or certifications on behalf of the Municipality with NYSDOT in connection with the advancement or approval of the Project identified in the State/Local Agreement; and, be it further

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RESOLVED, that a certified copy of this resolution be filed with the New York State Commissioner of Transportation by attaching it to any necessary Agreement in connection with the Project; and, be it further

RESOLVED, that Ulster County Capital Project No. 260 is hereby amended as follows:

	<u>INCREASE</u>	<u>AMOUNT</u>
HH.5197.0260-2300-2550 (App. #)	Construction Capital Project No.260	\$242,000.00
HH.5197.0260-3500-5710 (Rev. #s)	Serial Bond Proceeds	\$ 242,000.00

and move its adoption.

ADOPTED BY THE FOLLOWING VOTE:

AYES: 22 NOES: 0
(Absent: Legislator Loughran)

Passed Committee: Public Works and Capital Projects on April 7, 2016

Passed Committee: Ways and Means on April 12, 2016

FINANCIAL IMPACT:

\$ 242,000.00 – CAPITAL PROJECT NO. 260 APPROPRIATION DOLLARS
\$ 242,000.00 – ADDITIONAL REVENUES - SERIAL BONDS-COUNTY

