

46476

TO: Board of Acquisition and Contract
FROM: Jay T. Pisco, PE
Commissioner of Public Works and Transportation
DATE: April 28, 2015
SUBJECT: Second Amendment (of a Multi-Phased Agreement) to Agreement No. 09-929
In the matter of:

- (1) Amendment to change the name of the Consultant to WSP
- (2) Amendment for Engineering Services in connection with the Rehabilitation of Ashford Avenue Bridge over I-87, Saw Mill River Parkway, and Saw Mill River, Ardsley and Dobbs Ferry, New York

Consultant: WSP
Amendment Amount: \$3,427,496.02
Subconsultant Approval: Interactive Elements Incorporated (**WBE**)

Pursuant to a Resolution approved on June 18, 2009, the County of Westchester ("County") entered into Agreement Number 09-929 with Chas. H. Sells, Inc. d/b/a WSP Sells ("Consultant"), 555 Pleasantville Road, Briarcliff Manor, New York 10510, wherein the Consultant was to provide engineering services associated with the Rehabilitation of Ashford Avenue Bridge over I-87, Saw Mill River Parkway, and Saw Mill River, Ardsley and Dobbs Ferry, New York. The Agreement was thereafter amended by Resolution approved November 1, 2012, for engineering services associated with the Rehabilitation of Ashford Avenue Bridge over I-87, Saw Mill River Parkway, and Saw Mill River, Ardsley and Dobbs Ferry, New York.

The Consultant recently advised the County that its name changed to WSP. Therefore, authority of your Honorable Board is requested to amend the existing Agreement to reflect the correct name of the Consultant.

In addition, it is requested that the existing Agreement be amended to provide for engineering services in connection with the Rehabilitation of Ashford Avenue Bridge over I-87, Saw Mill River Parkway, and Saw Mill River, Ardsley and Dobbs Ferry, New York. The consultant shall provide construction administration services associated with this project. 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 will be to rehabilitate the Ashford Avenue Bridge over I-87, Saw Mill River Parkway, and Saw Mill River in Ardsley and Dobbs Ferry. This work is necessary due to extensive deterioration of the structure. This agreement will benefit the public as it will enhance the functionality of this structure ensuring its safe use by the public, thus addressing the County Executive's priority area of Safety and Security.

The original intent of this Agreement was to have the design and construction administration performed in multiple phases as subsequent funding became available. The initial design phase defined the scope of work and required budget for the subsequent phases of design and construction administration for which funding has been approved.

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 \$3,427,496.02 pursuant to an approved budget, bringing the total Agreement plus Amendments to \$4,468,117.02. The completion date of the Agreement shall be extended to December 31, 2020.

In addition, WSP has requested the utilization of the following subconsultant: Interactive Elements Incorporated (Construction Inspection Services), 60 West 55th Street, 3rd Floor, New York, New York 10019.

Proposed form of Resolution to accomplish the foregoing is attached hereto.

JTP/RSD/KR/AS

RESOLUTION

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

RESOLVED, that the County of Westchester is hereby authorized to amend Agreement No. 09-929 with Chas. H. Sells, Inc. d/b/a WSP Sells ("Consultant"), 555 Pleasantville Road, Briarcliff Manor, New York 10510, to change the name of the Consultant to WSP; and be it further

RESOLVED, that the existing Agreement between the County of Westchester and WSP, 555 Pleasantville Road, Briarcliff Manor, New York 10510, be amended to provide for engineering services in connection with the Rehabilitation of Ashford Avenue Bridge over I-87, Saw Mill River Parkway, and Saw Mill River, Ardsley and Dobbs Ferry, New York. The consultant shall provide construction administration services associated with this project. 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 the additional services rendered in accordance with the consultant's proposal for the current phase of this multi-phase project, WSP, shall be paid a fee of \$3,427,496.02 pursuant to an approved budget, increasing the total maximum fee to \$4,468,117.02; and be it further

RESOLVED, that the use of the following subconsultant also be approved: Interactive Elements Incorporated (Construction Inspection Services), 60 West 55th Street, 3rd Floor, New York, New York 10019; and be it further

RESOLVED, that the completion date of the Agreement shall be extended to December 31, 2020; 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.

Original Agreement	\$	580,621.00	(Design Services – Rehabilitation of Ashford Avenue Bridge)
First Amendment		460,000.00	(Additional Design Services – Rehabilitation of Ashford Avenue Bridge)
This Amendment		3,427,496.02	(Construction Administration Services – Rehabilitation of Ashford Avenue Bridge)
TOTAL	\$	4,468,117.02	

Agreement No. 09-929

Account to be Charged/Credited	Fund	Dept	Major Program, Program & Phase or Unit	Object/ Sub Object	Bond Act No.	Dollars
	366	46	RB01Q00I	6120-05	BA #42-2014	\$ 1,647,496.02
	366	46	RB03K01E	6120-03	BA # 9-2014	\$ 100,000.00
	366	46	RB03K01I	6120-05	BA # 9-2014	\$ 795,000.00
	366	46	RB03R02E	6120-03	BA #14-2014	\$ 200,000.00
	366	46	RB03R02I	6120-05	BA #14-2014	\$ 685,000.00

Budget Funding Year(s): 2015 Start Date: 06/15/09 End Date: 12/31/20
(must match resolution)

Funding Source: Tax Dollars: 100% County Contractor Federal I.D. No./
State Aid: _____ Social Security No.: _____
\$3,427,496.02 Federal Aid: _____ Vendor No.: _____
(must match resolution) Other: _____ Encumbrance No.: _____