

31922

TO: Board of Acquisition and Contract

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

DATE: January 25, 2013

SUBJECT: Authority to Enter into Agreement #13-901
In the matter of Engineering Services in connection with the
Eastview Water Distribution Chamber, Towns of Greenburgh and Mount Pleasant, New York

Consultant: **Malcolm Pirnie, Inc.**
Agreement Amount: **\$688,825.00**

Subconsultant Approval: *Winston Smith, PC (MBE)*
Terry Bergendorff Collins Land Surveying (WBE)
EnTech Engineering, PC (MBE)

Authority of your Honorable Board is requested to enter into an Agreement in connection with the Eastview Water Distribution Chamber, Towns of Greenburgh and Mount Pleasant, New York. The consultant shall provide design and construction administration 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. 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 provide additional disinfection to drinking water customers of the following entities: (1) County Water District No. 1, which is comprised of the municipalities: Cities of White Plains, Mount Vernon, Yonkers and the Village of Scarsdale; (2) County Water District No. 3, which consists of the Grasslands Campus at Valhalla; (3) Westchester Joint Water Works ("WJWW"), a public benefit corporation which serves its member municipalities of the Town and Village of Mamaroneck, and the Town and Village of Harrison, noting that WJWW also provides water to County residents served by its customer United Water Westchester, including without limitation, the municipalities of Port Chester, Rye and Rye Brook; (4) Village of Sleepy Hollow; (5) Village of Tarrytown; and (6) Village of Briarcliff Manor. This project is required so that these entities may access ultraviolet ("UV") treated water in order to comply with the United States Environmental Protection Agency's ("EPA") Long Term 2 Enhanced Surface Water Treatment Rule. The County has determined that the best alternative for this project is to distribute UV disinfected water provided by the New York City Department of Environmental Protection ("NYCDEP") from its Eastview UV Treatment Facility. This project is for the design and construction of a water meter connection and distribution chamber to connect to two 48 - inch pipes with a capacity of 120 million gallons per day that NYCDEP is providing at their Eastview UV Treatment Facility. Failure to undertake this project may result in a violation of the EPA's Safe Drinking Water Act potentially resulting in significant financial penalties. This agreement will benefit the public as it will ensure that the County's operations are safe and environmentally compliant, thereby enhancing the health and general welfare of County residents.

Board of Acquisition and Contract
Agreement No. 13-901
Eastview Water Distribution Chamber,
Towns of Greenburgh and Mount Pleasant
Malcolm Pirnie, Inc.
Page 2

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 February 13, 2012, 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 10, 2012 whereby AECOM USA, Inc.; Camp Dresser McKee & Smith; Dvirka and Bartilucci Consulting Engineers, A Division of D&B Engineers and Architects, PC; GHD Consulting Engineers, LLC; Hazen and Sawyer, PC; and Malcolm Pirnie, Inc. were selected to possibly perform said services. On August 22, 2012, a request for proposal (RFP) was sent to the qualified firms and subsequently proposals were received on November 8, 2012.

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 January 15, 2013, 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 Eastview Water Distribution Chamber, Towns of Greenburgh and Mount Pleasant, New York, for a total fee of \$688,825.00, 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 subconsultants: Winston Smith, PC (AutoCAD Drafting Services), 46 Phyllis Road, West Orange, New Jersey 07052; Terry Bergendorff Collins Land Surveying (Land Surveying Services), 52 Starr Ridge Road, Brewster, New York 10509; and EnTech Engineering, PC (Construction Administration Services), 11 Broadway, 21st Floor, New York, New York 10004. 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.

RESOLUTION

Upon communication from the Commissioner of Public Works and Transportation, 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, for engineering services associated with the Eastview Water Distribution Chamber, Towns of Greenburgh and Mount Pleasant, New York. The consultant shall provide design and construction administration 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. 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 services rendered in accordance with the consultant's proposal, a total compensation of \$688,825.00, shall be provided, pursuant to an approved budget; and be it further

RESOLVED, that the use of the following subconsultants also be approved: Winston Smith, PC (AutoCAD Drafting Services), 46 Phyllis Road, West Orange, New Jersey 07052; Terry Bergendorff Collins Land Surveying (Land Surveying Services), 52 Starr Ridge Road, Brewster, New York 10509; and EnTech Engineering, PC (Construction Administration Services), 11 Broadway, 21st Floor, New York, New York 10004; 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, 2017; 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. 13-901

Account to be Charged/Credited	Fund	Dept	Major Program, Program & Phase or Unit	Object/ Sub Object	Trust Account	Dollars
	324	60	WD00101E	6120-03		\$ 470,707.00
	324	60	WD00101I	6120-05		218,118.00
					Total:	\$ 688,825.00

Budget Funding Year(s): 2013 Start Date: 02/28/2013 End Date: 12/31/2017
 (must match resolution)

Funding Source: Tax Dollars: 100% County Contractor Federal I.D. No./
 State Aid: _____ Social Security No.: _____
\$688,825.00 Federal Aid: _____ Vendor No.: _____
 (must match resolution) Other: _____ Encumbrance No.: _____

Board of Acquisition and Contract
Agreement No. 13-901
Eastview Water Distribution Chamber,
Towns of Greenburgh and Mount Pleasant
Malcolm Pirnie, Inc.

List of Respondents

AECOM USA, Inc. 605 Third Avenue, 27 th Floor New York, New York 10158 (860) 263-5800	\$ 1,000,300.00
Camp Dresser McKee & Smith 60 Crossways Park West, Suite 340 Woodbury, New York 11797 (516) 496-8400	\$ 997,050.00
Dvirka and Bartilucci Consulting Engineers, A Division of D&B Engineers and Architects, PC 330 Crossways Park Drive Woodbury, New York 11797 (516) 364-9890	\$ 885,300.00
GHD Consulting Engineers, LLC One Remington Park Drive Cazenovia, New York 13035 (315) 655-8161	\$ 979,000.00
Hazen and Sawyer, PC 498 Seventh Avenue New York, New York 10018 (212) 777-8400	\$ 971,793.00
Malcolm Pirnie, Inc. 44 South Broadway, 15 th Floor White Plains, New York 10601 (914) 694-2100	\$ 688,825.00