

**Amending Capital Project No. 234 – Authorizing And Funding A Change Order For Rate Escalations And Out-Of-Scope Services 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 – Highways And Bridges**

The Ways and Means Committee (Chairman Lomita and Legislators Bartels, Berardi, Gregorius, Provenzano, Zimet, Cummings, Gerentine and Noonan) 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, 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, it is now necessary to increase funding to cover adjustments for rate escalations due to unforeseen project delays and out-of-scope services required to complete the project for the replacement of the bridge, and

WHEREAS, the revised costs required will be approximately \$33,874.00, in advance funding for Federal and Non-Federal costs, and is hereby authorized for the rate escalations and out-of-scope services, of which approximately 95% will be reimbursed by the State of New York Transportation Funds, and

Resolution No. 234 June 13, 2007

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WHEREAS, the Commissioner of Highways and Bridges has requested that the Ulster County Legislature authorize and fund a change order for the 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, for the Preliminary Engineering and Right-of-Way Incidental Phase of Capital Project No. 234 – Bridge Replacement, 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 County of Ulster is hereby 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 Wawaring, for the Preliminary Engineering and Right-of-Way Incidental Phase of Capital Project No. 234 – Bridge Replacement, and

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

	<u>INCREASE</u>	<u>AMOUNT</u>
H4-0234-2962 (App. #)	Capital Project No. 234 Engineer Services	\$33,874.00
H3-0234-3591	State Aid, Highway Projects	\$32,180.00
H3-0234-5031 (Rev. #'s)	Interfund Revenues	\$ 1,694.00

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**TRANSFER**

<b><u>FROM</u></b>		<b><u>AMOUNT</u></b>
A4-1331-4553 (App. #)	Contingent Account	\$ 1,694.00
<b><u>TO</u></b>		<b><u>AMOUNT</u></b>
A4-4465-9006 (App. #)	Transfer to Capital Project Fund Capital Project No. 234 Kerhonkson Bridge	\$ 1,694.00

and moves its adoption.

ADOPTED BY THE FOLLOWING VOTE:

AYES: 31                      NOES: 0  
(Absent: Legislator Felicello)  
(Legislator Stoeckeler left at 8:05 PM)

**FINANCIAL IMPACT:**

\$33,874.00 – ADDITIONAL APPROPRIATIONS

\$32,180.00 – ADDITIONAL STATE REVENUES

\$ 1,694.00 – TRANSFER FROM CONTINGENCY ACCOUNT