

PUBLIC WORKS COMMITTEE
DPW AGENDA
August 24, 2023

Committee Members: CONOVER, Dickinson, Bruno, Thomas, Merlino, Braymer and Vacant

I. Committee meeting called to order by Chair

II. Approval of minutes of prior Committee Meeting

III. Privilege of the floor and public comment

IV. Action Agenda/New Business Items

1. Request: Grant Agreement
Rationale: For the Culvert over Marshall Brook, Olmstedville Rd, Town of Chester – CulvertNY Project
2. Request: Establish Capital Project, H427
Rationale: For the Culvert over Marshall Brook, Olmstedville Rd, Town of Chester – CulvertNY Project
3. Request: Grant Agreement, H427
Rationale: For the Culvert over Unnamed Water Course, Bay Rd, Town of Queensbury – CulvertNY Project H428
4. Request: Establish Capital Project
Rationale: For the Culvert over Unnamed Water Course, Bay Rd, Town of Queensbury – CulvertNY Project H428
5. Request: Amend Grant
Rationale: Addition of right-of-way incidental funding East Shore Road and Johnson Road Bridge Replacements over Mill Brook, Town of Horicon. H425
6. Request: Increase Capital Project
Rationale: Addition of right-of-way incidental funding East Shore Road and Johnson Road Bridge Replacements over Mill Brook, Town of Horicon. H425

V. Discussion Items

1. Project Updates

VI. Referrals/Pending Items

VII. Privilege of the floor and public comment

VIII. Motion to Adjourn

Attachments:

1. Resolution Request Form No. 9 – Grant Agreement
2. Resolution Request Form No. 6 – Establish Capital Project
3. Resolution Request Form No. 9 – Grant Agreement
4. Resolution Request Form No. 5 – Establish Capital Project
5. Resolution Request Form No. 6 – Amend Grant
6. Resolution Request Form No. 9 – Increase Capital

RESOLUTION REQUEST FORM NO. 5

Request to Apply for a Grant Application and Grant Agreement

DEPARTMENT NAME: DPW

DATE: 8/24/23

- (a) Purpose of Grant: Master State-Local Agreement for PIN 1762.72 Olmstedville Road (CR19) over Marshall Brook Culvert NY, Town of Chester (H427)
- (b) Name of Grantor: NYSDOT
- (c) Address of Contractor: 50 Wolf Road, Albany, NY 12205
- (d) Grantor's Contact Person and Telephone Number: Lorenzo Distefano
518.485.1715
- (e) Has or Will the Grant Application or Grant Agreement be provided, if so, Please Attach?
- (f) Effective Date of Grant: upon execution
- (g) Termination Date of Grant: upon completion
- (h) Total Dollar Amount Involved (not to exceed): \$1,500,000.00
- (i) Deadline to Submit Grant Application and/or Grant Agreement:
- (j) Is a Budget amendment required? If yes, also complete and submit Form No. 7.
- (k) Are the funds to go into a Capital Project or Capital Reserve Project? If yes, also complete and submit Form No. 8 or Form No. 9, as applicable.
- (i) Is a Local Share Required? If Yes, Where are the Funds? List Budget Code (with title), Object Code (with title), and Amount **OR** Capital Project **OR** Capital Reserve Project Number and Title and Amount: H427.9550 280 Olmstedville Road (CR19) over Marshall Brook Culvert NY

BridgeNY Culvert Local Project Agreement

CONTRACT NO. **D040956**

This Agreement is by and between:

the New York State Department of Transportation ("NYSDOT"), having its principal office at 50 Wolf Road, Albany, NY 12232, on behalf of New York State ("State");

and the **County of Warren** (the "Municipality/Sponsor")
with its office at **4028 Main Street, Warrensburg NY 12885.**

This Agreement identifies the party responsible for administration and establishes the method or provision for funding of applicable phases of a BridgeNY State aid project for the improvement or replacement of a culvert, not on the State highway system, as such project and phases are more fully described by Schedule A annexed to this Agreement. The phases that are potentially the subject of this Agreement, as further enumerated, are: Preliminary Engineering ("PE") and Right-of-Way Incidental ("ROW Incidentals") work; Right-of-Way Acquisition; and Construction, Construction Supervision and/or Construction Inspection. The project shall be identified for the purposes of this Agreement as **Bridge NY Culvert, Olmstedville Road (CR 19) over Marshall Brook** (as more specifically described in such Schedule A, the "Project").

WITNESSETH:

WHEREAS, project eligibility for the BridgeNY Program, and other State Aid Program funds is determined by NYSDOT; and

WHEREAS, under related authorizations, NYSDOT and the Municipality/Sponsor are desirous of progressing the Project under State Aid Programs; and

WHEREAS, under New York General Municipal Law § 99-r, the governing board of any municipal corporation may contract with NYSDOT for services and work including design and construction of the nature contemplated by the Project; and

WHEREAS, The Legislative Body of the Municipality/Sponsor by Resolution No. _____, adopted at meeting held on _____, approved the Project, and

WHEREAS, the Municipality/Sponsor has appropriated necessary funds in connection with any Municipal/Sponsor share identified in Schedule A; and

WHEREAS, the Municipality/Sponsor has further authorized the **Chair of the Board of Supervisors** of the Municipality/Sponsor to execute this Agreement and the applicable Schedule A on behalf of the Municipality/Sponsor and a copy of such Resolution(s) is attached to and made a part of this Agreement (where New York City is the Municipality/Sponsor, such resolution is not required).

**SCHEDULE A – Description of Project Phase, Funding and Deposit Requirements
 NYSDOT/ State-Local Agreement - Schedule A for PIN 1762.72**

OSC Contract #: <u>D040956</u>	Contract Start Date: <u> / / </u> (mm/dd/yyyy)	Contract End Date: <u> / / </u> (mm/dd/yyyy) <input type="checkbox"/> Check, if date changed from the last Schedule A
Purpose: <input checked="" type="checkbox"/> Original Standard Agreement <input type="checkbox"/> Supplemental Schedule A No.		
Agreement Type: <input checked="" type="checkbox"/> Locally Administered Municipality/Sponsor (Contract Payee): County of Warren <input type="checkbox"/> State Administered Other Municipality/Sponsor (if applicable): <small>List participating Municipality(ies) and the % of cost share for each and indicate by checkbox which Municipality this Schedule A applies.</small> <input type="checkbox"/> Municipality: % of Cost share <input type="checkbox"/> Municipality: % of Cost share <input type="checkbox"/> Municipality: % of Cost share		
Authorized Project Phase(s) to which this Schedule applies: <input checked="" type="checkbox"/> PE/Design <input checked="" type="checkbox"/> ROW Incidentals <input checked="" type="checkbox"/> ROW Acquisition <input checked="" type="checkbox"/> Construction/CI/CS		
Work Type: HWY CULVERT	County (If different from Municipality):	
<small>(Check, if Project Description has changed from last Schedule A):</small> <input type="checkbox"/>		
Project Description: Bridge NY Culvert, Olmstedville Road (CR 19) over Marshall Brook		
Marchiselli Eligible <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No		

A. Summary of Participating Costs FOR ALL PHASES For each PIN Fiscal Share below, show current costs on the rows indicated as "Current.". Show the old costs from the previous Schedule A on the row indicated as "Old." All totals will calculate automatically.

PIN Fiscal Share	"Current" or "Old" entry indicator	Funding Source (Percentage)	TOTAL Costs	FEDERAL Funds	STATE Funds	LOCAL Funds	LOCAL DEPOSIT AMOUNT (Required only if State Administered)
1762.72.301	Current	Other (see FN) **	\$1,500,000.00		\$1,500,000	\$0.00	\$0.00
	Old		\$ 0.00	\$0.00	\$0.00	\$0.00	\$0.00
. . .	Current		\$ 0.00	\$0.00	\$0.00	\$0.00	\$0.00
	Old		\$ 0.00	\$0.00	\$0.00	\$0.00	\$0.00
. . .	Current		\$ 0.00	\$0.00	\$0.00	\$0.00	\$0.00
	Old		\$ 0.00	\$0.00	\$0.00	\$0.00	\$0.00
. . .	Current		\$ 0.00	\$0.00	\$0.00	\$0.00	\$0.00
	Old		\$ 0.00	\$0.00	\$0.00	\$0.00	\$0.00
. . .	Current		\$ 0.00	\$0.00	\$0.00	\$0.00	\$0.00
	Old		\$ 0.00	\$0.00	\$0.00	\$0.00	\$0.00
. . .	Current		\$ 0.00	\$0.00	\$0.00	\$0.00	\$0.00
	Old		\$ 0.00	\$0.00	\$0.00	\$0.00	\$0.00
. . .	Current		\$ 0.00	\$0.00	\$0.00	\$0.00	\$0.00
	Old		\$ 0.00	\$0.00	\$0.00	\$0.00	\$0.00
. . .	Current		\$ 0.00	\$0.00	\$0.00	\$0.00	\$0.00
	Old		\$ 0.00	\$0.00	\$0.00	\$0.00	\$0.00
. . .	Current		\$ 0.00	\$0.00	\$0.00	\$0.00	\$0.00
	Old		\$ 0.00	\$0.00	\$0.00	\$0.00	\$0.00
TOTAL CURRENT COSTS:			\$1,500,000.00	\$ 0.00	\$1,500,000.00	\$ 0.00	\$ 0.00

SAMPLE BRIDGE NY RESOLUTION BY MUNICIPALITY
(Culvert Project – Municipality Administered)
RESOLUTION NUMBER: _____

Authorizing the implementation and funding of 100% of the costs of a transportation project, of which qualified costs may be reimbursed from Bridge NY funds.

WHEREAS, a project for the **Bridge NY Culvert, Olmstedville Road (CR 19) over Marshall Brook**, P.I.N. **1762.72 -D040956** (the "Project") is eligible for reimbursement of qualified costs from Bridge NY funding that calls for the post-reimbursement apportionment of the qualified costs to be borne at the ratio of 100 % Bridge NY funds and 0 % non-Bridge NY funds; and

WHEREAS, the **County of Warren** will design, let, and administer all phases of the Project.

WHEREAS, the **County of Warren** desires to advance the Project by making a commitment of 100% of the costs of Design, ROW Incidentals & Acquisition, and Construction/CI work for the Project or portions thereof.

NOW, THEREFORE, the **County Board of Supervisors**, duly convened does hereby

RESOLVE, that the **County Board of Supervisors** hereby approves the Project; and it is hereby further

RESOLVED, that the **County Board of Supervisors** hereby authorizes the **County of Warren** to pay 100% of the cost of Design, ROW Incidentals & Acquisition, and Construction/CI work for the Project or portions thereof, with the understanding that qualified costs will be reimbursed from Bridge NY funding; and it is further

RESOLVED, that the sum of **\$1,500,000.00 (one million five hundred dollars and no cents)** is hereby appropriated from _____ [or, appropriated pursuant to _____] and made available to cover the cost of participation in the above phase of the Project; and it is further

RESOLVED, that the **County Board of Supervisors** hereby agrees that the **County of Warren** shall be responsible for all costs of the Project, including costs which exceed the amount of reimbursement available from the NY Bridge Funding awarded to the **County of Warren**; and it is further

RESOLVED, that in the event the costs of the Project exceed the amount appropriated above, the **County Board of Supervisors** shall convene as soon as possible to appropriate said excess amount immediately upon the notification by the New York State Department of Transportation thereof, and it is further

RESOLVED, that the **County Board of Supervisors** hereby agrees that **County of Warren** hereby commits that construction of the Project shall begin no later than twenty-four (24) months after award and the construction phase of the Project shall be completed within thirty (30) months; and it is further

RESOLVED, that the **Chair of the County Board of Supervisors of the County of Warren** be and is hereby authorized to execute all necessary agreements, certifications or reimbursement requests with NYSDOT for State Aid and/or Bridge NY funding on behalf of the **County of Warren** in connection with the advancement or approval of the Project and providing for the administration of the Project and the municipality's funding of the Project costs, and it is further

RESOLVED, that the **County of Warren** will be responsible for all maintenance of the Project; and it is 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 it is further

RESOLVED, this Resolution shall take effect immediately.

RESOLUTION REQUEST FORM NO. 8

Request to Establish Capital Project or Capital Reserve Project*

****If this is the result of a grant award, also complete and submit Form No. 5 or 6***

DEPARTMENT NAME: DPW

DATE: 8/24/23

- (a) Exact Title **and** Number of Project (**must be obtained from Treasurer's Office**): Olmstedville Road (CR19) over Marshall Brook Culvert NY (PIN 1762.72), Town of Chester, H427.9550 280

- (b) Is this a Capital Project? Yes

- (c) Is this a Capital Reserve Project? No

- (d) Amount of Project: \$1,500,000.00

- (e) Source of Funding (including name & title of codes, etc.):
\$ 1,500,000.00 State Culvert NY funding (100%)

- (f) Purpose of Establishment: To fund the preliminary engineering, right of way incidentals and acquisitions and construction phases of the project

RESOLUTION REQUEST FORM NO. 5

Request to Apply for a Grant Application and Grant Agreement

DEPARTMENT NAME: DPW

DATE: 8/24/23

- (a) Purpose of Grant: Master State-Local Agreement for PIN 1762.76 Bay Road (CR7) over Unnamed Water Course South of Lockhart Mountain Culvert NY, Town of Queensbury (H428)

- (b) Name of Grantor: NYSDOT

- (c) Address of Contractor: 50 Wolf Road, Albany, NY 12205

- (d) Grantor's Contact Person and Telephone Number: Lorenzo Distefano
518.485.1715

- (e) Has or Will the Grant Application or Grant Agreement be provided, if so, Please Attach?

- (f) Effective Date of Grant: upon execution

- (g) Termination Date of Grant: upon completion

- (h) Total Dollar Amount Involved (not to exceed): \$1,500,000.00

- (i) Deadline to Submit Grant Application and/or Grant Agreement:

- (j) Is a Budget amendment required? If yes, also complete and submit Form No. 7.

- (k) Are the funds to go into a Capital Project or Capital Reserve Project? If yes, also complete and submit Form No. 8 or Form No. 9, as applicable.

- (i) Is a Local Share Required? If Yes, Where are the Funds? List Budget Code (with title), Object Code (with title), and Amount **OR** Capital Project **OR** Capital Reserve Project Number and Title and Amount: H428.9550 280 Bay

Road (CR7) over Unnamed water course south of Lockhart Mountain Culvert NY

BridgeNY Culvert Local Project Agreement

CONTRACT NO. **D040957**

This Agreement is by and between:

the New York State Department of Transportation ("NYSDOT"), having its principal office at 50 Wolf Road, Albany, NY 12232, on behalf of New York State ("State");

and the **County of Warren** (the "Municipality/Sponsor") with its office at **4028 Main Street, Warrensburg NY 12885**.

This Agreement identifies the party responsible for administration and establishes the method or provision for funding of applicable phases of a BridgeNY State aid project for the improvement or replacement of a culvert, not on the State highway system, as such project and phases are more fully described by Schedule A annexed to this Agreement. The phases that are potentially the subject of this Agreement, as further enumerated, are: Preliminary Engineering ("PE") and Right-of-Way Incidental ("ROW Incidentals") work; Right-of-Way Acquisition; and Construction, Construction Supervision and/or Construction Inspection. The project shall be identified for the purposes of this Agreement as **Bridge NY Culvert, Bay Road (CR 07) over Unnamed Water Course South of Lockhart Mountain** (as more specifically described in such Schedule A, the "Project").

WITNESSETH:

WHEREAS, project eligibility for the BridgeNY Program, and other State Aid Program funds is determined by NYSDOT; and

WHEREAS, under related authorizations, NYSDOT and the Municipality/Sponsor are desirous of progressing the Project under State Aid Programs; and

WHEREAS, under New York General Municipal Law § 99-r, the governing board of any municipal corporation may contract with NYSDOT for services and work including design and construction of the nature contemplated by the Project; and

WHEREAS, The Legislative Body of the Municipality/Sponsor by Resolution No. _____, adopted at meeting held on _____, approved the Project, and

WHEREAS, the Municipality/Sponsor has appropriated necessary funds in connection with any Municipal/Sponsor share identified in Schedule A; and

WHEREAS, the Municipality/Sponsor has further authorized the **Chair of the Board of Supervisors** of the Municipality/Sponsor to execute this Agreement and the applicable Schedule A on behalf of the Municipality/Sponsor and a copy of such Resolution(s) is attached to and made a part of this Agreement (where New York City is the Municipality/Sponsor, such resolution is not required).

**SCHEDULE A – Description of Project Phase, Funding and Deposit Requirements
 NYSDOT/ State-Local Agreement - Schedule A for PIN 1762.76**

OSC Contract #: <u>D040957</u>	Contract Start Date: <u> / / </u> (mm/dd/yyyy)	Contract End Date: <u> / / </u> (mm/dd/yyyy)
<input type="checkbox"/> Check, if date changed from the last Schedule A		
Purpose:	<input checked="" type="checkbox"/> Original Standard Agreement	<input type="checkbox"/> Supplemental Schedule A No.
Agreement Type:	<input checked="" type="checkbox"/> Locally Administered Municipality/Sponsor (Contract Payee): County of Warren	
	Other Municipality/Sponsor (if applicable):	
<input type="checkbox"/> State Administered	List participating Municipality(ies) and the % of cost share for each and indicate by checkbox which Municipality this Schedule A applies.	
	<input type="checkbox"/> Municipality:	% of Cost share
	<input type="checkbox"/> Municipality:	% of Cost share
	<input type="checkbox"/> Municipality:	% of Cost share
Authorized Project Phase(s) to which this Schedule applies:	<input checked="" type="checkbox"/> PE/Design	<input checked="" type="checkbox"/> ROW Incidentals
	<input checked="" type="checkbox"/> ROW Acquisition	<input checked="" type="checkbox"/> Construction/CI/CS
Work Type: HWY CULVERT	County (If different from Municipality):	
(Check, if Project Description has changed from last Schedule A): <input type="checkbox"/>		
Project Description: Bridge NY Culvert, Bay Road (CR 07) over Unnamed Water Course South of Lockhart Mountain		
Marchiselli Eligible <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No		

A. Summary of Participating Costs FOR ALL PHASES For each PIN Fiscal Share below, show current costs on the rows indicated as "Current.". Show the old costs from the previous Schedule A on the row indicated as "Old." All totals will calculate automatically.

PIN Fiscal Share	"Current" or "Old" entry indicator	Funding Source (Percentage)	TOTAL Costs	FEDERAL Funds	STATE Funds	LOCAL Funds	LOCAL DEPOSIT AMOUNT (Required only if State Administered)
1762.76.301	Current	Other (see FN) **	\$1,500,000.00		\$1,500,000	\$0.00	\$0.00
	Old		\$ 0.00	\$0.00	\$0.00	\$0.00	\$0.00
.	Current		\$ 0.00	\$0.00	\$0.00	\$0.00	\$0.00
	Old		\$ 0.00	\$0.00	\$0.00	\$0.00	\$0.00
.	Current		\$ 0.00	\$0.00	\$0.00	\$0.00	\$0.00
	Old		\$ 0.00	\$0.00	\$0.00	\$0.00	\$0.00
.	Current		\$ 0.00	\$0.00	\$0.00	\$0.00	\$0.00
	Old		\$ 0.00	\$0.00	\$0.00	\$0.00	\$0.00
.	Current		\$ 0.00	\$0.00	\$0.00	\$0.00	\$0.00
	Old		\$ 0.00	\$0.00	\$0.00	\$0.00	\$0.00
.	Current		\$ 0.00	\$0.00	\$0.00	\$0.00	\$0.00
	Old		\$ 0.00	\$0.00	\$0.00	\$0.00	\$0.00
.	Current		\$ 0.00	\$0.00	\$0.00	\$0.00	\$0.00
	Old		\$ 0.00	\$0.00	\$0.00	\$0.00	\$0.00
.	Current		\$ 0.00	\$0.00	\$0.00	\$0.00	\$0.00
	Old		\$ 0.00	\$0.00	\$0.00	\$0.00	\$0.00
.	Current		\$ 0.00	\$0.00	\$0.00	\$0.00	\$0.00
	Old		\$ 0.00	\$0.00	\$0.00	\$0.00	\$0.00
TOTAL CURRENT COSTS:			\$1,500,000.00	\$ 0.00	\$1,500,000.00	\$ 0.00	\$ 0.00

SAMPLE BRIDGE NY RESOLUTION BY MUNICIPALITY
(Culvert Project – Municipality Administered)
RESOLUTION NUMBER: _____

Authorizing the implementation and funding of 100% of the costs of a transportation project, of which qualified costs may be reimbursed from Bridge NY funds.

WHEREAS, a project for the **Bridge NY Culvert, Bay Road (CR 07) over Unnamed Water Course South of Lockhart Mountain, P.I.N. 1762.76** (the "Project") is eligible for reimbursement of qualified costs from Bridge NY funding that calls for the post-reimbursement apportionment of the qualified costs to be borne at the ratio of 100% Bridge NY funds and 0% non-Bridge NY funds; and

WHEREAS, the **County of Warren** will design, let, and administer all phases of the Project.

WHEREAS, the **County of Warren** desires to advance the Project by making a commitment of 100% of the costs of Design, ROW Incidentals & Acquisition, and Construction/CI work for the Project or portions thereof.

NOW, THEREFORE, the **County Board of Supervisors**, duly convened does hereby

RESOLVE, that the **County Board of Supervisors** hereby approves the Project; and it is hereby further

RESOLVED, that the **County Board of Supervisors** hereby authorizes the **County of Warren** to pay 100% of the cost of Design, ROW Incidentals & Acquisition, and Construction/CI work for the Project or portions thereof, with the understanding that qualified costs will be reimbursed from Bridge NY funding; and it is further

RESOLVED, that the sum of **\$1,500,000.00 (one million five hundred dollars and no cents)** is hereby appropriated from _____ [or, appropriated pursuant to _____] and made available to cover the cost of participation in the above phase of the Project; and it is further

RESOLVED, that the **County Board of Supervisors** hereby agrees that the **County of Warren** shall be responsible for all costs of the Project, including costs which exceed the amount of reimbursement available from the NY Bridge Funding awarded to the **County of Warren**; and it is further

RESOLVED, that in the event the costs of the Project exceed the amount appropriated above, the **County Board of Supervisors** shall convene as soon as possible to appropriate said excess amount immediately upon the notification by the New York State Department of Transportation thereof, and it is further

RESOLVED, that the **County Board of Supervisors** hereby agrees that **County of Warren** hereby commits that construction of the Project shall begin no later than twenty-four (24) months after award and the construction phase of the Project shall be completed within thirty (30) months; and it is further

RESOLVED, that the **Chair of the County Board of Supervisors of the County of Warren** be and is hereby authorized to execute all necessary agreements, certifications or reimbursement requests with NYSDOT for State Aid and/or Bridge NY funding on behalf of the **County of Warren** in connection with the advancement or approval of the Project and providing for the administration of the Project and the municipality's funding of the Project costs, and it is further

RESOLVED, that the **County of Warren** will be responsible for all maintenance of the Project; and it is 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 it is further

RESOLVED, this Resolution shall take effect immediately.

RESOLUTION REQUEST FORM NO. 8

Request to Establish Capital Project or Capital Reserve Project*

****If this is the result of a grant award, also complete and submit Form No. 5 or 6***

DEPARTMENT NAME: DPW

DATE: 8/24/23

- (a) Exact Title **and** Number of Project (**must be obtained from Treasurer's Office**): Bay Road (CR 7) over Unnamed Watercourse South of Lockhart Mountain, (PIN 1762.76), Town of Queensbury, H428.9550 280
- (b) Is this a Capital Project? Yes
- (c) Is this a Capital Reserve Project? No
- (d) Amount of Project: \$1,500,000.00
- (e) Source of Funding (including name & title of codes, etc.):
\$ 1,500,000.00 State Culvert NY funding (100%)
- (f) Purpose of Establishment: To fund the preliminary engineering, right of way incidentals and acquisitions and construction phases of the project

RESOLUTION REQUEST FORM NO. 6

Request to Amend or Extend Existing Grant

DEPARTMENT NAME: DPW

DATE: 7/28/23

- (a) Purpose of Grant Amendment: To add Row Incidental phase funding for PIN 1761.49 East Shore Drive (aka Adirondack Bridge) (BIN 3305280) and Johnson Road (aka Beaver Pond Bridge) (BIN 3305300) Bridge Replacements over Mill Brook, Town of Horion (H425)
- (b) Resolution No. which Authorized Original Application and Grant: 150 of 2023
- (c) Name of Grantor: NYSDOT
- (d) Address of Grantor: 50 Wolf Road, Albany, NY 12232
- (e) Grantor's Contact Person and Telephone Number: Lorenzo Distefano (518) 485-1715
- (f) Has or Will the Grant Amendment or Grant Extension be provided, if so, Please Attach? Attached
- (g) Effective Date of Amendment or Extension: upon execution
- (h) Termination Date of Amendment or Extension: 3/20/2033
- (i) Total Dollar Amount Involved (not to exceed): increase of \$31,750.00
- (j) Is a Budget amendment required? If yes, please complete and submit Form No. 7.
- (k) Are the funds to go into a Capital Project or Capital Reserve Project? If yes, also complete and submit Form No. 8 or Form No. 9, as applicable.
- (l) Is a Local Share Required? If Yes, Where are the Funds? List Budget Code, Object Code, Full Title* and Amount **OR** Capital Project **OR** Capital Reserve Project Number and Title and Amount: H425.9550 280 Adirondack Bridge and Beaver Pond Bridge Replacement Project

Sample: A.1010 470 Legislative Board – Contract \$xx.xx

Capital Project No. H289.9550 480 – Old Jail Renovations \$xx.xx

*as listed in budget and LOGOS

Sponsor: **County of Warren**
 PIN: **1761.49** BIN: _____
 Comptroller's Contract No. **D040830**
 Supplemental Agreement No.1
 Date Prepared: **8/11/2023** By: **jc**
 Initials

Press F1 for instructions in the blank fields:

SUPPLEMENTAL AGREEMENT No. 1 to 040830 (Comptroller's Contract No.)

This Supplemental Agreement is by and between:

the New York State Department of Transportation ("NYSDOT"), having its principal office at 50 Wolf Road, Albany, NY 12232, on behalf of New York State ("State");

and

County of Warren (the Sponsor)
 Acting by and through the **Board of Supervisors**
 with its office at **4028 Main Street, Warrensburg, NY 12232**

This amends the existing Agreement between the parties in the following respects only (*check applicable categories*):

Amends a previously adopted Schedule A by (*check as applicable*):

- amending a project description
- amending the contract end date
- amending the scheduled funding by:
 - adding additional funding (*check and enter the # phase(s) as applicable*):
 - adding phase **Right of Way** which covers eligible costs incurred on/after **1/25/2021**
 - adding phase _____ which covers eligible costs incurred on/after / /
 - increasing funding for a project phase(s)
 - adding a pin extension
 - change from Non-Marchiselli to Marchiselli
 - deleting/reducing funding for a project phase(s)
 - other (_____)

Amends a previously adopted Schedule "B" (Phases, Sub-phase/Tasks, and Allocation of Responsibility)

Amends a previously adopted Agreement by replacing the Appendix A dated January 2014 with the Appendix A dated October 2019

Amends the text of the Agreement as follows (*insert text below*):

Sponsor: **County of Warren**
PIN: **1761.49** BIN: _____
Comptroller's Contract No. **D040830**
Supplemental Agreement No.1
Date Prepared: **8/11/2023** By: **jc**
Initials

Press F1 for instructions in the blank fields:

IN WITNESS WHEREOF, the parties have caused this Agreement to be executed by their duly authorized officials as of the date first above written.

SPONSOR:

SPONSOR ATTORNEY:

By: _____

By: _____

Print Name: _____

Print Name: _____

Title: _____

STATE OF NEW YORK

)ss.:

COUNTY OF Warren

On this _____ day of _____, 20__ before me personally came _____ to me known, who, being by me duly sworn did depose and say that he/she resides at _____; that he/she is the _____ of the Municipal/Sponsor Corporation described in and which executed the above instrument; (except New York City) that it was executed by order of the _____ of said Municipal/Sponsor Corporation pursuant to a resolution which was duly adopted on _____ and which a certified copy is attached and made a part hereof; and that he/she signed his/her name thereto by like order.

Notary Public

APPROVED FOR NYSDOT:

**APPROVED AS TO FORM:
STATE OF NEW YORK ATTORNEY GENERAL**

BY: _____
For Commissioner of Transportation

Agency Certification: In addition to the acceptance of this contract I also certify that original copies of this signature page will be attached to all other exact copies of this contract.

By: _____
Assistant Attorney General

Date: _____

COMPTROLLER'S APPROVAL:

By: _____
For the New York State Comptroller
Pursuant to State Finance Law '112

**SCHEDULE A – Description of Project Phase, Funding and Deposit Requirements
 NYSDOT/ State-Local Agreement - Schedule A for PIN 1761.49**

OSC Contract #: <u>D040830</u>	Contract Start Date: <u>3/20/2023</u> <small>(mm/dd/yyyy)</small> Contract End Date: <u>3/20/2033</u> <small>(mm/dd/yyyy)</small> <input type="checkbox"/> Check, if date changed from the last Schedule A
Purpose:	<input type="checkbox"/> Original Standard Agreement <input checked="" type="checkbox"/> Supplemental Schedule A No. 1
Agreement Type:	<input checked="" type="checkbox"/> Locally Administered Municipality/Sponsor (Contract Payee): Warren County Other Municipality/Sponsor (if applicable): <hr/> <input type="checkbox"/> State Administered <i>List participating Municipality(ies) and the % of cost share for each and indicate by checkbox which Municipality this Schedule A applies.</i> <input type="checkbox"/> Municipality: % of Cost share <input type="checkbox"/> Municipality: % of Cost share <input type="checkbox"/> Municipality: % of Cost share
Authorized Project Phase(s) to which this Schedule applies:	<input checked="" type="checkbox"/> PE/Design <input checked="" type="checkbox"/> ROW Incidentals <input type="checkbox"/> ROW Acquisition <input type="checkbox"/> Construction/CI/CS
Work Type: BR REPLACE	County (If different from Municipality):
<i>(Check, if Project Description has changed from last Schedule A):</i> <input type="checkbox"/>	
Project Description: Adirondack Bridge (BIN 3305280) and Beaver Pond Bridge (BIN 3305300) Bridge Replacements over Mill Brook, Town of Horicon, New York	
Marchiselli Eligible <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	

A. Summary of Participating Costs FOR ALL PHASES *For each PIN Fiscal Share below, show current costs on the rows indicated as "Current.". Show the old costs from the previous Schedule A on the row indicated as "Old." All totals will calculate automatically.*

PIN Fiscal Share	"Current" or "Old" entry indicator	Funding Source (Percentage)	TOTAL Costs	FEDERAL Funds	STATE Funds	LOCAL Funds	LOCAL DEPOSIT AMOUNT (Required only if State Administered)
1761.49.121	Current	STP	\$440,308.00	\$352,246.00	\$66,046.00	\$22,016.00	\$0.00
	Old		\$440,308.00	\$352,246.00	\$66,046.00	\$22,016.00	\$0.00
1761.49.221	Current	STP (80%)	\$31,750.00	\$25,400.00	\$4,763.00	\$1,587.00	\$0.00
	Old		\$ 0.00	\$0.00	\$0.00	\$0.00	\$0.00
.	Current		\$ 0.00	\$0.00	\$0.00	\$0.00	\$0.00
	Old		\$ 0.00	\$0.00	\$0.00	\$0.00	\$0.00
.	Current		\$ 0.00	\$0.00	\$0.00	\$0.00	\$0.00
	Old		\$ 0.00	\$0.00	\$0.00	\$0.00	\$0.00
.	Current		\$ 0.00	\$0.00	\$0.00	\$0.00	\$0.00
	Old		\$ 0.00	\$0.00	\$0.00	\$0.00	\$0.00
.	Current		\$ 0.00	\$0.00	\$0.00	\$0.00	\$0.00
	Old		\$ 0.00	\$0.00	\$0.00	\$0.00	\$0.00
.	Current		\$ 0.00	\$0.00	\$0.00	\$0.00	\$0.00
	Old		\$ 0.00	\$0.00	\$0.00	\$0.00	\$0.00
.	Current		\$ 0.00	\$0.00	\$0.00	\$0.00	\$0.00
	Old		\$ 0.00	\$0.00	\$0.00	\$0.00	\$0.00
.	Current		\$ 0.00	\$0.00	\$0.00	\$0.00	\$0.00
	Old		\$ 0.00	\$0.00	\$0.00	\$0.00	\$0.00
TOTAL CURRENT COSTS:			\$472,058.00	\$377,646.00	\$70,809.00	\$23,603.00	\$ 0.00

NYSDOT/State-Local Agreement – Schedule A PIN 1761.49

B. Local Deposit(s) from Section A:	\$ 0.00
Additional Local Deposit(s)	\$0.00
Total Local Deposit(s)	\$ 0.00

C. Total Project Costs <i>All totals will calculate automatically.</i>			
Total FEDERAL Cost	Total STATE Cost	Total LOCAL Cost	Total ALL SOURCES Cost
\$377,646.00	\$70,809.00	\$23,603.00	\$472,058.00
			Total FEDERAL Cost
			\$377,646.00
			Total STATE Cost
			\$70,809.00
SFS TOTAL CONTRACT AMOUNT			\$448,455.00

D. Point of Contact for Questions Regarding this Schedule A (Must be completed)	Name: <u>Josephine Carrasquillo</u> Phone No: <u>518-242-5074</u>
--	--

See Agreement (or Supplemental Agreement Cover) for required contract signatures.

Footnotes (FN): (See LPB's SharePoint for link to sample footnotes)

- This Supplemental Agreement #1 adds Right of Way (ROW) phase of the project. ROW=\$ 31,750.00
-
- This Master Agreement is for the Design phase of the project. Preliminary Design = \$296,575.00, Detailed Design (AC:ed) =\$143,733.00
-
- Effective May 2015, per FHWA, we are only able to authorize preliminary design phases I-IV. The agreement however will be for I-VI. This allows for only one agreement and V and VI will be authorized with advanced construction funds. After Design approval and NEPA concurrence, we are able to ask for V and VI. IN SUMMATION: WE NOW HAVE TO GET FEDERAL AUTHORIZATION FOR DETAILED DESIGN SEPARATELY BEFORE INCURRING ANY COSTS. IF COSTS ARE INCURED THEY WILL NOT BE FEDERALLY ELIGIBLE.
-
- At this time the non-federal share of Project Construction and Construction Inspection (CI) costs identified for federal aid funding in this agreement is to be provided entirely by the Municipality. No subsidy or reimbursement of any portion of that local match is provided by New York State's Marchiselli Program or this contract at this time. Furthermore, this Agreement does not assure that any Marchiselli aid for the Project or phase hereunder will be authorized or available in the future. If the Project (and the phase of work) is eligible for State aid under the Marchiselli Program, and such aid is duly requested by the Municipality, NYSDOT may (subject to budgetary requirements) submit an appropriate request for Marchiselli funding authorization by the Legislature. If Legislative authorization for such funding is received, NYSDOT and the Municipality may enter a supplemental agreement providing such Marchiselli aid. Only then would Marchiselli aid be available to the affected Project and phase.
-
-

SAMPLE RESOLUTION BY MUNICIPALITY
(Locally Administered Project)
RESOLUTION NUMBER:

A Resolution authorizing the implementation, and funding in the first instance 100% of the federal-aid and State "Marchiselli" Program-aid eligible costs, of a transportation federal-aid project, and appropriating funds therefore

WHEREAS, a Project, **Adirondack Bridge (BIN 3305280) and Beaver Pond Bridge (BIN 3305300) Bridge Replacements over Mill Brook, Town of Horicon, New York PIN 1761.49** (the Project") is eligible for funding under Title 23 U.S. Code, as amended, that calls for the apportionment of the costs such program to be borne at the ratio of 80 % Federal funds and 20 % non-federal funds; and

WHEREAS, the County of Warren desires to advance the Project by making a commitment of 100% of the non-federal share of the costs of Design

NOW, THEREFORE, the County of Warren duly convened does hereby

RESOLVE, that the Warren County Board of Supervisors hereby approves the above-subject project; and it is hereby further

RESOLVED, that the Warren County Board of Supervisors hereby authorizes the County of Washington to pay in the first instance 100% of the federal and non-federal share of the cost of Design work for the Project or portions thereof; and it is further

RESOLVED, that the sum of \$31,750.00 (Thirty-one thousand seven hundred fifty dollars and no cents) is hereby appropriated from the _____ and made available to cover the cost of participation in the above phase of the Project; and it is further

RESOLVED, that in the event the full federal and non-federal share costs of the project exceeds the amount appropriated above, the Warren County Board of Supervisors shall convene as soon as possible to appropriate said excess amount immediately upon the notification by the New York State Department of Transportation thereof, and it is further

RESOLVED, that the Chairman of the Board of Supervisors of Warren County be and is hereby authorized to execute all necessary Agreements, certifications or reimbursement requests for Federal Aid and/or Marchiselli Aid on behalf of the County of Warren 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 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 it is 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 it is further

RESOLVED, this Resolution shall take effect immediately

STATE OF NEW YORK }
 } ss.:
COUNTY OF WARREN }

I, the undersigned,

DO HEREBY CERTIFY that I have compared the above copy of a resolution adopted _____, 20__ with the original record in this office and that the same is a correct transcript thereof and of the whole of said original record.

IN TESTIMONY WHEREOF, I have hereunto set my hand and affixed the official seal of said _____

This ____ day of _____, 20__.

Clerk

RESOLUTION REQUEST FORM NO. 9

Request to Increase or Decrease or Amend Existing Capital Project or Capital Reserve Project*

****If this is the result of a grant award, also complete and submit Form No. 5 or 6***

DEPARTMENT NAME: DPW

DATE: 8/24/23

- (a) Exact Title and Number of Project*: H425 Adirondack Bridge and Beaver Pond Bridge Replacements over Mill Brook (T/O Horicon)
- (b) Is this a Capital Project? Yes
- (c) Is this a Capital Reserve Project? No
- (d) Amount of Increase (if applicable): \$31,750.00
- (e) Amount of Decrease (if applicable): N/A
- (f) Source of Funding (if Increase) (including name & title of codes, etc.):
 - \$25,400.00 Federal Share (80%)
 - \$ 4,763.00 State Marchiselli Share (15%)
 - \$ 1,587.00 Local Match (Transfer from D.9950 910)
- (g) Changes in Funding (if Amendment):
- (h) Purpose of Increase or Decrease or Amendment: To fund project Right of Way Incidental phase