

12150

TO: Board of Acquisition and Contract

FROM: John J. Hsu, PE
Acting Commissioner of Public Works

DATE: June 11, 2010

SUBJECT: Authority to Enter into Agreement #10-923 (a Multi-Phased Agreement)
In the matter of Engineering Services in connection with the
Total Residual Chlorine Reduction and Structural Repairs to the
Chlorine Contact Tank at the Ossining Wastewater Treatment Plant,
Ossining, New York

Consultant: Stearns & Wheler, LLC

Agreement Amount: \$371,000.00

Subconsultant Approval: Malcolm Pirnie, Inc.
M.G. McLaren, P.C.

Authority of your Honorable Board is requested to enter into an Agreement in connection with the Total Residual Chlorine Reduction and Structural Repairs to the Chlorine Contact Tank at the Ossining Wastewater Treatment Plant, Ossining, New York. The consultant shall provide design services associated with this project. Design services shall include the preparation of construction contract documents (drawings and specifications), construction cost estimates, any required addenda, and a bid analysis including an evaluation of the bids to determine compliance with bidding requirements and whether the bidders are responsible so that the County may recommend award of the construction contracts. In addition, the consultant shall provide design services during construction consisting of shop drawing and submittal review, attendance at project meetings, periodic site visits and preparation of as-built drawings.

The objective of this project is to design and construct new dechlorination facilities and make structural repairs to the chlorine contact tank at the Ossining Wastewater Treatment Plant. This work is necessary to meet the new lower total residual chlorine limits imposed under the New York State Department of Environmental Conservation (NYSDEC) issued State Pollutant Discharge Elimination System (SPDES) Permit which cannot be met with the existing hypochlorite disinfection facilities. An Engineering Study was conducted which recommended the continued use of hypochlorite disinfection and construction of new dechlorination facilities on the basis of reliability, construction cost and a life cycle analysis. Department of Environmental Facilities operations personnel observed erosion to the rip-rap barrier and deterioration of the steel pipe piles which support the chlorine contact tank. Because the contact tank extends into the Hudson River, an Engineering Study was performed which reported separation and settlement of the concrete tremie wall and erosion of the rip-rap barrier within the River along the northern wall of the contact tank which protects the supporting steel pipe piles and concrete pile caps. The inspection report further indicated severe corrosion of the observed steel support piles throughout the exposed length with 100 percent loss of cross sectional area revealing the concrete fill within one of the piles. The inspection report assumed that the other pipe piles supporting the contact tank are in similar condition and recommended that immediate action be taken to ensure the exposed deteriorated piles are structurally rehabilitated to restore their original design strength and that the concrete tremie wall and rip-rap barrier, which protect the tank and piles, be reconstructed to prevent further deterioration, possible settlement and damage to the contact tank. It should be noted that energy efficiencies will be evaluated during the design phase using Leadership in Energy and Environmental Design ("LEED") recommendations and improvements, and those

Board of Acquisition and Contract
Agreement No. 10-923
Total Residual Chlorine Reduction and Structural Repairs to the
Chlorine Contact Tank at the Ossining Wastewater Treatment Plant
Ossining, New York
Stearns & Wheler, LLC
Page 2

applicable to the required work will be incorporated to help reduce energy usage, maintenance and manpower costs while increasing reliability of the disinfection system. This agreement will benefit the public as it will ensure that the plant's operations continue to be environmentally compliant, thereby enhancing the health and general welfare of the residents of Westchester County.

The intent of this Agreement is to have the design and construction administration performed in multiple phases as subsequent funding becomes available. The initial design phase will define the scope of work and the required budget for the next phases of design and construction administration for which funding shall be approved in the future.

Since the estimated fee for professional services was greater than \$100,000, in accordance with the Rules of the Professional Prequalification and Selection Boards, on August 6, 2009, a meeting of the Professional Prequalification Board was held to discuss the scope of work and request a list of qualified firms to provide the necessary services. The list was reviewed by the Professional Selection Board on November 23, 2009 whereby AECOM USA, Inc.; Camp Dresser & McKee; Hazen and Sawyer, PC; Dyirka and Bartilucci Consulting Engineers, A Division of William F. Cosulich Associates, PC; Malcolm Pirnie, Inc.; and Stearns & Wheler, LLC were selected to possibly perform said services. On February 9, 2010, a request for proposal (RFP) was sent to the qualified firms and subsequently proposals were received on April 21, 2010.

After reviewing the proposals, and based on the evaluation criteria set forth in the request for proposal, including technical merit and net cost, the Professional Selection Board at its meeting held May 27, 2010, selected Stearns & Wheler, LLC, One Remington Park Drive, Cazenovia, New York 13035, as the number one firm to perform engineering services in connection with the Total Residual Chlorine Reduction and Structural Repairs to the Chlorine Contact Tank at the Ossining Wastewater Treatment Plant, Ossining, New York, for a total fee of \$371,000.00, pursuant to an approved budget, which represents the best possible contract for the County.

In addition, Stearns & Wheler, LLC has requested the utilization of the following subconsultants: Malcolm Pirnie, Inc. (Instrumentation and Controls Design), 104 Corporate Park Drive, Box 751, White Plains, New York 10602; and M.G. McLaren, P.C. (Structural Repair Design), 100 Snake Hill Road, West Nyack, New York 10994.

The proposed has been reviewed and is judged to be responsive to the task at hand.

This matter has been reviewed by the Deputy County Executive, the Commissioner of the Department of Environmental Facilities, and the Deputy Commissioner of the Department of Public Works, and they are in concurrence.

I recommend adoption of the attached proposed Resolution.

RESOLUTION

Upon communication from the Acting Commissioner of Public Works, be it hereby

RESOLVED, that approval is hereby granted to enter into an Agreement with the firm of Stearns & Wheler, LLC, One Remington Park Drive, Cazenovia, New York 13035, for engineering services associated with the Total Residual Chlorine Reduction and Structural Repairs to the Chlorine Contact Tank at the Ossining Wastewater Treatment Plant, Ossining, New York. The consultant shall provide design services associated with this project. Design services shall include the preparation of construction contract documents (drawings and specifications), construction cost estimates, any required addenda, and a bid analysis including an evaluation of the bids to determine compliance with bidding requirements and whether the bidders are responsible so that the County may recommend award of the construction contracts. In addition the consultant shall provide design services during construction consisting of shop drawing and submittal review, attendance at project meetings, periodic site visits and preparation of as-built drawings; and be it further

RESOLVED, that for services rendered in accordance with the consultant's proposal for the first phase of this multi-phase project, a total compensation of \$371,000.00 shall be provided, pursuant to an approved budget; and be it further

RESOLVED, that the use of the following subconsultants also be approved: Malcolm Pirnie, Inc. (Instrumentation and Controls Design), 104 Corporate Park Drive, Box 751, White Plains, New York 10602; and M.G. McLaren, P.C. (Structural Repair Design), 100 Snake Hill Road, West Nyack, New York 10994; and be it further

RESOLVED, that the Agreement shall commence upon the consultant's receipt of written notice from the Acting Commissioner of Public Works or his designee and that the completion date shall be December 31, 2014; and be it further

RESOLVED, that the County Executive or his duly authorized designee is hereby authorized and empowered to execute any and all documents necessary or appropriate to effectuate the purposes hereof.

JJH/PTK/LR/AS

Agreement No. 10-923

Account to be Charged/Credited	Fund	Dept	Major Program, Program & Phase or Unit	Object/ Sub Object	Trust Account	Dollars
	322	60	SOS8100E	6120-03		\$ 251,000.00
	322	60	SOS0600E	6120-03		120,000.00

Budget Funding Year(s): 2010 Start Date: 07/01/2010 End Date: 12/31/2014
 (must match resolution)

Funding Source: Tax Dollars: 100% County Contractor Federal I.D. No./
 State Aid: _____ Social Security No.: 15-0592287
\$371,000.00 Federal Aid: _____ Vendor No.: _____
 (must match resolution) Other: _____ Encumbrance No.: _____

Board of Acquisition and Contract
Agreement No. 10-923
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Ossining, New York
Stearns & Wheler, LLC

List of Respondents

AECOM USA, Inc. 605 Third Avenue, 27 th Floor New York, New York 10158 (860) 263-5800	\$ 435,905.90
Dvirka and Bartilucci Consulting Engineers, A Division of William F. Cosulich Associates, PC 330 Crossways Park Drive Woodbury, New York 11797 (914) 467-5300	\$ 376,000.00
Stearns & Wheler, LLC One Remington Park Drive Cazenovia, New York 13035 (315) 655-8161	\$ 371,000.00

APPROVED BOARD OF ACQUISITION & CONTRACT - 6-24-2010 - MARY VIEIRA, SECRETARY