

Amending The 2011-2016 Capital Program For Capital Project No. 242 And Appropriating Funds For Construction Inspection And Supervision At The Bridge Replacements On New Paltz Road, And Authorizing The Implementation And Funding In The First Instance, 100% Of The Federal-Aid And State "Marchiselli" Program-Aid Eligible Costs Of This Transportation Federal-Aid Project

The Public Works and Capital Projects Committee (Chairman Fabiano and Legislators Felicello, Maloney, Roberts, Hochberg, Loughran and Provenzano) offers the following:

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

WHEREAS, a Project for the Bridge Replacements on New Paltz Road (CR 159) over Conrail (BIN 3224270 and BIN 3224280) in the Town of Lloyd, Ulster County, identified as PIN 8755.14 (the "Project") is eligible for funding under Title 23 U.S. Code, as amended, that calls for the apportionment of the costs of such project to be borne at the ratio of 80% federal funds and 20% non-federal funds, and

WHEREAS, Ulster County desires to advance the Project by making a commitment of 100% of the non-federal share of the additional costs for construction inspection and construction supervision work, due to the delays caused by the necessity to relocate a fiber optic cable owned by the New York State Office for Technology, and

WHEREAS, the relocation of that State-owned fiber optic cable delayed construction and forced the Project into slower paced winter construction, and

WHEREAS, the Federal Highway Authority (FHWA) has now required the addition of one full time field inspector and one part time field office engineer to be added to the construction inspection team, and

WHEREAS, the cost for this additional construction inspection and construction supervision work is \$283,818.00, and

WHEREAS, the additional construction inspection and construction supervision costs are reimbursable at the rate of 80% Federal STP Flex Funds and 15% New York State Marchiselli Funds, and a 5% local share, and

WHEREAS, the local share will be offset, in full, by the reimbursement from the New York State Office For Technology, under their contractual responsibility to re-locate the above mentioned fiber-optic cable, and

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WHEREAS, the Public Works and Capital Projects Committee has met and reviewed said request with a majority of members voting approval, and

WHEREAS, the Ways and Means Committee has met and reviewed said request with a majority of members voting approval, 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 the additional construction inspection and construction supervision work for the Project, or portions thereof, and it is further

RESOLVED, that Capital Project No. 242 contained within the 2011-2016 Capital Program, is hereby increased by \$283,818.00 and made available to cover the cost of participation in the above phase of the Project, thereby increasing the total Project cost to \$3,283,818.00, 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 to appropriate said excess amount upon notification by the County Executive thereof, and be it further

RESOLVED, that the Ulster County Executive be and is hereby authorized to execute all necessary agreements, certifications and/or reimbursement requests for Federal Aid and/or applicable Marchiselli Aid 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

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RESOLVED, that in addition to the Ulster County Executive, the Commissioner of Public Works is also hereby authorized to execute any necessary certifications and/or reimbursement requests on behalf of the County with NYSDOT in connection with the advancement or approval of the Project in the State/Local Agreement, and be it

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, Capital Project No. 242 is hereby amended as follows:

	<u>INCREASE</u>	<u>AMOUNT</u>
H4-0242-2947 (App #)	Construction Inspection Capital Project No. 242	\$283,818.00
H3-0242-5710 (Rev #)	Serial Bond Proceeds	\$283,818.00

and be it further,

RESOLVED, that this Resolution shall take effect immediately,
and moves its adoption.

ADOPTED BY THE FOLLOWING VOTE:

AYES: 31 NOES: 0
(Absent: Legislators Aiello and Wadnola)

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FINANCIAL IMPACT:

\$283,818.00 – ADDITIONAL CAPITAL PROJECT NO. 242 APPROPRIATION
DOLLARS

\$227,054.00 – 80 % ADDITIONAL STATE STP FLEX DOLLARS

\$ 42,573.00 – 15 % ADDITIONAL STATE MARCHISELLI DOLLARS

\$ 14,191.00 – 5 % ADDITIONAL NYS OFFICE FOR TECHNOLOGY
DOLLARS

0615

STATE OF NEW YORK

ss:

COUNTY OF ULSTER

This is to certify that I, the undersigned Clerk of the Legislature of the County of Ulster have compared the foregoing resolution with the original resolution now on file in the office of said clerk, and which was adopted by said Legislature on the 21st day of June, 2011, and that the same is a true and correct transcript of said resolution and of the whole thereof.

IN WITNESS WHEREOF, I have hereunto set my hand and seal of the County of Ulster this 23rd Day of June in the year Two Thousand and Eleven.

/s/ Karen L. Binder
Karen L. Binder, Clerk
Ulster County Legislature

Submitted to the County Executive this

23rd Day of June, 2011.

/s/ Karen L. Binder
Karen L. Binder, Clerk
Ulster County Legislature

Approved by the County Executive this

29th Day of June, 2011.

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