

**83055**

DATE: March 2, 2021

TO: Honorable Members of the Board of Acquisition and Contract

FROM: Norma Drummond  
Commissioner, Department of Planning

Marguerite Beirne  
Chief Information Officer

SUBJECT: Authority to amend the landscaping agreement with the Town of Bedford, dated August 14, 2020, to permit the County to remove additional trees and a rock outcropping at the Guard Hill site as part of the County's Public Safety Voice Radio Communications Systems Replacement Project.

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By a resolution approved on July 23, 2020 (the "July 23<sup>rd</sup> Resolution"), your Honorable Board authorized the County of Westchester (the "County"), acting by and through its Department of Planning, to enter into a license agreement with the Town of Bedford (the "Town") for the County to: (i) perform certain landscape work consisting of a tree removal plan and a planting plan at the real property owned by the Town, known as Guard Hill (Section 83.5 Block 2 and Lot 1 on the Official Tax Maps of the Town) (the "Guard Hill Site"), (ii) provide maintenance for a period of two (2) years for the new plantings planted pursuant to the planting plan, and (iii) reimburse the Town an amount not to exceed \$8,000.00 for the cost it incurs to clear a hiking trail located on Guard Hill Site (the "Landscape Agreement"). The Landscaping Agreement was subsequently executed on August 14, 2020.

The Landscaping Agreement is related to the County's Public Safety Voice Radio Communications Systems Replacement Project and certain work and improvements the County is going to perform at the Guard Hill Site to improve public safety radio communications (the "Guard Hill Project").

Authorization is now sought to amend the Landscaping Agreement to permit the County to remove additional trees and a rock outcropping at the Guard Hill Site in order for construction vehicles, equipment, and materials to access and maneuver around the Guard Hill Site and permit the County to remove additional trees at the Guard Hill Site as part of selective tree removal for an open view shed requested by the Bedford Historical Society. The proposed amendment also will permit the

County to remove any additional trees at the Guard Hill Site necessary to carry out and complete the Guard Hill Project with the prior approval of the Town's Director of Planning or Superintendent of Parks and Recreation, which approval shall not be unreasonably withheld.

All other terms and conditions of the Landscaping Agreement shall remain unchanged and in full force and effect.

The Guard Hill Project is critical to the success of the County's Voice Radio Communication Systems Replacement Project because the radio equipment being installed at the Guard Hill Site is necessary for continued operation and improvement of radio communications systems that are relied upon by the Department of Emergency Services, the Department of Public Safety, and local fire, EMS and police agencies, and for operation of the Bee-Line Bus System.

This amendment to the Landscaping Agreement is exempt from the Westchester County Procurement Policy pursuant to section 3(a)(iii) thereof.

Your approval of the attached resolution is respectfully requested.

ND/RAN

Attachment

APPROVED BOARD OF ACQUISITION & CONTRACTS

03/05/2024

USA MARIJAS SECRETARY

**RESOLUTION**

Upon a communication from the Commissioner of Planning and the Chief Information Officer, be it hereby

**RESOLVED**, that the County of Westchester (the "County") is hereby authorized to amend the landscaping agreement with the Town of Bedford ("Town"), dated August 14, 2020, for the County to: (i) perform certain landscape work consisting of a tree removal plan and a planting plan at the real property owned by the Town, known as Guard Hill (Section 83.5 Block 2 and Lot 1 on the Official Tax Maps of the Town) (the "Guard Hill Site"), (ii) provide maintenance for a period of two (2) years for the new plantings planted pursuant to the planting plan, and (iii) reimburse the Town an amount not to exceed \$8,000.00 for the cost it incurs to clear a hiking trail located on the Guard Hill Site (the "Landscape Agreement"), to permit the County to remove additional trees and a rock outcropping at the Guard Hill Site in order for construction vehicles, equipment, and materials to access and maneuver around the Guard Hill Site, and permit the County to remove additional trees at the Guard Hill Site as part of selective tree removal for an open view shed requested by the Bedford Historical Society; and be it further

**RESOLVED**, the County is hereby further authorized to amend the Landscaping Agreement to permit the County to remove any additional trees at the Guard Hill Site necessary to carry out and complete the Guard Hill Project with the prior approval of the Town's Director of Planning or Superintendent of Parks and Recreation, which approval shall not be unreasonably withheld, and be it further

**RESOLVED**, that all other material terms and conditions of the Landscaping Agreement shall remain the unchanged and in full force and effect; and be it further

**RESOLVED**, that the County Executive or his duly authorized designee is hereby authorized to execute any and all documents and take any action necessary and appropriate to effectuate the purposes of this Resolution.

Account to be Charged/Credited

Agreement Number: C-PL-20-505

Original Agreement: \$8,000.00

This Amendment: \$0.00

Total: \$8,000.00

Fund	Dept	Major Program, Program & Phase Or Unit	Object/ Sub-Object	Trust Account	Dollars
					N/A

Budget Funding Year(s): 2020  
(must match resolution)

Start Date: Upon Execution

End Date: End of 2 year maintenance period

Funding Source

Tax Dollars: N/A

State Aid: \_\_\_\_\_

N/A  
(must match resolution)

Federal Aid: \_\_\_\_\_

Other: \_\_\_\_\_