

**86746**

DATE: August 5, 2021

TO: Board of Acquisition and Contract

FROM: Norma V. Drummond  
Commissioner of Planning

SUBJECT: Resolution authorizing the County of Westchester to enter into an agreement with the Bronx River Alliance, Incorporated to implement the work plan for the Bronx River Watershed Management Plan Update grant from the New York State Department of State in the amount of \$240,428.00

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On October 31, 2019, your Honorable Board authorized the County of Westchester (the “County”) to enter into a grant agreement with the New York State Department of State (“NYS DOS”) for the Bronx River Watershed Management Plan Update grant (Contract No. C1001357) (the “Grant”) in the amount of \$245,428.00 for a term commencing on September 1, 2018 and continuing through August 30, 2023 (“Grant Agreement”). The Grant Agreement was subsequently executed.

The Grant Agreement designates the Bronx River Alliance, Incorporated (the “Alliance”) as the subcontractor to implement the work plan for the Grant in order to develop a Bronx River Watershed Management Plan Update (the “Update”). The work plan is attached to the Grant Agreement as Attachment “C”. Services to be provided by the Alliance will include, but not be limited to, the preparation of the Update, including a climate resiliency strategy, performance of ecological assessments, water quality testing and coordination of public meetings and engagement. This Update will improve the overall environmental health of the Bronx River, its watershed and the County. The County will support the work plan under the Grant Agreement through participation in meetings, outreach, and review of written deliverables.

Accordingly, authority is requested herein authorizing the County, acting by and through the Department of Planning (“Planning”) to enter into an agreement with the Alliance in an amount not to exceed \$240,428.00 commencing upon execution and continuing through December 31, 2022, payable pursuant to an approved budget and on a reimbursement basis (the “Agreement”). The scope of work to be provided under the Agreement will include all of the terms and conditions of the work plan attached to the Grant Agreement as Attachment “C”. The remaining \$5,000 of the Grant will be retained by the County pursuant to the terms of the Grant Agreement, for the County’s participation in the development and review of the work plan and deliverables, participation in organizational, project and outreach meetings, and administrative costs in connection with the Grant Agreement.

Further, the Agreement will provide that the Alliance will perform this work by conducting and spearheading all of the field work which will consist of the following:

- a community engagement “Rapid Stream Assessment” initiative which will pinpoint areas of contamination within the Bronx River and its watershed;
- a trash study;
- a geomorphic assessment of the watershed; and
- a report documenting the work plan and results.

This Update has value because it will:

- enhance the water quality within the watershed and throughout the region as the Bronx River connects to the East River and the Long Island Sound among other vital waterways;
- allow for future water quality issues to be avoided;
- protect the flora and fauna that depend on this watershed;
- foster environments that are safe for recreational activities like swimming and fishing; and
- educate the public and municipal offices on how their actions impact the Bronx River and how they can improve it.

Attached is a Resolution for your Honorable Board's consideration. I respectfully recommend its approval as I believe that this is a worthwhile project which will benefit the County.

NVD/cp/LAC  
Attachment

APPROVED BOARD OF ACQUISITION & CONTRACTS - 09/02/2021 - RAYMOND SCURRY, SECRETARY

## R E S O L U T I O N

Upon a communication from the Commissioner of Planning, be it hereby

**RESOLVED**, that the County of Westchester (“County”), acting by and through the Department of Planning (“Planning”), is hereby authorized to enter into an agreement (“Agreement”) with the Bronx River Alliance, Incorporated (the “Alliance”) for a term commencing upon execution and continuing through December 31, 2022 in an amount not to exceed \$240,428 pursuant to an approved budget and on a reimbursement basis, to implement the work plan pursuant to a grant agreement by and between the County and the New York State Department of State (Contract No. C1001357) in an amount not to exceed \$245,428 for the Bronx River Watershed Management Plan Update (“Grant Agreement”); and

**RESOLVED**, that the Alliance will be the subcontractor pursuant to the Grant Agreement and as such, will be the project manager and will be responsible for all requirements of the Grant Agreement, including Grant deliverables, reports and required tasks and will submit such deliverable and documents to the County in a form and substance as required by the Grant Agreement so that the County can submit them to the New York State Department of State in accordance with the Grant Agreement; and be it further

**RESOLVED**, that pursuant to the Grant Agreement, the County will participate with in-kind services of Planning Department staff for participation in outreach activities, meetings and document review, for which the County will retain \$5,000 of the Grant award; and be it further

**RESOLVED**, that this Agreement is subject to 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 Alliance, then the Alliance shall have the right to terminate this Agreement upon reasonable prior written notice; and be it further

**RESOLVED**, that the County Executive, or his authorized designee is hereby authorized and empowered to execute all instruments and take all actions necessary and appropriate to effectuate the purposes hereof.

Account to be  
Charged/Credited

Fund	Dept	Major Program, Program & Phase Or Unit	Object/ Sub Object	Trust Account	Dollars
263	19	T11U	4380	T1011	\$240,428

Budget Funding Year(s) FY 2019 Start Date Upon Execution End Date December 31, 2022  
(must match resolution)

Funding Source \_\_\_\_\_ Tax Dollars \_\_\_\_\_

State Aid \$240,428.00

**\$240,428.00**  
(must match resolution)

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

Other \_\_\_\_\_

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