

**12319**

**TO:** Board of Acquisition and Contract  
**FROM:** John J. Hsu, PE  
Acting Commissioner of Public Works  
**DATE:** June 11, 2010  
**SUBJECT:** Request Authority to Obtain a Proposal and Negotiate a Fee with Malcolm Pirnie, Inc., in connection with Engineering Services for the Sprout Brook Cell Closure, Sprout Brook Residue Disposal Facility, Cortlandt, New York (#10-926)

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Authority of your Honorable Board is requested to obtain a proposal to negotiate a fee in connection with engineering services for the Sprout Brook Cell Closure, Sprout Brook Residue Disposal Facility, Cortlandt, New York.

The objective of this project is to provide the final closure of all open areas including those areas that do not have a New York State Department of Environmental Conservation ("NYSDEC") certified final cover at the Sprout Brook Residue Disposal Facility (the "Sprout Brook Facility"). The Sprout Brook Facility has reached its allowable permitted grades and capacity. As of October 2009, it has ceased operations to accept ash residue and must now be capped. As a result, this request is for an accelerated procurement for engineering services required for this project. Upon completion of the final capping, the cover will be planted with meadow grasses and wildflowers to minimize maintenance requirements. This project will implement the most cost-effective and environmentally compliant technologies available. Wherever possible, proposed new materials will be incorporated in compliance with LEED guidelines for environmental sustainability as per the United States Green Building Council. This agreement will benefit the public as it increases the integrity of the Sprout Brook Facility and protects the surrounding environment from potential contamination. In addition, this agreement will preserve the significant environmental features of the County and policies that seek to protect the quality of surface and groundwater resources.

Due to the urgency of this project, the Commissioner of Environmental Facilities has requested that the accelerated consultant procurement procedure be followed to retain a consultant to provide a post closure plan and operation and maintenance manual, landfill closure construction oversight and construction administration services for the Sprout Brook Cell Closure, Sprout Brook Residue Disposal Facility, Cortlandt, New York. In accordance with the Accelerated Qualification and Selection Procedure as outlined in the Rules of the Professional Prequalification and Selection Boards and the Laws of Westchester County, on June 4, 2010 a statement outlining the aforementioned reason requiring the accelerated procedure, the qualifications of the proposed firm and the scope of work for the Sprout Brook Cell Closure, Sprout Brook Residue Disposal Facility, Cortlandt, New York was submitted to the Chairman of the Professional Prequalification Board.

The Chairman of the Professional Prequalification Board on June 4, 2010 agreed that the accelerated consultant procurement procedure was warranted. Subsequently, these items were reviewed and approved by the Chairman of the Professional Selection Board on June 7, 2010 and the firm was selected to perform said services. The firm is:

Board of Acquisition and Contract  
Obtain a Proposal and Negotiate a Fee  
Engineering Services in connection with the Sprout Brook Cell Closure,  
Sprout Brook Residue Disposal Facility, Cortlandt, New York  
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Malcolm Pirnie, Inc.  
104 Corporate Park Drive, Box 751  
White Plains, New York 10602

The above-mentioned firm has the expertise on similar projects, technical knowledge and staffing, and is the best-qualified firm to accomplish this project in the timeframe allowed.

Authorization to enter into an Agreement will be submitted to your Honorable Board for approval when negotiations are satisfactorily completed.

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.

APPROVED BOARD OF ACQUISITION & CONTRACT - 7-1-2010 - SOMARY WEIRA, SECRETARY

# RESOLUTION

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

RESOLVED, that approval is hereby granted to obtain a proposal and to negotiate a fee with Malcolm Pirnie, Inc., 104 Corporate Park Drive, Box 751, White Plains, New York 10602 for engineering services for the Sprout Brook Cell Closure, Sprout Brook Residue Disposal Facility, Cortlandt, New York.

JJH/PTK/LR/AS

Agreement No. 10-926

Account to be Charged/Credited

Fund	Dept	Major Program, Program & Phase or Unit	Object/ Sub Object	Trust Account	Dollars
325	60	RD00403I	6120-05		

Budget Funding Year(s): 2010 Start Date: N/A End Date: N/A  
 (must match resolution)

Funding Source: Tax Dollars: 100% County Contractor Federal I.D. No./  
 State Aid: \_\_\_\_\_ Social Security No.: 13-2653703  
 Federal Aid: \_\_\_\_\_ Vendor No.: \_\_\_\_\_  
 Other: \_\_\_\_\_ Encumbrance No.: \_\_\_\_\_

APPROVED BOARD OF ACQUISITION CONTRACT - 7-1-2010 - JOMARY VIEIRA, SECRETARY