

63780

TO: Board of Acquisition and Contract
FROM: Hugh J. Greechan, Jr., PE
Commissioner of Public Works and Transportation
DATE: June 19, 2018
SUBJECT: Second Amendment to Agreement No. 13-910
In the matter of Engineering Services in connection with the
Phase III and Phase IV – Cellular Bulkhead Rehabilitation,
Yonkers Joint Wastewater Treatment Plant, Yonkers, New York

Consultant: Dvirka and Bartilucci Consulting Engineers,
A Division of D&B Engineers and Architects, P.C.
Amendment Amount: \$1,222,450.00

Pursuant to a Resolution approved on April 25, 2013, the County of Westchester (“County”) entered into Agreement Number 13-910 (the “Agreement”) with Dvirka and Bartilucci Consulting Engineers, A Division of D&B Engineers and Architects, P.C. (“Consultant”), 330 Crossways Park Drive, Woodbury, New York 11797, commencing on May 13, 2013, wherein the Consultant was to provide construction administration services in connection with the Phase II – Cellular Bulkhead Rehabilitation, Yonkers Joint Wastewater Treatment Plant (“YJWWTP”), Yonkers, New York. The Agreement was thereafter amended by Resolution approved on February 25, 2016, to provide additional design and construction administration services associated with the Phase II – Cellular Bulkhead Rehabilitation, YJWWTP, Yonkers, New York.

The cellular bulkhead at YJWWTP is being rehabilitated in four (4) phases. Construction for Phase I was completed in 2009. Construction for Phase II was completed in 2015. Construction bids for Phase III were received and rejected in 2015. It was then decided that Phase III and Phase IV would be combined to bid as one construction contract in order to provide cost savings. The Board of Legislators subsequently approved Bond Act Number 184-2017 that authorized the financing of Phase IV.

It is therefore requested that the existing Agreement be amended to provide for engineering services in connection with the Phase III and Phase IV – Cellular Bulkhead Rehabilitation, YJWWTP, Yonkers, New York. The Consultant shall provide additional design and construction administration services associated with this project. Additional design services shall include the preparation of construction contract documents (drawings and specifications), construction cost estimates, any required addenda, and a bid analysis including an evaluation of the bids to determine compliance with bidding requirements and whether the bidders are responsible so that the County may recommend award of the construction contracts. In addition, the consultant shall provide design services during construction consisting of 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 rehabilitate the cellular bulkhead along the Hudson River at YJWWTP. The cellular bulkhead at YJWWTP is being rehabilitated in multiple phases. Phase III and Phase IV construction work involves the rehabilitation of bulkhead cells including, but not limited to, the following: installation of a protective coating system, removal and reinstallation of existing stone riprap, repairs at sink hole areas, installation of tension rods, earth anchors, H-pile deadmen, miscellaneous metals, miscellaneous painting, concrete, test pits, utility markouts, vibratory monitoring, replacement of damaged utilities, construction sequencing, and site restoration. This work is necessary to provide improved sanitary facilities that are in compliance with all applicable regulations. This agreement will benefit the public as it avoids potential adverse environmental impact to the surrounding properties, thereby promoting public health policies and laws.

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 \$1,222,450.00 pursuant to an approved budget, bringing the total Agreement plus Amendments to \$1,616,050.00. The completion date of the Agreement shall be extended to December 31, 2022.

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.

HJG/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 Dvirka and Bartilucci Consulting Engineers, A Division of D&B Engineers and Architects, P.C. (“Consultant”), 330 Crossways Park Drive, Woodbury, New York 11797, be amended to provide for engineering services in connection with the Phase III and Phase IV – Cellular Bulkhead Rehabilitation, Yonkers Joint Wastewater Treatment Plant, Yonkers, New York. The Consultant shall provide additional design and construction administration services associated with this project. Additional design services shall include the preparation of construction contract documents (drawings and specifications), construction cost estimates, any required addenda, and a bid analysis including an evaluation of the bids to determine compliance with bidding requirements and whether the bidders are responsible so that the County may recommend award of the construction contracts. In addition, the consultant shall provide design services during construction consisting of 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, Dvirka and Bartilucci Consulting Engineers, A Division of D&B Engineers and Architects, P.C., shall be paid a fee of \$1,222,450.00 pursuant to an approved budget, increasing the total maximum fee to \$1,616,050.00; and be it further

RESOLVED, that the completion date of the Agreement shall be extended to December 31, 2022; 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	\$	250,400.00	(Constr. Admin. Services – Phase II Cellular Bulkhead Rehab)
First Amendment		143,200.00	(Additional Design & Constr. Admin. Services – Phase II Cellular Bulkhead Rehab)
This Amendment		<u>1,222,450.00</u>	(Additional Design & Constr. Admin. Services – Phase III/IV Cellular Bulkhead Rehab)
TOTAL	\$	1,616,050.00	

Agreement No. 13-910

Account to be Charged/Credited	Fund	Dept	Major Program, Program & Phase or Unit	Object/ Sub Object	Bond Act No.	Dollars
	322	60	SY037-00-E	6120-03	BA# 5-2006	\$ 356,000.00
	322	60	SY037-02-I	6120-05	BA# 88-2014	\$ 300,000.00
	322	60	SY037-03-E	6120-03	BA# 184-2017	\$ 146,450.00
	322	60	SY037-03-I	6120-03	BA# 184-2017	\$ 420,000.00

Budget Funding Year(s): 2018 Start Date: 05/13/13 End Date: 12/31/22
 (must match resolution)

Funding Source: Tax Dollars: 100% County Contractor Federal I.D. No./

State Aid: _____ Social Security No.: _____

\$ 1,222,450.00 Federal Aid: _____ Vendor No.: _____

(must match resolution) Other: _____ Encumbrance No.: _____