

75396

TO: Board of Acquisition and Contract

FROM: Vincent F. Kopicki, P.E.
Commissioner of Environmental Facilities

Hugh J. Greechan, Jr., P.E.
Commissioner of Public Works and Transportation

Joseph K. Spano
Commissioner of Correction

DATE: March 13, 2020

SUBJECT: Resolution authorizing the County of Westchester to enter into a license agreement with the New York City Department of Environmental Protection (“NYCDEP”) to perform test borings at no cost, for a term commencing upon execution and continuing until December 31, 2035, with either party having the right to terminate the license agreement upon thirty days written notice, in connection with NYCDEP’s Kensico-Eastview Connection Tunnel project

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, at no cost, in connection with the NYCDEP Kensico-Eastview Connection Tunnel project. The proposed tunnel will provide a second connection between the Kensico Reservoir and the Catskill Delaware Ultraviolet Facility at the Eastview site, Valhalla, New York. Phase I tunnel alignment geotechnical investigations were completed in 2016 pursuant to a license agreement approved by your Honorable Board on March 3, 2016. This license agreement is for Phase II tunnel alignment geotechnical investigation work. The term of this license agreement will commence upon execution and continue until December 31, 2035, 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.

The County property that is the subject of the license agreement is located on the south side of Woods Road at the intersection of the Oval Connector and Woods Road, Valhalla, New York and known as Section, Block and Lot 116.12-1-16. The County property involved is more particularly identified by maps that will be made exhibits to the license agreement. County personnel will track the test boring work performed by NYCDEP.

This license agreement is in the public's best interest in that it will enable NYCDEP to move forward with the Kensico-Eastview Tunnel project which will improve water quality.

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.

VFK/lac

APPROVED BOARD OF ACQUISITION & CONTRACT - 01/26/2020 - LISA MRYAJ 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 Conservation ("NYCDEP"), at no cost, for the purpose of performing test borings on County property located on the south side of Woods Road at the intersection of the Oval Connector and Woods Road, Valhalla, New York and known as Section, Block and Lot 116.12-1-7 which location is 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, 2035, 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					N/A

Budget Funding Year(s) 2020 Start Date upon execution End Date 12/31/35

(must match resolution)

Funding Source

Tax Dollars _____

State Aid _____

\$ 0.00

Federal Aid _____

(must match resolution)

Other _____