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By Legislators Allkofer, Wilt and Delehanty

Intro. No. ____

RESOLUTION NO. ____ OF 2020

**AUTHORIZING INTERMUNICIPAL AGREEMENT WITH NEW YORK STATE
DEPARTMENT OF TRANSPORTATION FOR OPERATION AND MAINTENANCE OF
COLONEL PATRICK O'RORKE BRIDGE**

BE IT RESOLVED BY THE LEGISLATURE OF THE COUNTY OF MONROE, as follows:

Section 1. The County Executive, or his designee, is hereby authorized to execute an intermunicipal agreement, and any amendments thereto, with the New York State Department of Transportation for reimbursement to the County of appropriate costs relating to the operation and maintenance of the Colonel Patrick O'Rorke Bridge, in an amount not to exceed \$880,000, commencing on October 1, 2019 and ending September 30, 2021, with the option to renew for two (2) additional two-year terms upon mutual consent of both parties and with the approval of the New York State Attorney General's Office and the New York State Comptroller, in an amount not to exceed \$880,000 for each additional term.

Section 2. The attached resolution required by New York State for the Operation and Maintenance of the Colonel Patrick O'Rorke Bridge Project is hereby incorporated by reference and adopted.

Section 3. Funding for this agreement is included in the 2020 operating budget of the Department of Transportation, road fund 9002, funds center 8005020000, O'Rorke Bridge Operations, and will be requested in future years' budgets.

Section 4. This resolution shall take effect in accordance with Section C2-7 of the Monroe County Charter.

Intergovernmental Relations Committee; January 29, 2020 - CV: 4-0
Transportation Committee; January 28, 2020 - CV: 7-0
Ways and Means Committee; January 29, 2020 - CV: 11-0
File No. 20-0012

ADOPTION: Date: _____ Vote: _____

ACTION BY THE COUNTY EXECUTIVE

APPROVED: _____ VETOED: _____

SIGNATURE: _____ DATE: _____

EFFECTIVE DATE OF RESOLUTION: _____

ATTACHMENT TO REFERRAL

RESOLUTION INCORPORATED WITHIN AND ATTACHED TO RESOLUTION NO. ____ OF 2020

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 therefor.

WHEREAS, a Project for the Operation and Maintenance of the Colonel Patrick O'Rourke Memorial Bridge, P.I.N. 4T39.20 (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 0% Federal funds and 100% non-federal funds; and

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

NOW, THEREFORE, the Legislature of the County of Monroe ("Legislature"), duly convened does hereby

RESOLVE, that the Legislature hereby approves the above-subject project; and it is hereby further

RESOLVED, that the Legislature hereby authorizes the County of Monroe 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 \$880,000 is hereby appropriated pursuant to the annual Monroe County Operating Budget 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 Legislature shall convene as soon as possible to appropriate said excess amount immediately upon the notification by the County of Monroe thereof, and it is further

RESOLVED, that the County Executive, or designee, of the County of the Monroe 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 the Monroe 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 therefor 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.



Office of the County Executive
Monroe County, New York

Adam J. Bello
County Executive

January 10, 2020

To The Honorable
Monroe County Legislature
407 County Office Building
Rochester, New York 14614

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| OFFICIAL FILE COPY |
| No. <u>200012</u> |
| Not to be removed from the Office of the Legislature Of Monroe County |
| Committee Assignment |
| INTRGOV REL -L |
| TRANSPORTATION |
| WAYS & MEANS |

Subject: Authorize an Intermunicipal Agreement with the New York State Department of Transportation for the Operation and Maintenance of the Colonel Patrick O'Rorke Bridge

Honorable Legislators:

I recommend that Your Honorable Body authorize an intermunicipal agreement with the New York State Department of Transportation for reimbursement to the County of appropriate costs relating to the operation and maintenance of the Colonel Patrick O'Rorke Bridge, in an amount not to exceed \$880,000, commencing on October 1, 2019 and ending September 30, 2021, with the option to renew for two (2) additional two-year terms upon mutual consent of both parties and with the approval of the New York State Attorney General's Office and the Office of the New York State Comptroller, in an amount not to exceed \$880,000 for each additional term.

As a result of jurisdictional transfers from Monroe County to New York State that were finalized on November 26, 2007, the New York State Department of Transportation has assumed jurisdictional responsibility for the Colonel Patrick O'Rorke Bridge and its highway approaches. Since that time, the State has utilized Monroe County's experience in the operation of the bridge and would like to continue to do so. Therefore, to assist in this effort, the Monroe County Department of Transportation will be responsible for the operation and maintenance of the Colonel Patrick O'Rorke Bridge on behalf of the New York State Department of Transportation and will be reimbursed 100% of the related costs. The term will be for 24 months and will coincide with the State fiscal year.

The specific legislative actions required are:

1. Authorize the County Executive, or his designee, to execute an intermunicipal agreement, and any amendments thereto, with the New York State Department of Transportation for reimbursement to the County of appropriate costs relating to the operation and maintenance of the Colonel Patrick O'Rorke Bridge, in an amount not to exceed \$880,000, commencing on October 1, 2019 and ending September 30, 2021, with the option to renew for two (2) additional two-year terms upon mutual consent of both parties and with the approval of the New York State Attorney General's Office and the New York State Comptroller, in an amount not to exceed \$880,000 for each additional term.
2. Incorporate by reference and adopt the attached resolution required by New York State for the Operation and Maintenance of the Colonel Patrick O'Rorke Bridge Project.

Environmental assessments were completed for this action and it was determined that there would be no significant effect on the environment.

Funding for this agreement is included in the 2020 operating budget of the Department of Transportation, road fund 9002, funds center 8005020000, O'Rorke Bridge Operations, and will be requested in future years' budgets. No additional net County support is required in the current Monroe County budget.

I recommend that this matter be referred to the appropriate committee(s) for favorable action by Your Honorable Body.

Sincerely,



Adam J. Bello
Monroe County Executive

AJB:db

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