

OFFICE OF THE MAYOR  
Telephone: (716) 286-4310

March 14, 2019

The City Council  
Niagara Falls, New York

*RE: Amendment to agreement regarding the removal of a portion of the Niagara Scenic Parkway*

Council Members:

Please recall that during your meeting on July 5, 2018 the City Council authorized the City to enter into an agreement with the New York State Power Authority (“NYPA”), the New York State Office of Parks, Recreation & Historic Preservation (“State Parks”), the New York State Department of Transportation (“NYSDOT”) and USA Niagara Development Corporation (“USAN”) regarding a project to remove a portion of the Niagara Scenic Parkway. This construction project, at that time, was estimated to cost \$38,500,000 and was to be largely funded through NYPA (\$36,500,000).

This project is now underway. During the initial phase of the project, it became clear that construction costs are going to exceed the estimated cost. Therefore, it is necessary to amend the agreement to increase NYPA’s construction funding by an additional \$4,200,000 as well as an additional \$530,000 to pay USAN’s consultant for design support and monitoring during construction. Once again, there is no cost to the City.

Will the Council approve the Amendment to the Agreement, a copy of which is attached hereto and authorize the Mayor to sign this Amendment together with any other amendments or documents that do not materially affect the City?

Respectfully submitted,

PAUL A. DYSTER  
Mayor

CHJ/lmr

Kennedy\_\_\_\_\_ Scott\_\_\_\_\_ Tompkins\_\_\_\_\_ Voccio\_\_\_\_\_ Touma\_\_\_\_\_