

69934

TO: Board of Acquisition and Contract
FROM: Hugh J. Greechan, Jr., PE
Commissioner of Public Works and Transportation
DATE: May 28, 2019
SUBJECT: First Amendment to Agreement No. 10-907
in the matter of Engineering Services in connection with the
North Yonkers Pump Station Force Main Surge Chamber Rehabilitation,
North Yonkers and Central Yonkers Sewer Districts, Yonkers, New York
Consultant: Cameron Engineering & Associates, LLP
Amendment Amount: \$265,784.00
Subconsultant Approval: YU & Associates Engineers, P.C. (MBE)
Patjo Appraisal Services Inc. (MBE)

Authority of your Honorable Board is requested to amend existing Agreement Number 10-907 ("Agreement") between the County of Westchester ("County") and Cameron Engineering & Associates, LLP ("Consultant"), 177 Crossways Park Drive, Woodbury, New York 11797. The original Agreement dated July 13, 2010, was for design and construction administration services associated with the North Yonkers Pump Station Force Main Surge Chamber Rehabilitation, North Yonkers and Central Yonkers Sewer Districts, Yonkers, New York. The original Agreement completion date was December 31, 2014.

The North Yonkers Pump Station Force Main Surge Chamber Rehabilitation project began in 2010 and was advanced to approximately 60% design completion in 2012, when the County put the project on hold. The County has been satisfied with the quality of services provided to date by the Consultant. The County has decided to proceed with the project at this time. The following additional tasks have been identified that are not included in the existing Agreement: changes in underground utilities, property appraisals, and easements. Also, the Consultant has requested an escalation on its original Agreement fee to account for cost of living adjustments over the past several years.

It is therefore requested that the existing Agreement be amended retroactively from December 31, 2014 to provide for engineering services in connection with the North Yonkers Pump Station Force Main Surge Chamber Rehabilitation, North Yonkers and Central Yonkers Sewer Districts, Yonkers, New York. The Consultant shall provide additional design and construction administration 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. 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 design and construct a series of surge chambers along the North Yonkers Pump Station Force Main. This work is necessary to protect the 54-inch diameter force main from high pressures and severe pressure changes that could potentially cause the force main to break. Neglecting to upgrade these critical elements of the pump station may result in a failure, including the occurrence of a sewage overflow emergency that could allow sewage into the surrounding properties and cause violations of the pump station's State Pollutant Discharge Elimination System ("SPDES") Permit. This Agreement will benefit the public as it will ensure that the pump station's operations are safe and environmentally compliant, thereby enhancing the health and general welfare of the residents of Westchester County.

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 \$265,784.00 pursuant to an approved budget, bringing the total Agreement plus Amendment to \$633,554.00. The completion date of the Agreement shall be extended to December 31, 2023.

In addition, Cameron Engineering & Associates, LLP has requested the utilization of the following subconsultants: YU & Associates Engineers, P.C., a MBE firm, for Geotechnical Engineering Services, 200 Riverfront Boulevard, Elmwood Park, New Jersey 07407; and Patjo Appraisal Services Inc., a MBE firm, for Property Appraisal Services, P.O. Box 285, Floral Park, New York 11001.

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 No. 10-907 (“Agreement”) between the County of Westchester (“County”) and Cameron Engineering & Associates, LLP (“Consultant”), 177 Crossways Park Drive, Woodbury, New York 11797, be amended retroactively from December 31, 2014 to provide for engineering services in connection with the North Yonkers Pump Station Force Main Surge Chamber Rehabilitation, North Yonkers and Central Yonkers Sewer Districts, Yonkers, New York. The Consultant shall provide additional design and construction administration 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. 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, Cameron Engineering & Associates, LLP, shall be paid a fee of \$265,784.00 pursuant to an approved budget, increasing the total maximum fee to \$633,554.00; and be it further

RESOLVED, that the use of the following subconsultants also be approved: YU & Associates Engineers, P.C., a MBE firm, for Geotechnical Engineering Services, 200 Riverfront Boulevard, Elmwood Park, New Jersey 07407; and Patjo Appraisal Services Inc., a MBE firm, for Property Appraisal Services, P.O. Box 285, Floral Park, New York 11001; and be it further

RESOLVED, that the completion date of the Agreement shall be extended to December 31, 2023; and be it further

RESOLUTION

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	\$	367,770.00	(Design and Construction Administration Services)
This Amendment		265,784.00	(Additional Design and Construction Administration Services)
TOTAL		\$ 633,554.00	

Agreement No. 10-907

Account to be Charged/Credited	Fund	Dept	Major Program, Program & Phase or Unit	Object/ Sub Object	Bond Act No.	Dollars
	322	60	SPS08-00-E	6120-03	BA #192-2009	\$160,784.00
	322	60	SPS08-00-I	6120-05	BA #192-2009	\$105,000.00

Budget Funding Year(s): 2019 Start Date: 07/13/10 End Date: 12/31/23
 (must match resolution)

Funding Source: Tax Dollars: 100% County Contractor Federal I.D. No./
 State Aid: _____ Social Security No.: _____
\$265,784.00 Federal Aid: _____ Vendor No.: _____
 (must match resolution) Other: _____ Encumbrance No.: _____