

54099

TO: Board of Acquisition and Contract

FROM: Vincent F. Kopicki, PE
Commissioner, Department of Public Works and Transportation

DATE: December 27, 2016

SUBJECT: Authorization to extend the term of Agreement No. 11-934
with McGimpsey & Associates until December 31, 2018

Pursuant to a Resolution approved on February 23, 2012, the County of Westchester (the "County") entered into Agreement Number 11-934 with McGimpsey & Associates (the "Consultant"), 1 Hilltop Drive, Mahopac, New York 10541, wherein the Consultant was to provide engineering services for the Robert's Lane Regulator Rehabilitation, Yonkers Joint Plant Sanitary Sewer District, City of Yonkers, New York (the "Agreement") for the term March 15, 2012 through December 31, 2014, in the amount of \$99,750.00.

The County has been satisfied with the quality of services provided to date which included design work and design services during construction. The design was delayed due to the delay in receiving construction bonding and the site conditions. Therefore, the professional services of McGimpsey & Associates will be required beyond the original completion date of December 31, 2014 in order to complete the design and provide design services during construction.

Therefore, authority of your Honorable Board is requested to extend the term of Agreement No. 11-934 between the County of Westchester and the Consultant for the provision of engineering services in connection with the Robert's Lane Regulator Rehabilitation, Yonkers Joint Plant Sanitary Sewer District, City of Yonkers, New York until December 31, 2018 with no increase in the not to exceed amount of \$99,750.00.

Except as specifically amended hereby, all other terms and conditions of Agreement No. 11-934 will remain the same.

The objective of this project will be to rehabilitate a County-owned sewer regulator located off Warburton Avenue near Otis Park in the City of Yonkers. In 2010, the Robert's Lane Regulator had multiple dry weather discharges of untreated sewage directly into the Hudson River in violation of New York State Department of Environmental Conservation (NYSDEC) regulations. The County filed a Report of Non-Compliance for these incidents with NYSDEC. Subsequently NYSDEC requested that the County implement a long term solution to resolve this recurring situation. If the County does nothing to remedy this problem, NYSDEC will impose an Order-on-Consent to compel a response from the County. A recent study, completed in response to NYSDEC's request, has recommended relocating the Robert's Lane Regulator along with various hydraulic improvements as the optimal long term solution. This work is necessary to provide improved sanitary facilities that are in compliance with all applicable regulations. This project will implement the most cost-effective and environmentally compliant technologies available. This agreement will benefit the public as it avoids potential adverse environmental impact to the surrounding properties, thereby promoting public health policies and laws.

Board of Acquisition and Contract
Agreement No. 11-934, First Amendment
McGimpsey & Associates
Robert's Lane Regulator Rehabilitation
Yonkers Joint Plant Sanitary Sewer District
Yonkers, New York

The department will track scheduling and accomplishments by the consultant and perform on-site inspections to ensure the successful completion of tasks. It is recognized and understood that the County shall evaluate the performance of this contract by the consultant and shall use such evaluation in deciding to award future contracts to the consultant.

I urge your favorable consideration of the annexed proposed Resolution.

VFK/LR

APPROVED BOARD OF ACQUISITION & CONTRACT - 01/19/2017 - LISA MRIJAJ, SECRETARY

RESOLUTION

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

RESOLVED, that the County of Westchester, acting by and through its Department of Public Works and Transportation, (the "County") be and is hereby authorized to amend Agreement No. 11-934 with McGimpsey & Associates, (the "Consultant"), 1 Hilltop Drive, Mahopac, New York 10541 for the provision of engineering services in connection with the Robert's Lane Regulator Rehabilitation, Yonkers Joint Plant Sanitary Sewer District, City of Yonkers, New York by extending the term until December 31, 2018; and be it further

RESOLVED, that all other terms and conditions of Agreement No. 11-934, including the not to exceed amount of \$99,750.00 shall remain the same; and be it further

RESOLVED, that the County Executive or his duly authorized designee be and hereby is authorized and empowered to execute all appropriate contracts or documents necessary to effectuate the purposes of this Resolution in the manner prescribed by law.

Original Agreement:	\$99,750.00	(Engineering Services)
This Amendment:	<u>\$ 0.00</u>	(Term Extension Only)
Total:	\$99,750.00	

Agreement No. 11-934

Account to be Charged/credited	Fund	Dept	Major Program, Program & Phase Or Unit	Object/ Sub Object	Bond Act No.	Dollars
	322	60	SY08511E	6120-03	BA #67-2016	N/A

Budget Funding Year(s) N/A Start Date March 15, 2012 End Date December 31, 2018
 (must match resolution)

Funding Source	Tax Dollars <u>100% County</u>
	State Aid _____
	Federal Aid _____
<u>\$ N/A</u> (must match resolution)	Other _____