

On motion of TRUSTEE _____, seconded by TRUSTEE _____, the following resolution was adopted by the Board of Trustees of the Village of Croton-on-Hudson, New York:

Resolution #2-2019

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 therefore.

WHEREAS, a Project for the Croton-on-Hudson Parking Facility Pedestrian and Bicycle Enhancements in the Village of Croton-on-Hudson, Westchester County, identified as PIN 8780.41 (the "Project") is eligible for funding under Title 23 U.S. Code, as amended, that calls for the apportionment of the costs such program to be borne at the ratio of 80% Federal funds and 20% non-federal funds; and

WHEREAS, a resolution was adopted by the Village of Croton-on-Hudson on April 12, 2010, which approved and agreed to advance the Project by making a commitment of 100% of the non-federal share of the costs of preliminary engineering, right-of-way, and construction.

WHEREAS, it was subsequently found necessary to undertake additional construction work not contemplated in the original agreement authorized by the previous Resolution; and

WHEREAS, it has been found necessary to increase the non-federal share of costs for the additional construction work for the project; and

WHEREAS, the New York State Department of Transportation has made available to the Village an additional \$250,000 of construction funds over and above the amount to be received from Federal funding as indicated in Schedule A of Supplemental Agreement No 1 between the Village of Croton-on-Hudson and the New York state Department of Transportation; and

WHEREAS, the Village of Croton-on-Hudson desires to advance the Project by making a commitment of 100% of the non-federal share of the costs of construction work for the Project or portions thereof.

NOW, THEREFORE, the Croton-on-Hudson Village Board, duly convened does hereby

RESOLVE, that the Croton-on-Hudson Village Board hereby approves the above-subject project; and it is hereby further

RESOLVED, that the Croton-on-Hudson Village Board hereby authorizes the Village of Croton-on-Hudson to pay in the first instance 100% of the non-federal share of the cost of the additional construction work for the Project or portions thereof; and it is further

RESOLVED, that the sum of \$250,000 (\$1,750,000 minus previous \$1,500,000) is hereby appropriated from Capital Account H5110.2106.10214 and made available to cover the cost of participation in the above phases of the Project; and it is further

RESOLVED, that in the event the non-federal share costs of the project exceeds the amount appropriated above, the Croton-on-Hudson Village Board shall convene as soon as possible to appropriate said excess amount immediately upon the notification by the Village Manager thereof, and it is further

RESOLVED, that the Village Manager of the Village of Croton-on-Hudson 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 the Village of Croton-on-Hudson 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 it is further

RESOLVED, that in addition to the Village Manager the Deputy Village Manager is also hereby authorized to execute any necessary Agreements or certifications on behalf of the Municipality/Sponsor, with NYSDOT in connection with the advancement or approval of the project identified in the State/Local Agreement;

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.

DATED: January 7, 2019

STATE OF NEW YORK)
) SS:
COUNTY OF WESTCHESTER)

I, _____, Clerk of the Village of Croton-on-Hudson, New York, do hereby certify that I have compared the foregoing copy of this Resolution with the original on file in my office, and that the same is a true and correct transcript of said original Resolution and of the whole thereof, as duly adopted by said _____ at a meeting duly called and held at the _____ on _____ by the required and necessary vote of the members to approve the Resolution.

WITNESS My Hand and the Official Seal of the Village of Croton-on-Hudson, New York, this _____ day of _____, 2019.

Clerk, Village of Croton-on-Hudson

SUPPLEMENTAL AGREEMENT NO 1 to D032540

This Supplemental Agreement is by and between:

the New York State Department of Transportation ("NYSDOT"), having its principal office at
50 Wolf Road, Albany, New York, 12232, on behalf of New York State ("State");

And

Village of Croton-on-Hudson (the Municipality/Sponsor)
Acting by and through the **Village Manager**
With its office at **1 Van Wyck Street, Croton-on-Hudson, Westchester County, New York**

This amends the existing Agreement between the parties in the following respects only:

- X** Amends a previously adopted Schedule A by:
 - ☐ amending a project description
 - ☐ amending the contract end date
 - X** amending the scheduled funding by:
 - ☐ adding additional funding:
 - ☐ adding 1,2,3 phase which covers eligible costs incurred on/after xxxxxx
 - ☐ adding 1,2,3 phase which covers eligible costs incurred on/after xxxxxx
 - X** increasing funding for a project phases(s) - Construction
 - X** adding a pin extension
 - ☐ change from Non-Marchiselli to Marchiselli
 - ☐ deleting/reducing a project phase(s)
 - ☐ other (xxxxx)
- ☐ Amends a previously adopted Schedule "B"
- X** Amends a previously adopted agreement by adding Appendix 2-S -- Iran Divestment Act
- ☐ Amends the Text of the Agreement as follows:

IN WITNESS WHEREOF, the parties have caused this agreement to be executed by its duly authorized officials as of the date first above written.

Approved for the Municipality/Sponsor

By: _____

Print Name: _____

Title: _____

Municipality/Sponsor Attorney:

By: _____

Print Name: _____

STATE OF NEW YORK)
)ss.:
COUNTY OF WESTCHESTER)

On this _____ day of _____, 2019 before me personally came _____ to me known, who, being by me duly sworn did depose and say that he/she resides at _____; that he/she is the _____ of the Municipal/Sponsor Corporation described in and which executed the above instrument; that it was executed by order of the _____ of said Municipal/Sponsor Corporation pursuant to a resolution or other authorization which was duly adopted on _____ and which a certified copy is attached and made a part hereof, and that he/she signed his/her name thereto by like order.

Notary Public

By: _____
For Commissioner of Transportation

Agency Certification: In addition to the Acceptance of this contract, I also certify that original copies of this signature page will be attached to all other exact copies of this Contract.

APPROVED AS TO FORM:
STATE OF NEW YORK ATTORNEY GENERAL

By: _____
Assistant Attorney General

COMPTROLLER'S APPROVAL:

By: _____
For the New York State Comptroller
Pursuant to State Finance Law § 112

SCHEDULE A – Description of Project Phase, Funding and Deposit Requirements
NYSDOT/ State-Local Agreement - Schedule A for PIN 8780.41

OSC Municipal Contract #: D032540	Contract Start Date: 5/28/2010 (mm/dd/yyyy)	Contract End Date: 3/30/2020 (mm/dd/yyyy) <input checked="" type="checkbox"/> Check, if date changed from the last Schedule A
Purpose: <input type="checkbox"/> Original Standard Agreement <input checked="" type="checkbox"/> Supplemental Schedule A No. 1		
Agreement Type: <input checked="" type="checkbox"/> Locally Administered Municipality/Sponsor (Contract Payee): Village of Croton-on-Hudson Other Municipality/Sponsor (if applicable): <input type="checkbox"/> State Administered <small>List participating Municipality(ies) and the % of cost share for each and indicate by checkbox which Municipality this Schedule A applies.</small> <input type="checkbox"/> Municipality: % of Cost share <input type="checkbox"/> Municipality: % of Cost share <input type="checkbox"/> Municipality: % of Cost share		
Authorized Project Phase(s) to which this Schedule applies: <input checked="" type="checkbox"/> PE/Design <input checked="" type="checkbox"/> ROW Incidentals <input checked="" type="checkbox"/> ROW Acquisition <input checked="" type="checkbox"/> Construction/CI/CS		
Work Type: BIKE/PED./FACILITIES	County (If different from Municipality): Westchester County	
Marchiselli Eligible <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No <small>(Check, if Project Description has changed from last Schedule A): <input type="checkbox"/></small> Project Description: Croton-on-Hudson Parking Facility Pedestrian and Bicycle Enhancements, Village of Croton-on-Hudson, Westchester County		
Marchiselli Allocations Approved FOR ALL PHASES <small>All totals will calculate automatically.</small>		
<small>Check box to indicate change from last Schedule A</small>	State Fiscal Year(s)	Project Phase
		<input type="checkbox"/> PE/Design <input type="checkbox"/> ROW (RI & RA) <input type="checkbox"/> Construction/CI/CS
<input type="checkbox"/>	Cumulative total for all prior SFYs	\$ 0.00 \$ 0.00 \$ 0.00
<input type="checkbox"/>	Current SFY	\$ 0.00 \$ 0.00 \$ 0.00
Authorized Allocations to Date		\$ 0.00 \$ 0.00 \$ 0.00

A. Summary of allocated MARCHISELLI Program Costs FOR ALL PHASES For each PIN Fiscal Share below, show current costs on the rows indicated as "Current.". Show the old costs from the previous Schedule A on the row indicated as "Old." All totals will calculate automatically.

PIN Fiscal Share	"Current" or "Old" entry indicator	Federal Funding	Total Costs	FEDERAL Participating Share	STATE MARCHISELLI Match	LOCAL Matching Share	LOCAL DEPOSIT AMOUNT (Required only if State Administered)
	Current		\$ 0.00	\$0.00	\$0.00	\$0.00	\$0.00
	Old		\$ 0.00	\$0.00	\$0.00	\$0.00	\$0.00
	Current		\$ 0.00	\$0.00	\$0.00	\$0.00	\$0.00
	Old		\$ 0.00	\$0.00	\$0.00	\$0.00	\$0.00
	Current		\$ 0.00	\$0.00	\$0.00	\$0.00	\$0.00
	Old		\$ 0.00	\$0.00	\$0.00	\$0.00	\$0.00
	Current		\$ 0.00	\$0.00	\$0.00	\$0.00	\$0.00
	Old		\$ 0.00	\$0.00	\$0.00	\$0.00	\$0.00
	Current		\$ 0.00	\$0.00	\$0.00	\$0.00	\$0.00
	Old		\$ 0.00	\$0.00	\$0.00	\$0.00	\$0.00
	Current		\$ 0.00	\$0.00	\$0.00	\$0.00	\$0.00
	Old		\$ 0.00	\$0.00	\$0.00	\$0.00	\$0.00
TOTAL CURRENT COSTS:			\$ 0.00	\$ 0.00	\$ 0.00	\$ 0.00	\$ 0.00

NYSDOT/State-Local Agreement – Schedule A

B. Summary of Other (including Non-allocated MARCHISELLI) Participating Costs FOR ALL PHASES For each PIN Fiscal Share, show current costs on the rows indicated as "Current.". Show the old costs from the previous Schedule A on the row indicated as "Old." All totals will calculate automatically.

Other PIN Fiscal Shares	'Current' or 'Old' entry indicator	Funding Source	TOTAL	Other FEDERAL	Other STATE	Other LOCAL
8780.41.321	Current	TEP	\$1,500,000.00	\$1,200,000.00	\$0.00	\$300,000.00
	Old	TEP	\$1,500,000.00	\$1,200,000.00	\$0.00	\$300,000.00
8780.41.301	Current	SDF	\$250,000.00	\$0.00	\$250,000.00	\$0.00
	Old		\$ 0.00	\$0.00	\$0.00	\$0.00
	Current		\$ 0.00	\$0.00	\$0.00	\$0.00
	Old		\$ 0.00	\$0.00	\$0.00	\$0.00
	Current		\$ 0.00	\$0.00	\$0.00	\$0.00
	Old		\$ 0.00	\$0.00	\$0.00	\$0.00
	Current		\$ 0.00	\$0.00	\$0.00	\$0.00
	Old		\$ 0.00	\$0.00	\$0.00	\$0.00
	Current		\$ 0.00	\$0.00	\$0.00	\$0.00
	Old		\$ 0.00	\$0.00	\$0.00	\$0.00
	Current		\$ 0.00	\$0.00	\$0.00	\$0.00
	Old		\$ 0.00	\$0.00	\$0.00	\$0.00
	Current		\$ 0.00	\$0.00	\$0.00	\$0.00
	Old		\$ 0.00	\$0.00	\$0.00	\$0.00
TOTAL CURRENT COSTS:			\$1,750,000.00	\$1,200,000.00	\$250,000.00	\$300,000.00

C. Local Deposit(s) from Section A:

	\$ 0.00
Additional Local Deposit(s)	\$
Total Local Deposit(s)	\$ 0.00

D. Total Project Costs All totals will calculate automatically.

Total FEDERAL Cost	Total STATE MARCHISELLI Cost	Total OTHER STATE Cost	Total LOCAL Cost	Total ALL SOURCES Cost
\$1,200,000.00	\$ 0.00	\$250,000.00	\$300,000.00	\$1,750,000.00

E. Point of Contact for Questions Regarding this Schedule A (Must be completed)

Name: Doreen Holsopple
Phone No: 845-431-5977

See Agreement (or Supplemental Agreement Cover) for required contract signatures.

- Description continued: Improve urban streetscape to include sidewalks and bike paths, ensuring ADA compliance, improve traffic flow and safety using effective infrastructure improvements and system management methods and technologies, implement traffic calming measures, correct/eliminate pavement deficiencies, and modify drainage as necessary, Village of Croton-on-Hudson, Westchester County
- This Schedule A adds SDF funds.

APPENDIX 2-S IRAN DIVESTMENT ACT

As a result of the Iran Divestment Act of 2012 (Act), Chapter 1 of the 2012 Laws of New York, a new provision has been added to the State Finance Law (SFL), § 165-a, effective April 12, 2012. Under the Act, the Commissioner of the Office of General Services (OGS) will be developing a list (prohibited entities list) of "persons" who are engaged in "investment activities in Iran" (both are defined terms in the law). Pursuant to SFL § 165-a(3)(b), the initial list is expected to be issued no later than 120 days after the Act's effective date, at which time it will be posted on the OGS website.

By entering into a renewal or extension of this Contract, Contractor (or any assignee) certifies that once the prohibited entities list is posted on the OGS website, it will not utilize on such Contract any subcontractor that is identified on the prohibited entities list.

Additionally, Contractor understands that during the term of the Contract, should NYSDOT receive information that a person is in violation of the above-referenced certification NYSDOT will offer the person an opportunity to respond. If the person fails to demonstrate that it has ceased its engagement in the investment which is in violation of the Act within 90 days after the determination of such violation, then NYSDOT shall take such action as may be appropriate including, but not limited to, imposing sanctions, seeking compliance, recovering damages, or declaring the Contractor in default.

NYSDOT reserves the right to reject any renewal, extension or request for assignment for an entity that appears on the prohibited entities list hereafter and to pursue a responsibility review with respect to any entity that is granted a contract extension/renewal or assignment and appears on the prohibited entities list thereafter.