

**58638**

**TO:** Board of Acquisition and Contract

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

**DATE:** August 22, 2017

**SUBJECT:** First Amendment to Agreement No. 13-929 in the matter of  
Engineering Services in connection with a Vulnerability Assessment Study,  
Yonkers Joint Wastewater Treatment Plant, City of Yonkers, New York

**Consultant:** AECOM USA, Inc.  
**Amendment Amount:** \$169,884.12  
**Amendment Completion Date:** December 31, 2019

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Authority of your Honorable Board is requested to amend the existing Agreement (the "Agreement") between the County of Westchester ("County") and AECOM USA, Inc. ("Consultant"), 605 Third Avenue, 27<sup>th</sup> Floor, New York, New York 10158. The Agreement dated November 12, 2013, was for study services associated with a Vulnerability Assessment Study, Yonkers Joint Wastewater Treatment Plant, City of Yonkers, New York to be completed not later than December 31, 2016 for an amount not to exceed \$92,300.00.

The study services included in the original Agreement are completed. The County has been satisfied with the quality of services provided to date. The study completed by the Consultant identified the design flood elevation ("DFE") applicable to the Yonkers Joint Wastewater Treatment Plant ("YJWWTP"; also known as Yonkers Joint Water Resources Recovery Facility) as the 100-year base flood elevation, based on data and mapping from the Federal Emergency Management Agency ("FEMA"), plus 30 inches of projected sea level rise. The average grade elevation at YJWWTP is Elevation 8.00 feet as per the North American Vertical Datum of 1928 ("NAVD88"). The 100-year base flood elevation at YJWWTP is Elevation 10.00 feet NAVD88. The DFE at YJWWTP is Elevation 12.50 feet NAVD88.

Meetings were recently held with representatives of the Westchester County Department of Environmental Facilities ("WCDEF") and FEMA to discuss flood resiliency improvements at YJWWTP and the North Yonkers Pumping Station. WCDEF was informed that FEMA has classified YJWWTP as a Critical Action Facility which means that the facility should be protected to the 500-year flood elevation if technically feasible and cost-effective. The 500-year flood elevation at YJWWTP is Elevation 14.355 feet NAVD88, which is 1.855 feet above the DFE identified in the original study. In addition, while remote from YJWWTP, the North Yonkers Pumping Station and the Alexander Street Pumping Station are considered integral to YJWWTP and must also be included in the YJWWTP flood resiliency improvements. Further study of YJWWTP is required at this time in order to meet FEMA's requirements and maintain eligibility for future FEMA reimbursement.

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 study services associated with this project that address additional flood protection levels which are outside of the scope of work included in the existing Agreement. For additional study services, the Consultant shall provide data acquisition, verify existing site conditions, perform testing and analysis, develop alternate solutions with associated cost estimates, prepare a draft report for review, and issue a final report indicating recommended options.

The objective of this project is to provide a report which will evaluate and assess the vulnerability to flooding of wastewater treatment infrastructure owned and operated by the Westchester County Department of Environmental Facilities due to climate change, sea level rise, high levels of precipitation, storms, and storm surge. This study will identify and assess the critical areas at the facility, develop mitigation alternatives and include the development of cost estimates and recommendations for a strategy and prioritized implementation schedule of the cost effective capital improvement alternatives in the near term and those that may be deferred to a later date. This work is necessary to prepare for future extreme climate events and to provide protection for the County's flood-prone sanitary facilities. This agreement will benefit the public as it will ensure that the County's wastewater treatment operations are safe and environmentally compliant, thereby enhancing the health and general welfare of County residents.

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 \$169,884.12 pursuant to an approved budget, bringing the total Agreement plus Amendment to \$262,184.12. The completion date of the Agreement shall be extended to December 31, 2019.

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, No. 13-929, (the "Agreement") between the County of Westchester ("County") and AECOM USA, Inc. ("Consultant"), 605 Third Avenue, 27<sup>th</sup> Floor, New York, New York 10158, be amended to provide for engineering services in connection with a Vulnerability Assessment Study, Yonkers Joint Wastewater Treatment Plant, City of Yonkers, New York. The Consultant shall provide additional study services associated with this project that address additional flood protection levels which are outside of the scope of work included in the existing Agreement. For additional study services, the Consultant shall provide data acquisition, verify existing site conditions, perform testing and analysis, develop alternate solutions with associated cost estimates, prepare a draft report for review, and issue a final report indicating recommended options; and be it further

RESOLVED, that for the additional services rendered in accordance with the Consultant's proposal, AECOM USA, Inc., shall be paid a fee of \$169,884.12 pursuant to an approved budget, increasing the total maximum fee to \$262,184.12; and be it further

RESOLVED, that the completion date of the Agreement shall be extended from December 31, 2016 to December 31, 2019; 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	\$	92,300.00	(Study Services)
This Amendment		<u>169,884.12</u>	(Additional Study Services)
TOTAL	\$	262,184.12	

Agreement No. 13-929

Account to be Charged/Credited	Fund	Dept	Major Program, Program & Phase or Unit	Object/ Sub Object	Bond Act No.	Dollars
	322	60	SW00601S	6120-03	BA #74-2013	\$ 169,884.12

Budget Funding Year(s): 2017 Start Date: 11/15/13 End Date: 12/31/19  
 (must match resolution)

Funding Source: Tax Dollars: 100% County Contractor Federal I.D. No./  
 State Aid: \_\_\_\_\_ Social Security No.: \_\_\_\_\_  
\$169,884.12 Federal Aid: \_\_\_\_\_ Vendor No.: \_\_\_\_\_  
 (must match resolution) Other: \_\_\_\_\_ Encumbrance No.: \_\_\_\_\_