Intro Res. No. 2052-2012 Laid on Table 11/7/2012
Introduced by Presiding Officer, on request of the County Executive and Legislator Muratore

RESOLUTION NO 1038 -2012, AUTHORIZING THE PURCHASE OF UP TO THIRTY NEW HYBRID-ELECTRIC TRANSIT BUSES FOR SUFFOLK COUNTY TRANSIT INCLUDING SPARE PARTS, RADIOS, OTHER RELATED EQUIPMENT AND ACCEPTING AND APPROPRIATING FEDERAL AND STATE AID AND COUNTY FUNDS IN CONNECTION WITH THIS PURCHASE (CP 5658)

WHEREAS, Resolution Nos. 449-2010 and 491-2012 authorized the filing for and the execution of grants with the Federal Transit Administration (FTA) and the New York State Department of Transportation (NYSDOT) for mass transportation projects including the purchase of transit buses for Suffolk County Transit including spare parts, radios, other related equipment, pre-and post-delivery Buy America audits and inspection during manufacture; and

WHEREAS, Grant Nos. NY-90-X648 and NY-90-X693 have been awarded to Suffolk County by the FTA, whereby the FTA will provide 80% of the cost of this project and NYSDOT will provide 10% of the cost of this project, with the County providing 10% of the cost of this project; and

WHEREAS, the total cost of the purchase is estimated to be up to $16,650,000; and

WHEREAS, sufficient funds are not included in the 2012 Capital Budget and Program to cover the cost of said request under Capital Project 5658 and pursuant to the Suffolk County Charter, Section C4-13, an offsetting authorization is not required on amendments which are financed in an amount of at least fifty percent (50%) by Federal or State Aid; and

WHEREAS, Resolution No. 471-1994 as revised by Resolution No. 461-2006, established the use of a priority ranking system, implemented in the Adopted 2012 Capital Budget, as the basis for funding capital projects such as this project; and

WHEREAS, that the County Legislature, by resolution of even date herewith, has authorized the issuance of $1,665,000 in Suffolk County Serial Bonds to cover the County share of this purchase; 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 it is hereby determined that this project, with a priority ranking of thirty-six (36) is eligible for approval in accordance with the provisions of Resolution No. 471-1994 as revised by Resolution No. 461-2006; and be it further

3rd **RESOLVED**, that the Purchasing Division is authorized to acquire up to thirty (30) new hybrid-electric transit buses including spare parts, radios, other related equipment, pre-and post-delivery Buy America audits and inspection during manufacture for Suffolk County Transit subject to the approvals of all applicable FTA and NYSDOT regulations regarding such purchases; and be it further

4th **RESOLVED**, that the proceeds of $1,665,000 in Suffolk County Serial Bonds be and they are hereby appropriated as follows:

Project No.	Project Title	Amount
525-CAP-5658.550 (Fund 001-Debt Service)	Purchase of up to thirty (30) new hybrid-electric transit buses including spare parts, radios, other related equipment, pre and post-delivery Buy America audits and inspection during manufacture	$1,665,000

and be it further

5th **RESOLVED**, that the State Aid be and they are hereby appropriated as follows:

Project. No.	Project Title	Amount
525-CAP-5658.550	Purchase of up to thirty (30) new hybrid-electric transit buses including spare parts, radios, other related equipment, pre and post-delivery Buy America audits and inspection during manufacture	$1,665,000

and be it further

6th **RESOLVED**, that the Federal Aid be and they are hereby appropriated as follows:

Project No.	Project Title	Amount
525-CAP-5658.550	Purchase of up to thirty (30) new hybrid-electric transit buses including spare parts, radios, other related equipment, pre-and post-delivery Buy America audits and inspection during manufacture	$13,320,000

and be it further

7th **RESOLVED**, that the County Treasurer and the County Comptroller are authorized to accept State and/or Federal Aid in connection with this project.

DATED: NOV 20 2012

APPROVED BY:

County Executive of Suffolk County

Date: 12-3-12

SUFFOLK COUNTY
County Legislature
RIVERHEAD, NY

This is to Certify That I, TIM LAUBE, Clerk of the County Legislature of the County of Suffolk, have compared the foregoing copy of resolution with the original resolution now on file in this office, and which was duly adopted by the County Legislature of said County on November 20, 2012 and that the same is a true and correct transcript of said resolution and of the whole thereof.

In Witness Whereof, I have hereunto set my hand and the official seal of the County Legislature of the County of Suffolk.

Tim Laube

Clerk of the Legislature

Intro. Res. 2052 Res. No. 1038 November 20, 2012

Motion:
Romaine, Schneiderman, Browning, Muratore, Anker
Calarco, Montano, Cilmi, Lindsay, Hahn, Barraga,
Kennedy, Nowick, Horsley, Gregory, Stern, D'Amaro, Spencer

Co-Sponsors:
Romaine, Schneiderman, Browning, Muratore, Anker
Calarco, Montano, Cilmi, Lindsay, Hahn, Barraga,
Kennedy, Nowick, Horsley, Gregory, Stern, D'Amaro, Spencer

Second:
Romaine, Schneiderman, Browning, Muratore, Anker
Calarco, Montano, Cilmi, Lindsay, Hahn, Barraga,
Kennedy, Nowick, Horsley, Gregory, Stern, D'Amaro, Spencer

LD	Legislator	Yes	No	Abs	NP	R
1	Edward P. ROMAINE	✓				
2	Jay H. SCHNEIDERMAN	✓				
3	Kate M. BROWNING	✓				
4	Thomas MURATORE	✓				
5	Kara HAHN	✓				
6	Sarah S. ANKER	✓				
7	Rob CALARCO	✓				
9	Ricardo MONTANO	✓				
10	Thomas CILMI	✓				
11	Thomas F. BARRAGA	✓				
12	John M. KENNEDY, JR.	✓				
13	Lynne C. NOWICK	✓				
15	DuWayne GREGORY	✓				
16	Steven H. STERN	✓				
17	Lou D'AMARO	✓				
18	William SPENCER	✓				
14	Wayne R. HORSLEY, D.P.O.	✓				
8	William J. LINDSAY, P.O.	✓				
	Totals	18				

MOTION
X Approve
____ Table: _____
____ Send To Committee
____ Table Subject To Call
____ Lay On The Table
____ Discharge
____ Take Out of Order
____ Reconsider
____ Waive Rule ____
____ Override Veto
____ Close
____ Recess
APPROVED ✓ FAILED____
No Motion___ No Second___

RESOLUTION DECLARED
✓ ADOPTED
____ NOT ADOPTED

Roll Call____ Voice Vote X

Tim Laube

Tim Laube, Clerk of the Legislature