

47651

TO: Board of Acquisition and Contract

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

DATE: July 14, 2015

SUBJECT: AGREEMENT NO. 15-935
Resolution authorizing the County of Westchester to enter into an agreement with Thomas H. Bucci d/b/a Tom Bucci Excavating pursuant to which the County will provide reimbursement for moving expenses associated with the relocation of a business in order for the County to proceed with the Ashford Avenue Bridge Rehabilitation Project., for a not to exceed amount of \$100,330

As your Honorable Board is aware, the County of Westchester ("County") will soon be undertaking construction in connection with the rehabilitation of the Ashford Avenue Bridge, which is located within the Villages of Ardsley and Dobbs Ferry (the "Project"). In order for the County to proceed with the Project, it will be necessary to relocate the business, Thomas H. Bucci d/b/a Tom Bucci Excavating ("Mr. Bucci"). This business utilizes the property owned by Ronarita Realty Company, Inc. and Elm Street, LLC, to store and service construction equipment and vehicles. The County has already acquired temporary easement rights for this property from Ronarita Realty Company, Inc. and Elm Street, LLC.

The Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970, as amended ("Uniform Act") 42 USC 4601 et seq. and the Code of Federal Regulations 49 CFR 24 and 23 CFR 710 is a Federal law that establishes minimum standards for federally funded programs and projects that require the acquisition of real property (real estate) or displace persons from their homes, businesses, or farms. The Uniform Act's protections and assistance apply to the acquisition, rehabilitation, or demolition of real property for federal or federally funded projects. As you may be aware, the County is receiving Federal Aid Highway funds towards this Project. All public projects receiving federal funding are subject to the requirements of the Uniform Act. It allows property owners and/or businesses displaced due to public works projects funded, in part, with federal funds, to be reimbursed for the cost of their moving expenses.

The County has been in direct contact with the owner of the business to be relocated, Thomas H. Bucci, regarding the relocation process and Mr. Bucci has identified a replacement site on a nearby parcel owned by Elm Street LLC. It should be noted that Mr. Bucci holds the majority interest in Elm Street LLC. The relocation will be accomplished over a period of several weeks with the majority of the relocation will be accomplished through a self-move. Specialty moving services will be utilized to move large equipment such as an auto/truck lift, the perimeter fencing, and the existing security system.

It is anticipated the relocation can be accomplished by August 15, 2015. This date coincides with the commencement date of the temporary easement with Ronarita Realty Company, Inc. and Elm Street, LLC.

Accordingly, authority is requested for the County to enter into an agreement with Mr. Bucci pursuant to which the County will reimburse Mr. Bucci in an amount not-to-exceed \$100,330.00 for moving expenses associated with the relocation of his business in order for the County to proceed with the Project.

This Agreement is not a procurement.

This agreement is in the public's best interest in that successful completion of the Project will increase motorist safety through the replacement of a substandard bridge. Energy and environmental effects are positive as closure of the bridge would result in significant detours and congestion. This Department will track scheduling and accomplishments during construction to insure the successful completion of this Project.

A Resolution to accomplish the foregoing is attached hereto.

JTP/KMR/TSA

APPROVED BOARD OF ACQUISITION & CONTRACT 08/12/2015 - JOAN COCCARDI, SECRETARY

RESOLUTION

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

RESOLVED, that the County of Westchester (“County”) is authorized to enter into an agreement with Thomas H. Bucci d/b/a Tom Bucci Excavating (“Mr. Bucci”), pursuant to which the County will reimburse Mr. Bucci an amount not-to-exceed \$100,300.00 for moving expenses associated with the relocation of his business, in order for the County to proceed with the Ashford Avenue Bridge rehabilitation project; 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. 15-935

Account to be Charged/Credited	Fund	Dept.	Major Program, Program & Phase Or Unit	Object/ Sub Object	Bond Act No.	Dollars
	366	46	RB01Q00C	6280-99	BA #42-2014	\$100,330.00

Budget Funding Year(s) 2015 Start Date 8/01/15 End Date 12/31/16
 (must match resolution)

Funding Source: Tax Dollars 100% County Contractor Federal I.D. No./ Social Security No.: _____
 State Aid _____
\$ 100,330.00 Federal Aid _____ Vendor No.: _____
 (must match resolution) Other _____ Encumbrance No.: _____