

35007

TO: Board of Acquisition and Contract
FROM: Jay T. Pisco, PE
Commissioner of Public Works and Transportation
DATE: July 16, 2013
SUBJECT: Authority to Enter into Agreement #13-914
In the matter of Engineering Services in connection with Post Storm Rehabilitation – Phase I,
Yonkers Joint Wastewater Treatment Plant, Yonkers, New York

Consultant: Malcolm Pirnie, Inc.
Agreement Amount: \$719,463.86

Subconsultant Approval: Nasco Construction Services, Inc. (WBE)

Authority of your Honorable Board is requested to enter into an Agreement in connection with engineering services for Post Storm Rehabilitation – Phase I, Yonkers Joint Wastewater Treatment Plant, Yonkers, 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 professional engineering services associated with storm damage sustained at the Yonkers Joint Wastewater Treatment Plant (YJWWTP). Beginning on the evening of October 29, 2012, and continuing into the early morning of October 30, 2012, an unprecedented tidal surge along the Hudson River during Superstorm Sandy completely inundated the YJWWTP. Flooding of basements and tunnels throughout YJWWTP resulted in extensive damage to equipment and systems. Some of the damaged facilities, equipment, and systems that were repaired immediately following the storm have begun to experience failures due to corrosion from the salt residue left behind from the receding brackish waters of the Hudson River. Some of the systems that have failed recently are the SCADA process control system, fire alarm system and the camera system throughout YJWWTP. Many electrical cables that provide power and wires that provide controls are corroding, thereby causing systems to fail. In addition, there is a possibility that a fire hazard exists if the systems are not repaired. These systems are integral components to the safe, long-term operation of the facility. 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. Time is of the essence in order to ensure the proper repair and rehabilitation of damaged infrastructure at YJWWTP.

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It should be noted that the County anticipates reimbursement of some or all of the costs hereof from disaster assistance through the Federal Emergency Management Agency (FEMA). In order to maintain eligibility for FEMA reimbursement, all Post Storm Rehabilitation work must be completed by April 30, 2014. This work will involve the design and construction administration of multiple construction contracts. Due to the large amount of rehabilitation work, the design and construction administration services will be done concurrently by two different consultants in multiple construction phases, thereby ensuring project completion by the aforesaid FEMA deadline.

The Department of Public Works and Transportation will track scheduling and accomplishments by the consultant and perform on-site inspections to ensure the successful completion of this project.

In accordance with the Accelerated Qualification and Selection Procedure as outlined in the Rules of the Professional Prequalification and Selection Boards (Act 144-1996, §3D), on April 22, 2013, a statement outlining the reason requiring the accelerated procedure, the qualifications of the proposed firm and the scope of work was submitted to the Chairman of the Professional Prequalification Board. The Chairman of the Professional Prequalification Board on April 22, 2013, agreed that the accelerated consultant procurement procedure was warranted. Subsequently, these items were reviewed and approved by the Chairman of the Professional Selection Board on April 23, 2013.

By Resolution approved May 23, 2013, your Honorable Board authorized the County to negotiate with the firm of Malcolm Pirnie, Inc., 44 South Broadway, 15th Floor, White Plains, New York 10601, and a proposal was submitted for engineering services for Post Storm Rehabilitation – Phase I, Yonkers Joint Wastewater Treatment Plant, Yonkers, New York, for a total fee of \$719,463.86, pursuant to an approved budget.

In addition, Malcolm Pirnie, Inc., has requested the utilization of the following subconsultant: Nasco Construction Services, Inc. (Construction Cost Estimating Services), 200 Business Park Drive, Suite 205, Armonk, New York 10504.

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 Malcolm Pirnie, Inc., 44 South Broadway, 15th Floor, White Plains, New York 10601, for engineering services for Post Storm Rehabilitation – Phase I, Yonkers Joint Wastewater Treatment Plant, Yonkers, 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 \$719,463.86 shall be provided, pursuant to an approved budget; and be it further

RESOLVED, that the use of the following subconsultant also be approved: Nasco Construction Services, Inc. (Construction Cost Estimating Services), 200 Business Park Drive, Suite 205, Armonk, New York 10504; 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/LR/AS

Agreement No. 13-914

Account to be Charged/Credited	Fund	Dept	Major Program, Program & Phase or Unit	Object/ Sub Object	Trust Account	Dollars
<i>Design Services</i>	322	60	SY04301S	6120-03		\$ 535,990.26
<i>CA Services</i>	322	60	SY04301S	6120-05		\$ 183,473.60

Budget Funding Year(s): 2013 Start Date: 07/31/13 End Date: 12/31/16
 (must match resolution)

Funding Source: Tax Dollars: 100% County Contractor Federal I.D. No./
 State Aid: _____ Social Security No.: _____
 \$719,463.86 Federal Aid: _____ Vendor No.: _____
 (must match resolution) Other: _____ Encumbrance No.: _____