

**68754**

**TO:** Board of Acquisition and Contract  
**FROM:** Hugh J. Greechan, Jr., PE  
Commissioner of Public Works and Transportation  
**DATE:** March 26, 2019  
**SUBJECT:** Fourth Amendment to Agreement No. 09-929 with WSP USA Corp. d/b/a WSP (the  
“Consultant”) to change the name of the Consultant to WSP USA Buildings Inc.

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Pursuant to a Resolution approved on June 18, 2009, the County of Westchester (“County”), acting by and through its Department of Public Works and Transportation (the “Department”), 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.

The Agreement was thereafter further amended by Resolution approved November 1, 2018, for additional 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. The total fee of the Agreement plus amendments is \$4,568,071.91. The Agreement expires on December 31, 2020.

The Consultant recently advised the Department that its name changed from WSP USA Corp. d/b/a WSP to WSP USA Buildings Inc., effective May 1, 2017. The Department is advised that this is a name change only and the same office contact personnel will be used to perform the work thus guaranteeing continuity throughout the Agreement. Except as specifically amended hereby, all other terms and conditions of the Agreement, as previously amended, will remain the same.

Therefore, approval is requested to amend the Agreement retroactively from May 1, 2017, to reflect the Consultant’s new name.

The objective of this name change is in the County’s best interest as it will provide for uninterrupted consulting services pursuant to Agreement No. 09-929 for the Department project contained therein.

The Department shall continue to track scheduling and accomplishments by the Consultant and perform on-site inspections to ensure the successful completion of this project.

A proposed form of Resolution to accomplish the foregoing is attached hereto.

# 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 (the “Department”), is hereby authorized to amend Agreement No. 09-929 (“Agreement”) with WSP USA Corp. d/b/a WSP (“Consultant”), 555 Pleasantville Road, Briarcliff Manor, New York 10510, for 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 to change the name of the Consultant from WSP USA Corp. d/b/a WSP to WSP USA Buildings Inc., effective retroactive from May 1, 2017; and be it further

RESOLVED, that except as specifically amended hereby, all other terms and conditions of the Agreement, as previously amended, including the not to exceed amount of \$4,568,071.91, shall remain the same; and be it further

RESOLVED, that the County Executive or his duly authorized designee be and hereby is authorized and empowered to execute all appropriate contracts or documents necessary to effectuate the purposes of this resolution in the manner prescribed by law.

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)
Third Amendment		99,954.89	(Additional Construction Administration Services – Rehab of Ashford Ave. Bridge)
This Amendment		0.00	(Name Change)
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	RB01Q00I	6120-05	BA #42-2014	N/A

Budget Funding Year(s):     N/A     Start Date:     06/15/2009     End Date:     12/31/2020      
(must match resolution)

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