

52466

DATE: July 27, 2016

TO: Board of Acquisition and Contract

FROM: Edward Buroughs
Commissioner of Planning

SUBJECT: Resolution authorizing a sixth amendment to the New York State Environmental Restoration Program Grant agreement awarded for additional investigation and remediation of environmental conditions at Davids Island to extend the termination date from December 31, 2015 to December 31, 2016

Pursuant to Act No. 126-2005 and Resolution 84-2005 approved by the County Board of Legislators and a Board of Acquisition and Contract resolution approved on February 2, 2006, the County entered into two agreements in connection with the award of the New York State Environmental Restoration Program Grant (the "State Assistance Contract") for additional investigation and remediation of environmental conditions at Davids Island, under which the County and the City of New Rochelle (the City) were joint applicants. The two agreements are:

- (1) The State Assistance Contract Number C303006 executed by and among the State, the County and the City awarding the ERP grant and specifying the terms of its administration (the "Contract"); and
- (2) An Agreement by and between the County and the City outlining the terms applicable to the parties' joint application for the ERP grant ("IMA").

Pursuant to a resolution approved on August 22, 2008, the County entered into a first amendment to the Contract which increased the amount of the grant funds to be provided by the State and extend the term of the contract through December 30, 2008. Pursuant to a resolution approved on May 27, 2010, the County entered into a second amendment to the Contract to increase the grant funds again and extend the term through December 30, 2010. Pursuant to a resolution approved on January 28, 2011, the County entered into a third amendment to extend the term through December 30, 2011. Pursuant to a resolution approved on January 26, 2012, the County entered into a fourth amendment to extend the term through December 30, 2012. Pursuant to a resolution approved on September 3, 2015, the County entered into a fifth

amendment to extend the term through December 31, 2015. In order to complete the scope of services, a sixth amendment to the Contract has been requested to extend the term through December 31, 2016 (the "Amendment"). The goal and objective of this Amendment is to complete the scope of services for the project as detailed in the Contract. The Department of Planning will monitor the Contract and Amendment. The County will not be responsible for any additional funds.

Approval of the attached resolution is respectfully requested.

EB/lac
Attachment

APPROVED BOARD OF ACQUISITION & CONTRACT - 08/25/2016 - LISI MARIJAS SECRETARY

RESOLUTION

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

RESOLVED, that the County of Westchester (the "County") is authorized to execute a sixth amendment to the New York State Environmental Restoration Program State Assistance Contract Number C303006 (the "Contract") by and among the New York State Department of Environmental Conservation, the City of New Rochelle and the County, for the investigation and remediation of environmental conditions at Davids Island, to extend the termination date of the Contract from December 31, 2015 to December 31, 2016, at no additional cost to the County; and be it further

RESOLVED, that all other terms and conditions of the Contract shall remain the same; and be it further

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

Account to be Charged/Credited

		Major Program, Program & Phase	Object/ Sub Object	Trust Account	
Fund	Dept	Or Unit			Dollars

Budget Funding Year(s)
(must match resolution)

Start Date September 30, 2005

End Date December 31, 2016

Funding Source

Tax Dollars _____

State Aid _____

\$0.00
(must match resolution)

Federal Aid _____

Other _____

APPROVED BOARD OF ACQUISITION & CONTRACTS 08/25/2016 USM/PAJ, SECRETARY