



**THE COUNCIL OF THE CITY OF BINGHAMTON  
STATE OF NEW YORK**

Date: December 23, 2020

Sponsored by Council Members: Scaringi, Resciniti, Riley, Friedman, Burns, Strawn, Scanlon

Introduced by Committee: Public Works/ Parks & Recreation

**RESOLUTION**

*entitled*

A RESOLUTION AUTHORIZING THE MAYOR TO ENTER INTO SUPPLEMENTAL NO.2 AGREEMENT WITH THE NYSDOT TO PERFORM CONSTRUCTION AND CONSTRUCTION/SUPERVISION FOR PIN 975.04- BELDEN STREET OVER PIERCE CREEK (BIN 2226260) AND CONKLIN AVENUE OVER PIERCE CREEK (BIN 2003610)

WHEREAS, the Council of the City of Binghamton adopted Permanent Resolution 18-34, dated March 21, 2018, with NYSDOT for the preliminary design phase for rehabilitation of Belden Street over Pierce Creek, PIN No. 9754.02 (the "Project"); and

WHEREAS, pursuant to Permanent Resolution R19-83, dated October 9, 2019, the City entered into Supplemental Agreement No. 1 with NYSDOT at an estimated cost of \$1,319,000 for construction and construction inspection/supervision; and

WHEREAS, the City Engineer recommends the City enter into Supplemental No.2 Agreement with the NYSDOT for an increase in construction and construction inspection/supervision services for an additional \$72,000 for an amended total of \$1,391,000; and

WHEREAS, the City will be reimbursed 80% of the \$1,391,000 (\$1,112,800) from Federal funds and the City will be reimbursed 15% of the \$1,391,000 (\$208,650) with Bridge Initiatives PIT Bond Funds; and

WHEREAS, the remaining balance of \$69,550 must be funded 100% by the City; and

WHEREAS, the City of Binghamton desires to advance the Project by making a commitment of 100% of the total cost of the project pending reimbursement.

NOW, THEREFORE, the Council of the City of Binghamton, duly convened in regular session, does hereby:

RESOLVE that the Mayor, or his designee, is hereby authorized to enter into Supplemental No.2 Agreement, approved as to form and content by the Office of Corporation Counsel, with the NYSDOT for construction and construction inspection/supervision for PIN # 975404, Belden Street over Pierce Creek (BIN 2226260) and Conklin Avenue over Pierce Creek (BIN 2003610) at a cost not to exceed an additional \$72,000 for an amended total of \$1,391,000; and be it further



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RESOLVED, that City Council hereby authorizes the City of Binghamton to pay in the first instance 100% of the Federal share and New York State PIT Bond Funds and the cost for the additional, unanticipated changes for the Project or portions thereof; and be it further

RESOLVED, that pending partial reimbursement, the sum of \$1,391,000 is hereby appropriated from budget line H5120.525261.22118 (Bridge Conklin Ave Pierce Creek) and made available to cover the cost of participation in the above phase of the Project; and be it further

RESOLVED, that in the event full Federal share costs of the project exceeds the amount appropriated above, City Council shall convene as soon as possible to appropriate said excess amount immediately upon the notification by the New York State Department of Transportation thereof; and be it further

RESOLVED, that the Mayor, or his designee, is hereby authorized to execute all necessary agreements, certifications, or reimbursement requests for Federal Aid, New York State PIT Bond funds, and/or Marchiselli Aid on behalf of the City of Binghamton 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 eligible Project costs and all Project costs within appropriations therefore 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 by attaching it to any necessary Agreement in connection with the Project; and be it further

RESOLVED, this Resolution shall take effect immediately.

I HEREBY CERTIFY that the above described funds are unencumbered and available

\_\_\_\_\_  
Chuck Shager, Comptroller

Introductory No. R20-113

Permanent No. R20-113

Sponsored by City Council Members:  
Scaringi, Resciniti, Riley, Friedman, Burns, Strawn,  
Scanlon

A RESOLUTION AUTHORIZING THE MAYOR TO  
ENTER INTO SUPPLEMENTAL NO.2  
AGREEMENT WITH THE NYS DOT TO PERFORM  
CONSTRUCTION AND  
CONSTRUCTION/SUPERVISION FOR PIN 975.04-  
BELDEN STREET OVER PIERCE CREEK (BIN  
2226260) AND CONKLIN AVENUE OVER PIERCE  
CREEK (BIN 2003610)

The within Resolution was adopted by the Council of  
the City of Binghamton.

Date 12/23/2020

City Clerk Heaven Schultz

Date Presented to Mayor 12/24/2020

Date Approved 12/24/2020

Mayor [Signature]

	Ayes	Nays	Abstain	Absent
Councilman Scaringi	✓			
Councilwoman Resciniti	✓			
Councilwoman Riley	✓			
Councilwoman Friedman	✓			
Councilman Burns	✓			
Councilman Strawn	✓			
Councilman Scanlon	✓			
<b>Total</b>	<b>7</b>	<b>0</b>	<b>0</b>	<b>0</b>

Code of the City of Binghamton

Adopted  Defeated

7 Ayes 0 Nays 0 Abstain 0 Absent

I hereby certify the above to be a true  
copy of the legislation adopted by the  
Council of the City of Binghamton at a  
meeting held on 12/23/2020. Approved  
by the Mayor on 12/24/2020.

[Signature]