

52630

TO: Board of Acquisition and Contract

FROM: Thomas J. Lauro, PE
Acting Commissioner of Public Works and Transportation

DATE: August 23, 2016

SUBJECT: Third Amendment (of a Multi-Phased Agreement) to Agreement No. 09-937
In the matter of Engineering Services in connection with the
HVAC Equipment Upgrades and Odor Control Improvements,
Yonkers Joint Wastewater Treatment Plant, Yonkers, New York

Consultant: Camp Dresser McKee & Smith
Amendment Amount: \$223,758.19

Pursuant to a Resolution approved on October 22, 2009, the County of Westchester ("County") entered into Agreement Number 09-937 with Camp Dresser & McKee ("Consultant"), 60 Crossways Park West, Suite 340, Woodbury, New York 11797, commencing on November 1, 2009, wherein the Consultant was to provide design services and construction administration services associated with the HVAC Equipment Upgrades and Odor Control Improvements at the Yonkers Joint Wastewater Treatment Plant in Yonkers, New York. The Agreement was thereafter amended by Resolution approved May 24, 2012, for additional design services and construction administration services associated with the HVAC Equipment Upgrades and Odor Control Improvements at the Yonkers Joint Wastewater Treatment Plant in Yonkers, New York. The Agreement was thereafter further amended by Resolution approved April 24, 2014, to change the name of the Consultant to Camp Dresser McKee & Smith and for additional design services and construction administration services associated with the HVAC Equipment Upgrades and Odor Control Improvements at the Yonkers Joint Wastewater Treatment Plant in Yonkers, New York.

This project is being done in multiple phases. The Consultant has completed the design documents for all phases that are included in the existing Agreement. Phases I and II are currently under construction. Phase III is anticipated to be advertised for bid in the 4th Quarter of 2016. Phase IV is anticipated to be advertised for bid in 2018 after bonding is received. The actual construction time period has exceeded the originally anticipated construction time period for both Phases I and II. Design services and construction administration services for the additional Phase I and Phase II construction time period will be required.

It is therefore requested that the existing Agreement be further amended to provide for engineering services in connection with the HVAC Equipment Upgrades and Odor Control Improvements at the Yonkers Joint Wastewater Treatment Plant in Yonkers, New York. The Consultant shall provide additional design services and construction administration services associated with this project. The Consultant shall provide design services including design services during construction consisting of shop drawing and submittal reviews, attendance at project meetings, periodic site visits and preparation of as-built drawings. For construction administration services, the Consultant shall provide additional monitoring of 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 HVAC equipment and to provide odor control improvements at the Yonkers Joint Wastewater Treatment Plant. This work is necessary to: (1) provide a fully functional, reliable, and energy efficient HVAC system throughout the plant; and (2) serve to control the emission of odors, thereby protecting the health and environment of the surrounding community. This project will implement the most cost-effective and environmentally compliant technologies available. This agreement will benefit the public as it effectuates the long-term remediation of these critical sewer system components avoiding potential adverse environmental impact to the surrounding properties, thereby promoting public health policies and laws.

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 \$223,758.19 pursuant to an approved budget, bringing the total Agreement plus Amendments to \$2,719,553.19. The completion date of the Agreement shall be extended to December 31, 2021.

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

TJL/LR/AS

RESOLUTION

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

RESOLVED, that the existing Agreement between the County of Westchester (“County”) and Camp Dresser McKee & Smith (“Consultant”), 60 Crossways Park West, Suite 340, Woodbury, New York 11797, be amended to provide for engineering services in connection with the HVAC Equipment Upgrades and Odor Control Improvements at the Yonkers Joint Wastewater Treatment Plant in Yonkers, New York. The Consultant shall provide additional design services and construction administration services associated with this project. The Consultant shall provide design services including design services during construction consisting of shop drawing and submittal reviews, attendance at project meetings, periodic site visits and preparation of as-built drawings. For construction administration services, the Consultant shall provide additional monitoring of 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, Camp Dresser McKee & Smith shall be paid a fee of \$223,758.19 pursuant to an approved budget, increasing the total maximum fee to \$2,719,553.19; and be it further

RESOLVED, that the completion date of the Agreement shall be extended to December 31, 2021; 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	\$ 2,217,750.00	(Design & Constr. Admin. – YJWWTP HVAC / Odor Control Improvements)
First Amendment	97,345.00	(Additional Design & Constr. Admin. – YJWWTP HVAC / Odor Control Improvements)
Second Amendment	180,700.00	(Additional Design – YJWWTP HVAC / Odor Control Improvements)
This Amendment	<u>223,758.19</u>	(Additional Design & Constr. Admin. – YJWWTP HVAC / Odor Control Improvements)
TOTAL	\$ 2,719,553.19	

Agreement No. 09-937

Account to be Charged/Credited	Fund	Dept	Major Program, Program & Phase or Unit	Object/ Sub Object	Bond Act No.	Dollars
<i>Phase I – DSDC</i>	322	60	SY00900E	6120-03	BA #189-2008	\$ 34,397.00
<i>Phase I – CA</i>	322	60	SY00900I	6120-05	BA #189-2008	\$ 6,366.57
<i>Phase II – DSDC</i>	322	60	SY00901E	6120-03	BA #131-2013	\$ 27,490.00
<i>Phase II – CA</i>	322	60	SY00901I	6120-05	BA #131-2013	\$ 155,504.62

Budget Funding Year(s): 2016 Start Date: 11/01/09 End Date: 12/31/21
(must match resolution)

Funding Source: Tax Dollars: 100% County Contractor Federal I.D. No./
State Aid: _____ Social Security No.: _____
\$223,758.19 Federal Aid: _____ Vendor No.: _____
(must match resolution) Other: _____ Encumbrance No.: _____