

Amending Capital Project No. 236 For Construction Of A New Law Enforcement Center and Amending The 2006 Capital Fund Budget For The Final Payment of The Temperature Controls System

The Ways and Means Committee (Chairman Lomita and Legislators Bartels, Berardi, Gregorius, Provenzano, Zimet, Cummings, Gerentine and Noonan) offers the following:

WHEREAS, the Ulster County Legislature approved the building of a new jail facility and a feasibility study, pursuant to Resolution Nos. 170 and 171, dated May 14, 1998, and

WHEREAS, land acquisition, in the amount of \$310,000.00 and State Environmental Quality Review was performed pursuant to Resolution No. 338, dated November 10, 1999, and

WHEREAS, a capital project was authorized for the construction of a new jail, pursuant to Resolution Nos. 131 and 132, dated April 13, 2000, which also provided funding for the cost of planning and design of a new county jail, in the amount of \$4,046,000.00, and to be located at Albert Street, and

WHEREAS, the project was amended to provide authorization and additional funding in the amount of \$5,000,000.00 pursuant to Resolution No. 95, February 14, 2002 to proceed with costs of site preparation, relocation of underground transmission lines, extension of the water system located at the Golden Hill Complex and site blasting and excavation for site preparation, and

WHEREAS, the project was amended to provide authorization and additional funding in the amount of \$62,482,195.00 pursuant to Resolution No. 280 dated August 8, 2002 to proceed with the cost of the building construction, including necessary machinery and equipment, technology, infrastructure, and associated costs of the law enforcement facility, and

WHEREAS, the project was amended to provide authorization and additional funding in the amount of \$150,000.00 pursuant to Resolution No. 197, dated June 10, 2004 to proceed with the costs to engage a consultant and specialized counsel familiar with construction practices standards to assist in evaluating the performance of the various contractors engaged by the County and to property defend against claims and prosecute any that the County may have, and

WHEREAS, the project was amended to provide authorization and additional funding in the amount of \$8,000,000.00 pursuant to Resolution No. 264, dated September 1, 2004, for construction, claims reviews and claims contingency, and

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WHEREAS, the project was amended to provide authorization and additional funding in the amount of \$4,405,000.00 pursuant to Resolution No. 178, dated May 12, 2005, for construction claims and associated architect, Project Labor Agreement (PLA) and construction manager costs, and

WHEREAS, the project was amended to provide authorization and additional funding in the amount of \$1,766,835.00 pursuant to Resolution No. 150, dated April 11, 2006, for construction costs, furniture, fixtures and equipment, legal fees and claims evaluation costs payments, and

WHEREAS, it is now after an agreed upon claims settlement of \$339,487.00, the final costs for the Temperature Controls Systems to Eastern Heating and Cooling, Inc., is \$1,170,000.00, and

WHEREAS, the current balance of the Claims Contingency in the Capital Project is \$197,487.00 and an additional \$142,000.00 is needed to pay the claims settlement, and

WHEREAS, the Jail Claims Committee requests that the new Law Enforcement Center Capital Project be amended to authorize the transfer of funds of \$142,000.00 from Bond and Financial Costs within the project to pay the costs of this settlement in the amount of \$339,487.00, and

WHEREAS, the Jail Claims Committee has met and reviewed said request with a majority of the members voting approval, and

WHEREAS, the Ways and Means Committee has met and reviewed said request with a majority of the members voting approval.

RESOLVED, that the Capital Project No. 236 is hereby amended as follows:

TRANSFER

FROM

AMOUNT

H4-0236-2969
(App. #)

Bond and Financial Costs

\$142,000.00

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TRANSFER

<u>TO</u>		<u>AMOUNT</u>
H4-0236-2983 (App. #)	Claims Contingency	\$142,000.00

and moves its adoption.

ADOPTED BY THE FOLLOWING VOTE:

AYES: 31 NOES: 1
(NOES: Legislator Shapiro)
(Absent: Legislator Every)

FINANCIAL IMPACT:

\$142,000.00 – TRANSFER TO CLAIMS CONTINGENCY - BUDGETED
\$197,487.00 – CLAIMS CONTINGENCY – BUDGETED
\$339,487.00 – TOTAL PAYMENTS FOR REVISED CONTRACT

0929