

**On Base**      **85203**

**TO:**            Honorable Board of Acquisition and Contract

**FROM:**        Vincent F. Kopicki, P.E.  
                  Commissioner of Environmental Facilities

**DATE:**        May 20, 2021

**SUBJECT:**    Authorization for the County of Westchester to enter into a Utility Work Agreement with the New York State Department of Transportation and Halmar International, LLC for the relocation a portion of the County sewer main along Route 1 over the Mamaroneck River Bridge as part of the New York State Department of Transportation's Mamaroneck River Bridge Design Build Replacement Project.

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Attached for your consideration is a resolution, which, if approved by your Honorable Board, would authorize the County of Westchester (the "County"), acting by and through the Department of Environmental Facilities (the "Department"), to enter into a utility work agreement (the "Agreement") with the New York State Department of Transportation (the "NYSDOT") and the NYSDOT's Design Builder, Halmar International, LLC, (the "Design Builder") granting to the NYSDOT and the Design Builder the right to modify and relocate the County sewer main along Route 1 over the Mamaroneck River Bridge in Mamaroneck, New York, as part of the NYSDOT's Mamaroneck River Bridge Replacement Project.

The NYSDOT and Design Builder will develop and construct the design for the relocation.

The design shall meet the County requirements for the design and construction of the relocation.

The modification and relocation of the County sewer will be made at no cost to the County.

The term of the Agreement shall commence upon execution and remain in effect through the term of the relocation work being provided by the Design Builder under the Agreement and the Design Builders agreement with the NYSDOT for the Mamaroneck River Bridge Design Build Project.

The proposed Agreement is exempt from the Westchester County's Procurement Policy pursuant to Section 3(b) thereof.

According, approval of the attached resolution is respectfully requested.

# RESOLUTION

Upon communication from the Commissioner of the Department of Environmental Facilities, be it hereby:

**RESOLVED**, that the County of Westchester (the "County"), acting by and through the Department of Environmental Facilities (the "Department") is hereby authorized to enter into a utility work agreement with the New York State Department of Transportation (the "NYSDOT") and its Design Builder, Halmar International, LLC (the "Design Builder) granting to the NYSDOT and Design Builder the right to modify and relocate the County sewer main along Route 1 over the Mamaroneck River Bridge in Mamaroneck, New York, as part of the NYSDOT's Mamaroneck River Bridge Replacement Project, at no cost to the County, and be it further

**RESOLVED**, that the term of the Agreement shall commence upon execution and continue through the term of the relocation work being provided by the Design Builder under the Agreement and the Design Builders agreement with the NYSDOT for the Mamaroneck River Bridge Design Build Project; and be it further

**RESOLVED**, that the County Executive or his duly authorized designee is hereby empowered to execute any and all instruments and take such other actions as may reasonably be necessary to effectuate the purposes thereof.

**Account to be Charged/Credited**

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

**Budget Funding Year(s)** N/A **Start Date** \_\_\_\_\_ **Date** \_\_\_\_\_  
 (must match resolution)

**Funding Source** Tax Dollars 100% \_\_\_\_\_

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

N/A Federal Aid \_\_\_\_\_

(must match resolution) Other \_\_\_\_\_