

70319

DATE June 19, 2019

TO: Board of Acquisition and Contract

FROM: Norma V. Drummond Kathleen O'Connor
Commissioner of Planning Commissioner of Parks, Recreation & Conservation

SUBJECT: Resolution authorizing a third amendment to the agreement between the County of Westchester ("County") and the New York State Department of Transportation ("NYSDOT") 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 ("Project"), in order to change the expiration date and increase the dollar amount.

On November 5, 2009, your Honorable Board authorized a grant agreement with the New York State Department of Transportation (NYS DOT), 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 (80 % of the total cost) to be reimbursed to the County by NYS DOT from federal funding under Title 23 of the U.S. Code for which the Project is eligible, and \$59,250.00 (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.

On January 28, 2011, your Honorable Board authorized the County to amend the grant agreement with NYSDOT to change the funding allocation. The total funding provided by NYSDOT for design of this project will cover 95% and the County share of the project design cost will be reduced from a 20% match to a 5% match. The amendment changed 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 increased from \$237,000.00 to \$281,437.50, an increase of \$44,437.50.

On July 18, 2013, your Honorable Board authorized the County to do a second amendment the grant agreement with NYSDOT 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 expiration date from November 30, 2011 to September 30, 2015.

On May 21, 2018, your Honorable Board authorized the County to amend the County's 2018 Capital Budget by increasing the County Share for this project by \$1,840,000.00. This increases the total project (including non-county shares) to \$3,815,000.

The attached resolution authorizes the County to approve a third amendment to the grant agreement with NYSDOT in order to change the expiration date from September 30, 2015 to December 30, 2021 and

increase the dollar amount of the agreement from \$296,250.00 to \$1,975,000.00, an increase of \$1,678,750.00. Of the total contract amount of \$1,975,000, \$1,624,437 will be reimbursed back to the County by NYSDOT. The remaining \$350,563 represents the County share of the agreement.

This amendment is needed as the Project was delayed by a lengthy review process, permitting delays and the need to procure additional consulting services needed to address issues brought up by NYSDOT comments. The time extension is needed to complete the construction phase of the Project.

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 Park and Edith Read Sanctuary. The Project will be monitored by the Planning and Parks, Recreation & Conservation staff who will review and approve plans as they are developed by Planning Department staff and consultants to ensure all contractual requirements are met.

We recommend approval of this amendment.

NVD/cp/RL/AZ
Attachment

APPROVED BOARD OF ACQUISITION & CONTRACT ADMINISTRATION
06/11/2019 - 10:41 AM - (SECRET)

RESOLUTION

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

RESOLVED, that the County of Westchester ("County") is authorized to approve a third amendment to the agreement between the County and the New York State Department of Transportation 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 expiration date from September, 30, 2015 to December 30, 2021 and increase the dollar amount from \$296,250.00 to \$1,975,000.00, an increase of 1,678,750.00; 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
Second Amendment	0.00
First Amendment	0.00
This Amendment	\$1,328,187.00
 Total Amount	 \$1,624,437.00

Account to be Charged/Credited

		Major Program, Program & Phase	Object/	Trust	
Fund	Dept	Or Unit	Sub Object	Account	Dollars
372	42	RPA01-03-C	9634	N/A	\$1,328,187.00

Budget Funding Year(s) FY 2010 Start Date September 24, 2007 End Date December 30, 2021

(must match resolution)

Funding Source Tax Dollars _____

State Aid \$1,328,187

\$1,328,187.00 Federal Aid _____

(must match resolution)

Other _____