

RESOLUTION NO. 16

AUTHORIZING AN AGREEMENT WITH THE NYS DEPARTMENT OF TRANSPORTATION REGARDING SUPPLEMENTAL AGREEMENT NO. 3 FOR THE WATERVLIET-SHAKER ROAD/NEW KARNER ROAD TO ALBANY-SHAKER ROAD PROJECT

Introduced: 2/14/11

By Public Works Committee:

WHEREAS, A project for the Highway Reconstruction of Watervliet Shaker Road: New Karner Road to Albany Shaker Road, Albany County, P.I.N. 1754.04 (the "Project") is eligible for funding under Title 23 U.S. Code, as amended, that calls for the apportionment of the costs of such program to be borne at the ratio of 80% federal funds and 20% non-federal funds, and

WHEREAS, The County of Albany desires to advance the Project by making a commitment of 100% of the non-federal share of the costs of right-of-way incidentals and right-of-way acquisition work for the Project or portions thereof, with the federal share of such costs to be applied directly by the New York State Department of Transportation (NYSDOT) pursuant to agreement, now, therefore be it

RESOLVED, By the Albany County Legislature, duly convened, does hereby approve the above-subject Project, and, be it further

RESOLVED, That the County Legislature hereby authorizes the County of Albany to pay in the first instance the full non-federal share of the cost right-of-way incidentals and right-of-way acquisition work for the Project or portions thereof, and, be it further

RESOLVED, That the sum of One million one hundred fifty thousand three hundred fifty dollars and eighty cents (\$1,150,350.80) has already been appropriated from H522.S1 and made available to cover the cost of participation in the State Administered Construction phase of the Project, and, be it further

RESOLVED, That the sum of One million dollars (\$1,000,000) has already been appropriated from H522.S1 and made available to cover the cost of participation in the Locally Administered Construction Inspection phase of the Project, and, be it further

RESOLVED, That an additional sum of Two Hundred twenty five thousand one hundred forty dollars (\$225,140) has already been appropriated from H522.S1

and made available to cover the cost of participation in the right-of-way incidentals and right-of-way acquisition phases of the Project, and, be it further

RESOLVED, That an additional sum of One Hundred thirty nine thousand three hundred sixty nine dollars and twenty cents (\$139,369.20) is hereby appropriated from H522.R6 and made available to cover the additional cost of participation in the State Administered Construction Phase of the Project, and, be it further

RESOLVED, That in the event the non-federal share of the costs of the Project exceed the amount appropriated above, the County Legislature of Albany County shall convene as soon as possible to appropriate said excess amount upon the notification by the New York State Department of Transportation thereof, and, be it further

RESOLVED, That the County Executive is authorized to execute all necessary agreements, certifications or reimbursement requests for Federal Aid and/or Marchiselli Aid on behalf of the County of Albany 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 non-federal share 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 therefor that are not so eligible, and, be it further

RESOLVED, That this resolution shall take effect immediately and a certified copy of this resolution shall be filed with the New York State Commissioner of Transportation by attaching it to any necessary agreement in connection with the Project.

Adopted by unanimous vote. 2/14/11