Resolution No. 520 November 16, 2021

Amending Capital Project No. 540 – For The Samsonville Road Culvert In The Town Of Rochester (PIN 8762.35) – Bridge NY Program – Authorizing The Chair Of The Ulster County Legislature To Execute Agreements, Certifications Or Reimbursement Requests For Federal Aid On Behalf Of Ulster County With The New York State Department Of Transportation– Department Of Public Works (Highways And Bridges)

Referred to: 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 Public Works and Capital Projects Committee, Dean J. Fabiano, and Deputy Chair Manna Jo Greene offer the following:

WHEREAS, this resolution has been submitted at the request of the County Executive on behalf of the Department of Public Works; and

WHEREAS, Capital Project No. 540 was established pursuant to Resolution No. 160 dated April 16, 2019, in the amount of $550,000.00 and agreed to advance the Project by making a commitment of 100% of the non-Bridge NY share of the costs of design, right-of-way, and construction work; and

WHEREAS, a project for the Samsonville Road over Tributary to the Mombaccus Creek Culvert Replacement in the Town of Rochester, Ulster County, P.I.N. 8762.35 (the "Project") is eligible for reimbursement of qualified costs from Bridge NY funding that calls for the post-reimbursement apportionment of the qualified costs be borne at the ratio of 100% Bridge NY funds and 0% non-Bridge NY funds; and

WHEREAS, the New York State Department of Transportation (NYSDOT) will design, let, and administer all phases of the Project; and

WHEREAS, Ulster County desires to advance the Project by making a commitment of 100% of the costs of design, right- of-way, and construction work for the Project or portions thereof; and

WHEREAS, it was subsequently found necessary to undertake additional design, right-of-way, and construction work not contemplated in the original agreement authorized by the previous Resolution; and

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WHEREAS, it has been found necessary to increase the non-Bridge NY share of costs for the additional design, right-of- way, and construction work for the project; and

WHEREAS, the Department of Public Works desires to enter into a contract amendment to design a hydrostatic relief system to help address the water infiltration with the potential to decrease total project costs; and

WHEREAS, the Acting Commissioner of Public Works requests additional funds for the preliminary engineering, right of way incidental and construction phases for the Project in the amount of $743,847.00; and

WHEREAS, based upon examination by the Ulster County Legislature, the County's funding of this Project constitutes a Type II action as defined under Sections 4.5.5 of the County of Ulster's State Environmental Quality Review Act (SEQRA) Type II List, which was adopted pursuant to Resolution No. 118 dated April 20, 2010; and

WHEREAS, Ulster County has determined that this funding action does not pose a significant potential environmental impact and may be progressed as a Type II action in accordance with 6 NYCRR Part 617 of SEQRA, and does not require any further determination or procedure under SEQRA; now, therefore, be it

RESOLVED, that the Ulster County Legislature hereby approves the Project; and it is hereby further

RESOLVED, that the Ulster County Legislature hereby grants NYSDOT permission to directly apply Bridge NY funds to reimburse costs incurred by NYSDOT on the Project; and, be it further

RESOLVED, that the sum of $743,847.00 is hereby appropriated from serial bond funding and made available as a deposit to cover the cost of participation in the above phases of the Project; and, be it further

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RESOLVED, that the Ulster County Legislature hereby agrees that Ulster County shall be responsible for all costs of the Project which exceed the amount of the Bridge NY Funding awarded to Ulster County; and, be it further

RESOLVED, that in the event the costs of the Project exceed the amount of Bridge NY funding appropriated, the Ulster County Legislature shall convene as soon as possible to appropriate said excess amount immediately upon the notification by the County Executive thereof; and, be it further

RESOLVED, that the Ulster County Legislature hereby agrees that Ulster County hereby commits that construction of the Project shall begin no later than twenty-four (24) months after award and the construction phase of the Project shall be completed within thirty (30) months; and, be it further

RESOLVED, that the Ulster County Executive be and is hereby authorized to execute all necessary agreements, certifications or reimbursement requests with NYSDOT for State Aid and/or Bridge NY funding on behalf of Ulster; and, be it further

RESOLVED, that the 2021 - 2026 Ulster County Capital Improvement Program is hereby amended as follows:

	INCREASE	**AMOUNT**
Capital Project No. 540	Samsonville Road Culvert	$743,847.00

and, be it further

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

	INCREASE	**AMOUNT**
HH.5197.0540-4300.4355 (App. #)	Engineering Services	$119,153.00
HH.5197.0540-4300.4505	Professional Services	$ 6,714.00

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(App. #)		
HH.5197.0540-4100.4100 (App. #)	Highway Materials	$617,980.00
HH.5197.0540-3500.5710 (Rev. #),	Serial Bonds	$743,847.00

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:
$743,847.00 – COUNTY CAPITAL FUND APPROPRIATIONS
$743,847.00 – COUNTY REVENUE – SERIAL BONDS

*****A BOND RESOULTION WILL BE REQUIRED*****