Resolution No. Draft August 22, 2007

Amending Capital Project No. 234 – Authorizing And Funding Supplemental Agreement No. 2 For Right-Of-Way Acquisition Costs And Additional Right-Of-Way Incidental Work For Replacement Of Kerhonkson Bridge County Route 77 Over Rondout Creek, Town Of Wawarsing – HBRR (Highway Bridge Replacement And Rehabilitation) PIN 8756.19, BIN 3346530 – Amending The 2007 Ulster County Capital Fund Budget – Public Works

The Public Works Committee (Chairman Berardi and Legislators Bischoff, Cahill, Dart, Lomita, Stoeckeler, Fabiano, Felicello and McAfee) offers the following:

WHEREAS, pursuant to Resolution No. 297 dated October 14, 1999, the Chairman of the Ulster County Legislature executed an agreement with the New York State Department of Transportation approving a Federal Aid Highway Replacement Project not on the State Highway System and authorizing Ulster County to fund for Preliminary Engineering and Right-of-Way Incidentals, for Bridge Replacement on County Road 77 (CR 77), over Rondout Creek (Kerhonkson), Town of Wawarsing, (PIN 8756.19), BIN 3346530 (herein and after known as the "Project"), and

WHEREAS, the costs for such project were to be borne at the ratio of 80% Federal funds and 20% non-federal funds and Ulster County agreed to advance the project by making a commitment of 100% of the non-federal share of the costs of Preliminary Engineering and Right-of-Way Incidental work, and

WHEREAS, pursuant to Resolution No. 299 dated October 14, 1999, the sum of $455,000.00 was appropriated to cover the cost of participation in the Preliminary Engineering and Right-of-Way Incidental work for the project or portions thereof, and

WHEREAS, the completion date of this project was assumed in 2002 and presently the design phase will be completed in the summer of 2007, with delays created by a determination, after entering into the engineering agreement, that the bridge was eligible to be historic and extended review periods of the Design Criteria package and the Design Approval Document, and

WHEREAS, pursuant to Resolution No. 234 dated June 13, 2007, the County of Ulster was authorized to execute an amended agreement with McFarland-Johnson, Inc., for change orders for rate escalations and out-of-scope services in the amount of $33,874.00, for the Kerhonkson Bridge, County Road 77 over the Rondout Creek, Town of Wawarsing, and

DRAFT

Resolution No. Draft August 22, 2007

Amending Capital Project No. 234 – Authorizing And Funding Supplemental Agreement No. 2 For Right-Of-Way Acquisition Costs And Additional Right-Of-Way Incidental Work For Replacement Of Kerhonkson Bridge County Route 77 Over Rondout Creek, Town Of Wawarsing – HBRR (Highway Bridge Replacement And Rehabilitation) PIN 8756.19, BIN 3346530 – Amending The 2007 Ulster County Capital Fund Budget – Public Works

WHEREAS, it was subsequently found necessary to undertake additional right-of-way incidental work, in the amount of $149,000.00, not contemplated in the original agreement authorized by the previous resolutions, and

WHEREAS, it has been found necessary to increase the federal and non-federal share of costs for the right-of-way incidental work for the Project, and

WHEREAS, the Ulster County Legislature desires to advance the Project by making a commitment of 100% of the non-federal share of the costs of the right-of-way acquisition work, and

WHEREAS, the Public Works Committee has met and reviewed said request with a majority of the members voting approval, and

WHEREAS, the Ways and Means Committee has met and reviewed said request with a majority of the members voting approval.

RESOLVED, that the Ulster County Legislature hereby approves the above-subject project, and

FURTHER RESOLVED, that the Ulster County Legislature hereby authorized the County of Ulster to pay in the first instance 100% of the federal and non-federal share of the cost of additional right-of-way incidental work and right-of-way acquisition work for the Project or portions thereof, and

FURTHER RESOLVED, that the sum of $149,000.00 ($604,000.00 minus $455,000.00 previously funded) is hereby appropriated pursuant to this resolution and made available to cover the cost of participation in the above phase of the Project, and

FURTHER RESOLVED, that in the event the full federal and non-federal costs of the Project exceeds the amount appropriated above, the Ulster County Legislature shall convene as soon as possible to appropriate said excess amount

DRAFT

Resolution No. Draft August 22, 2007

Amending Capital Project No. 234 – Authorizing And Funding Supplemental Agreement No. 2 For Right-Of-Way Acquisition Costs And Additional Right-Of-Way Incidental Work For Replacement Of Kerhonkson Bridge County Route 77 Over Rondout Creek, Town Of Wawarsing – HBRR (Highway Bridge Replacement And Rehabilitation) PIN 8756.19, BIN 3346530 – Amending The 2007 Ulster County Capital Fund Budget – Public Works

immediately upon the notification by the Chairman of the Ulster County Legislature and

FURTHER RESOLVED, that the Chairman of the Ulster County Legislature be and is hereby authorized to execute all necessary agreements, certifications or reimbursement requests for Federal Aid and/or applicable State Aid on behalf of Ulster County with the New York State Department of Transportation in connection with the advancement or approval of the Project and providing for the administration of the Project and the municipality's first instance funding of the project costs and permanent funding of the local share of federal-aid and state-aid eligible Project costs and all Project costs within appropriations therefore that are not so eligible, and

FURTHER RESOLVED, that a certified copy of this resolution be filed with the New York State Commissioner of Transportation by attaching it to any necessary agreement in connection with the Project, and

FURTHER RESOLVED, that the Capital Project Fund be amended as follows:

	INCREASE	**AMOUNT**
H4-0234-2962 (App. #)	Capital Project No. 234 Engineer Services	$149,000.00
H3-0234-5710 (Rev. #'s)	Serial Bonds	$149,000.00

DRAFT

Resolution No. Draft August 22, 2007

Amending Capital Project No. 234 – Authorizing And Funding Supplemental Agreement No. 2 For Right-Of-Way Acquisition Costs And Additional Right-Of-Way Incidental Work For Replacement Of Kerhonkson Bridge County Route 77 Over Rondout Creek, Town Of Wawarsing – HBRR (Highway Bridge Replacement And Rehabilitation) PIN 8756.19, BIN 3346530 – Amending The 2007 Ulster County Capital Fund Budget – Public Works

and moves its adoption.

ADOPTED BY THE FOLLOWING VOTE:

AYES: NOES:

FINANCIAL IMPACT:
$149,000.00 – SERIAL BONDS
95% REIMBURSABLE STATE AND FEDERAL REVENUES

082201

DRAFT