

65411

TO: Board of Acquisition and Contract

FROM: Hugh J. Greechan, Jr., PE
Commissioner of Public Works and Transportation

DATE: October 9, 2018

SUBJECT: Third Amendment (of a Multi-Phased Agreement) to Agreement No. 09-929
In the matter of Engineering Services in connection with the
Rehabilitation of Ashford Avenue Bridge over I-87, Saw Mill River Parkway, and
Saw Mill River, Ardsley and Dobbs Ferry, New York

Consultant: WSP USA Corp. d/b/a WSP
Amendment Amount: \$99,954.89

Pursuant to a Resolution approved on June 18, 2009, the County of Westchester ("County") entered into Agreement Number 09-929 ("Agreement") with Chas. H. Sells, Inc. d/b/a WSP Sells ("Consultant"), 555 Pleasantville Road, Briarcliff Manor, New York 10510, wherein the Consultant was to provide engineering services associated with the Rehabilitation of Ashford Avenue Bridge over I-87, Saw Mill River Parkway, and Saw Mill River, Ardsley and Dobbs Ferry, New York. The Agreement was thereafter amended by Resolution approved November 1, 2012, for additional design services associated with the Rehabilitation of Ashford Avenue Bridge over I-87, Saw Mill River Parkway, and Saw Mill River, Ardsley and Dobbs Ferry, New York. The Agreement was thereafter further amended by Resolution approved May 21, 2015, to change the name of the Consultant from Chas. H. Sells, Inc. d/b/a WSP Sells to WSP USA Corp. d/b/a WSP and for construction administration services associated with the Rehabilitation of Ashford Avenue Bridge over I-87, Saw Mill River Parkway, and Saw Mill River, Ardsley and Dobbs Ferry, New York.

Construction of the Ashford Avenue Bridge is substantially complete. The County has been satisfied with the quality of services provided to date by the Consultant. The construction Contractor chose an alternate fabrication method and an alternate construction method for the precast pre-stressed concrete/steel composite superstructure. The Consultant was required to provide additional Quality Assurance/Quality Control fabrication inspection and additional construction inspection in order to complete oversight of the project and ensure federal reimbursement.

It is therefore requested that the existing Agreement be further amended to provide for additional construction administration services in connection with this project. 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 will be to rehabilitate the Ashford Avenue Bridge over I-87, Saw Mill River Parkway, and Saw Mill River in Ardsley and Dobbs Ferry. This work is necessary due to extensive deterioration of the structure. This agreement will benefit the public as it will enhance the functionality of this structure ensuring its safe use by the public.

The original intent of this Agreement was to have the design and construction administration performed in multiple phases as subsequent funding became available. The initial design phase defined the scope of work and required budget for the subsequent phases of design and construction administration for which funding has been approved.

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 \$99,954.89 pursuant to an approved budget, bringing the total Agreement plus Amendments to \$4,568,071.91. The completion date of the Agreement shall remain December 31, 2020.

Proposed form of Resolution to accomplish the foregoing is attached hereto.

HJG/RSD/KR/as

RESOLUTION

Upon communication from the Commissioner of Public Works and Transportation, be it hereby

RESOLVED, that existing Agreement No. 09-929 (“Agreement”) between the County of Westchester (“County”) and WSP USA Corp. d/b/a WSP (“Consultant”), 555 Pleasantville Road, Briarcliff Manor, New York 10510, be amended to provide for additional construction administration services in connection with the Rehabilitation of Ashford Avenue Bridge over I-87, Saw Mill River Parkway, and Saw Mill River, Ardsley and Dobbs Ferry, New York. 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 in accordance with the Consultant’s proposal for the current phase of this multi-phase project, WSP USA Corp. d/b/a WSP, shall be paid a fee of \$99,954.89 pursuant to an approved budget, increasing the total maximum fee to \$4,568,071.91; 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	\$	580,621.00	(Design Services – Rehab of Ashford Ave. Bridge)
First Amendment		460,000.00	(Additional Design Services – Rehab of Ashford Ave. Bridge)
Second Amendment		3,427,496.02	(Construction Administration Services – Rehab of Ashford Ave. Bridge)
This Amendment		99,954.89	(Additional Construction Administration Services – Rehab of Ashford Ave. Bridge)
TOTAL	\$	4,568,071.91	

Agreement No. 09-929

Account to be Charged/Credited

Fund	Dept	Major Program, Program & Phase or Unit	Object/ Sub Object	Bond Act No.	Dollars
366	46	RB01Q001	6120-05	BA #42-2014	\$ 99,954.89

Budget Funding Year(s): 2018 Start Date: 06/15/09 End Date: 12/31/20
 (must match resolution)

Funding Source: Tax Dollars: 100% County Contractor Federal I.D. No./
 State Aid: _____ Social Security No.: _____
\$99,954.89 Federal Aid: _____ Vendor No.: _____
 (must match resolution) Other: _____ Encumbrance No.: _____