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TO: Board of Acquisition and Contract

FROM: Thomas J. Lauro, P.E.
Commissioner of Environmental Facilities

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

Kevin Cheverko
Commissioner of Correction

DATE: February 4, 2016

SUBJECT: Resolution authorizing the County of Westchester to enter into a license agreement with the New York City Department of Environmental Protection to perform test borings for a term commencing upon execution and continuing until December 31, 2026, with either party having the right to terminate the license agreement upon thirty days written notice, at no cost, for the purpose of determining the best route for the construction of a new Kensico-Eastview Tunnel as the selected alternative for providing redundancy between the Kensico Reservoir and the UV Facility at Eastview.

The attached resolution, if approved by your Honorable Board, would authorize the County of Westchester (the "County") to enter into a license agreement with the New York City Department of Environmental Protection ("NYCDEP") for the purpose of performing test borings on County property as described herein, to determine the best route for the construction of a new Kensico-Eastview Tunnel as the selected alternative for providing redundancy between the Kensico Reservoir and the UV Facility at Eastview, at no cost. The term of this license agreement would commence upon execution and continue until December 31, 2026, with either party having the right to terminate the license agreement upon thirty (30) days written notice.

NYCDEP plans to design and construct a new Kensico-Eastview Tunnel as the selected alternative for providing redundancy between the Kensico Reservoir and the UV Facility at Eastview. This alternative comprises construction of a new tunnel between the Catskill Upper Effluent Chamber and the North Forebay of the UV Facility at Eastview. Two horizontal tunnel

alignments will be considered. In order for NYCDEP to determine the best route for this project, it is necessary that they perform test borings on County property. The County property that is the subject of the license agreement is Section, Block and Lot 116.12-1-7 which is the grassy area near the Department of Correction's visitors' parking lot, Oval Connector and Woods Road outside of the jail fencing and Section, Block and Lot 117.13-1-2 which is the Water Tower property off of Bradhurst Avenue. The County property involved is more particularly identified by maps that have been made exhibits to the license agreement. County personnel will track the test boring work performed by NYCDEP.

This license agreement is exempt from the Westchester County Procurement Policy and Procedures pursuant to Section 3(B) thereof.

A resolution is attached for your favorable consideration.

TJL/JTP/KC/lac

APPROVED BOARD OF ACQUISITION & CONTRACT - 03/03/2010 - LISA M. P. S. SECRETARY

RESOLUTION

Upon a communication from the Commissioner of the Department of Environmental Facilities, Commissioner of Public Works and Transportation and the Commissioner of Correction, be it

RESOLVED, that the County of Westchester (the "County") is authorized to enter into a license agreement with the New York City Department of Environmental Protection ("NYCDEP") for the purpose of performing test borings on County property; Section, Block and Lot 116.12-1-7 which is the grassy area near the Department of Correction's visitors' parking lot, Oval Connector and Woods Road outside of the jail fencing, and Section, Block and Lot 117.13-1-2 at the Water Tower property off of Bradhurst Avenue which locations are more particularly identified on maps that have been made exhibits to the license agreement, for the term commencing upon execution and continuing through December 31, 2026, with either party having the right to terminate the license agreement upon thirty (30) days written notice, and at no cost; and be it further

RESOLVED, that the County Executive or his authorized designee is hereby authorized and empowered to execute any and all documents necessary or appropriate to effectuate the purposes hereof.

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): upon execution Start Date: ___ End Date: 12/31/2026
(must match resolution)

Funding Source

(must match resolution)

Tax Dollars: _____
State Aid: _____
Federal Aid: _____
Other: _____