

76277

TO: Board of Acquisition and Contract

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

DATE: April 24, 2020

SUBJECT: Authority to enter into a grant agreement with the New York State Environmental Facilities Corporation to accept a grant in the amount of \$30,000.00 from the New York State Emerging Contaminants Project Planning Grant (ECPPG) Program, to pay for an engineering report in connection with the New King Street Waterline Extension project at the Westchester County Airport, with 20% of County matching funds or \$6,000.00, pursuant to an approved budget, for a term commencing on July 8, 2019 and terminating on July 7, 2020. (New York State Environmental Facilities Corporation Project Number 18693)

Authority of your Honorable Board is requested for the County of Westchester ("County"), acting by and through its Department of Public Works and Transportation ("Department"), to enter into a grant agreement ("Grant Agreement") with the New York State Environmental Facilities Corporation ("NYSEFC"), to accept a grant in the amount of \$30,000.00 ("Grant") from the New York State Emerging Contaminants Project Planning Grant Program ("ECPPG Program") in connection with that certain drinking water infrastructure project entitled "New King Street Waterline Extension" ("Project") at the Westchester County Airport ("Airport"), for a term commencing on July 8, 2019 and terminating on July 7, 2020.

The Grant will be used to fund the preparation of a certain New York State Drinking Water State Revolving Fund (DWSRF) engineering report ("Report") in connection with the Project. Under the ECPPG Program, the County will have to contribute 20% of the Grant amount or \$6,000.00, derived from the Airport Special Revenue Fund, as required under the ECPPG Program, pursuant to an approved budget.

This Grant Agreement will serve a public purpose since the implementation of the Project will protect the public health by removing or otherwise addressing emerging contaminants.

The objective of this Grant Agreement is to accept New York State funding for the Report. The Project is a project that the County and the Airport would otherwise be responsible to fund directly were it not for the availability of New York State funds. Acceptance of these Grant funds will relieve the County and the Airport of substantial fiscal responsibility.

The Department will monitor and report the progress of these projects using its own staff and staff from other County departments as appropriate, and will be responsible to invoice the State for timely reimbursement as the costs are incurred.

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I certify that my department, a) has copies of, or access to, all applicable laws, rules and 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.

Accordingly, I recommend your Honorable Board's approval of the annexed Resolution authorizing the County to enter into this Grant Agreement with NYSEFC.

HJG/JA/CMC

APPROVED BOARD OF ACQUISITION & CONTRACT - 05/07/2020 LISA MRIJAJ, SECRETARY

RESOLUTION

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

RESOLVED, that the County of Westchester (“County”), acting by and through its Department of Public Works and Transportation (“Department”), is authorized to enter into a grant agreement with the New York State Environmental Facilities Corporation (“NYSEFC”) to accept a grant in the amount of \$30,000.00 (“Grant”) from the New York State Emerging Contaminants Project Planning Grant (“ECPPG”) Program (“ECPPG Program”) to fund the preparation of a certain New York State Drinking Water State Revolving Fund (DWSRF) engineering report in connection with the “New King Street Waterline Extension” drinking water infrastructure project (“Project”) at the Westchester County Airport (“Airport”), for a term for a term commencing on July 8, 2019 and terminating on July 7, 2020; and be it further

RESOLVED, that the County is authorized to enter into any and all other contracts, documents and instruments necessary to bring about the Project and fulfill the Department’s obligations under the Grant Agreement, subject to all necessary legal approvals; and be it further

RESOLVED, that the Grant Agreement will provide *inter alia* that the County will contribute 20% of the Grant amount or \$6,000.00 derived from the Airport Special Revenue Fund, as required under the ECPPG Program; and be it further

RESOLVED, that this Board has been advised that the proposed engineering report is a Type II action in accordance with 6 NYCRR Section 617.5(c)(24) “information collection including basic data collection and research, water quality and pollution studies, traffic counts, engineering studies, surveys, subsurface investigations and soils studies that do not commit the agency to undertake, fund or approve any Type I or Unlisted action,” and 6 NYCRR Part 617.5(c)(27) “conducting concurrent environmental, engineering, economic, feasibility and other studies and preliminary planning and budgetary processes necessary to the formulation of a proposal for action, provided those activities do not commit the agency to commence, engage in or approve such action” and is therefore not subject to further review under 6 NYCRR Part 617; and be it further

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

New York State Environmental Facilities Corporation Project Number 18693

| Account to be Charged/Credited | Fund | Dept. | Major Program, Program & Phase Or Unit | Object/ Sub Object | Bond Act No. | Dollars |
|--------------------------------|------|-------|--|--------------------|--------------|-------------|
| | 361 | 44 | A009701E | 9634 | N/A | \$30,000.00 |
| | | | | | | |

Budget Funding Year(s): 2020 **Start Date:** : 07/08/2019 **End Date:** 07/07/2020

(must match resolution)

Funding Source: **Tax Dollars** _____

State Aid \$30,000.00 (New York State)

\$30,000.00 **Federal Aid** _____

(must match resolution)

Other _____