

24497

TO: Board of Acquisition and Contract

FROM: Jay T. Pisco, PE
Commissioner of Public Works and Transportation

DATE: January 25, 2012

SUBJECT: Authority to Enter into Agreement #11-934
In the matter of Engineering Services in connection with the
Robert's Lane Regulator Rehabilitation, Yonkers Joint Plant Sanitary Sewer District,
City of Yonkers, New York

Consultant: **McGimpsey & Associates**
Agreement Amount: **\$99,750.00**

Subconsultant Approval: *Thomas C. Merritts, Land Surveyors, PC*
Soiltesting, Inc.

Authority of your Honorable Board is requested to enter into an Agreement in connection with engineering services for the Robert's Lane Regulator Rehabilitation, Yonkers Joint Plant Sanitary Sewer District, City of Yonkers, New York. The consultant shall provide design services associated with this project. Design services shall include the preparation of construction contract documents (plans 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 will be to rehabilitate a County-owned sewer regulator located off Warburton Avenue near Otis Park in the City of Yonkers. In 2010, the Robert's Lane Regulator had multiple dry weather discharges of untreated sewage directly into the Hudson River in violation of New York State Department of Environmental Conservation (NYSDEC) regulations. The County filed a Report of Non-Compliance for these incidents with NYSDEC. Subsequently NYSDEC requested that the County implement a long term solution to resolve this recurring situation. If the County does nothing to remedy this problem, NYSDEC will impose an Order-on-Consent to compel a response from the County. A recent study, completed in response to NYSDEC's request, has recommended relocating the Robert's Lane Regulator along with various hydraulic improvements as the optimal long term solution. 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 avoids potential adverse environmental impact to the surrounding properties, thereby promoting public health policies and laws.

On December 3, 2009, the Professional Prequalification Board was canvassed for the purpose of generating a list of qualified firms to provide miscellaneous professional services for an estimated fee under \$100,000 for this project. The Professional Prequalification Board approved a list of seventeen (17) qualified firms with an expiration date of December 31, 2011, to provide professional services for this project. The list was reviewed by the Professional Selection Board on November 2, 2011, whereby three firms were selected to possibly perform said services.

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Robert's Lane Regulator Rehabilitation, Yonkers Joint Plant Sanitary Sewer District

McGimpsey & Associates

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By Resolution approved December 8, 2011, your Honorable Board authorized the County to negotiate with the firm of McGimpsey & Associates, 1 Hilltop Drive, Mahopac, New York 10541, and a proposal was submitted for engineering services for the Robert's Lane Regulator Rehabilitation, Yonkers Joint Plant Sanitary Sewer District, City of Yonkers, New York, for a total fee of \$99,750.00, pursuant to an approved budget.

In addition, McGimpsey & Associates has requested the utilization of the following subconsultants: Thomas C. Merritts, Land Surveyors, PC (Surveying Services), 384 Bedford Road, Pleasantville, New York 10570; and Soiltesting, Inc. (Subsurface Investigations), 90 Donovan Road, Oxford, Connecticut 06478.

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

RESOLUTION

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

RESOLVED, that approval is hereby granted to enter into an Agreement with the firm of McGimpsey & Associates, 1 Hilltop Drive, Mahopac, New York 10541, for engineering services for the Robert's Lane Regulator Rehabilitation, Yonkers Joint Plant Sanitary Sewer District, City of Yonkers, New York. The consultant shall provide design services associated with this project. Design services shall include the preparation of construction contract documents (plans 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, a total compensation of \$99,750.00 shall be provided, pursuant to an approved budget; and be it further

RESOLVED, that the use of the following subconsultants also be approved: Thomas C. Merritts, Land Surveyors, PC (Surveying Services), 384 Bedford Road, Pleasantville, New York 10570; and Soiltesting, Inc. (Subsurface Investigations), 90 Donovan Road, Oxford, Connecticut 06478; and be it further

RESOLVED, that the Agreement shall commence upon the consultant's receipt of written notice from the Commissioner of Public Works and Transportation 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.

JTP/LR/AS

Agreement No. 11-934

Account to be Charged/Credited	Fund	Dept	Major Program, Program & Phase or Unit	Object/ Sub Object	Trust Account	Dollars
	322	60	SY08511E	6120-03		\$ 99,750.00

Budget Funding Year(s): 2012 Start Date: 03/15/12 End Date: 12/31/14
 (must match resolution)

Funding Source: Tax Dollars: 100% County Contractor Federal I.D. No./
 State Aid: _____ Social Security No.: _____
\$99,750.00 Federal Aid: _____ Vendor No.: _____
 (must match resolution) Other: _____ Encumbrance No.: _____