

25881

DATE: March 28, 2012

TO: Board of Acquisition and Contract

FROM: Edward Buroughs
Commissioner of Planning

SUBJECT: Resolution authorizing a second amendment to the agreement between the County of Westchester and the National Fish and Wildlife Foundation to change the expiration date

On April 23, 2009, your Honorable Board approved a resolution to enter into an agreement with the National Fish and Wildlife Foundation to accept a grant to implement a stormwater retrofit project at Scout Field in the City of Mount Vernon and the Village of Bronxville, within the County's Bronx River Parkway Reservation. The not to exceed amount of the grant is \$250,000.00, and the term is March 31, 2009 to June 30, 2011.

On June 23, 2011, your Honorable Board approved a resolution to amend the above referenced agreement in order to change the expiration date from June 30, 2011 to June 30, 2012 and to expand the scope of work to add Phase II of the Scout Field project.

The attached resolution authorizes the County of Westchester to approve a second amendment to the above referenced agreement to change the expiration date from June 30, 2012 to June 30, 2013. The extension of time is needed as the project is currently in the design phase and construction is scheduled to begin this summer. The additional time will allow full project implementation.

The goal and objective of the original agreement is to protect the environment by absorbing and filtering runoff discharge from a pipe which flows into the Bronx River. The project will reduce the amount of pollution, such as nitrogen, phosphorus, metals, pathogens and hydrocarbons entering the Bronx River by treating stormwater runoff from the existing 52-inch stormwater pipe at Scout Field, Bronx River Parkway Reservation. This project will also stabilize the adjacent eroding east bank of the Bronx River and stabilize the channel, created by discharges from the existing 52-inch storm water pipe. The project will be monitored by Planning Department staff who will oversee all phases of the project which includes grant administration, planning, permitting, project design, construction and construction supervision.

I certify that my department, a) has copies of, or access to, all applicable laws, rules, regulations, grant applications and grant agreements (including any master grant agreement), as well as any guidance or instructions received from the agency making the grant (the "Grant Terms"), b) has reviewed the Grant Terms, c) is aware of and understands all of the Grant Terms, and d) can and will comply with all of the Grant Terms.

I recommend approval of this amendment.

EB/cp
Attachment

RESOLUTION

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

RESOLVED: that the County of Westchester is hereby authorized to approve a second amendment to the agreement with National Fish and Wildlife Foundation to change the expiration date from June 30, 2012 to June 30, 2013; and be it further

RESOLVED: that all other terms and conditions of the agreement shall remain the same; and be it 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.

Recommended for Approval

| | |
|----------------------|------------------|
| Original Agreement | \$250,000.00 |
| First Amendment | \$0.00 |
| This Amendment | \$0.00 |
| TOTAL | \$250,000.00 |
| AGREEMENT NUMBER | C-PL-09-310 |

Account to be Charged/Credited

| | | Major Program, Program & Phase | Object/ Sub Object | Trust Account | Dollars |
|------|------|-----------------------------------|-----------------------|------------------|---------|
| Fund | Dept | Or Unit | | | |
| 318 | 19 | BPL23 | 9854 | N/A | \$0.00 |

Budget Funding Year(s) FY 2009 Start Date March 31, 2009 End Date June 30, 2013
 (must match resolution)

Funding Source Tax Dollars _____
 State Aid _____
\$0.00 Federal Aid _____
 (must match resolution) Other \$0.00