

11696

DATE: May 21, 2010

TO: Board of Acquisition and Contract

FROM: Edward Burroughs
Acting Commissioner

SUBJECT: Resolution Authorizing an Amendment to the Agreement Between the County of Westchester and the Village of Sleepy Hollow for a Pocantico Street Sidewalk Improvement Project in the Village of Sleepy Hollow

The attached resolution authorizes the County of Westchester to amend the agreement with the Village of Sleepy Hollow for a Pocantico Street Sidewalk Improvement Project in the Village of Sleepy Hollow. This amendment will expand the scope of services, increase the dollar amount and change the expiration date. The expiration date will change from May 31, 2010 to November 1, 2010, and the amount of the grant is increased from \$125,000.00 to \$213,047.75 an increase of \$88,047.75. All other terms and conditions of the agreement will remain the same.

The Village of Sleepy Hollow has requested that the remaining funds from their Barnhart Streetscape Project be reprogrammed into the Pocantico Street Sidewalk Improvement Project. The additional funds will allow the Village to expand the scope of service of the Pocantico Street Sidewalk Improvement Project and adjoining Elm Street. The Village will also need to change the expiration date of this agreement in order to complete the additional work of this project.

On May 28, 2009, your Honorable Board approved a request to enter into an agreement with the Village of Sleepy Hollow for a Sidewalk Improvement Project on Pocantico Street between Elm Street and North Broadway in the Village of Sleepy Hollow, from the Community Development Block Grant Program.

The agreement will serve the public purpose of providing public safety and fiscal responsibility.

The goal and objective of this agreement is to provide a safe walkway for pedestrians in the Village of Sleepy Hollow. The project also exhibits fiscal responsibility by securing non-County taxpayer resources. The project will be monitored by the Westchester County Department of Planning staff who will make bi-monthly site visits during construction to ensure all contractual requirements are met.

Should the agreement not be authorized, the unsafe passageway will continue to deteriorate and possibly cause harm to the residents of this low/moderate income area of Sleepy Hollow.

This procurement is in compliance with the County of Westchester Procurement Policy Procedures, pursuant to Section 3(a)xvi, which states that contracts with recipients for disbursement of grants or loans under the Community Development Block Grant Program are exempt.

Act # 29-2006, adopted March 13, 2006, by the Westchester County Board of Legislators, authorizes the County to file an amendment to the Consolidated Plan application consisting of an Action Plan for Fiscal Year 2006 as an Urban County to the United States Department of Housing and Urban Development (HUD). Act # 152-2005 authorized the County to enter into cooperation agreements with forty (40) municipalities participating in the program as the first step in qualifying these municipalities to receive these funds during Fiscal Year 2006.

On April 27, 2006, the Board of Acquisition and Contract approved a resolution authorizing the County of Westchester to enter into an agreement with the United States Department of Housing and Urban Development for the thirty-first year grant totaling \$7,948,831.00 from HUD. The allocation for the Community Development Block Grant Program is \$5,908,521.00. This project will be funded from the thirty-first year CDBG allocation.

Act # 47-2007, adopted March 12, 2007, by the Westchester County Board of Legislators, authorized the County to file an amendment to the Consolidated Plan application consisting of an Action Plan for Fiscal Year 2007 as an Urban County to the United States Department of Housing and Urban Development (HUD). Act # 152-2005 authorized the County to enter into cooperation agreements with forty (40) municipalities participating in the program as the first step in qualifying these municipalities to receive these funds during Fiscal Year 2007.

On April 13, 2007, the Board of Acquisition and Contract approved a resolution authorizing the County of Westchester to enter into an agreement with the United States Department of Housing and Urban Development for the thirty-second year grant totaling \$7,896,953.00 from HUD. The allocation for the Community Development Block Grant Program is \$5,862,732.00. This project will be funded from the thirty-second year CDBG allocation.

I recommend approval of this amendment.

EB/
Attachment

APPROVED BOARD OF ACQUISITION & CONTRACT 6-27-2010 - JONATHAN M. SECRETARY

RESOLUTION

AMENDMENT

UPON A COMMUNICATION FROM THE ACTING COMMISSIONER OF PLANNING, BE IT HEREBY

RESOLVED, that the County of Westchester is hereby authorized to amend the agreement with the Village of Sleepy Hollow for the Pocantico Street Sidewalk Improvement Project on Pocantico Street and adjacent Elm Street in the Village of Sleepy Hollow to expand the scope of service to include Elm Street, change the expiration date from May 31, 2010 to November 1, 2010, and increase the dollar amount from \$125,000.00 to \$213,047.75 an increase of \$88,047.75, and be it further

RESOLVED, that all the other terms and conditions of the agreement will remain the same, and it is further

RESOLVED, that the County Executive or his duly authorized designee is authorized to execute any documents and take any actions necessary to effectuate purposes hereof.

Original Agreement	\$125,000.00
This Amendment	\$ 88,047.75
 TOTAL	 \$213,047.75
 AGREEMENT NUMBER	 C-67-08-S37

Account to be Charged/Credited

Fund	Dept	Major Program, Program & Phase Or Unit	Object/ Sub Object	Trust Account	Dollars
263	19	067G	8000	T067	\$13,886.89
263	19	067H	8000	T067	\$74,160.86

Budget Funding Year(s) (must match resolution)	FY 2006 & 2007	Start Date	June 1, 2010	End Date	November 1, 2010
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Funding Source Tax Dollars _____

State Aid _____

\$88,047.75 Federal Aid \$88,047.75 – U.S. Department of Housing and Urban Development

(must match resolution)

Other _____