

22439

TO: Board of Acquisition and Contract

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

DATE: October 19, 2011

SUBJECT: First Amendment (of a Multi-Phased Agreement) to Agreement No. 10-911
In the matter of Architectural Services in connection with Terminal Building Modifications,
Phase II – In-Line Baggage Screening Facility at the Westchester County Airport,
Towns of Harrison and North Castle and Village of Rye Brook, New York
Consultant: Graf & Lewent Architects, LLP
Amendment Amount: \$524,000.00

Authority of your Honorable Board is requested to amend the existing Agreement between the County of Westchester and Graf & Lewent Architects, LLP, 90-30 161st Street, Jamaica, New York 11432. The original Agreement dated July 7, 2010, was for architectural design services in connection with Terminal Building Modifications, Phase II – In-Line Baggage Screening Facility at the Westchester County Airport, Towns of Harrison and North Castle and Village of Rye Brook, New York.

It is requested that the existing Agreement be amended to provide for supplemental design services associated with this project. Supplemental design services shall include the preparation of construction documents (plans and specifications), construction cost estimates, any required addenda, and 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 reviews, attendance at project meetings, periodic site visits and preparation of as-built drawings.

In order to accommodate modifications to the scope of work, it is necessary for the Consultant to provide supplemental design services that were not included in their original agreement. The original Consultant's Agreement included 7,446 hours for design services. Due to modifications to the scope of work, an additional 4,452 hours is required to complete this phase of design as follows: (1) Building Area Increase: Due to new Transportation Security Administration (TSA) requirements, the total building area has increased from an originally anticipated 7,800 square feet to a currently proposed 22,100 square feet. This significantly increases all aspects of the design services beyond that included in the original agreement; (2) Baggage Make Up Area Relocation: Due to new TSA requirements, the Baggage Make Up area has been relocated resulting in the expansion of the baggage handling system work scope, the design of a new canopy, modifications to the building plan and the modification of an area on the airport ramp that was not originally included in the project; and (3) Design Services During Construction Phase: The original scope of this project would have required a 12 month construction period. The increased size and complexity of this project, along with the need to phase the construction with other ongoing airport infrastructure improvements, will result in an 18 month construction period. This will require additional design services during construction beyond that included in the original agreement.

**Board of Acquisition and Contract
Agreement No. 10-911, First Amendment,
Terminal Building Modifications
Phase II – In-Line Baggage Screening Facility at the Westchester County Airport
Towns of Harrison and North Castle and Village of Rye Brook, New York
Graf & Lewent Architects, LLP
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The objective of this project is to provide terminal building modifications at the Westchester County Airport. These improvements will ensure compliance with TSA requirements. 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 enhance the efficiency of the airport's operations to meet the increased level of service, thereby providing an improved traveling experience for airport passengers.

The original intent of this Agreement was to have the design and construction administration performed in multiple phases as subsequent funding became available. The initial design phase defined the scope of work and the required budget for the subsequent phases of design and construction administration, for which funding shall be approved.

The engineering discipline encompassed in this Amendment is not new, but rather, it is an integral part of the project that involves the same degree of skill, experience and complexity as the expertise generally described in the original project. Accordingly, this type of engineering discipline was originally contemplated in the Professional Prequalification Board and Professional Selection Board process.

The fee for the above services is for an amount of \$524,000.00, pursuant to an approved budget, bringing the total Agreement plus Amendment to \$1,456,500.00. The completion date of the Agreement shall be extended to December 31, 2015.

Payment for this contract will be made from the Airport Passenger Facility Charge Fund, not the County General Fund and will not impact the County tax levy.

Proposed form of Resolution to accomplish the foregoing is attached hereto.

RESOLUTION

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

RESOLVED, that the existing Agreement between the County of Westchester and Graf & Lewent Architects, LLP, 90-30 161st Street, Jamaica, New York 11432, be amended to provide for supplemental design services associated with Terminal Building Modifications, Phase II – In-Line Baggage Screening Facility at the Westchester County Airport, Towns of Harrison and North Castle and Village of Rye Brook, New York. Supplemental design services shall include the preparation of construction documents (plans and specifications), construction cost estimates, any required addenda, and 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 reviews, attendance at project meetings, periodic site visits and preparation of as-built drawings; and be it further

RESOLVED, that for the additional services rendered in accordance with the consultant's proposal for the second phase of this multi-phase project, Graf & Lewent Architects, LLP, shall be paid a fee of \$524,000.00 pursuant to an approved budget, increasing the total maximum fee to \$1,456,500.00; and be it further

RESOLVED, that the completion date of the Agreement shall be extended to December 31, 2015; and be it further

RESOLVED, that all other provisions of the existing Agreement shall remain in full force and effect; 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/PC/JM/AS

Original Agreement	\$	932,500.00	(Design Services)
This Amendment		<u>524,000.00</u>	(Supplemental Design Services)
TOTAL	\$	1,456,500.00	

Agreement No. 10-911

Account to be Charged/Credited	Fund	Dept.	Major Program, Program & Phase or Unit	Object/Sub Object	Trust Account	Dollars
	362	44	A095B00E	6120-01		\$524,000.00

Budget Funding Year(s): 2011 Start Date: 12/01/11 End Date: 12/31/15
 (must match resolution)

Funding Source: Tax Dollars: _____ Contractor Federal I.D. No./
 State Aid: _____ Social Security No.: _____
\$524,000.00 Federal Aid: _____ Vendor No.: _____
 (must match resolution) Other: 100% Airport Passenger Facility Charge Fund Encumbrance No.: _____