

49532

TO: Board of Acquisition and Contract

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

DATE: November 17, 2015

SUBJECT: Third Amendment (of a Multi-Phased Agreement) to Agreement No. 11-900
In the matter of Engineering Services in connection with the
Phase II - Rehabilitation of Administration Building,
Mamaroneck Wastewater Treatment Plant, Mamaroneck, New York

Consultant: Hillman & Miley Consulting Engineers, PLLC
Amendment Amount: \$147,000.00

Authority of your Honorable Board is requested to amend the existing Agreement between the County of Westchester ("County") and Hillman & Miley Consulting Engineers, PLLC ("Consultant"), 235 Mamaroneck Avenue, White Plains, New York 10605. The original Agreement dated March 1, 2011, was for design services in connection with the Phase I - Rehabilitation of Administration Building Roof and Tower, Mamaroneck Wastewater Treatment Plant, Mamaroneck, New York. The Agreement was thereafter amended by Resolution approved July 5, 2012, for construction administration services associated with Phase I of this project. The Agreement was thereafter amended by Resolution approved June 25, 2014, for design services associated with Phase II of this project.

The consultant has completed Phase II design of this project which includes rehabilitation of the Administration Building exterior and interior walls, windows, and exterior stair assemblies. On June 15, 2015, the Board of Legislators approved Bond Act Number 109-2015 authorizing funds required to finance construction and construction management associated with Phase II of this project.

It is therefore requested that the existing Agreement be amended to provide for engineering services in connection with the Phase II - Rehabilitation of Administration Building at the Mamaroneck Wastewater Treatment Plant. The consultant shall provide construction administration services associated with Phase II of 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 is to rehabilitate the Administration Building at the Mamaroneck Wastewater Treatment Plant. The Mamaroneck Wastewater Treatment Plant Administration Building is an original structure to the plant constructed in the 1930s. The original neo-classic building is eligible for listing on the National Register of Historic Places. Therefore, the rehabilitation work must be designed and constructed in accordance with the United States Secretary of the Interior's Standards for the Treatment of Historic Properties. The design documents prepared by the consultant for this project shall be reviewed for historic conformance by the Westchester County Department of Planning. This project will implement the most cost-effective and environmentally compliant technologies available which will provide long-term energy conservation. The Phase II - Rehabilitation of the Administration Building windows will reduce energy use by utilizing insulated glazing in compliance with LEED guidelines for environmental sustainability as per the United States Green Building Council. This agreement will benefit the public as it enables WCDEF to conduct its basic mission of providing wastewater treatment and maintaining water quality, thereby promoting public health policies and laws.

Board of Acquisition and Contract
Agreement No. 11-900, Third Amendment
Phase II - Rehabilitation of Administration Building,
Mamaroneck Wastewater Treatment Plant, Mamaroneck, New York
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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, construction administration, and construction 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 \$147,000.00 pursuant to an approved budget, bringing the total Agreement plus Amendments to \$594,280.00. The completion date of the Agreement shall be extended to December 31, 2018.

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.

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

JTP/LR/AS

RESOLUTION

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

RESOLVED, that the existing Agreement between the County of Westchester ("County") and Hillman & Miley Consulting Engineers, PLLC ("Consultant"), 235 Mamaroneck Avenue, White Plains, New York 10605, be amended to provide for engineering services in connection with the Phase II - Rehabilitation of Administration Building at the Mamaroneck Wastewater Treatment Plant. Phase II includes rehabilitation of the Administration Building exterior and interior walls, windows, and exterior stair assemblies. The consultant shall provide construction administration services associated with Phase II of 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 next phase of this multi-phase project, Hillman & Miley Consulting Engineers, PLLC, shall be paid a fee of \$147,000.00 pursuant to an approved budget, increasing the total maximum fee to \$594,280.60; and be it further

RESOLVED, that the completion date of the Agreement shall be extended to December 31, 2018; 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	\$	133,180.60	(Phase I Design Services for Roof and Tower)
First Amendment		221,100.00	(Phase I CA Services for Roof and Tower)
Second Amendment		93,000.00	(Phase II Design Services for Walls/Windows/Stairs)
This Amendment		<u>147,000.00</u>	(Phase II CA Services for Walls/Windows/Stairs)
TOTAL	\$	594,280.60	

Agreement No. 11-900

Account to be Charged/Credited	Fund	Dept	Major Program, Program & Phase or Unit	Object/ Sub Object	Bond Act No.	Dollars
	322	60	SM003001	6120-05	BA #109-2015	\$ 147,000.00

Budget Funding Year(s): 2015 Start Date: 12/31/15 End Date: 12/31/18
 (must match resolution)

Funding Source: Tax Dollars: 100% County Contractor Federal I.D. No./
 State Aid: _____ Social Security No.: _____
\$ 147,000.00 Federal Aid: _____ Vendor No.: _____
 (must match resolution) Other: _____ Encumbrance No.: _____