

33482

**TO:** Board of Acquisition and Contract

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

**DATE:** April 16, 2013

**SUBJECT:** First Amendment to Agreement No. 08-907  
In the matter of Engineering Services in connection with the  
Chlorine Contact Tank and Gas Piping Upgrade, Yonkers Joint Wastewater Treatment Plant,  
Yonkers, New York

**Consultant:** Savin Engineers, P.C.  
**Amendment Amount:** \$151,950.00

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Authority of your Honorable Board is requested to amend the existing Agreement between the County of Westchester and Savin Engineers, P.C., 3 Campus Drive, Pleasantville, New York 10570. The original Agreement dated May 15, 2008, was for engineering services in connection with the Chlorine Contact Tank and Gas Piping Upgrade, Yonkers Joint Wastewater Treatment Plant, Yonkers, New York.

Originally, construction work for the Chlorine Contact Tank and Gas Piping Upgrade began in May 2011 and was to be complete in January 2012. After construction began, the following unforeseen situations delayed the project. (1) Temporary Flare Approvals: The project required the Contractor to rent a Temporary Flare, install it at the plant and operate it while the new gas piping was installed. Due to the potential for harmful emissions, the Temporary Flare needed to be reviewed and approved by the Engineer and by the New York State Department of Environmental Conservation (NYSDEC). That review and approval took longer than expected because of the concern with air quality. Subsequently, due to concerns that the Temporary Flare and the connecting pipe would be unable to adequately convey and flare all of the available digester gas, existing digester gas flow meters had to be calibrated before the Contractor was permitted to hook up the approved Temporary Flare. (2) Gas Piping Installation - Subsurface Obstruction: The installation of the new 14-inch gas piping also encountered construction difficulties. When crossing the existing plant roadway with the new gas piping, the Contractor encountered a large, subsurface concrete obstruction. The concrete had to be removed by jack hammering a trench across the road which required more time than expected. (3) Super Storm Sandy Impact: The project included the installation of a new Condensate Drip Trap System. After the system was installed, the automatic operation was delayed due to control panel termination problems. These operational problems were still unresolved when Super Storm Sandy hit on October 30, 2012. The drip trap system including the control panels were inundated and now require complete replacement. These unforeseen conditions have delayed construction by approximately 15 months. Construction is now expected to be complete by December 31, 2013.

It is therefore requested that the existing Agreement be amended to provide for continued design services during construction and continued construction administration services for the additional time during which construction activities have been extended in connection with the Chlorine Contact Tank and Gas Piping Upgrade at Yonkers Joint Wastewater Treatment Plant. The consultant shall provide continued 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 continued 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 upgrade the chlorine contact tanks so as to permit more frequent and efficient cleaning of sludge. Upgrading the tanks with new sluice gates and dewatering pumps will reduce odors and chemical demand while improving the disinfection process. In addition, the existing gas piping will be replaced. This piping, which is almost 30 years old, has deteriorated and reached the end of its useful life. Over the past few years, gas leaks have occurred due to the age of the pipes. Neglecting to upgrade these critical elements of the plant may result in a failure, including the occurrence of a sewage overflow emergency that could allow sewage into the surrounding properties and cause violations of the plant's State Pollution Discharge (SPDES) permit. This agreement will benefit the public as it will ensure that the plant's operations are safe and environmentally compliant, thereby enhancing the health and general welfare of the residents of Westchester County.

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 \$151,950.00 pursuant to an approved budget, bringing the total Agreement plus Amendment to \$670,450.00. The completion date of the Agreement shall be extended to December 31, 2014.

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 Savin Engineers, P.C., 3 Campus Drive, Pleasantville, New York 10570, be amended to provide for continued design services during construction and continued construction administration services for the additional time during which construction activities have been extended in connection with the Chlorine Contact Tank and Gas Piping Upgrade at Yonkers Joint Wastewater Treatment Plant. The consultant shall provide continued 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 continued 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 Savin Engineers, P.C., shall be paid a fee of \$151,950.00 pursuant to an approved budget, increasing the total maximum fee to \$670,450.00; 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.

JTP/LR/AS

Original Agreement	\$	518,500.00	(Design & CA Services – Chlorine Contact Tank & Gas Piping Upgrade)
This Amendment		<u>151,950.00</u>	(Continued DSDC & CA Services - Chlorine Contact Tank & Gas Piping Upgrade)
TOTAL	\$	670,450.00	

Agreement No. 08-907

Account to be Charged/Credited	Fund	Dept	Major Program, Program & Phase or Unit	Object/ Sub Object	Trust Account	Dollars
	322	60	SY01700E	6120-03		\$ 11,500.00
	322	60	SY01700I	6120-05		\$ 140,450.00

Budget Funding Year(s): 2013 Start Date: 01/01/13 End Date: 12/31/14  
 (must match resolution)

Funding Source: Tax Dollars: 100% County Contractor Federal I.D. No./  
 State Aid: \_\_\_\_\_ Social Security No.: \_\_\_\_\_  
\$ 151,950.00 Federal Aid: \_\_\_\_\_ Vendor No.: \_\_\_\_\_  
 (must match resolution) Other: \_\_\_\_\_ Encumbrance No.: \_\_\_\_\_