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**TO:** Board of Acquisition and Contract

**FROM:** Jay T. Pisco, P.E.  
Commissioner of Public Works and Transportation

**DATE:** June 18, 2013

**SUBJECT:** AGREEMENT NO. 13-922  
Resolution authorizing the County of Westchester to enter into Access Agreements with the Newington-Cropsey Foundation and the Village of Hastings-on-Hudson in order for access and construction staging on properties located beneath the Warburton Avenue Bridge over Factory Lane (aka Cropsey Lane) BIN 3348270, in the Village of Hastings-on-Hudson

Authority is requested for the County of Westchester (the "County") to enter into Access Agreements (the "Agreements") with the Newington-Cropsey Foundation and the Village of Hastings-on-Hudson for access and construction staging on properties located beneath the Warburton Avenue Bridge (the "Bridge") over Factory Lane (aka Cropsey Lane) BIN 3348270, in the Village of Hastings-on-Hudson. The Agreements shall have a term of two (2) years and six (6) months and shall commence upon execution. No funds will be exchanged between the parties during the term of the Agreements.

The Department of Public Works and Transportation (the "Department") has advised that the Bridge, which has an average annual daily traffic count (AADT) of 4,359, is in need of rehabilitation to provide a safe roadway for the traveling public. The Bridge, which was built in 1890, has been given a condition rating of 4.444 in the inspection report dated November 7, 2011. This rating system, using a scale of 1 ("hazardous") through 7 ("new"), is a weighted average of the condition of an evaluated bridge. A rating below 5 indicates that a bridge requires work and delay of this work would result in the continued deterioration of the Bridge. The work will include the rehabilitation of the steel and concrete superstructure. During the construction activity, landscaping and pavement beneath the bridge may be damaged by construction equipment needed to complete the bridge rehabilitation. Pursuant to the terms of the Agreements, the County will restore the pavement and landscaping after the completion of the Bridge rehabilitation project.

The Agreements are necessary for the rehabilitation of the Bridge to allow the County to maintain a work area during construction and for construction access, staging and material storage during the project. The Bridge spans two properties at a height of about 40' at the center of the approximately 275 linear foot long Bridge. The removal and installation of concrete bridge decking and parapet wall as well as the repainting of the steel girders will necessitate the access to the properties.

This Project is in the public's best interest in that successful completion of the Project will increase motorist safety through the rehabilitation of a substandard bridge. Energy and environmental effects are positive as closure of the bridge would result in significant detours and congestion.

The goal and objective of the Agreements are to provide a staging area for the Bridge rehabilitation work. The Agreements are exempt from the County of Westchester Procurement Policy and Procedures pursuant to Section 3(b), which states that this policy shall not apply to real property, leases, licenses and concessions.

I recommend the approval of the attached proposed Resolution.

# RESOLUTION

Upon communication from the Commissioner of Public Works and Transportation, be it hereby

**RESOLVED**, that the County of Westchester is hereby authorized to enter into Access Agreements (the "Agreements") with the Newington-Cropsey Foundation and the Village of Hastings-on-Hudson in order to access the properties located beneath the Warburton Avenue Bridge over Factory Lane (the "Bridge"), in the Village of Hastings-on-Hudson, so that the County can use the properties as staging areas in connection with the rehabilitation of the Bridge. The Agreements shall have a term of two (2) years and six (6) months and shall commence upon execution. No funds for services will be exchanged; and be it further

**RESOLVED**, that the County Executive or his duly appointed designee be, and hereby is, authorized to take such actions and execute such documents as may be necessary and appropriate to effect the purposes hereof.

Agreement No. 13-922

Account to be Charged/Credited	Fund	Dept.	Major Program, Program & Phase Or Unit	Object/ Sub Object	Trust Account	Dollars
						N/A

Budget Funding Year(s) 2013 Start Date 09/01/13 End Date 09/30/16  
 (must match resolution)

Funding Source: Tax Dollars N/A Contractor Federal I.D. No./ Social Security No.: \_\_\_\_\_  
 State Aid \_\_\_\_\_  
 \$ N/A Federal Aid \_\_\_\_\_ Vendor No.: \_\_\_\_\_  
 (must match resolution) Other \_\_\_\_\_ Encumbrance No.: \_\_\_\_\_

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