

13108

TO: Board of Acquisition and Contract

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

DATE: July 23, 2010

SUBJECT: Authority to Enter into Agreement #10-932 (a Multi-Phased Agreement)
In the matter of Engineering Services in connection with the
Construction and Demolition Debris Recycling Facility Feasibility Study,
Yonkers, New York

Consultant: Malcolm Pirnie, Inc.

Agreement Amount: \$94,130.23

Subconsultant Approval: *Cornerstone Environmental Group, LLC*

Authority of your Honorable Board is requested to enter into an Agreement in the matter of engineering services in connection with the Construction and Demolition Debris Recycling Facility Feasibility Study, Yonkers, New York. The consultant shall provide study services associated with this project. For study services, the consultant shall provide data acquisition, verify existing site conditions, perform environmental testing and analysis (as necessary), develop alternate solutions with associated cost estimates, prepare a draft report for review, and issue a final report indicating recommended options.

The objective of this project is to provide a report which will evaluate and assess the feasibility of implementing a deconstruction facility on County-owned property adjacent to the Materials Recovery Facility (MRF). It is the intent that this facility will recover 75% of the material that is presently sent to landfills. Material recovery and processing systems are capable of achieving this diversion rate, depending on incoming material "quality"; the methods/equipment that are employed at the facility for material separation and recovery; and the end uses/markets for the separated materials. Construction and demolition (C&D) debris recycling facilities that achieve high recovery rates typically utilize manual sorting and two or three mechanical screening steps where materials are separated into different material sizes (referred to as "material streams"). Additionally, mechanical and physical separation equipment is engineered for specific material streams to efficiently recover materials depending on properties that are inherent to specific waste constituents. The proposed study is critical to the County's future solid waste management plan, as this potential facility would enhance the County's ability to maintain current recycling goals and reach future recycling goals that may be mandated through the implementation of the State solid waste management plan. The facility would be a key component to solid waste management within the County and provide the County with a potentially valuable revenue stream through tip fees and a marketable product. This project will implement the most cost-effective and environmentally compliant technologies available which will provide long-term energy conservation. 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 will examine future opportunities for recycling, thereby enhancing the health and environment 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 phase will define the scope of work and the required budget for the next phases of design and construction administration, for which funding will be appropriated as required to complete this project.

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 December 3, 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 April 20, 2010 whereby BSG Engineering, Surveying & Landscape Architecture, LLC; CH2M Hill New York, Inc.; Henningson, Durham & Richardson Architecture and Engineering, PC; Lockwood, Kessler & Bartlett, Inc.; Malcolm Pirnie, Inc.; Woodard & Curran, Inc.; and Dvirka and Bartilucci Consulting Engineers, A Division of William F. Cosulich Associates, PC, were selected to possibly perform said services. On April 29, 2010, a request for proposal (RFP) was sent to the qualified firms and subsequently proposals were received on June 8, 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 June 30, 2010, selected Malcolm Pirnie, Inc., 44 South Broadway, 15th Floor, White Plains, New York 10601, as the number one firm to perform engineering services in connection with the Construction and Demolition Debris Recycling Facility Feasibility Study, Yonkers, New York, for a total fee of \$94,130.23, pursuant to an approved budget, which represents the best possible contract for the County.

In addition, Malcolm Pirnie, Inc., has requested the utilization of the following subconsultant: Cornerstone Environmental Group, LLC (Technology Evaluation, Equipment Recommendations, Site Layout and Cost Estimating), 90 Crystal Run Road, Suite 201, Middletown, New York 10941.

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 and the Commissioner of the Department of Environmental Facilities, and they are in concurrence.

I recommend adoption of the attached proposed Resolution.

APPROVED BOARD OF ACQUISITION & CONTRACTS - 8-5-2010 - SO. AM. VILL. SECRETARY

RESOLUTION

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

RESOLVED, that approval is hereby granted to enter into an Agreement with the firm of Malcolm Pirnie, Inc., 44 South Broadway, 15th Floor, White Plains, New York 10601, in the matter of Engineering Services in connection with the Construction and Demolition Debris Recycling Facility Feasibility Study, Yonkers, New York; 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 \$94,130.23, shall be provided, pursuant to an approved budget; and be it further

RESOLVED, that this Agreement is subject to County appropriations; and be it further

RESOLVED, that this Agreement is also subject to further financial analysis of the impact of any New York State Budget (the "State Budget") proposed and adopted during the term of this Agreement. The County shall retain the right, upon the occurrence of any release by the Governor of a proposed State Budget and/or the adoption of a State Budget or any amendments thereto, and for a reasonable period of time after such release(s) or adoption (s), to conduct an analysis of the impacts of any such State Budget on County finances. After such analysis, the County shall retain the right to either terminate the Agreement or to renegotiate the amounts and rates approved herein. If the County subsequently offers to pay a reduced amount to the consultant, then the consultant shall have the right to terminate this Agreement upon reasonable prior written notice; and be it further

RESOLVED, that the use of the following subconsultant also be approved: Cornerstone Environmental Group, LLC (Technology Evaluation, Equipment Recommendations, Site Layout and Cost Estimating), 90 Crystal Run Road, Suite 201, Middletown, New York 10941; and be it further

RESOLVED, that the Agreement shall commence upon the consultant's receipt of written notice from the Commissioner of Public Works or his designee and that the completion date shall be December 31, 2012; 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/ALL/AS

Agreement No. 10-932

Account to be Charged/Credited	Fund	Dept	Major Program, Program & Phase or Unit	Object/ Sub Object	Trust Account	Dollars
	251	60	7100-7100	4420-SODS		\$ 94,130.23
					Total:	\$ 94,130.23

Budget Funding Year(s): 2010 Start Date: 08/30/2010 End Date: 12/31/2012
 (must match resolution)

Funding Source: Tax Dollars: 100% County Contractor Federal I.D. No./
 State Aid: _____ Social Security No.: 13-2653703
\$94,130.23 Federal Aid: _____ Vendor No.: _____
 (must match resolution) Other: _____ Encumbrance No.: _____

Board of Acquisition and Contract
Agreement No. 10-932
Construction and Demolition Debris Recycling Facility Feasibility Study,
Yonkers, New York
Malcolm Pirnie, Inc.

List of Respondents

Dvirka and Bartilucci Consulting Engineers, \$ 129,075.00
A Division of William F. Cosulich Associates, PC
4 West Red Oak Lane, Suite 315
White Plains, New York 10604
(914) 467-5300

Henningson, Durham & Richardson \$ 47,300.00
Architecture and Engineering, PC
711 Westchester Avenue
White Plains, New York 10604
(914) 993-2000

Lockwood, Kessler & Bartlett, Inc. \$ 94,500.00
One Aerial Way
Syosset, New York 11791
(516) 938-0600

Malcolm Pirnie, Inc. \$ 94,130.23
44 South Broadway, 15th Floor
White Plains, New York 10601
(914) 694-2100

APPROVED BOARD OF ACQUISITION & CONTRACT - 8-5-2010 - ROMARY VIEIRA, SECRETARY