

The Legislature of Rockland County



ILAN S SCHOENBERGER
Legislator – District 4

Chair, Planning & Public Works Committee
Second Vice-Chair, Budget & Finance Committee
Economic Development Committee

AGENDA
PLANNING & PUBLIC WORKS COMMITTEE
TUESDAY, DECEMBER 9, 2014
7:00 p.m.

ROLL CALL

1. REFERRAL NO. 2799 APPROVING ADDITIONAL PURCHASES IN EXCESS OF \$100,000 WITH JOE LOMBARDO PLUMBING AND HEATING FOR PLUMBING SERVICES FOR EMERGENCY REPAIR REQUESTS AT VARIOUS COUNTY FACILITIES, ROCKLAND COMMUNITY COLLEGE, COUNTY RUN SATELLITES AND SPECIFIC RESIDENTIAL AREA COVERED UNDER SECTION 6 OF BID SPECIFICATIONS IN THE ADDITIONAL AMOUNT OF \$195,000 AND TO EXERCISE THE ONE YEAR OPTION TERM FROM JANUARY 22, 2015 THROUGH JANUARY 22, 2014 THROUGH JANUARY 21, 2016 FOR A TOTAL AMOUNT NOT TO EXCEED \$273,914.68 FOR THE PERIOD FROM JANUARY 22, 2014 THROUGH JANUARY 21, 2016 UNDER RFB-RC-2014-003 WITH ALL PURCHASES TO BE MADE BY FORMAL PURCHASE ORDER [DEPARTMENT OF GENERAL SERVICES-DIVISION OF PURCHASING] (\$273,914.68) (**PAUL BRENNAN, DIRECTOR OF PURCHASING, DGS/PURCHASING**) DL# 2014-04710
2. REFERRAL NO. 6394 AMENDING RESOLUTION NO. 433 OF 2014 APPROVING AN INTERMUNICIPAL AGREEMENT IN EXCESS OF \$100,000 BETWEEN THE COUNTY OF ROCKLAND AND THE TOWN OF CLARKSTOWN FOR A TOTAL CONTRACT SUM NOT TO EXCEED \$715,000, (NO COUNTY TAX DOLLARS) FOR REIMBURSEMENT FOR THE MAINTENANCE AND CAPITAL IMPROVMENTS OF PARK AND RIDE LOTS IN THE TOWN OF CLARKSTOWN AND AUTHORIZING ITS EXECUTION BY THE COUNTY EXECUTIVE FOR THE PERIOD FROM JANUARY 1, 2014 THROUGH DECEMBER 31, 2014 BY EXTENDING THE TERM THROUGH DECEMBER 31, 2015 [DEPARTMENT OF PUBLIC TRANSPORTATION] (\$715,000) (**DOUG SHUETZ, ACTING COMMISSIONER, PUBLIC TRANSPORTATION**) DL# 2014-05077
3. REFERRAL NO. 6394 AUTHORIZING THE IMPLEMENTATION AND FUNDING IN THE FIRST INSTANCE OF 100% OF FEDERAL-AID AND STATE "MARCHISELLI" PROGRAM-AID ELIGIBLE COSTS OF A TRANSPORTATION FEDERAL-AID PROJECT AND APPROPRIATING FUNDS FOR A PROJECT FOR THE BRIDGE REPLACEMENT OF OAK TREE ROAD OVER SPARKILL CREEK IN THE TOWN OF ORANGETOWN [DEPARTMENT OF HIGHWAYS] (\$430,000) (**CHARLES VEZZETTI, SUPERINTENDENT OF HIGHWAYS**) DL# 2014-04899

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4. REFERRAL NO. 5906

APPROVING ADDITIONAL PURCHASES IN EXCESS OF \$100,000 FROM NRP GROUP FOR THE INSTALLATION AND OPERATION OF ODOR CONTROL SYSTEMS AT VARIOUS PUMP STATIONS FOR THE ROCKLAND COUNTY SEWER DISTRICT NO. 1 IN THE ADDITIONAL AMOUNT OF \$122,265 AND TO EXERCISE THE FIRST OPTION TERM OF THE CONTRACT FROM DECEMBER 1, 2014 THROUGH NOVEMBER 30, 2015 FOR A TOTAL AMOUNT FOR A TOTAL AMOUNT NOT TO EXCEED \$244,530 FOR THE PERIOD FROM DECEMBER 1, 2013 THROUGH NOVEMBER 30, 2015 WITH THREE (3) ONE (1) YEAR OPTION TERMS WITH ALL PURCHASES TO BE MADE BY FORMAL PURCHASE ORDER UNDER RFB-RC-2012-025 [DEPARTMENT OF GENERAL SERVICES-DIVISION OF PURCHASING] (\$244,530) **(PAUL BRENNAN, DIRECTOR DGS/PURCHASING) DL# 2014-04750**

5. REFERRAL NO. 5906

APPROVING AMENDMENT TO OUTSIDE COUNSEL AGREEMENT COUNSEL AGREEMENT IN EXCESS OF \$100,000 WITH PANNONE LOPES DEVEREAUX & WEST LLC IN THE ADDITIONAL AMOUNT OF \$600,000 FOR A TOTAL CONTRACT SUM NOT TO EXCEED \$2,710,000 FOR SPECIAL COUNSEL SERVICES AND EXTENDING TERM THROUGH DECEMBER 31, 2015 AND AUTHORIZING ITS EXECUTION BY THE COUNTY EXECUTIVE [ROCKLAND COUNTY SEWER DISTRICT NO. 1] (\$2,710,000) **(DIANNE T. PHILIPPS, P.E. EXECUTIVE DIRECTOR, SEWER DISTRICT) DL# 2014-04859**

WHEREAS, The Director of Purchasing recommends to the County Executive and the Legislature of Rockland County that the County approve additional purchases with Joe Lombardo Plumbing and Heating, 321 Spook Rock Road, Suffern, New York 10901 to expedite emergency repair requests for the plumbing systems under the RFB in the additional amount of \$195,000 and to exercise the one year option term of the contract from January 22, 2015 to January 21, 2016 for a total amount not to exceed \$273,914.68 for the period from January 22, 2014 through January 21, 2016; and

WHEREAS, All purchases shall be made by formal purchase order, subject to the approval of the Director of Purchasing; and

WHEREAS, Sufficient funding for these purchases is provided for in the 2014 Adopted Budget for the Department of General Services and Rockland County Sewer District No.1 and is subject to the approval of the 2015 budget for these departments; and

WHEREAS, Local Law No. 18 of 1996 provides for the Legislature to approve the "execution of all contracts in excess of \$100,000 entered into by the County"; and

WHEREAS, The Committees of the Legislature have met, considered and unanimously approved this resolution, now, therefore, be it

RESOLVED, That the Legislature of Rockland County hereby approves additional purchases with Joe Lombardo Plumbing and Heating, 321 Spook Rock Road, Suffern, New York 10901 to expedite emergency repair requests for the plumbing systems under the RFB in the additional amount of \$195,000 and to exercise the one year option term of the contract from January 22, 2015 to January 21, 2016 for a total amount not to exceed \$273,914.68 for the period from January 22, 2014 through January 21, 2016 and authorizing all purchases to be made by formal purchase order, subject to the approval of the Director of Purchasing; and be it further

RESOLVED, That sufficient funding for these purchases is provided for in the 2014 Adopted Budget for the Department of General Services and Rockland County Sewer District No.1 and is subject to the approval of the 2015 budget for these departments.

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2014-04710
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DRAFT

Introduced by:

Referral No.

**RESOLUTION NO. OF 2014
AMENDING RESOLUTION NO. 433 OF 2014
APPROVING AN INTERMUNICIPAL AGREEMENT
IN EXCESS OF \$100,000
BETWEEN THE COUNTY OF ROCKLAND AND
THE TOWN OF CLARKSTOWN
FOR A TOTAL CONTRACT SUM NOT TO EXCEED \$715,000
(NO COUNTY TAX DOLLARS)
FOR REIMBURSEMENT FOR THE MAINTENANCE
AND CAPITAL IMPROVEMENTS OF PARK AND RIDE LOTS
IN THE TOWN OF CLARKSTOWN
AND AUTHORIZING ITS EXECUTION BY THE COUNTY EXECUTIVE
FOR THE PERIOD FROM JANUARY 1, 2014 THROUGH DECEMBER 31, 2014
BY EXTENDING THE TERM THROUGH DECEMBER 31, 2015
[DEPARTMENT OF PUBLIC TRANSPORTATION]
(\$715,000)**

WHEREAS, On October 7, 2014, the Legislature of the County of Rockland approved an intermunicipal agreement between the County of Rockland and the Town of Clarkstown to reimburse the Town of Clarkstown for maintenance and capital improvements of the Park and Ride lots within the Town, for the period from January 1, 2014 through December 31, 2014, in a total contract sum not to exceed \$715,000; and

WHEREAS, The Department of Public Transportation has been advised by the Town of Clarkstown that the intermunicipal agreement was approved too late in the year for the Town to complete capital improvements including paving of the Park and Ride lots within the Town in the calendar year 2014; and

WHEREAS, The Acting Commissioner of the Department of Public Transportation recommends to the County Executive and the Legislature of Rockland County that the County amend Resolution No. 433 of 2014 to extend the term of the intermunicipal agreement to reimburse the Town of Clarkstown for maintenance and capital improvements including paving of the Park and Ride lots within the Town, through December 31, 2015, in a total contract sum not to exceed \$715,000; and

WHEREAS, The agreement is 100% reimbursed by the New York State Department of Transportation; and

WHEREAS, The adoption of this resolution does not involve the expenditure of any County funds; and

DRAFT

WHEREAS, Sufficient funding for this agreement exists in the 2014 Budget of the Department of Public Transportation, \$350,000 from account E5060 and \$365,000 from E5410; and

WHEREAS, The Committees of the Legislature have met, considered and approved this resolution, now, therefore, be it

RESOLVED, That the Legislature of Rockland County hereby approves the amendment of Resolution No. 433 of 2014 to extend the term of the intermunicipal agreement to reimburse the Town of Clarkstown for maintenance and capital improvements including paving of the Park and Ride lots within the Town, through December 31, 2015, in a total contract sum not to exceed \$715,000, and authorizing its execution by the County Executive, subject to the approval of the County Attorney, and be it further

RESOLVED, This agreement is 100% reimbursed by the New York State Department of Transportation and requires the expenditure of no County funds, and be it further

RESOLVED, That sufficient funding for this agreement exists in the 2014 Budget of the Department of Public Transportation, \$350,000 from account E5060 and \$365,000 from E5410.

LHG:lo
2014-05077
11/25/14

RESOLVED, That the Rockland County Legislature hereby authorizes Rockland County to pay in the first instance 100% of the federal and non-federal share of the cost of the construction, construction supervision, and construction inspection work for the project or portions thereof; and be it further

RESOLVED, That the sum of \$430,000 (\$3,036,800 minus the previous \$2,606,800) is hereby appropriated from Capital Account No. 3300, and made available to cover the cost of participation in the above phases of the Project; 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 Rockland County Legislature shall convene as soon as possible to consider appropriating said excess amount immediately upon the notification by the County Executive thereof; and be it further

RESOLVED, That the County Executive of Rockland County be and is hereby authorized to execute all necessary Agreements, certifications or reimbursement requests for Federal Aid and/or applicable Marchiselli Aid on behalf of Rockland County 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 be it be it further

RESOLVED, That the County Executive of Rockland County is hereby authorized to execute any necessary Agreements or certifications on behalf of the County of Rockland, with NYSDOT in connection with the advancement or approval of the Project; and be it 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 be it further

RESOLVED, This Resolution shall take effect immediately.

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2014-04899
11/19/14

WHEREAS, The Director of Purchasing recommends that the County Executive and the Legislature of Rockland County approve the additional purchases in excess of \$100,000 from NRP Group, 9131 East 37th Street, North Wichita, KS 67226-2010 for the installation and operation of the odor control systems at various pump stations for the Rockland County Sewer District No. 1 under the RFB in the additional amount of \$122,265 and to exercise the first option term of the contract from December 1, 2014 through November 30, 2015 for a total amount not to exceed \$244,530 for the period from December 1, 2013 through November 30, 2015 with three (3) one (1) year option terms; and

WHEREAS, All purchases will be initiated by formal purchase order; and

WHEREAS, Sufficient funding for these purchases is provided for in the 2014 adopted budget of the Rockland County Sewer District No. 1, and is contingent upon 2015 budget appropriations; and

WHEREAS, Local Law No. 18 of 1996 provides for the Legislature to approve the "execution of all contracts in excess of \$100,000 entered into by the County"; and

WHEREAS, The Committees of the Legislature have met, considered and approved this resolution; now therefore be it

RESOLVED, That the Legislature of Rockland County hereby approves additional purchases in excess of \$100,000 from NRP Group, 9131 East 37th Street, North Wichita, Kansas 67226-2010 for the installation and operation of the odor control systems at various pump stations for the Rockland County Sewer District No. 1 under RFB-RC-2012-025 in the additional amount of \$122,265 and to exercise the first option term of the contract from December 1, 2014 through November 30, 2015 for a total amount not to exceed \$244,530 for the period from December 1, 2013 through November 30, 2015 with three (3) one (1) year option terms, and authorizes all purchase to be made by formal purchase order, subject to the approval of the Director of Purchasing; and be it further

RESOLVED, That sufficient funding for these purchases is provided for in the 2014 adopted budget of the Rockland County Sewer District No. 1, and is contingent upon 2015 budget appropriations.

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2014-04750
11/17/14

permit enforcement, environmental, litigation, construction, procurement, and other matters for the period from December 31, 2012 through December 31, 2014; and

WHEREAS, By Resolution 619 of 2013, the Legislature of Rockland County approved an additional amount of \$550,000 for a total contract sum not to exceed \$1,535,000 with the term remaining through December 31, 2014; and

WHEREAS, On December 12, 2013, the County, on behalf of the Rockland County Sewer District No. 1, entered into an amendment to the outside counsel agreement with Pannone, Lopes, Devereaux & West, LLC, 100 Church Street, 8th Floor, New York, New York 10007, in the additional amount of \$550,000, for a total contract amount not to exceed \$1,535,000 for special counsel services for legal matters including permit enforcement, environmental, litigation, construction, procurement, and other matters with the term remaining through December 31, 2014; and

WHEREAS, By Resolution 241 of 2014, the Legislature of Rockland County approved an additional amount of \$575,000 for a total contract sum not to exceed \$2,110,000 with the term remaining through December 31, 2014; and

WHEREAS, On May 21, 2014, the County on behalf of the Rockland County Sewer District No. 1, entered into an amendment to the outside counsel agreement with Pannone, Lopes, Devereaux & West, LLC, 100 Church Street, 8th Floor, New York, New York 10007, in the additional amount of \$575,000, for a total contract amount not to exceed \$2,110,000 for special counsel services for legal matters including permit enforcement, environmental, litigation, construction, procurement, and other matters with the term remaining through December 31, 2014; and

WHEREAS, The Sewer District now wishes to further amend the outside counsel agreement with Pannone, Lopes, Devereaux & West, LLC, relating to legal matters, including Wick's Law compliance, permit enforcement, environmental, litigation, construction, procurement and other matters; and

WHEREAS, The Sewer District has received a proposal for on-going legal services from Pannone, Lopes, Devereaux & West, LLC dated October 15, 2014 which requests an amendment to the existing agreement in the amount of \$600,000, for a total contract in the amount of \$2,710,000; and

WHEREAS, By Resolution No. 75 of 2014 the Board of Commissioners of the Rockland County Sewer District No. 1 authorized the amendment of the outside counsel agreement between the County on behalf of the Sewer District with Pannone, Lopes, Devereaux & West, LLC, 100 Church Street, 8th Floor, New York, New York 10007, in the additional amount of \$600,000, for a total contract sum not to exceed \$2,710,000, and extend the contract through December 31, 2015, subject to the approval of the Rockland County Legislature; and

WHEREAS, Local Law No. 18 of 1996 provides for the Legislature to approve “execution of all contracts in excess of \$100,000 entered into by the County;” and

WHEREAS, Sufficient funds are available to cover the amendment to this agreement within the 2014 Operating Budget of the Rockland County Sewer District No. 1, and is also contingent upon 2015 budget appropriations; and

WHEREAS, The _____ and _____ Committees of the Legislature have met, considered and unanimously approved this resolution; now therefore be it

RESOLVED, That the Legislature of Rockland County hereby approves the amendment to the outside counsel agreement between the County on behalf of the Rockland County Sewer District No. 1, with Pannone, Lopes, Devereaux & West, LLC, 100 Church Street, 8th Floor, New York, New York 10007, in the additional amount of \$600,000, for a total contract sum not to exceed \$2,710,000, relating to legal matters, including permit enforcement, litigation, construction claims, procurement, and other matters, and extending the term through December 31, 2015, and authorizes its execution by the County Executive, subject to the approval of the County Attorney; and be it further

RESOLVED, That sufficient funds are available to cover the amendment to this agreement within the 2014 Operating Budget of the Rockland County Sewer District No. 1, and is also contingent upon 2015 budget appropriations.

AR:vma
2014-04859
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