

**14162**

DATE January 7, 2011

TO: Board of Acquisition and Contract

FROM: Edward Buroughs, AICP  
Commissioner  
Department of Planning

Kathleen O'Connor, Commissioner  
Department of Parks, Recreation &  
Conservation

SUBJECT: Resolution authorizing the Amendment to the Agreement between the County of Westchester and the New York State Department of Transportation, in the amount of \$296,250.00, for the period commencing on September 24, 2007 and continuing through November 30, 2011, to design the rehabilitation and expansion of Playland Park Pathway to connect it to the Harrison and Rye Railroad Stations, Playland Park, and the Edith Read Sanctuary, in order to change the dollar amount

On November 5, 2009, your Honorable Board authorized a grant agreement with the New York State Department of Transportation (NYSDOT), in an amount not-to-exceed \$296,250.00, under which the County would agree to expend in the first instance \$296,250.00 on design and right-of-way incidental work for the Project, with \$237,000.00 (i.e. 80% of the total cost) to be reimbursed to the County by NYSDOT from Federal funding under Title 23 of the U.S. Code for which the Project is eligible, and \$59,250.00 (i.e. 20% of the total cost) to be borne by the County as the County's local match, for the period commencing on September 24, 2007 and continuing through November 30, 2011. The agreement would allow the County to design the rehabilitation and expansion of Playland Park Pathway to connect it to the Harrison and Rye Railroad Stations, Playland Park, and the Edith Read Sanctuary.

The attached resolution authorizes the County of Westchester to amend the grant agreement with the New York State Department of Transportation as it has now come to the attention of the County that NYSDOT awarded the project additional funding and reduced the required local match with NYS Marchiselli funding. The total funding provided by NYSDOT for design of this project will cover 95%. The County share of the project design cost has now been reduced from a 20% match to a 5% match. This amendment will change the not-to-exceed amount of the County's cash matching contribution from \$59,250.00 to \$14,812.50, a reduction of \$44,437.50. All other terms and conditions will remain the same.

The goal and objective of the proposed agreement is to provide for safe inter-modal transit for pedestrians and cyclists through Westchester County's Long Island Shore communities. It is in the best interests of the County in terms of health and the environment because County residents will be encouraged to use this environmentally friendly means of transportation and, in so doing, may increase year-round usage of Playland and Edith Read Sanctuary. The proposed agreement exhibits fiscal responsibility by securing grant funding to offset the majority of the cost of this project. This project is, in part, fulfilling Westchester 2025 policies to guide County planning.

The project will be tracked and monitored by the Planning and Parks, Recreation & Conservation Departments who will review and approve plans as they are developed by the Planning staff and consultants to ensure all contractual requirements are met.

We recommend approval of this amendment.

EB/cp  
Attachment

APPROVED BOARD OF ACQUISITION & CONTRACT - 1-28-2011 - JOMARY VIEIRA, SECRETARY

# RESOLUTION

## AMENDMENT

UPON A COMMUNICATION FROM THE COMMISSIONER OF PLANNING AND THE COMMISSIONER OF PARKS, RECREATION AND CONSERVATION, BE IT HEREBY

RESOLVED, that the County is authorized to amend the agreement between the County of Westchester and the New York State Department of Transportation (NYS DOT) to design the rehabilitation and expansion of Playland Park Pathway to connect it to the Harrison and Rye Railroad Stations, Playland Park and the Edith Read Sanctuary, in order to change the not-to-exceed amount of the County's cash matching contribution from \$59,250.00 to \$14,812.50, a reduction of \$44,437.50. The NYSDOT contribution will increase from \$237,000 to \$281,437.50, an increase of \$44,437.50; and it is further

RESOLVED, that all the other terms and conditions of the agreement will remain the same; and it is further

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

Original Agreement	\$296,250.00
This amendment	\$ -0-
 Total Revised Amount	 \$296,250.00
 AGREEMENT NUMBER	 C-PL-09-311

Account to be Charged/Credited

Fund	Dept	Major Program, Program & Phase Or Unit	Object/ Sub Object	Trust Account	Dollars
372	42	RPA01-03E	9632	N/A	\$ -44,437.50
372	42	RPA01-03E	9634	N/A	\$+ 44,437.50

Budget Funding Year(s) FY 2010 Start Date September 24, 2007 End Date November 30, 2011  
(must match resolution)

Funding Source	Tax Dollars	\$ -44,437.50
	State Aid	\$ 44,437.50
<b>\$-0-</b> (must match resolution)	Federal Aid	_____
	Other	_____

APPROVED BOARD OF ACQUISITION & CONTRACT - 1-28-2011 - JOMARY VIEIRA, SECRETARY