

28296

TO: Board of Acquisition and Contract

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

DATE: July 27, 2012

SUBJECT: Authority to enter into Agreement #12-903 (a Multi-Phased Agreement)
in the matter of Engineering Services in connection with the Storm Water Management Upgrades,
Phase I – Engineering Design, Westchester County Airport,
Towns of Harrison and North Castle and Village of Rye Brook, New York

Consultant: TRC Engineers, Inc.
Agreement Amount: \$336,600.00

Subconsultant Approval: Shumaker Consulting Engineering & Land Surveying, PC (WBE)

Authority of your Honorable Board is requested to enter into an Agreement in connection with engineering services for the Storm Water Management Upgrades, Phase I – Engineering Design, Westchester County Airport, Towns of Harrison and North Castle and Village of Rye Brook, New York. The consultant shall provide design services associated with this project. Design services shall include the preparation of construction contract documents (drawings 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 intent of this Agreement is to have the design and construction administration performed in multiple phases as subsequent funding becomes available. The initial design phase will define the scope of work and the required budget for the next phases of design and construction administration for which funding shall be appropriated and approved in the future as required to complete this project. The County may choose to amend this Agreement for subsequent phases of work. It should be noted that this resolution seeks approval of Phase I – Engineering Design only.

The objective of this project is to provide improvements to the storm water collection and detention facilities at the Westchester County Airport. The proposed project will improve the performance of the existing storm water management system during the 10- and 100-year storm events, reduce peak runoff rates and improve hydrologic conditions downstream within the Blind Brook headwaters, mitigate any negative impacts that properties located immediately downstream may be currently experiencing during a 100-year storm event, mitigate the storm water impacts of existing actions originating from offsite upstream areas, and provide accommodations for higher storm events. These improvements will ensure compliance with New York State Department of Environmental Conservation (NYSDEC) storm water permit requirements. This agreement will benefit the public as it will control the flow of storm water from the airport to help prevent flooding and damage to neighboring properties.

The County may be eligible for future reimbursement by FAA funds for this contract. Therefore, in accordance with FAA requirements, on July 22, 2011 a Request for Qualifications (RFQ) was advertised in the New York State Contract Reporter and The Journal News. Responses to the RFQ were received on August 18, 2011. Based

Board of Acquisition and Contract

Agreement No. 12-903

**Storm Water Management Upgrades, Phase I – Engineering Design, Westchester County Airport
Towns of Harrison and North Castle and Village of Rye Brook, New York**

TRC Engineers, Inc.

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upon the responses received and after careful consideration, on September 13, 2011, the Professional Selection Board ranked the firm of TRC Engineers, Inc., as the number one firm suitable to perform engineering services for the Storm Water Management Upgrades, Phase I – Engineering Design, Westchester County Airport, Towns of Harrison and North Castle and Village of Rye Brook, New York.

By Resolution approved February 2, 2012, the County Board of Acquisition and Contract authorized the negotiation based on the cost of technical salaries plus a fixed fee with a not-to-exceed ceiling, with the firm ranked as number one, TRC Engineers, Inc., 7 Skyline Drive, Hawthorne, New York 10532, and a proposal was submitted for engineering services in connection with the Storm Water Management Upgrades, Phase I – Engineering Design, Westchester County Airport, Towns of Harrison and North Castle and Village of Rye Brook, New York, for a total fee of \$336,600.00, pursuant to an approved budget, which represents the best possible contract for the County.

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

In addition, TRC Engineers, Inc., has requested the utilization of the following subconsultant: Shumaker Consulting Engineering & Land Surveying, PC (Survey and Mapping Services; Wetlands Delineation, Assessment, and Permitting; Ecology and Habitat Assessment), 143 Court Street, Binghamton, New York 13901.

The proposed has been reviewed and is judged to be responsive to the task at hand.

I recommend adoption of the attached proposed Resolution.

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 TRC Engineers, Inc., 7 Skyline Drive, Hawthorne, New York 10532, for engineering services associated with the Storm Water Management Upgrades, Phase I – Engineering Design, Westchester County Airport, Towns of Harrison and North Castle and Village of Rye Brook, New York. The consultant shall provide design services associated with this project. Design services shall include the preparation of construction contract documents (drawings 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 the engineering services under this agreement shall be completed in multiple phases and the consultant shall only proceed with the Engineering Design associated with the Storm Water Management Upgrades (Phase I: \$336,600.00), for which funding has been approved; 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 \$336,600.00, shall be provided, pursuant to an approved budget; and be it further

RESOLVED, that the use of the following subconsultant also be approved: Shumaker Consulting Engineering & Land Surveying, PC (Survey and Mapping Services; Wetlands Delineation, Assessment, and Permitting; Ecology and Habitat Assessment), 143 Court Street, Binghamton, New York 13901; 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, 2016; 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/PC/AS

Agreement No. 12-903

Account to be Charged/Credited	Fund	Dept	Major Program, Program & Phase or Unit	Object/ Sub Object	Trust Account	Dollars
	361	44	A042B01E	6120-03		\$ 336,600.00

Budget Funding Year(s): 2012 Start Date: 08/31/12 End Date: 12/31/16
 (must match resolution)

Funding Source: Tax Dollars: _____ Contractor Federal I.D. No./
 State Aid: _____ Social Security No.: _____
\$336,600.00 Federal Aid: 90% FAA (\$302,940.00) Vendor No.: _____
 (must match resolution) Other: 10% Airport Special Revenue Fund (\$33,660.00) Encumbrance No.: _____