

33318

TO: Board of Acquisition and Contract
FROM: Jay T. Pisco, P.E.
Commissioner of Public Works and Transportation
DATE: April 9, 2013
SUBJECT: Authority to Execute an Entry Permit and Enter into a Force Account Agreement with the MTA Metro-North Railroad in Connection with the Westchester County Project 10-551 Located in Fleetwood, Mount Vernon, Westchester County, New York. (Agreement No. 13-911)

Authority of your Honorable Board is requested for the County of Westchester ("County"), acting by and through the Department of Public Works and Transportation ("Department"), to execute an Entry Permit and enter into a Force Account Agreement with the MTA Metro-North Railroad ("Metro-North") to enter Harlem Line property in the vicinity of Broad Street Bridge (MP 14.26) at Pier 4 and 5 located at the Fleetwood Railroad Station to perform rehabilitation work and construction activities at Broad Street Bridge in connection with the County Project 10-551 located in Fleetwood, Mount Vernon, Westchester County, New York ("Project").

Metro-North operates certain railroad rights-of-way that are used to provide commuter rail service to Westchester County and other Counties. Metro-North is willing to grant permission to the County to enter the property in order to carry out the Project. In addition to the Entry Permit, Metro-North also requires a Force Account Agreement. Such an agreement will provide flagmen, watchmen, linemen, ground men and/or communication and signal services desirable or necessary to protect its property or operations, or its employees, patrons or licensees, during the construction phase of the Project. Metro-North has submitted a Force Account estimate to the County in an amount not to exceed \$140,000.00. This cost was budgeted in Contract 10-551 and included as an item so no additional funds are requested in this Resolution. Invoices for all labor and materials provided by Metro-North will be based on actual cost at the time that the services are provided. These agreements will commence upon execution and terminate automatically upon completion of the Project.

The objective of this contract is to repair substandard structural elements of the Broad Street Bridge, thus addressing the County Executive's priority area: Safety and Security (SS).

This contract is in the public's best interest because it will promote the health and safety of the general public by ensuring that the Broad Street Bridge meets current codes and standards as well as reducing the County's annual maintenance costs.

There are no energy or environmental components associated with this project.

The department will track scheduling and accomplishments by the contractor and perform on-site inspections to ensure the successful completion of this project.

The proposed form of Resolution to accomplish the foregoing is attached hereto.

RESOLUTION

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

RESOLVED, that the County of Westchester (“County”) be and hereby is authorized to execute an Entry Permit and enter into a Force Account Agreement with the MTA Metro-North Railroad (“Metro-North”) to enter Harlem Line property in the vicinity of Broad Street Bridge (MP 14.26) at Pier 4 and 5 located at the Fleetwood Railroad Station to perform rehabilitation work and construction activities at Broad Street Bridge in connection with the County Project 10-551 located in Fleetwood, Mount Vernon, Westchester County, New York (“Project”); and be it further

RESOLVED, that the agreements will begin upon execution and terminate automatically upon completion of the Project; and be it further

RESOLVED, that the County is authorized to make payments to Metro-North in conjunction with the Force Account Agreement in an amount not to exceed \$140,000.00, and invoices for all labor and materials provided by Metro-North will be based on actual cost at the time that the services are provided; and be it further

RESOLVED, that the County Executive or his duly appointed designee be, and hereby is, authorized to take such actions and execute such documents as may be necessary and appropriate to effect the purposes hereof.

Agreement No. 13-911

Account to be Charged/Credited	Fund	Dept.	Major Program, Program & Phase Or Unit	Object/ Sub Object	Trust Account	Dollars
	366	46	RB12101C	6210-99		

Budget Funding Year(s) 2013 Start Date upon execution End Date 04/08/15
 (must match resolution)

Funding Source: Tax Dollars _____ Contractor Federal I.D. No./ Social Security No.: _____
 State Aid _____
 \$ _____ Federal Aid _____ Vendor No.: _____
 (must match resolution) Other _____ Encumbrance No.: _____
