

**RESOLUTION AUTHORIZING EXECUTION OF AMENDED AGREEMENT WITH
BOHLER ENGINEERING FOR PROFESSIONAL SERVICES**

WHEREAS, the Rensselaer County Industrial Development Agency (Agency) received from Bohler Engineering MA, LLC (hereafter Bohler) a proposal for professional engineering services with respect to a Route 9 Economic Development Plan and Generic Environmental Impact Statement for approximately 6,000 acres adjoining Route 9 in the Town of Schodack; and

WHEREAS, the purpose of the project is to identify up to 10 Preferred Development Sites, each with up to a minimum of 100 buildable acres, obtain generic environmental approvals and brand and market the parcels for industrial development and the development of ancillary services, all as described in the proposal; and

WHEREAS, the encouragement and facilitation of industrial development, such as would result from the completion of this project, and the concomitant growth in employment opportunity in the county, is within the mission of the Agency; and

WHEREAS, the Agency did, following Section 4 of the Agency's Procurement Policy for the procurement of the professional services of a professional engineering firm, enter into the proposed agreement in September Of 2020; and

WHEREAS, said agreement did provide for payment to Bohler for services under the agreement in the amount of \$585,000, with the Agency paying \$328,000, and the balance of \$256,250 being paid by National Grid; and

WHEREAS, THE Agency has been informed that under National Grid's provisions for sharing in the cost of this project, the Agency must pay the full amount of the charges, with National Grid's share thereof to be reimbursed to the Agency thereafter; now, therefore, be it

RESOLVED, that the Executive Director of this Agency is hereby authorized to execute an amendment to the previously executed agreement for professional services with Bohler, to provide that the full amount of \$585,000 will be paid to Bohler by the Agency, in the first instance, with \$256,250 thereof to be reimbursed thereafter to the Agency by National Grid, the terms of such Amended Agreement to be subject to approval by Agency Counsel.

Resolution ADOPTED by the following vote:

Ayes: 5

Nays: 0

Abstain: 0

December 8, 2022


STATE OF NEW YORK)
) SS.:
COUNTY OF RENSSELAER)

I, the undersigned (Assistant) Secretary of Rensselaer County Industrial Development Agency (the "Agency"), DO HEREBY CERTIFY that I have compared the foregoing annexed extract of the minutes of the meeting of the members of the Agency, including the Resolution contained therein, held on December 8, 2022 with the original thereof on file in my office, and that the same is a true and correct copy of said original and of such Resolution contained therein and of the whole of said original so far as the same relates to the subject matters therein referred to.

I FURTHER CERTIFY that (A) all members of the Agency had due notice of said meeting; (B) said meeting was in all respects duly held; (C) pursuant to Article 7 of the Public Officers Law (the "Open Meetings Law"), said meeting was open to the general public, and due notice of the time and place of said meeting was duly given in accordance with such Open Meetings Law; and (D) there was a quorum of the members of the Agency present throughout said meeting.

I FURTHER CERTIFY that, as of the date hereof, the attached Resolution is in full force and effect and has not been amended, repealed or rescinded.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the seal of the Agency this 8th day of December, 2022.


(Assistant) Secretary

(SEAL)

AMENDMENT TO AGREEMENT

Whereas, Bohler Engineering MA, LLC (hereinafter "Bohler") and the Rensselaer County Industrial Development Agency (hereinafter the "IDA") have previously entered into an agreement, dated July 21, 2020 whereby Bohler agreed to provide certain services specified therein to the IDA, at an estimated price of \$585,000, and

Whereas, the agreement contemplated that \$256,250 of that estimated price would be paid by National Grid, and, accordingly, the agreement did provide that no more than \$328,750 would be paid by the IDA, unless additional amounts were approved by the IDA, and

Whereas, it now appears that the entire cost of the proposed services must be paid to Bohler by the IDA, in the first instance, with reimbursement by National Grid to the IDA, for National Grid's contemplated share, to be made thereafter, and

Whereas the IDA did adopt a Resolution, dated December 8, 2022, whereby the IDA did authorize the IDA's executive Director to execute an amendment to the July 21, 2020 agreement, to the effect that the IDA does agree to pay the full amount of \$585,000 of project costs to Bohler in the first instance, and to seek from National grid thereafter, reimbursement for \$256,250 thereof, now therefore

THE UNDERSIGNED PARTIES DO HEREBY AGREE, that the above referenced agreement dated July 21, 2020, is hereby amended to provide that the IDA agrees to be responsible, in the first instance, for payment of the entire project cost of \$585,000, all other terms of the agreement remaining in full force and effect.

Robert Pasinella, Executive Director

Rensselaer County IDA

Date _____

Authorized representative

Bohler Engineering MA, LLC

Date _____