

69125

DATE April 9, 2019

TO: Board of Acquisition and Contract

FROM: Norma V. Drummond
Commissioner of Planning

SUBJECT: Resolution authorizing the agreement between the County of Westchester and Larry Weaner Landscape Design Associates, Inc. to provide construction management services in connection with the restoration of approximately 100 acres of degraded grasslands on top of the former Croton Landfill at Croton Point Park in the Village of Croton-on-Hudson and Town of Cortlandt.

The attached resolution authorizes the County of Westchester (the "County") to enter into an agreement with Larry Weaner Landscape Design Associates, Inc., to provide construction management services at Croton Point Park, which is located in the Village of Croton-on-Hudson and Town of Cortlandt. Funds for this agreement will be disbursed from the Westchester County Soil and Water Conservation District program. The amount of the agreement shall not exceed \$34,800, payable pursuant to an approved budget. The term of the agreement is April 1, 2019 to December 31, 2020.

Larry Weaner Landscape Design Associates, Inc. will provide construction management services during the restoration of approximately 100 acres of degraded grasslands on top of the former Croton Landfill at Croton Point Park. This restoration project will improve critically important habitat for ground-nesting, migratory and predatory birds and water quality by providing more effective natural filtration. The services provided by Larry Weaner Landscape Design Associates, Inc. will help implement the previous design work by Larry Weaner Landscape Design Associates, Inc. and its recommendations made in the "Grassland Design & Management specification in Croton Point Park" report dated October 19, 2015.

The goal and objective of this agreement is to best manage the restoration of a critically important habitat for ground-nesting, migratory and predatory birds. The restoration also will remove pollutants from stormwater runoff before they reach off-site water resources. The removal of pollutants will protect the water quality of the Hudson River. It will also help the County best manage the implementation of a landscaping project that will address its stormwater management requirement under state and federal regulation by filtering out pollutants from stormwater runoff before they reach wetland and watercourses. This project will also protect and restore a County critical environment area. The Department of Planning staff will monitor all

work provided by Larry Weaner Landscape Design Associates, Inc. to make sure all contractual requirements are met.

Authority to exempt the procurement of the agreement from the requirements of the Westchester Procurement Policy and Procedures, pursuant to Section 3(a)xxi thereof, has been requested from your Honorable Board by a separate resolution of even date herewith.

I recommend approval of this agreement.

NVD/CP/DK/RD
Attachment

APPROVED BOARD OF ACQUISITION & CONTRACT - 05/02/2019 - LISA MRIJAS SECRETARY

RESOLUTION

UPON A COMMUNICATION FROM THE COMMISSIONER OF PLANNING, BE IT HEREBY

RESOLVED, that the County of Westchester is hereby authorized to enter into an agreement with Larry Weaner Landscape Design Associates, Inc., in an amount not-to-exceed \$34,800, to be paid pursuant to an approved budget from Westchester County Soil and Water District funds, for a term beginning April 1, 2019, and ending December 31, 2020. Larry Weaner Landscape Design Associates, Inc. will provide construction management services on approximately 100 acres of degraded grassland covering the former Croton Landfill at Croton Point Park in the Village of Croton-on-Hudson and Town of Cortlandt, and be it further

RESOLVED that this agreement is subject to County appropriations; and be it further

RESOLVED that this agreement is also subject to further financial analysis of the impact of any New York State Budget (the "State Budget") proposed and adopted during the term of this agreement. The County shall retain the right, upon the occurrence of any release by the Governor of a proposed State Budget and/or the adoption of a State Budget or any amendments thereto, and for a reasonable period of time after such release(s) or adoption(s), to conduct an analysis of the impacts of any such State Budget on County finances. After such analysis, the County shall retain the right to either terminate this agreement or to renegotiate the amounts and rates approved herein. If the County subsequently offers to pay a reduced amount to the Contractor, then the Contractor shall have the right to terminate this Agreement upon reasonable prior written notice; and be it further

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

Account to be Charged/Credited

Fund	Dept.	Major Program, Program & Phase Or Unit	Object/ Sub Object	Trust Account	Dollars
263	19	801G	4380	T801	\$34,800.00

Budget Funding Year(s) (must match resolution)

FY 2019 Start Date: April 1, 2019 End Date: December 31, 2020

Funding Source

Tax Dollars _____

State Aid \$34,800.00

\$34,800.00 (must match resolution)

Federal Aid _____

Other _____

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