

REFERENCE BCR60
BCR57
BCR5E
T0068
B0117
B0114

ACT NO. -20_____

BOND ACT OF THE COUNTY OF WESTCHESTER, NEW YORK, AMENDING BOND ACT 218-2021 ADOPTED DECEMBER 7, 2021, IN RELATION TO THE CONSTRUCTION OF VARIOUS BUILDING SYSTEM IMPROVEMENTS, AT THE MAXIMUM ESTIMATED COST OF \$17,880,000. (Adopted _____, 20_____).

WHEREAS, pursuant to Bond Act 218-2021, this Board has heretofore duly authorized the issuance of \$17,880,000 bonds to finance the cost of the planning, construction and/or construction management of various building system improvements, to wit: HVAC improvements and upgrades in the G and K blocks of the County Jail and preliminary design for the Jail annex, the replacement of eight rooftop air handlers and all associated mechanical and structural components for the Department of Corrections, the replacement of reheat coils, fan coil units and associated piping in the basement mechanical room of the Old Jail medical unit, replacement of penthouse HVAC unit, mezzanine HVAC unit, computer room HVAC unit and HVAC unit serving money room, fare box room and cleaners' lounge along with associated work at the Bee-Line Maintenance Facility and the replacement of the existing backflow prevention device associated with the main water pipe serving the Bee-Line central maintenance facility, improvements to address ventilation and humidity control issues in the Board of Election warehouse at 450 Saw Mill River Road in Ardsley, including the installation of new supply ductwork from five existing heating and ventilating units to extend the air distribution area and minimize turbulence and noise, installation of variable frequency drives on the existing supply and exhaust fans and all associated work, and the replacement of the existing piping from the condensate tanks to the deaerator tanks at the central heating plant at the Valhalla campus; and

WHEREAS, it has now been determined that it is in the best interests of the County to authorize the bonds for the replacement of eight rooftop air handling units and associated mechanical and structural components (BCR57) in a separate Bond Act; and

BE IT ENACTED BY THE COUNTY BOARD OF LEGISLATORS OF THE COUNTY OF WESTCHESTER, NEW YORK (by the affirmative vote of not less than two-thirds of the voting strength of said Board), AS FOLLOWS:

SECTION (A) The bond act duly adopted by this Board on December 7, 2021, entitled:

ACT NO. 218-2021

BOND ACT AUTHORIZING THE ISSUANCE OF \$17,880,000 BONDS OF THE COUNTY OF WESTCHESTER, OR SO MUCH THEREOF AS MAY BE NECESSARY, TO FINANCE THE COST OF THE CONSTRUCTION OF VARIOUS BUILDING SYSTEM IMPROVEMENTS IN AND FOR THE COUNTY; STATING THE ESTIMATED TOTAL COST THEREOF IS \$17,880,000; STATING THE PLAN OF FINANCING SAID COST INCLUDES THE ISSUANCE OF \$17,880,000 BONDS HEREIN AUTHORIZED; AND PROVIDING FOR A TAX TO PAY THE PRINCIPAL OF AND INTEREST ON SAID BONDS. (Adopted 12/07, 2021)

is hereby amended to read as follows:

BOND ACT AUTHORIZING THE ISSUANCE OF \$13,375,000 BONDS OF THE COUNTY OF WESTCHESTER, OR SO MUCH THEREOF AS MAY BE NECESSARY, TO FINANCE THE COST OF THE CONSTRUCTION OF VARIOUS BUILDING SYSTEM IMPROVEMENTS IN AND FOR THE COUNTY; STATING THE ESTIMATED TOTAL COST THEREOF IS \$13,375,000; STATING THE PLAN OF FINANCING SAID COST INCLUDES THE ISSUANCE OF \$13,375,000 BONDS HEREIN AUTHORIZED; AND PROVIDING FOR A TAX TO PAY THE PRINCIPAL OF AND INTEREST ON SAID BONDS. (Adopted , 20__)

Section 1. Pursuant to the provisions of the Local Finance Law, constituting Chapter 33-a of the Consolidated Laws of the State of New York (the "Law"), the Westchester County Administrative Code, being Chapter 852 of the Laws of 1948, as amended, and to the provisions of other laws applicable thereto, \$13,375,000 bonds of the County, or so much thereof as may be necessary, are hereby authorized to be issued to finance the cost of the planning, construction and/or construction management of various building system improvements, to wit: HVAC improvements and upgrades in the G and K blocks of the County Jail and preliminary

design for the Jail annex, the replacement of reheat coils, fan coil units and associated piping in the basement mechanical room of the Old Jail medical unit, replacement of penthouse HVAC unit, mezzanine HVAC unit, computer room HVAC unit and HVAC unit serving money room, fare box room and cleaners' lounge along with associated work at the Bee-Line Maintenance Facility and the replacement of the existing backflow prevention device associated with the main water pipe serving the Bee-Line central maintenance facility, improvements to address ventilation and humidity control issues in the Board of Election warehouse at 450 Saw Mill River Road in Ardsley, including the installation of new supply ductwork from five existing heating and ventilating units to extend the air distribution area and minimize turbulence and noise, installation of variable frequency drives on the existing supply and exhaust fans and all associated work, and the replacement of the existing piping from the condensate tanks to the deaerator tanks at the central heating plant at the Valhalla campus; all as set forth in the County's Current Year Capital Budget, as amended. To the extent that the details set forth in this act are inconsistent with any details set forth in the Current Year Capital Budget of the County, such Budget shall be deemed and is hereby amended. The estimated total cost of said class of objects or purposes, including preliminary costs and costs incidental thereto and the financing thereof is \$13,375,000. The plan of financing includes the issuance of \$13,375,000 bonds herein authorized, and any bond anticipation notes issued in anticipation of the sale of such bonds, and the levy of a tax to pay the principal of and interest on said bonds.

Section 2. The period of probable usefulness of the class of objects or purposes for which said \$13,375,000 bonds authorized by this Act are to be issued, within the limitations of Section 11.00 a.13 of the Law, is ten (10) years;

Section 3. Current funds are not required to be provided as a down payment pursuant to Section 107.00 d. 9. of the Law prior to issuance of the bonds authorized herein, or any bond anticipation notes issued in anticipation of the sale of such bonds. The County intends to finance, on an interim basis, the costs or a portion of the costs of said improvements for which bonds are herein authorized, which costs are reasonably expected to be reimbursed with the proceeds of debt to be incurred by the County, pursuant to this Act, in the total amount of \$13,375,000. This Act is a declaration of official intent adopted pursuant to the requirements of Treasury Regulation Section 1.150-2.

Section 4. The estimate of \$13,375,000 as the estimated total cost of the aforesaid class of objects or purposes is hereby approved.

Section 5. Subject to the provisions of this Act and of the Law, and pursuant to the provisions of §30.00 relative to the authorization of the issuance of bond anticipation notes or the renewals thereof, and of §§50.00, 56.00 to 60.00 and 168.00 of said Law, the powers and duties of the County Board of Legislators relative to authorizing the issuance of any notes in anticipation of the sale of the bonds herein authorized, or the renewals thereof, relative to providing for substantially level or declining annual debt service, relative to prescribing the terms, form and contents and as to the sale and issuance of the respective amounts of bonds herein authorized, and of any notes issued in anticipation of the sale of said bonds or the renewals of said notes, and relative to executing agreements for credit enhancement, are hereby delegated to the Commissioner of Finance of the County, as the chief fiscal officer of the County.

Section 6. Each of the bonds authorized by this Act and any bond anticipation notes issued in anticipation of the sale thereof shall contain the recital of validity prescribed by

§52.00 of said Local Finance Law and said bonds and any notes issued in anticipation of said bonds shall be general obligations of the County of Westchester, payable as to both principal and interest by general tax upon all the taxable real property within the County. The faith and credit of the County are hereby irrevocably pledged to the punctual payment of the principal of and interest on said bonds and any notes issued in anticipation of the sale of said bonds or the renewals of said notes, and provision shall be made annually in the budgets of the County by appropriation for (a) the amortization and redemption of the notes and bonds to mature in such year and (b) the payment of interest to be due and payable in such year.

Section 7. The validity of the bonds authorized by this Act and of any notes issued in anticipation of the sale of said bonds, may be contested only if:

(a) such obligations are authorized for an object or purpose for which the County is not authorized to expend money, or

(b) the provisions of law which should be complied with at the date of the publication of this Act or a summary hereof, are not substantially complied with,

and an action, suit or proceeding contesting such validity, is commenced within twenty days after the date of such publication, or

(c) such obligations are authorized in violation of the provisions of the Constitution.

SECTION (B) The amendment of the bond act set forth in Section (A) of this act shall in no way affect the validity of the liabilities incurred, obligations issued, or action taken pursuant to said bond act, and all such liabilities incurred, obligations issued, or action taken shall be deemed to have been incurred, issued or taken pursuant to said bond act, as so amended.

SECTION (C) This Act shall take effect in accordance with Section 107.71 of the Westchester County Charter.

* * *

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

I HEREBY CERTIFY that I have compared the foregoing Act No. -20__ with the original on file in my office, and that the same is a correct transcript therefrom and of the whole of the said original Act, which was duly adopted by the County Board of Legislators of the County of Westchester on _____, 20__ and approved by the County Executive on _____, 20__.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the corporate seal of said County Board of Legislators this _____ day of _____, 20__.

The Clerk and Chief Administrative Office of the
County Board of Legislators County of
Westchester, New York

(SEAL)

LEGAL NOTICE

A Bond Act, a summary of which is published herewith, has been adopted by the Board of Legislators on December 7, 2021 and amended on _____, 20____ and approved, as amended, by the County Executive on _____, 20__ and the validity of the obligations authorized by such Bond Act may be hereafter contested only if such obligations were authorized for an object or purpose for which the County of Westchester, in the State of New York, is not authorized to expend money or if the provisions of law which should have been complied with as of the date of publication of this Notice were not substantially complied with, and an action, suit or proceeding contesting such validity is commenced within twenty days after the publication of this Notice, or such obligations were authorized in violation of the provisions of the Constitution.

Complete copies of the amended Bond Act summarized herewith shall be available for public inspection during normal business hours at the Office of the Clerk of the Board of Legislators of the County of Westchester, New York, for a period of twenty days from the date of publication of this Notice.

ACT NO. _____-20__

BOND ACT AUTHORIZING THE ISSUANCE OF \$13,375,000 BONDS OF THE COUNTY OF WESTCHESTER, OR SO MUCH THEREOF AS MAY BE NECESSARY, TO FINANCE THE COST OF THE CONSTRUCTION OF VARIOUS BUILDING SYSTEM IMPROVEMENTS IN AND FOR THE COUNTY; STATING THE ESTIMATED TOTAL COST THEREOF IS \$13,375,000; STATING THE PLAN OF FINANCING SAID COST INCLUDES THE ISSUANCE OF \$13,375,000 BONDS HEREIN AUTHORIZED; AND PROVIDING FOR A TAX TO PAY THE PRINCIPAL OF AND INTEREST ON SAID BONDS. (Adopted _____, 20__)

object or purpose: to finance the cost of the planning, construction and/or construction management of various building system improvements, to wit: HVAC improvements and upgrades in the G and K blocks of the County Jail and preliminary design for the Jail annex, the replacement of reheat coils, fan coil units and associated piping in the basement mechanical room of the Old Jail medical unit, replacement of penthouse HVAC unit, mezzanine HVAC unit, computer room HVAC unit and HVAC unit serving money room, fare box room and cleaners' lounge along with associated work at the Bee-Line Maintenance Facility and the replacement of the existing backflow prevention device associated with the main water pipe serving the Bee-Line central maintenance facility, improvements to address ventilation and humidity control issues in the Board of Election warehouse at 450 Saw Mill River Road in Ardsley, including the installation of new supply ductwork from five existing heating and ventilating units to extend the air distribution area and minimize turbulence and noise, installation of variable frequency drives on the existing supply and exhaust fans and all associated work, and the replacement of the existing piping from the condensate tanks to the deaerator tanks at the central heating plant at the Valhalla campus; all as set forth in the County's Current Year Capital Budget, as amended.

amount of obligations to be issued:

and period of probable usefulness: \$13,375,000; ten (10) years

Dated: _____, 20__
White Plains, New York

Clerk and Chief Administrative Officer of the County Board of
Legislators of the County of Westchester, New York

FISCAL IMPACT STATEMENT

CAPITAL PROJECT #: _____

NO FISCAL IMPACT PROJECTED

SECTION A - CAPITAL BUDGET IMPACT

To Be Completed by Budget

GENERAL FUND

AIRPORT FUND

SPECIAL DISTRICTS FUND

Source of County Funds (check one):

Current Appropriations

Capital Budget Amendment

BCR60, BCR5E, T0068, B0117, B0114

SECTION B - BONDING AUTHORIZATIONS

To Be Completed by Finance

Total Principal \$ 13,375,000 PPU 10 Anticipated Interest Rate 3.38%

Anticipated Annual Cost (Principal and Interest): \$ 1,586,680

Total Debt Service (Annual Cost x Term): \$ 15,866,800

Finance Department: Interest rates from October 3, 2022 Bond Buyer - ASBA

SECTION C - IMPACT ON OPERATING BUDGET (exclusive of debt service)

To Be Completed by Submitting Department and Reviewed by Budget

Potential Related Expenses (Annual): \$ -

Potential Related Revenues (Annual): \$ -

Anticipated savings to County and/or impact of department operations

(describe in detail for current and next four years):

N/A

SECTION D - EMPLOYMENT

As per federal guidelines, each \$92,000 of appropriation funds one FTE Job

Number of Full Time Equivalent (FTE) Jobs Funded: 145

SECTION E - EXPECTED DESIGN WORK PROVIDER

County Staff

Consultant

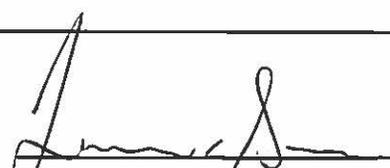
Not Applicable

Prepared by: William Fallon

Title: Director of Admin. Services

Department: Correction

Date: 10/4/22

Reviewed By: 

Date: 10/5/22

Budget Director

10/6/22

Project ID:* CBA **Fact Sheet Date:***
 BCR57 07-19-2022
Fact Sheet Year:* **Project Title:*** **Legislative District ID:**
 2022 HQ ROOFTOP AIR HANDLING UNIT REPLACEMENT 3,
Category* **Department:*** **CP Unique ID:**
 BUILDINGS, LAND & MISCELLANEOUS CORRECTION 2098

Overall Project Description

Replace eight (8) existing rooftop air handling units, demolition of existing units, rigging and installation of new units, ductwork connections, electrical work, control work and structural modifications.

- Best Management Practices Energy Efficiencies Infrastructure
 Life Safety Project Labor Agreement Revenue
 Security Other

FIVE-YEAR CAPITAL PROGRAM (in thousands)

	Estimated Ultimate Total Cost	Appropriated	2022	2023	2024	2025	2026	Under Review
Gross	5,205	2,105	2,400	0	0	0	0	700
Less Non-County Shares	0	0	0	0	0	0	0	0
Net	5,205	2,105	2,400	0	0	0	0	700

Expended/Obligated Amount (in thousands) as of : 0

Current Bond Description: Additional funding is requested for the replacement of the existing rooftop air handling units, ductwork modifications and all associated mechanical, electrical and structural work.	
Financing Plan for Current Request:	
Non-County Shares:	\$ 0
Bonds/Notes:	700,000
Cash:	0
Total:	\$ 700,000

SEQR Classification:
TYPE II

Amount Requested:
700,000

Comments:

A Capital Budget Amendment in the amount of \$700,000 (shown under review) is being requested to increase the funding based upon the current estimate provided by NYPA. Amend BA #218-2021.

Energy Efficiencies:

THE EXISTING ROOFTOP AIR CONDITIONING UNITS WILL BE REPLACED WITH NEW ROOF MOUNTED HEAT PUMP UNITS.

Year	Amount	Description
2018	1,900,000	FUNDS DESIGN, CONSTRUCTION AND CONSTRUCTION MANAGEMENT
2020	110,000	COST ESCALATION
2021	95,000	COST ESCALATION
2022	2,400,000	CONSTRUCTION

Total Appropriation History:

4,505,000

Financing History:

Year	Bond Act #	Amount	Issued	Description
21	218	4,505,000		0 HQ ROOFTOP AIR HANDLING UNIT REPLACEMENT

Total Financing History:

4,505,000

Recommended By:

Department of Planning
WBB4

Date
09-27-2022

Department of Public Works
RJB4

Date
09-27-2022

Budget Department
LMY1

Date
09-27-2022

Requesting Department
WPF4

Date
09-27-2022

HQ ROOFTOP AIR HANDLING UNIT REPLACEMENT (BCR57)

User Department : Correction

Managing Department(s) : Correction ; Public Works ;

Estimated Completion Date: TBD

Planning Board Recommendation: Project without physical planning aspects of concern to the Westchester County Planning Board.

FIVE YEAR CAPITAL PROGRAM (in thousands)

	Est Ult Cost	Appropriated	Exp / Obl	2022	2023	2024	2025	2026	Under Review
Gross	4,505	2,105		2,400					
Non County Share									
Total	4,505	2,105		2,400					

Project Description

Replace eight (8) existing rooftop air handling units, demolition of existing units, rigging and installation of new units, ductwork connections, electrical work, control work and structural modifications.

Current Year Description

The current year request funds construction.

Current Year Financing Plan

Year	Bonds	Cash	Non County Shares	Total
2022	2,400,000			2,400,000

Impact on Operating Budget

The impact on the Operating Budget is the debt service associated with the issuance of bonds.

Appropriation History

Year	Amount	Description	Status
2018	1,900,000	Funds design, construction and construction management	AWAITING BOND AUTHORIZATION
2020	110,000	Cost Escalation	AWAITING BOND AUTHORIZATION
2021	95,000	Cost escalation	AWAITING BOND AUTHORIZATION
Total	2,105,000		

Prior Appropriations

	Appropriated	Collected	Uncollected
Bond Proceeds	2,105,000		2,105,000
Total	2,105,000		2,105,000