

24897

TO: Board of Acquisition and Contract

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

DATE: February 14, 2012

RE: AUTHORITY FOR THE COUNTY OF WESTCHESTER TO ENTER INTO AN AGREEMENT WITH THE NEW YORK STATE DEPARTMENT OF TRANSPORTATION TO AMEND THE MASTER AGREEMENT ALLOWING THE PASS THROUGH OF SUBREGIONAL TRANSPORTATION PLANNING FUNDING THROUGH MARCH 31, 2022; AND TO ACCEPT UP TO \$725,000.00 (UP TO \$580,000.00 IN FEDERAL FUNDS AND UP TO \$145,000.00 IN LOCAL MATCH) TO SUPPORT FEDERALLY MANDATED TRANSPORTATION PLANNING REQUIREMENTS FOR THE PERIOD APRIL 1, 2012 THROUGH MARCH 31, 2013. (NYS Contract No. C033472)

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Authority is requested for the County of Westchester (the "County") to enter into an agreement with the New York State Department of Transportation to amend the Master Agreement allowing the pass through of subregional transportation planning funding through March 31, 2022, and to accept up to \$580,000.00 in Federal funds (to be matched by \$145,000.00 in County funds) to support a \$725,000.00 Federally mandated transportation planning requirement for the period April 1, 2012 through March 31, 2013.

Since 1975, the County has participated in a Subregional Transportation Planning Program, which is administered by the New York Metropolitan Transportation Council. On July 1, 1982, a continuing agreement was established to enable the New York State Department of Transportation to provide Federal funds to the County for its continued participation in the Subregional Transportation Planning Program. The State is now requiring a formal ten (10) year agreement to allow the pass through of funding. The funding allocation to the County is approved by the Board of Acquisition and Contract annually.

The goal of the Subregional Transportation Planning Program is County compliance with the mandates of Federal transportation legislation. Attaining this goal ensures that the County will continue to receive Federal transportation funding for its transit system, roads and bridges, and bicycle and pedestrian facilities. In the 2012-2013 program year, the goal will be achieved through the objectives outlined in the work program, including the development of the Westchester County section of the Regional Transportation Plan, collection and reporting of traffic data, and participating in the planning process for the Cross County Parkway Corridor and for the Tappan Zee Bridge project.

The County's participation in the Subregional Transportation Planning Program is in the best interest of the County as it relates to fiscal responsibility as the County would be ineligible for at least \$10 million in Federal transit aid if it did not participate. In addition, funding through this program provides the County with funding to evaluate and plan Bee-Line bus service.

Progress toward the completion of the goals and objectives is tracked via reports on each element submitted quarterly to the New York Metropolitan Transportation Council, the New York State Department of Transportation, the Federal Transit Administration, and the Federal Highway Association.

Participation in this program will relieve the County of a substantial amount of the fiscal responsibility for meeting those requirements by reimbursing the County for 80% of the costs incurred while maintaining the County's eligibility for substantial highway and transit grants. The County's participation in the program has been approved by the Board of Acquisition and Contract each year since its inception.

Approval is hereby requested for this program year (April 1, 2012 through March 31, 2013) at an anticipated funding level of up to \$580,000.00 in Federal funds, requiring a County match of \$145,000.00, for a total of \$725,000.00 for the Subregional Transportation Planning Program. The County's funding contribution has been approved in the Department of Public Works and Transportation's 2012 Operating Budget.

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

In view of the importance of this program to the County's transportation system, I recommend approval of the attached resolution.

# RESOLUTION

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

**RESOLVED**, that the County of Westchester (the "County") is authorized to enter into an agreement with the New York State Department of Transportation ("NYSDOT") to enable NYSDOT to provide Federal funds to the County for its continued participation in the Subregional Transportation Planning Program for the period April 1, 2012 through March 31, 2022; and be it further

**RESOLVED**, that under the terms of this agreement, the County will pay in the first instance 100% of the Federal and Non-Federal share of the cost of Federal aid eligible transportation planning activities; and be it further

**RESOLVED**, that the County is also authorized to enter into an agreement with NYSDOT for subregional transportation planning services for the period April 1, 2012 through March 31, 2013; and be it further

**RESOLVED**, that under the terms of this agreement, NYSDOT will provide up to \$580,000.00 in federal funds to the County, and the County will be required to provide matching funds up to \$145,000.00, for a total of \$725,000.00 for the Subregional Transportation Planning Program; and be it further

**RESOLVED**, that the County Executive or his duly authorized designee is authorized to execute all documents necessary to implement the purpose of this resolution.

Account to be Charged/Credited	Fund	Dept.	Major Program, Program & Phase Or Unit	Revenue Source	Trust Account	Dollars
	263	44	278M	9853	T278	\$580,000.00
101	44	2100	4912		\$145,000.00	

Budget Funding Year(s) 2012-2013 Start Date April 1, 2012 End Date March 31, 2013  
 (must match resolution)

Funding Source: Tax Dollars 20% County \$145,000.00  
 State Aid 80% State \$580,000.00  
\$725,000.00 Federal Aid \_\_\_\_\_  
 (must match resolution) Other \_\_\_\_\_