

**RESOLUTION NO. 449 -2010, AUTHORIZING
THE FILING OF A GRANT APPLICATION FOR FEDERAL
FISCAL YEAR 2009 SECTION 5307 FORMULA FUNDS FOR
MASS TRANSPORTATION PROJECTS FOR SUFFOLK
COUNTY TRANSIT**

WHEREAS, the Administrator of the Federal Transit Administration (FTA) has been delegated authority to award financial capital assistance for mass transportation projects; and

WHEREAS, in Federal Fiscal Year 2009 Suffolk County was allocated \$7,091,729 in capital assistance funds under Section 5307 of the Safe, Accountable, Flexible, Efficient Transportation Equity Act: A Legacy for Users (SAFETEA-LU); and

WHEREAS, the County of Suffolk is a Designated Recipient of Federal formula funds for mass transportation capital projects as defined by 49 U.S.C. Section 5307(a)(2); and

WHEREAS, the grant contracts for Federal and State financial assistance will impose certain obligations upon the County, and will require the County to commit resources necessary to cover the entire grant with the understanding that reimbursement at the ratio of 80% Federal funds and 20% non-Federal funds will be made and that the State share will be used to fund up to 50% of the non-Federal share of Federally funded projects, but not to exceed 10% of Federally funded project costs and that the County will provide the remaining 10% local share of project costs; and

WHEREAS, the County will provide all annual certifications and assurances required for the project to the Federal Transit Administration; and

WHEREAS, it is required by the U.S. Department of Transportation, in accord with the provision of Title VI of the Civil Rights Act of 1964, as amended, that the County give an assurance that it will comply with the Title VI of the Civil Rights Act of 1964 and the U.S. Department of Transportation requirements there under; now, therefore be it

1st **RESOLVED**, that this Legislature, being the lead agency under the State Environmental Quality Review Act ("SEQRA"), Environmental Conservation Law Article 8, hereby finds and determines that this law constitutes a Type II action, pursuant to Volume 6 of the New York Code of Rules and Regulations ("NYCRR") Section 617.5 (25) and (27), in that the resolution concerns purchasing of furnishings, equipment and supplies, other than land, radioactive materials, pesticides, herbicides or other hazardous materials, and adoption of a local legislative decision in connection with the same; as a Type II action, the Legislature has no further responsibilities under SEQRA; and be it further

2nd **RESOLVED**, that the Designee of the County Executive of Suffolk County is hereby authorized to file and execute an application for Federal assistance on behalf of the County of Suffolk with the Federal Transit Administration for Federal assistance authorized by 49 U.S.C. Chapter 53, Title 23, United States Code, or other Federal statutes authorizing a project administered by the Federal Transit Administration; and be it further

3rd **RESOLVED**, that the County proposes to utilize allocated Federal Fiscal Year 2009 funds to aid in the financing of capital mass transportation projects pursuant to Section 5307 of the Federal Transit Act, a Program of Projects and Budget being described as follows:

<u>Related Capital Program Number</u>	<u>Program of Projects</u>	<u>Estimated Total Cost</u>
5658	Purchase of Replacement Dual Mode Transit Buses (including related equipment)	\$6,000,000
5658	Purchase Replacement Paratransit Vans (including related equipment)	\$300,000
5658	Purchase New Service Paratransit Vans (including related equipment)	\$200,000
5651	Purchase and Install Bus Passenger Shelters	\$200,000
5648	Acquire Vehicle Locator System	\$500,000
--	Contingencies	\$214,661
--	Project Administration	\$300,000
--	Preventive Maintenance	\$900,000
--	Complimentary Service ADA	\$250,000
	Total Estimated Cost of the Program of Projects	\$8,864,661
	Estimated Federal Share: 80%	\$7,091,729
	Estimated State Share: 10%	\$886,466
	Estimated County Share: 10%	\$886,466

and be it further

4th **RESOLVED**, that the Designee of the County Executive of Suffolk County is hereby authorized to execute and file with such application an assurance or any other document required by the U.S. Department of Transportation effectuating the purposes of Title VI of the Civil Rights Act of 1964; and to furnish such additional information as the U.S. Department of Transportation may require in connection with the application for the Program of Projects and Budget; and be it further

5th **RESOLVED**, that the Designee of the County Executive of Suffolk County is hereby authorized to execute grant agreements on behalf of the County of Suffolk with the U.S. Department of Transportation and the New York State Department of Transportation for aid in the financing of the capital assistance Program of Projects and Budget herein described.

DATED: May 11, 2010

APPROVED BY:

/s/ Steve Levy
County Executive of Suffolk County

Date: May 26, 2010