

68386

TO: Board of Acquisition and Contract
FROM: Hugh J. Greechan, Jr., PE
Commissioner of Public Works and Transportation
DATE: March 12, 2019
SUBJECT: First Amendment to Agreement No. 14-931 in the matter of:

- (1) Changing the name of the Consultant to WSP USA Buildings Inc.
- (2) Engineering Services in connection with the Rehabilitation of Midland Avenue Bridge over Bronx River Parkway (BIN 3348950), City of Yonkers, New York

Consultant: WSP USA Buildings Inc.
Amendment Amount: \$48,420.93

The County of Westchester ("County"), acting by and through its Department of Public Works and Transportation ("Department"), entered into Agreement Number 14-931 ("Agreement"), dated August 22, 2014, with WSP USA Corp. ("Consultant"), 555 Pleasantville Road, Briarcliff Manor, New York 10510, wherein the Consultant was to provide design services associated with the Rehabilitation of Midland Avenue Bridge over Bronx River Parkway (BIN 3348950), City of Yonkers, New York. The Agreement expires on December 31, 2019.

The Consultant recently advised the County that its name changed from WSP USA Corp. to WSP USA Buildings Inc., effective May 1, 2017. Therefore, authority of your Honorable Board is requested to amend the existing Agreement to reflect the correct name of the Consultant, effective retroactively from May 1, 2017.

During the ongoing design phase, Consolidated Edison Company of New York, Inc. ("Con Edison") requested the replacement of its existing 12-inch diameter gas main that is carried by the Midland Avenue Bridge. The gas main replacement is outside of the scope of work included in the existing Agreement. The Consultant will be required to provide additional design services associated with the gas main replacement. It shall be noted that the County shall be reimbursed by Con Edison for costs associated with the gas main replacement as authorized by your Honorable Board on February 28, 2019 under Utility Work Agreement Number 19-903.

Authority of your Honorable Board is therefore requested to amend the existing Agreement between the County and the Consultant to provide for additional engineering services in connection with the Rehabilitation of Midland Avenue Bridge over Bronx River Parkway (BIN 3348950), City of Yonkers, New York. The Consultant shall provide additional design services associated with the gas main replacement which is outside of the scope of work included in the existing Agreement. Additional design services shall include meetings with Con Edison, 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.

The objective of this project will be to rehabilitate the Midland Avenue Bridge over Bronx River Parkway (BIN 3348950). This work is necessary due to extensive deterioration of the bridge. The existing bridge was built in 1950 and has an annual average daily traffic count ("AADT") of 8,393. It is a two (2) span steel multi-stringer bridge approximately 70 feet long by 50 feet wide. This bridge has a condition rating of 4.417 and requires rehabilitation to ensure that it can remain a key component of the County's infrastructure, vital to the City of Yonkers. This rating system, using a scale of 1 ("hazardous") through 7 ("new"), is a weighted average of the condition of an evaluated bridge. A rating below 5 indicates that a bridge requires work and delay of this work shall result in the continued deterioration of the bridge. This Agreement will benefit the public as it will enhance the functionality of the bridge structure ensuring its safe use by the public.

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 \$48,420.93 pursuant to an approved budget, bringing the total Agreement plus Amendment to \$226,670.93. The completion date of the Agreement shall be extended to December 31, 2023.

The Department 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/RSD/KMR/AS

RESOLUTION

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

RESOLVED, that the County of Westchester (“County”), acting by and through its Department of Public Works and Transportation (“Department”), is hereby authorized to amend Agreement No. 14-931 (“Agreement”) with WSP USA Corp. (“Consultant”), 555 Pleasantville Road, Briarcliff Manor, New York 10510, to change the name of the Consultant to WSP USA Buildings Inc, effective retroactively from May 1, 2017; and be it further

RESOLVED, that the existing Agreement between the County and the Consultant be amended to provide for additional engineering services in connection with the Rehabilitation of Midland Avenue Bridge over Bronx River Parkway (BIN 3348950), City of Yonkers, New York. The Consultant shall provide additional design services associated with the gas main replacement which is outside of the scope of work included in the existing Agreement. Additional design services shall include meetings with Con Edison, 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; and be it further

RESOLVED, that for the additional services rendered, the Consultant shall be paid a fee of \$48,420.93 pursuant to an approved budget, increasing the total maximum fee to \$226,670.93; and be it further

RESOLVED, that the completion date of the Agreement shall be extended to December 31, 2023; 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	\$	178,250.00	(Design Services)
This Amendment		<u>48,420.93</u>	(Additional Design Services)
TOTAL	\$	226,670.93	

Agreement No. 14-931

Account to be Charged/Credited	Fund	Dept	Major Program, Program & Phase or Unit	Object/ Sub Object	Bond Act No.	Dollars
	366	46	RB03H-01-E	6120-03	BA #10-2019	\$ 48,420.93

Budget Funding Year(s): 2019 Start Date: 08/22/14 End Date: 12/31/23
 (must match resolution)

Funding Source: Tax Dollars: 100% County Contractor Federal I.D. No./ Social Security No.: _____
 State Aid: _____
\$ 48,420.93 Federal Aid: _____ Vendor No.: _____
 (must match resolution) Other: _____ Encumbrance No.: _____