

55868

TO: Board of Acquisition and Contract
FROM: Vincent F. Kopicki, PE
Commissioner of Public Works and Transportation
DATE: March 14, 2017
SUBJECT: First Amendment to Agreement No. 12-912 in the matter of
Engineering Services in connection with the Tarrytown Force Main Replacement,
Saw Mill Sewer District, Tarrytown, New York

Consultant: Hazen and Sawyer, PC
Amendment Amount: \$268,411.81

Subconsultant Approval: HAKS Engineers, Architects and Land Surveyors, PC (MBE)

Authority of your Honorable Board is requested to amend the existing Agreement between the County of Westchester ("County") and Hazen and Sawyer, PC ("Consultant"), 498 Seventh Avenue, New York, New York 10018. The original Agreement dated August 6, 2012, was for design and construction administration services associated with the Tarrytown Force Main Replacement, Saw Mill Sewer District, Tarrytown, New York.

During the ongoing construction phase, the following additional tasks have arisen which are outside of the scope of work included in the existing Agreement: construction inspection for second pipe installation crew on Route 9 and Route 119; unanticipated subsurface field conditions on Route 9/South Broadway; special inspections to meet New York State Building Code; force main alignment revisions on Church Street and Route 119; and landscape planting plan in the area of Church Street.

It is therefore requested that the existing Agreement be amended to provide for engineering services in connection with this project. The Consultant shall provide additional design services during construction and additional construction administration services associated with this project that address additional tasks that have arisen which are outside of the scope of work included in the existing Agreement. Additional design services during construction shall include shop drawing and submittal review, attendance at project meetings, periodic site visits and preparation of as-built drawings. For additional 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 replace the 30-inch diameter Tarrytown Force Main from the Tarrytown Pump Station to the intersection of Route 9 and Route 119, an approximate length of 4,200 linear feet. The force main has been the source of several problems over the years, including inferior manufacturing materials used to produce the pre-stressed concrete cylinder pipe ("PCCP") which resulted in several pipeline failures. This work is necessary to improve the reliability of the force main. Neglecting to upgrade this critical pipeline may result in future failures, including the occurrence of a sewage overflow emergency that could allow sewage into the surrounding properties and cause violations of the County's State Pollutant Discharge Elimination System ("SPDES") Permit. This agreement will benefit the public as it will ensure that the County's operations are safe and environmentally compliant, thereby enhancing the health and general welfare of County residents.

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Hazen and Sawyer, PC
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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 \$268,411.81 pursuant to an approved budget, bringing the total Agreement plus Amendment to \$1,011,280.81. The completion date of the Agreement shall be extended to December 31, 2018.

In addition, Hazen and Sawyer, PC, has requested the utilization of the following subconsultant: HAKS Engineers, Architects and Land Surveyors, PC (Special Inspections to meet New York State Building Code), 47 Hudson Street, Ossining, New York 10562.

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.

VFK/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 Hazen and Sawyer, PC (“Consultant”), 498 Seventh Avenue, New York, New York 10018, be amended to provide for engineering services in connection with the Tarrytown Force Main Replacement, Saw Mill Sewer District, Tarrytown, New York. The Consultant shall provide additional design services during construction and additional construction administration services associated with this project that address additional tasks that have arisen which are outside of the scope of work included in the existing Agreement. Additional design services during construction shall include shop drawing and submittal review, attendance at project meetings, periodic site visits and preparation of as-built drawings. For additional 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, Hazen and Sawyer, PC, shall be paid a fee of \$268,411.81 pursuant to an approved budget, increasing the total maximum fee to \$1,011,280.81; and be it further

RESOLVED, that the use of the following subconsultant also be approved: HAKS Engineers, Architects and Land Surveyors, PC (Special Inspections to meet New York State Building Code), 47 Hudson Street, Ossining, New York 10562; 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.

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|--------------------|----|-------------------|--|
| Original Agreement | \$ | 742,869.00 | (Design and Construction Administration Services) |
| This Amendment | | <u>268,411.81</u> | (Additional DSDC and Construction Administration Services) |
| TOTAL | \$ | 1,011,280.81 | |

Agreement No. 12-912

| Account to be Charged/Credited | Fund | Dept | Major Program, Program & Phase or Unit | Object/ Sub Object | Bond Act No. | Dollars |
|--------------------------------|------|------|--|--------------------|--------------|---------------|
| | 322 | 60 | SY02000E | 6120-03 | BA #18-2014 | \$ 34,231.81 |
| | 322 | 60 | SY02000I | 6120-05 | BA #18-2014 | \$ 234,180.00 |

Budget Funding Year(s): 2017 Start Date: 08/06/12 End Date: 12/31/18
(must match resolution)

Funding Source: Tax Dollars: 100% County Contractor Federal I.D. No./
State Aid: _____ Social Security No.: _____
\$268,411.81 Federal Aid: _____ Vendor No.: _____
(must match resolution) Other: _____ Encumbrance No.: _____