

73209

TO: Board of Acquisition and Contract
FROM: Hugh J. Greechan, Jr., PE
Commissioner of Public Works and Transportation
DATE: December 10, 2019
SUBJECT: Second Amendment to Agreement No. 14-917 in the matter of
Engineering Services in connection with a Leachate Collection and Disposal System,
Daniel P. Thomas Materials Recovery Facility, Yonkers, New York

Consultant: ARCADIS of New York, Inc.
Amendment Amount: \$389,200.00

Authority of your Honorable Board is requested to amend the existing Agreement No. 14-917 (“Agreement”) between the County of Westchester (“County”) and ARCADIS of New York, Inc. (“Consultant”), 44 South Broadway, 9th Floor, White Plains, New York 10601. The original Agreement dated October 27, 2014, was for engineering services including a drainage study, sampling analyses, alternatives evaluation, and schematic design associated with a Leachate Collection and Disposal System, Daniel P. Thomas Materials Recovery Facility, Yonkers, New York. The Agreement was thereafter amended by Resolution approved October 5, 2017, for additional study and design services associated with a Leachate Collection and Disposal System, Daniel P. Thomas Materials Recovery Facility, Yonkers, New York and to extend the term of the Agreement to December 31, 2021.

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. The Consultant has completed the construction contract documents and bid analysis for Site and Storm Drainage Improvements at the Daniel P. Thomas Materials Recovery Facility. A construction contract for this project was awarded to PCI Industries Corp. on October 31, 2019 by your Honorable Board. Construction work for this project is anticipated to begin in the near future. Construction administration services are required at this time.

It is therefore requested that the existing Agreement be amended to provide for engineering services in connection with this project. The Consultant shall provide construction administration services associated 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 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 professional engineering services associated with a proposed leachate collection and disposal system at the Daniel P. Thomas Materials Recovery Facility ("MRF"). The Westchester County Department of Environmental Facilities ("WCDEF") has conducted sampling and analysis of the stormwater runoff collected on this site. The results of the analysis indicate that the runoff is characterized as leachate and must be removed from the site. WCDEF has received several inspection report violations from the New York State Department of Environmental Conservation ("NYSDEC"). WCDEF has implemented some interim remedial measures. However, NYSDEC requires permanent corrective measures to be in place as soon as possible. Failure to undertake this project may result in a violation of NYSDEC regulations potentially resulting in significant financial penalties. The leachate collection and disposal system is an integral component to the environmentally compliant, long-term operation of the facility. This Agreement will benefit the public as it enables WCDEF to conduct its basic mission of providing proper solid waste stream reduction and recycling, thereby promoting public health policies and laws.

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 \$389,200.00 pursuant to an approved budget, bringing the total Agreement plus Amendments to \$1,375,200.00. The completion date of the Agreement shall be extended to December 31, 2023.

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. 14-917 (“Agreement”) between the County of Westchester (“County”) and ARCADIS of New York, Inc. (“Consultant”), 44 South Broadway, 9th Floor, White Plains, New York 10601, be amended to provide for engineering services in connection with a Leachate Collection and Disposal System, Daniel P. Thomas Materials Recovery Facility, Yonkers, New York. The Consultant shall provide construction administration services associated 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 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, ARCADIS of New York, Inc., shall be paid a fee of \$389,200.00 pursuant to an approved budget, increasing the total maximum fee to \$1,375,200.00; 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	\$ 152,000.00	(Study and Schematic Design Services)
First Amendment	834,000.00	(Additional Study and Design Services)
This Amendment	<u>389,200.00</u>	(Construction Administration Services)
TOTAL	\$ 1,375,200.00	

Agreement No. 14-917

Account to be Charged/Credited	Fund	Dept	Major Program, Program & Phase or Unit	Object/ Sub Object	Bond Act No.	Dollars
	325	60	RD017-01-I	6120-05	BA #99-2019	\$ 389,200.00

Budget Funding Year(s): 2019 Start Date: 10/27/14 End Date: 12/31/23
 (must match resolution)

Funding Source: Tax Dollars: 100% County Contractor Federal I.D. No./
 State Aid: _____ Social Security No.: _____
\$389,200.00 Federal Aid: _____ Vendor No.: _____
 (must match resolution) Other: _____ Encumbrance No.: _____