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**TO:** Board of Acquisition and Contract

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

**DATE:** August 26, 2014

**SUBJECT:** (1) Authority for the County of Westchester to amend the Resolution approved October 31, 2013 authorizing the County to Obtain a Proposal and Negotiate a Fee with Shumaker Consulting Engineering & Land Surveying, PC (“Consultant”) in connection with Engineering Services for Obstruction Removal at all Runway Safety Ends, Phase I – Environmental Review and Support Services, Westchester County Airport, Towns of Harrison and North Castle and Village of Rye Brook, New York, to correct the name of the Consultant to Shumaker Consulting Engineering & Land Surveying, DPC

(2) Authority to Enter into Agreement #13-936  
In the matter of Engineering Services in connection with Obstruction Removal at all Runway Safety Ends, Phase I – Environmental Review and Support Services, Westchester County Airport, Towns of Harrison and North Castle and Village of Rye Brook, New York

**Consultant:** **Shumaker Consulting Engineering & Land Surveying, DPC  
(WBE)**

**Agreement Amount:** **\$250,000.00**

*Subconsultant Approval:* *TRC Engineers, Inc.*  
*Tate & Associates, LLC*  
*KC Engineering and Land Surveying, PC (MBE/DBE)*  
*Bernstein Associates (WBE/DBE)*  
*CITY/SCAPE: Cultural Resource Consultants*  
*Sven Johnson Illustration*

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On October 31, 2013, your Honorable Board approved a Resolution authorizing the County of Westchester to obtain a proposal and negotiate a fee with Shumaker Consulting Engineering & Land Surveying, PC, (“Consultant”) in connection with engineering services for Obstruction Removal at all Runway Safety Ends, Phase I – Environmental Review and Support Services, Westchester County Airport, Towns of Harrison and North Castle and Village of Rye Brook, New York (hereinafter referred to as the “October 31, 2013 Resolution”).

After the October 31, 2013 Resolution was approved, the Consultant notified the County that it converted from a Professional Corporation (“PC”) to a Design Professional Corporation (“DPC”) pursuant to New York State Business Corporation Law §1503, and has filed the required Certificate of Amendment of the Certificate of Incorporation with the New York State Education Department and the New York State Department of State.

As such, authority is hereby sought to amend the October 31, 2013 Resolution to correct the name of the Consultant from Shumaker Consulting Engineering & Land Surveying, PC to Shumaker Consulting Engineering & Land Surveying, DPC.

All other terms and conditions of the October 31, 2013 Resolution shall remain in full force and effect and unchanged.

**Board of Acquisition and Contract**

**Agreement No. 13-936**

**Obstruction Removal at all Runway Safety Ends, Phase I – Environmental Review and Support Services  
Westchester County Airport**

**Towns of Harrison and North Castle and Village of Rye Brook, New York**

**Shumaker Consulting Engineering & Land Surveying, DPC**

Authority of your Honorable Board is requested to enter into an Agreement in connection with engineering services for Obstruction Removal at all Runway Safety Ends, Phase I – Environmental Review and Support Services, Westchester County Airport, Towns of Harrison and North Castle and Village of Rye Brook, New York. The consultant shall provide professional engineering services associated with this project which includes the following tasks: project management, project schedule development, data collection, prepare draft Environmental Assessment, provide responses to public comments, and prepare final Environmental Assessment.

The objective of this project is to provide for the removal of obstructions at all runway safety ends of the Westchester County Airport, Towns of Harrison and North Castle and Village of Rye Brook. The Federal Aviation Administration (FAA) has reported that trees are growing into the airspace clear zone required by Part 77 of the FAA regulations for the safe operation of Runways 16/34 and 11/29. An airspace analysis and survey was then completed in 2012 as part of the Airport's Master Plan study and Airport Layout Plan update. Based on the most current survey, it has been determined that an environmental review is required for obstructions that are off-airport property, and it must be completed before mitigation. The consultant shall complete the New York State Environmental Quality Review (SEQR) and the National Environmental Policy Act (NEPA) environmental review processes required for obstruction removal off-airport property. The airport is required to maintain the approach and departure surfaces clear of obstructions for each runway to maintain the safety of all aircraft operations. These improvements will ensure compliance with FAA requirements. This agreement will benefit the public as it will enhance the safety of all airport travelers and the residents of Westchester County.

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.

The County may be eligible for future reimbursement by FAA funds for this contract. Therefore, in accordance with FAA requirements, on June 18, 2013 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 July 11, 2013. Based upon the responses received and after careful consideration, on September 20, 2013, the Professional Selection Board ranked the firm of Shumaker Consulting Engineering & Land Surveying, DPC, as the number one firm suitable to perform engineering services for Obstruction Removal at all Runway Safety Ends, Phase I – Environmental Review and Support Services, Westchester County Airport, Towns of Harrison and North Castle and Village of Rye Brook, New York.

By Resolution approved October 31, 2013, your Honorable Board authorized the County to negotiate with the firm of Shumaker Consulting Engineering & Land Surveying, DPC, 143 Court Street, Binghamton, New York 13901, and a proposal was submitted for engineering services for Obstruction Removal at all Runway Safety Ends, Phase I – Environmental Review and Support Services, Westchester County Airport, Towns of Harrison and North Castle and Village of Rye Brook, New York, for a total fee of \$250,000.00, pursuant to an approved budget, which represents the best possible contract for the County.

**Board of Acquisition and Contract**

**Agreement No. 13-936**

**Obstruction Removal at all Runway Safety Ends, Phase I – Environmental Review and Support Services  
Westchester County Airport**

**Towns of Harrison and North Castle and Village of Rye Brook, New York**

**Shumaker Consulting Engineering & Land Surveying, DPC**

In addition, Shumaker Consulting Engineering & Land Surveying, DPC, has requested the utilization of the following subconsultants: TRC Engineers, Inc. (Visual Impact Assessment; Local Regulatory and Zoning Requirements; Water Quality Assessment; Soil Erosion and Control), 7 Skyline Drive, Hawthorne, New York 10532; Tate & Associates, LLC (Meeting Coordination; Impact Renderings; Landscape Consultation), 857 Post Road, Fairfield, Connecticut 06824; KC Engineering and Land Surveying, PC (Cost Estimating), 370 7<sup>th</sup> Avenue, Suite 1705, New York, New York 10001; Bernstein Associates (Photographic Services), 828 South Broadway, Suite LL01, Tarrytown, New York 10591; CITY/SCAPE: Cultural Resource Consultants (Historical, Architectural, Archaeological, and Cultural Resource Impact Assessment), 166 Hillair Circle, White Plains, New York 10605; and Sven Johnson Illustration (Mitigation Alternatives Renderings), 164 Eagle Street, Brooklyn, New York 11222.

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.

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

I recommend adoption of the attached proposed Resolution.

JTP/PC/JM/AS

# RESOLUTION

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

RESOLVED, that the Resolution approved October 31, 2013, which authorized the County of Westchester (the "County") to obtain a proposal and negotiate a fee with Shumaker Consulting Engineering & Land Surveying, PC, ("Consultant") in connection with engineering services for Obstruction Removal at all Runway Safety Ends, Phase I – Environmental Review and Support Services, Westchester County Airport, Towns of Harrison and North Castle and Village of Rye Brook, New York (the "October 31, 2013 Resolution"), be and is hereby amended to correct the name of the Consultant from Shumaker Consulting Engineering & Land Surveying, PC to Shumaker Consulting Engineering & Land Surveying, DPC, 143 Court Street, Binghamton, New York 13901; and be it further

RESOLVED, that all other terms and conditions of the October 31, 2013 Resolution shall remain in full force and effect and unchanged; and be it further

RESOLVED, that approval is hereby granted to enter into an Agreement with the firm of Shumaker Consulting Engineering & Land Surveying, DPC, 143 Court Street, Binghamton, New York 13901, for engineering services associated with Obstruction Removal at all Runway Safety Ends, Phase I – Environmental Review and Support Services, Westchester County Airport, Towns of Harrison and North Castle and Village of Rye Brook, New York. The consultant shall provide professional engineering services associated with this project which includes the following tasks: project management, project schedule development, data collection, prepare draft Environmental Assessment, provide responses to public comments, and prepare final Environmental Assessment; and be it further

RESOLVED, that for services rendered in accordance with the consultant's proposal, a total compensation of \$250,000.00, shall be provided, pursuant to an approved budget; and be it further

RESOLVED, that the use of the following subconsultants also be approved: TRC Engineers, Inc. (Visual Impact Assessment; Local Regulatory and Zoning Requirements; Water Quality Assessment; Soil Erosion and Control), 7 Skyline Drive, Hawthorne, New York 10532; Tate & Associates, LLC (Meeting Coordination; Impact Renderings; Landscape Consultation), 857 Post Road, Fairfield, Connecticut 06824; KC Engineering and Land Surveying, PC (Cost Estimating), 370 7<sup>th</sup> Avenue, Suite 1705, New York, New York 10001; Bernstein Associates (Photographic Services), 828 South Broadway, Suite LL01, Tarrytown, New York 10591; CITY/SCAPE: Cultural Resource Consultants (Historical, Architectural, Archaeological, and Cultural Resource Impact Assessment), 166 Hillair Circle, White Plains, New York 10605; and Sven Johnson Illustration (Mitigation Alternatives Renderings), 164 Eagle Street, Brooklyn, New York 11222; and be it further

# RESOLUTION

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.

Agreement No. 13-936

Account to be Charged/Credited	Fund	Dept	Major Program, Program & Phase or Unit	Object/ Sub Object	Bond Act No.	Dollars
	361	44	A002A04E	6120-03	N/A	\$ 250,000.00

Budget Funding Year(s): 2014 Start Date: 10/01/14 End Date: 12/31/17  
 (must match resolution)

Funding Source: Tax Dollars: \_\_\_\_\_ Contractor Federal I.D. No./  
 State Aid: \_\_\_\_\_ Social Security No.: \_\_\_\_\_  
\$250,000.00 Federal Aid: 90% FAA (\$225,000.00) Vendor No.: \_\_\_\_\_  
 (must match resolution) Other: 10% Airport Special Revenue Fund (\$25,000.00) Encumbrance No.: \_\_\_\_\_