

60067

TO: Board of Acquisition and Contract

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

DATE: December 5, 2017

SUBJECT: First Amendment to Agreement No. 15-909
In the matter of Engineering Services in connection with Superstorm Sandy Rehabilitation,
North Boardwalk Reconstruction, Playland Park, Rye, New York

Consultant: M. G. McLaren, PC d/b/a McLaren Engineering Group
Amendment Amount: \$108,009.00

Authority of your Honorable Board is requested to amend the existing Agreement between the County of Westchester ("County") and M. G. McLaren, PC d/b/a McLaren Engineering Group ("Consultant"), 100 Snake Hill Road, West Nyack, New York 10994. The original Agreement dated March 31, 2015, was for engineering services in connection with Superstorm Sandy Rehabilitation, North Boardwalk Reconstruction, Playland Park, Rye, New York.

During the construction phase of this project, unexpected conditions were encountered which required additional work to complete the specified project including: unforeseen issues involving the redesign of a retaining wall structure; unforeseen construction conditions which required additional analysis and review of the concrete pile caps and extensive shop drawing review; and unforeseen site conditions involving additional New York State Department of Environmental Conservation ("NYSDEC") permit requirements. The County requested that the Consultant provide additional design and construction administration services required for these tasks that are beyond the services included in the existing Agreement.

It is therefore requested that the existing Agreement be amended to provide for engineering services in connection with Superstorm Sandy Rehabilitation, North Boardwalk Reconstruction, Playland Park, Rye, New York. The Consultant shall provide additional design and construction administration services associated with this project that address tasks which are outside of the scope of work included in the existing Agreement. Additional design services shall include topographic survey, the preparation of construction documents (plans and specifications), and construction cost estimates. In addition, the Consultant shall provide 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 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 provide professional engineering services associated with storm damage sustained at Playland Park. Beginning on the evening of October 29, 2012, and continuing into the early morning of October 30, 2012, Superstorm Sandy's tidal surge along the Long Island Sound inundated Playland Park. Extensive damage was sustained throughout Playland Park including the North Boardwalk, a timber structure which was completely washed away and no longer exists. The North Boardwalk will be reconstructed under this project. This agreement will benefit the public as it will restore various damaged elements of the park ensuring its safe use and enjoyment by the park's visitors.

Board of Acquisition and Contract
Agreement No. 15-909, First Amendment
Superstorm Sandy Rehabilitation
North Boardwalk Reconstruction
Playland Park
Rye, New York
M. G. McLaren, P.C. d/b/a McLaren Engineering Group
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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 \$108,009.00 pursuant to an approved budget, bringing the total Agreement plus Amendment to \$475,528.00. The completion date of the Agreement shall remain December 31, 2019.

It should be noted that the County anticipates reimbursement of some of the costs hereof from disaster assistance through the Federal Emergency Management Agency ("FEMA").

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/JJN/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 (“County”) and M. G. McLaren, PC d/b/a McLaren Engineering Group (“Consultant”), 100 Snake Hill Road, West Nyack, New York 10994, be amended to provide for engineering services in connection with Superstorm Sandy Rehabilitation, North Boardwalk Reconstruction, Playland Park, Rye, New York. The Consultant shall provide additional design and construction administration services associated with this project that address tasks which are outside of the scope of work included in the existing Agreement. Additional design services shall include topographic survey, the preparation of construction documents (plans and specifications), and construction cost estimates. In addition, the Consultant shall provide 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 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 M. G. McLaren, PC d/b/a McLaren Engineering Group, shall be paid a fee of \$108,009.00 pursuant to an approved budget, increasing the total maximum fee to \$475,528.00; 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	\$ 367,519.00	(Design & CA Services – North Boardwalk Reconstruction, Playland Park)
This Amendment	<u>108,009.00</u>	(Additional Design & CA Services – North Boardwalk Reconstruction, Playland Park)
TOTAL	\$ 475,528.00	

Agreement No. 15-909

Account to be Charged/Credited	Fund	Dept	Major Program, Program & Phase or Unit	Object/ Sub Object	Bond Act No.	Dollars
<i>Design Services</i>	372	42	RP01001E	6120-03	BA #8-2013	\$ 40,809.00
<i>CA Services</i>	372	42	RP01001I	6120-05	BA #8-2013	\$ 67,200.00

Budget Funding Year(s): 2017 Start Date: 03/31/15 End Date: 12/31/19
 (must match resolution)

Funding Source: Tax Dollars: 10% County (\$10,800.90) Contractor Federal I.D. No./
 State Aid: _____ Social Security No.: _____
\$ 108,009.00 Federal Aid: 90% Federal (\$97,208.10) Vendor No.: _____
 (must match resolution) Other: _____ Encumbrance No.: _____