

67262

TO: Board of Acquisition and Contract
FROM: Hugh J. Greechan, Jr., PE
Commissioner of Public Works and Transportation
DATE: January 16, 2019
SUBJECT: First Amendment to Agreement No. 16-918
in the matter of Engineering Services in connection with
Playland Rehabilitation and Upgrades, Rye, New York

Consultant: LiRo Engineers, Inc.
Amendment Amount: \$10,879,555.00

Subconsultant Approval: Kristina Reichenbach d/b/a Richbrook Conservation (WBE)
Lee Pohlsander Graphic Design & Art Direction (WBE)
Domingo Gonzalez Associates, Inc. (MBE)

Authority of your Honorable Board is requested to amend existing Agreement Number 16-918 (“Agreement”) between the County of Westchester (“County”) and LiRo Engineers, Inc. (“Consultant”), 3 Aerial Way, Syosset, New York 11791. The original Agreement dated August 17, 2016, was for design, construction administration, and program management services associated with Playland Rehabilitation and Upgrades, Rye, New York.

The Playland Rehabilitation and Upgrades project is currently in design and the engineering services included in the original Agreement have been in progress. The County has been satisfied with the quality of services provided to date by the Consultant. During the development of design, numerous additional items 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 engineering services in connection with Playland Rehabilitation and Upgrades, Rye, New York. The Consultant shall provide additional design, construction administration, and program management services associated with this project that is outside of the scope of work included in the existing Agreement. 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 additional 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. For additional program management services, the Consultant shall review and coordinate the design and construction of all projects proposed at Playland. The County also reserves the right to further amend this Agreement with the Consultant at a future date to provide for subsequent design and construction phase services.

The objective of this project is to provide for the rehabilitation and upgrading of various existing facilities at Playland which includes the following:

- Various Rides and Components (RP006)
- Shoreline Rehabilitation (RP025)
- Structural Restoration (RP028)
- Administration Building Rehabilitation (RP040)
- Tower Rehabilitation (RP23F)
- Playland Switchgear Building (RP031)
- Fire Suppression System (RP033)
- Playland Site Improvements and Playland Parking Lot Drainage Improvement(RP042/RP047)

Playland was originally constructed in the 1920's and is listed on the National Register of Historic Places. As such, the proposed improvements will be done in a manner consistent with the Secretary of the Interior's Standards for the Treatment of Historic Properties. 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.

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 \$10,879,555.00 pursuant to an approved budget, bringing the total Agreement plus Amendment to \$15,828,686.00. The completion date of the Agreement shall be extended to December 31, 2029.

In addition, LiRo Engineers, Inc., has requested the utilization of the following subconsultants: Kristina Reichenbach d/b/a Richbrook Conservation (Paint Conservator), 130 Block Factory Road, Germantown, New York 12526; Lee Pohlsander Graphic Design & Art Direction (Historic Artwork and Graphic Design), 212 Hall Street, Phoenixville, Pennsylvania 19460; and Domingo Gonzalez Associates, Inc. (Lighting Design), 29 Broadway, 3rd Floor, New York, New York 10006.

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.

Payment for a portion of this agreement will be made from the 6N Insurance Fund, not the County General Fund and will not impact the County tax levy.

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

HJG/JA/AS

RESOLUTION

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

RESOLVED, that the existing Agreement No. 16-918 (“Agreement”) between the County of Westchester (“County”) and LiRo Engineers, Inc. (“Consultant”), 3 Aerial Way, Syosset, New York 11791, be amended to provide for engineering services in connection with Playland Rehabilitation and Upgrades, Rye, New York. The Consultant shall provide additional design, construction administration, and program management services associated with this project that is outside of the scope of work included in the existing Agreement. 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 additional 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. For additional program management services, the Consultant shall review and coordinate the design and construction of all projects proposed at Playland. The County also reserves the right to further amend this Agreement with the Consultant at a future date to provide for subsequent design and construction phase services; and be it further

RESOLVED, that for the additional services rendered in accordance with the Consultant’s proposal, LiRo Engineers, Inc., shall be paid a fee of \$10,879,555.00 pursuant to an approved budget, increasing the total maximum fee to \$15,828,686.00; and be it further

RESOLVED, that the use of the following subconsultants also be approved: Kristina Reichenbach d/b/a Richbrook Conservation (Paint Conservator), 130 Block Factory Road, Germantown, New York 12526; Lee Pohlsander Graphic Design & Art Direction (Historic Artwork and Graphic Design), 212 Hall Street, Phoenixville, Pennsylvania 19460; and Domingo Gonzalez Associates, Inc. (Lighting Design), 29 Broadway, 3rd Floor, New York, New York 10006; and be it further

RESOLVED, that the completion date of the Agreement shall be extended to December 31, 2029; and be it further

RESOLVED, that all other provisions of the existing Agreement shall remain in full force and effect; and be it further

RESOLUTION

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	\$ 4,949,131.00	(Design, Construction Administration, and Program Management Services)
This Amendment	10,879,555.00	(Additional Design, Construction Administration, and Program Management Services)
TOTAL	\$ 15,828,686.00	

Agreement No. 16-918

Account to be Charged/Credited

Fund	Dept	Major Program, Program & Phase or Unit	Object/ Sub Object	Bond Act No.	Dollars
372	42	RP00602E	6120-03	BA # 110-2016	\$ 948,857.03
372	42	RP00602I	6120-05	BA # 110-2016	\$ 429,000.00
615	59	0697/4160	4280/10	N.A.	\$ 117,920.97
372	42	RP02501E	6120-03	BA # 105-2016	\$ 53,900.00
372	42	RP02501I	6120-05	BA # 105-2016	\$ 31,000.00
372	42	RP02801E	6120-03	BA # 119-2016	\$ 340,000.00
372	42	RP02801I	6120-05	BA # 119-2016	\$ 20,000.00
372	42	RP02802E	6120-03	BA # 120-2016	\$ 961,478.00
372	42	RP02802I	6120-05	BA # 120-2016	\$ 407,000.00
372	42	RP02803E	6120-03	BA # 121-2016	\$ 1,049,300.00
372	42	RP02803I	6120-05	BA # 121-2016	\$ 559,000.00
372	42	RP02804E	6120-03	BA # 122-2016	\$ 202,100.00
372	42	RP02804I	6120-05	BA # 122-2016	\$ 99,000.00
372	42	RP02805E	6120-03	BA # 123-2016	\$ 664,300.00
372	42	RP02805I	6120-05	BA # 123-2016	\$ 244,000.00
372	42	RP04001E	6120-03	BA # 113-2016	\$ 210,900.00
372	42	RP04001I	6120-05	BA # 113-2016	\$ 76,000.00
372	42	RP23F01E	6120-03	BA # 107-2016	\$ 801,800.00
372	42	RP23F01I	6120-05	BA # 107-2016	\$ 0.00
372	42	RP03101E	6120-03	BA # 103-2016	\$ 540,000.00
372	42	RP03101I	6120-05	BA # 103-2016	\$ 194,000.00
372	42	RP03301S	6120-03	BA # 104-2016	\$ 107,100.00
372	42	RP04202E	6120-03	BA # 117-2016	\$ 96,000.00
372	42	RP04202I	6120-05	BA # 117-2016	\$ 109,000.00
372	42	RP04701E	6120-03	BA # 115-2016	\$ 1,538,030.00
372	42	RP04701I	6120-05	BA # 115-2016	\$ 1,079,869.00

Budget Funding Year(s) 2019
(must match resolution)

Start Date: August 17, 2016

End Date: December 31, 2029

Funding Source: **Tax Dollars** 98.9% County (\$10,761,634.03)

State Aid _____

\$10,879,555.00 **Federal Aid** _____
(must match resolution)

Other 1.1% 6N Insurance Funds (\$117,920.97)