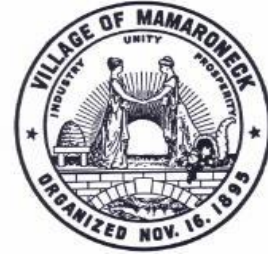


MEMORANDUM

Village of Mamaroneck



To: Jerry Barberio, Village Manager

From: Daniel J. Sarnoff, Deputy Village Manager

Re: Hillside Avenue Bridge – Additional Grant Funding
from Westchester County Flood Mitigation Fund

Date: May 11, 2023

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Pursuant to a stipulation and settlement agreement, the cost to replace the Hillside Avenue Bridge is to be borne equally among the Village of Mamaroneck, Town of Mamaroneck, and Town of Rye. While the replacement of the bridge was contemplated as part of the Army Corps of Engineers flood risk reduction project, in order to increase the overall Benefit Cost Ratio (BCR) of the project, that specific element (along with the replacement of the Waverly Avenue Bridge) was eliminated.

In 2016, the New York State Department of Transportation (NYSDOT) announced the establishment of the BridgeNY program through which grant funding of 95% or eligible project costs was available. Realizing the opportunity it presented, the three parties agreed to seek grant funding for the replacement of the Hillside Bridge with the Village of Mamaroneck, in accordance with the stipulation and settlement, being the lead entity. Based on initial estimates, the Village submitted a grant request for a project of \$3,000,000, or grant funding of \$2,850,000, with the balance of \$150,000 to be provided in-kind by the three participating municipalities (\$50,000 each)

In late, 2016, the Village was notified that it was the successful recipient of a grant, ultimately executing a Master Project Agreement with the NYSDOT in April 2017. Shortly thereafter the Village issued a Request for Expressions of Interest and selected the firm of Hudson Valley Engineering Associates as the engineering and design firm for the project.

Design on the project began in August 2017, and over the course of the next two (2) years it became apparent that the bridge costs, including design, property acquisition, construction and construction management, would likely exceed \$3,000,000, thereby increasing local shares from the Town of Mamaroneck, the Town of Rye and the Village of Mamaroneck and requiring additional funding from other sources.

In 2019, Village staff began meeting with Westchester County Planning Department Staff to review the project to determine if it was eligible to receive grant funding consideration through the County's Flood Mitigation Fund. Based on the improvements proposed, and that it was originally under consideration by the Army Corps of Engineers as part of its flood risk reduction project, it was determined to be eligible, and the Village applied for \$1,000,000 in grant funding. The County Planning Board met in July of 2019 and voted to add this project to the County Capital Budget & Plan, and on December 3, 2019, the Westchester County Board of Legislators approved the funding for the grant. Total grand funding for the project now stood at \$3,850,000.

Shortly thereafter, the COVID-19 Pandemic struck and while it did not drastically affect the final design of the bridge, it was not known how the impacts to the supply chain and the construction industry would impact the overall costs of the bridge. During calendar year 2020, indications were that contractors were submitting lower bids to remain working, but it was not known how they would adjust to the "new normal" in 2021.

On March 10, 2021, the Village held the bid opening for Hillside Avenue Bridge replacement. Nine (9) bids were received and opened with the lowest responsible bid received from Villa Construction Inc., in the amount of \$4,378,000, an amount higher than previously estimated. After reviewing the bids, the Village determined that it was appropriate to recommend award for several reasons including the following:

- 1) Revising the bid and specifications would require approval from the NYSDOT, and review by the Army Corps of Engineers, and likely the New York State Department of Parks, Recreation and Historic Preservation.
- 2) Rebidding of the project would likely result in higher prices.
- 3) The relatively small difference of 15.8% between the lowest responsible bid, and the highest bid.

The Village first sought additional grant funding from the NYSDOT, and by email of May 19, 2021, the NYSDOT informed the Village that Westchester County had agreed to transfer \$978,000 of funds from a grant program they administer to the Hillside Avenue Bridge Project. On June 7, 2021, however, the NYSDOT notified the Village that because Westchester County's grant funds came from a different programmatic element of the BridgeNY program, they could not be transferred. The Village, and its municipal partners, continued to review the options of either appealing to the Commissioner of the NYSDOT, or seeking funds from other sources, and by letter of June 1, 2022, the Town of Rye, on behalf of the three communities,

submitted a letter to Joan McDonald, Director of Operations for Westchester County, seeking their assistance with the NYSDOT.

Shortly thereafter, Westchester County Planning Department staff contacted village staff to review the possibility of applying for additional grant funding through the flood mitigation staff and asked that the village prepare a letter to the County that identified additional costs and request increased funding consideration. The Village prepared such a letter requesting additional grant funding of \$1,365,429.24 from the Westchester County Flood Mitigation program and hand delivered it to the Deputy Commissioner of the Westchester County Planning Department.

The County Board of Legislators began to review this request in early January 2023. I, along with Gary Zuckerman, Town of Rye Supervisor, presented the request to the Board of Legislators' Budget & Appropriation, and Public Works subcommittees on January 23. After a review of the project scope, the cost factors driving project costs, and the efforts the Village exhausted to seek additional grant funding through the NYSDOT, both subcommittees recommended that the full Board of Legislators approve the Village's request. As that evening, Board of Legislators meeting, they (BOL) unanimously approved the village request for additional grant funding. Based on this approval, the Village has received \$2,850,000 in BridgeNY grant funding, and \$2,365,429.24 in County funding, or revised total grant funding of \$5,215,429.24. Staff currently estimates that the total cost of the bridge project will be \$5,063,858.60. As the original grant agreement with Westchester was fully executed on January 6, 2021, the Village is only eligible to receive County reimbursement for expenses incurred after that date. Based on an initial accounting, the Village will be able to recoup \$5,003,185.11 through grant funds. This leaves an anticipated remaining balance of \$60,673.40 (or 1.1% of the total cost) to be funded by the Village of Mamaroneck, Town of Mamaroneck, and Town of Rye (\$20,224.47 each)

As a next step, the Village must execute an amendment to the existing intermunicipal agreement to increase the available funding that the Village can seek. The County has proffered such an agreement to the Village, and I respectfully request that this item be placed on the May 22, 2023, work session agenda for review and discussion. Given the alacrity with which the Village is trying to close the project out, I further request that, should the Board agree, this item also be placed on that evening's regular meeting for consideration. Preparation of the reimbursement request is a time intensive process, and this would allow staff the time necessary to prepare the reimbursement request.