

57973

**TO:** Board of Acquisition and Contract  
**FROM:** Vincent F. Kopicki, PE  
Commissioner of Public Works and Transportation  
**DATE:** July 11, 2017  
**SUBJECT:** First Amendment to Agreement No. 15-928 in the matter of Engineering Services  
in connection with Infrastructure Improvements, Tibbetts Brook Park, Yonkers, New York

**Consultant:** Insite Engineering, Surveying & Landscape Architecture, PC  
**Amendment Amount:** \$35,994.00

---

Authority of your Honorable Board is requested to amend the existing Agreement between the County of Westchester ("County") and Insite Engineering, Surveying & Landscape Architecture, PC ("Consultant"), 3 Garrett Place, Carmel, New York 10512. The original Agreement dated May 28, 2015, was for design services associated with Infrastructure Improvements, Tibbetts Brook Park, Yonkers, New York.

The design services included in the original Agreement are in progress. The County has been satisfied with the quality of services provided to date. During the ongoing design phase, additional areas in the park have been identified which also require improvements that are not included in the existing Agreement.

It is therefore requested that the existing Agreement be amended to provide for additional engineering services in connection with this project. The Consultant shall provide additional design services associated with this project that address additional areas that require improvements which are outside of the scope of work included in the existing Agreement. Additional design services shall include survey, testing, permitting, the completion of construction documents (plans and specifications), construction cost estimates, shop drawing and submittal reviews, attendance at project meetings, periodic site visits and preparation of as-built drawings.

The objective of this project will be to provide various infrastructure improvements at Tibbetts Brook Park. With the success of the pool project and the increased popularity of the park, the County is seeking to increase the in-season parking capacity at Tibbetts Brook Park. The work will include an overall site analysis and assessment of existing conditions, with plans for improved and increased parking areas. The construction contract documents to be developed will include the expansion of existing parking facilities, possible new parking facilities, resurfacing of existing park roads and walkways, drainage improvements, landscaping, site work, and playground area improvements. This agreement will benefit the public as it will enhance this recreational facility thereby ensuring its safe use and enjoyment by the park's visitors, thus addressing the County Executive's priority area of Safety and Security.

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.

Board of Acquisition and Contract  
Agreement No. 15-928, First Amendment  
Infrastructure Improvements, Tibbetts Brook Park,  
Yonkers, New York  
Insite Engineering, Surveying & Landscape Architecture, PC  
Page 2

The Amendment amount is a negotiated fee based on prices for work similar to the scope of services proposed in this Amendment. The Amendment fee is based on a negotiated hourly rate from the consultant which is the same hourly rate in the original Agreement.

The fee for the above services is for an amount of \$35,994.00 pursuant to an approved budget, bringing the total Agreement plus Amendment to \$164,994.00. The completion date of the Agreement shall be extended to December 31, 2021.

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/AV/ER/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 and Insite Engineering, Surveying & Landscape Architecture, PC, 3 Garrett Place, Carmel, New York 10512, be amended to provide for additional engineering services in connection with Infrastructure Improvements, Tibbetts Brook Park, Yonkers, New York. The Consultant shall provide additional design services associated with this project that address additional areas that require improvements which are outside of the scope of work included in the existing Agreement. Additional design services shall include survey, testing, permitting, the completion of construction documents (plans and specifications), construction cost estimates, shop drawing and submittal reviews, attendance at project meetings, periodic site visits and preparation of as-built drawings; and be it further

RESOLVED, that for the additional services rendered in accordance with the consultant's proposal, Insite Engineering, Surveying & Landscape Architecture, PC, shall be paid a fee of \$35,994.00 pursuant to an approved budget, increasing the total maximum fee to \$164,994.00; 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	\$	129,000.00	(Design Services)
This Amendment		<u>35,994.00</u>	(Additional Design Services)
TOTAL	\$	164,994.00	

Agreement No. 15-928

Account to be Charged/Credited	Fund	Dept	Major Program, Program & Phase or Unit	Object/ Sub Object	Bond Act No.	Dollars
	372	42	RTB0501E	6120-03	BA #47-2012	\$ 35,994.00

Budget Funding Year(s): 2017 Start Date: 05/28/15 End Date: 12/31/21  
 (must match resolution)

Funding Source: Tax Dollars: 100% County Contractor Federal I.D. No./  
 State Aid: \_\_\_\_\_ Social Security No.: \_\_\_\_\_  
\$35,994.00 Federal Aid: \_\_\_\_\_ Vendor No.: \_\_\_\_\_  
 (must match resolution) Other: \_\_\_\_\_ Encumbrance No.: \_\_\_\_\_