

PROPOSED ORDINANCE NO. 61 – 2023

AN ORDINANCE TO AUTHORIZE THE COUNTY EXECUTIVE TO EXECUTE AN AGREEMENT BETWEEN THE COUNTY OF NASSAU, ACTING ON BEHALF OF THE NASSAU COUNTY DEPARTMENT OF PUBLIC WORKS, AND TRANSDEV SERVICES, INC. FOR THE MANAGEMENT, OPERATION AND MAINTENANCE OF A NASSAU COUNTY BUS SYSTEM.

WHEREAS, pursuant to Section 199-r of the General Municipal law and Local Law 15-1972, Nassau County is authorized to provide mass transportation services within Nassau County; and

WHEREAS, pursuant to Title 10 of the Miscellaneous Laws of Nassau County and Local Law 15-1972, the County is authorized to contract with public or private entities for the management, operation and maintenance of such services; and

WHEREAS, pursuant to Fixed Route Bus and Paratransit Operation, Management and License Agreement, as amended, Transdev Services, Inc. (“Transdev”) has been operating and managing Nassau County’s fixed route transit and paratransit service, and

WHEREAS, the County and Transdev have negotiated a new agreement (the “Agreement”) to operate and manage the County's Fixed Route Bus and Paratransit System, a copy of which is on file with the Clerk of the Legislature; now, therefore,

BE IT ORDAINED BY THE COUNTY LEGISLATURE OF NASSAU COUNTY, as follows:

§ 1. The County Executive is hereby authorized to execute the Agreement, as well as any and all ancillary agreements related thereto.

§ 2. Severability. If any part or provision of this ordinance or the application thereof to any person, entity or circumstance shall be adjudged invalid by any court of competent jurisdiction, such judgment shall be confined in its operation to that part,

provision or application of this ordinance directly involved in the controversy for which such judgment was rendered and shall not be deemed to affect or impair the validity of the remainder of this ordinance to the application thereof to other persons, entities or circumstances.

§ 3. It is hereby determined, pursuant to the provisions of the State Environmental Quality Review Act, 8 N.Y.E.C.L. Section 0101 et seq. and its implementing regulations, Part 617 of 6 N.Y.C.R.R., and Section 1611 of the County Government Law of Nassau County, that this supplemental appropriation ordinance is a “Type II” Action within the meaning of Section 617.5(c)(26) of 6 N.Y.C.R.R. (“routine or continuing agency administration and management, not including new programs or major reordering of priorities that may affect the environment”), and, accordingly, is of a class of actions which do not have a significant effect on the environment; and no further review is required.

§ 4. This ordinance shall take effect immediately.