

23822

TO: Board of Acquisition and Contract
FROM: Thomas J. Lauro, PE
Acting Commissioner of Public Works and Transportation
DATE: January 9, 2012
SUBJECT: Second Amendment (of a Multi-Phased Agreement) to Agreement No. 07-936
In the matter of Engineering Services in connection with the
Rehabilitation of the North Yonkers Trunk Sewer

Consultant: Camp Dresser & McKee

Amendment Amount: \$225,825.00

Subconsultant Approval: B. Thayer Associates (WBE)

Authority of your Honorable Board is requested to amend the existing Agreement between the County of Westchester and Camp Dresser & McKee, 60 Crossways Park Drive West, Suite 340, Woodbury, New York 11797. The original Agreement dated August 6, 2007, was for engineering services in connection with the repair of the North Yonkers Trunk Sewer at the Greystone Area. The Agreement was thereafter amended pursuant to a Resolution approved April 29, 2010, to provide for engineering services in connection with the rehabilitation of the North Yonkers Trunk Sewer.

The consultant recently completed the design development phase of the North Yonkers Trunk Sewer remedial improvements that are included in the existing Agreement. The remedial improvements to the trunk sewer require extending the existing permanent easement on both sides of the trunk sewer at several of the work area locations. Also, temporary construction easements will be required to execute the remedial measures. Proposed permanent and temporary easements, as well as trees to be removed, shall be staked out by the consultant with survey ribbon to assist in illustrating the proposed work to impacted property owners. A boundary survey would be required to delineate the proposed permanent and temporary easements on official documents. However, a boundary survey was not included in the existing Agreement.

During recent site visits by the consultant and County staff, six (6) additional areas were identified where the trunk sewer has been exposed and requires remedial action. These work areas were not included in the existing Agreement.

It is requested that the existing Agreement be further amended to provide for engineering services in connection with the rehabilitation of the North Yonkers Trunk Sewer. The consultant shall provide surveying, design, and construction administration services associated with this project. Surveying services shall include a boundary survey and stake out of proposed easements, as well as tree removals, at all identified work areas. Design and construction administration services shall include the six recently identified additional work areas. 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. For construction administration services, the consultant shall monitor the construction procedures on the site to ensure compliance with the contract documents, coordinate scheduled activities of the contractors, submit construction progress reports and review and process contractors' applications for payment.

The objective of this project is to repair locations of potential failure along the North Yonkers Trunk Sewer. This work is necessary to provide improved sanitary facilities that are in compliance with all applicable regulations. This project will implement the most cost-effective and environmentally compliant technologies available. This agreement will benefit the public as it effectuates long-term repairs of these critical sewer system components avoiding potential adverse environmental impact to the surrounding properties and water bodies, thereby promoting public health policies and laws.

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 required budget for the subsequent phases of design and construction administration for which funding has been 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 \$225,825.00 pursuant to an approved budget, bringing the total Agreement plus Amendments to \$1,002,425.00. The completion date of the Agreement shall be extended to December 31, 2014.

In addition, Camp Dresser & McKee, has requested the utilization of the following subconsultant: B. Thayer Associates (Surveying Services), 100 Crossways Park Drive West, Woodbury, New York 11797.

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

RESOLUTION

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

RESOLVED, that the existing Agreement between the County of Westchester and Camp Dresser & McKee, 60 Crossways Park Drive West, Suite 340, Woodbury, New York 11797, be amended to provide for engineering services in connection with the rehabilitation of the North Yonkers Trunk Sewer. The consultant shall provide surveying, design, and construction administration services associated with this project. Surveying services shall include a boundary survey and stake out of proposed easements, as well as tree removals, at all identified work areas. Design and construction administration services shall include the six recently identified additional work areas. 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. For construction administration services, the consultant shall monitor the construction procedures on the site to ensure compliance with the contract documents, coordinate scheduled activities of the contractors, submit construction progress reports and review and process contractors' applications for payment; and be it further

RESOLVED, that for the additional services rendered in accordance with the consultant's proposal for the third phase of this multi-phase project, Camp Dresser & McKee, shall be paid a fee of \$225,825.00 pursuant to an approved budget, increasing the total maximum fee to \$1,002,425.00; and be it further

RESOLVED, that the use of the following subconsultant also be approved: B. Thayer Associates (Surveying Services), 100 Crossways Park Drive West, Woodbury, New York 11797; and be it further

RESOLVED, that the completion date of the Agreement shall be extended to December 31, 2014; 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/LR/AS

Original Agreement	\$	272,000.00	(Design – N. Yonkers Trunk Sewer, Greystone Area)
First Amendment		504,600.00	(Design & Constr. Admin. – N. Yonkers Trunk Sewer, Various Locations)
This Amendment		<u>225,825.00</u>	(Surveying, Design & Constr. Admin. – N. Yonkers Trunk Sewer, Additional Locations)
TOTAL	\$	1,002,425.00	

Agreement No. 07-936

Account to be Charged/Credited	Fund	Dept	Major Program, Program & Phase or Unit	Object/ Sub Object	Trust Account	Dollars
	322	60	SY08509E	6120-03		\$ 225,825.00

Budget Funding Year(s): 2012 Start Date: 01/30/12 End Date: 12/31/14
(must match resolution)

Funding Source: Tax Dollars: 100% District Contractor Federal I.D. No./ Social Security No.: _____

\$225,825.00 State Aid: _____ Vendor No.: _____

(must match resolution) Other: _____ Encumbrance No.: _____