

RESOLUTION NO. 436

AUTHORIZING SUPPLEMENTAL AGREEMENT NO. 1 WITH THE NEW YORK STATE DEPARTMENT OF TRANSPORTATION REGARDING THE CR9 (BRADT HOLLOW ROAD) OVER FOX CREEK IN THE TOWN OF BERNE

Introduced: 11/13/17

By Public Works Committee:

WHEREAS, A project BIN 3300880, for the CR9 (Bradt Hollow Road) Over Fox Creek Bridge Replacement Project in the Town of Berne, Albany County, P.I.N. 1758.92 (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 for permanent repair work and 100% Federal funds for Emergency work, 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 Design and Construction, 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 100% of the federal and non-federal share of the cost of design work for the Project or portions thereof, and, be it further

RESOLVED, That the sum of \$218,412 has already been appropriated and made available to cover the cost of participation in the design phase of the Project, and, be it further

RESOLVED, That the sum of \$1,838,154 is hereby appropriated and made available to cover the cost of participation in the construction phase of the project from the funds available from the bond authorized by Resolution 515 for 2015, adopted December 7, 2015 and, be it further

RESOLVED, That in the event the full federal and non-federal share costs of the project exceeds the amount appropriated above, the Albany County Legislature 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 of Albany County 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 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 project costs and permanent funding of the local share of federal-aid and state-aid eligible Project costs and all Project costs within appropriations thereof that are not so eligible, and, be it further

RESOLVED, That a certified copy of this resolution be filed with the New York State Commissioner of Transportation and the appropriate County Officials by attaching it to any necessary Agreement in connection with the Project, and, it is further

RESOLVED, That this resolution shall take effect immediately.

Adopted by unanimous vote. 11/13/17