

Amending Capital Project No. 260 - Bailey Bridge (BIN 3347090) – Additional Preliminary and Final Design Work – Amending the 2016 Capital Fund Budget – 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, the County Executive has submitted this resolution on behalf of the Department of Public Works; 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, the 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, Capital Project No. 260 was established pursuant to Resolution #201, July 12, 2006, to provide authorization and funding for the Preliminary Engineering and Right-of-Way Incidental Phase for the Bailey Bridge over the East Branch of the Neversink River, in the Town of Denning; and

WHEREAS, the Ulster County Legislature approved and agreed to advance the Project by committing 100% of the federal and non-federal shares of the costs of preliminary engineering and right-of-way incidental work, in the first instance; and

WHEREAS, New York State Department of Transportation (NYSDOT) and Federal Highway Administration (FHWA) standards and requirements have changed since the scope of services agreement with C&S Companies (Ulster County’s consultant for the project) was written in 2006, resulting in necessary additional work not contemplated and an increase of \$24,000.00; and

WHEREAS, preliminary and detailed design engineering are considered Type II actions, pursuant to the County of Ulster’s Type II List Section 2.2.18 adopted in accordance 6 NYCRR Part 617.5(b) of the State Environmental Quality Review Act (SEQRA) by Resolution No. 118 dated April 20, 2010;

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WHEREAS, Ulster County desires to close-out the design phase of the Project and design contract with C&S Companies by making a commitment of 100% of the federal and non-federal share of the costs of Preliminary and Detailed Design; and

WHEREAS, the Commissioner of Public Works requests funds from serial bonds for the Bailey Bridge over the East Branch of the Neversink River, in the Town of Denning to complete the additional preliminary and detailed design engineering for the Project in the amount of \$24,000.00; now

THEREFORE, the Ulster County Legislature, duly convened does hereby

RESOLVE, that the Ulster County Legislature hereby approves the further progress of the above-subject project; and it is hereby further

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 the additional preliminary engineering and right-of-way incidentals work for the Project or portions thereof; and it is hereby further

RESOLVED, that the sum of \$24,000.00 is appropriated from serial bond funding and made available to cover additional required preliminary and detailed design engineering of the Project, and it is 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 thereof, and it is further

RESOLVED, that the County Executive of Ulster County be and is hereby 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 (NYSDOT) 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 it is further

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RESOLVED, that in addition to the County Executive, the following municipal titles: Commissioner of Public Works, County Engineer, County Comptroller, and County Attorney are also hereby authorized to execute any 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 it is further

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

RESOLVED, that the 2016 Ulster County Capital Fund Budget is hereby amended as follows:

	<u>AMEND CAPITAL PROGRAM</u>	<u>AMOUNT</u>
HH.5197.0260-4300.4355 (App. #)	Professional Services- Engineering Capital Project No.260 Bailey Bridge	\$24,000.00
HH.5197.0260-3500-5710 (Rev. #s)	Serial Bond Proceeds	\$24,000.00

and it is further

RESOLVED, that this resolution shall take effect immediately,
and move its adoption.

ADOPTED BY THE FOLLOWING VOTE:

AYES: 18 NOES: 0
(Absent: Legislators Briggs, Fabiano, Gerentine,
Maloney, and Roberts)

Passed Committee: Public Works and Capital Projects on February 4, 2016

Passed Committee: Ways and Means on February 9, 2016

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FINANCIAL IMPACT:

\$24,000.00 – CAPITAL PROJECT NO. 260 APPROPRIATION DOLLARS

\$24,000.00 – COUNTY REVENUE – SERIAL BONDS

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 16th Day of February in the year Two Thousand and Sixteen, 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 17th Day of February in the year Two Thousand and Sixteen.

|s| Victoria A. Fabella
Victoria A. Fabella, Clerk
Ulster County Legislature

Submitted to the County Executive this
17th Day of February, 2016.

Approved by the County Executive this
25th Day of February, 2016.

|s| Victoria A. Fabella
Victoria A. Fabella, Clerk
Ulster County Legislature

|s| Michael P. Hein
Michael P. Hein, County Executive