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**TO:** Board of Acquisition and Contract  
**FROM:** Hugh J. Greechan, Jr., PE  
Commissioner of Public Works and Transportation  
**DATE:** January 28, 2020  
**SUBJECT:** First Amendment to Agreement No. 19-912  
in the matter of Engineering Services in connection with  
Manursing Lake Tide Gate Improvements, Playland Park, Rye, New York

**Consultant:** Woodard & Curran Engineering P.A. P.C.  
**Amendment Amount:** \$25,000.00

*Subconsultant Approval:* All Makes Pump & Motor Repair, Inc.  
Tully Waterworks LLC

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Authority of your Honorable Board is requested to amend existing Agreement Number 19-912 (“Agreement”) between the County of Westchester (“County”) and Woodard & Curran Engineering P.A. P.C. (“Consultant”), 800 Westchester Avenue, Suite N-507, Rye Brook, New York 10573. The original Agreement dated September 11, 2019, was for engineering services associated with Manursing Lake Tide Gate Improvements, Playland Park, Rye, New York. The original Agreement completion date is December 31, 2022.

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. In October 2019, the Consultant inspected the tide gate and found unexpected field conditions including an actuator that was not functional and a defective gate frame brace. These unforeseen conditions will require additional installation and repair work that is not included in the existing Agreement.

It is therefore requested that the existing Agreement be amended to provide for additional engineering services in connection with Manursing Lake Tide Gate Improvements, Playland Park, Rye, New York. The Consultant shall provide additional engineering services associated with this project that is outside of the scope of work included in the existing Agreement. Additional engineering services shall include actuator installation and gate frame repair.

The objective of this project will be to improve the Manursing Lake Tide Gate. Manursing Lake, located adjacent to Playland Park and the Edith G. Read Natural Park and Wildlife Sanctuary in the City of Rye, has provided animal refuge including spawning sites for various fish and nesting sites for various migrating avian species. The lake connects to the Long Island Sound at the southern outlet through two automated tide gates beneath the Manursing Island Bridge which were upgraded from manual operation in 2010. The tide gates assist in the establishment of coastal wetlands and estuarine functions by introducing tidal flow. Without tidal flow, negative ecological consequences to the Long Island Sound such as hypoxia and anoxia, reduced fish access and breeding habitat, increased sedimentation, loss of inter-tidal areas and native vegetation, and expansion of invasive common reed will result. Currently the level sensors and controls for the tide gates are unreliable and are in need of repair. This work is necessary to alleviate existing conditions and to create a better environment for wildlife and users of the park. This agreement will benefit the public as it mitigates the impacts of excessive sedimentation and stormwater pollutants on Long Island Sound, thereby enhancing the aesthetic, recreational and ecological values of the lake which promotes 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 \$25,000.00 pursuant to an approved budget, bringing the total Agreement plus Amendment to \$99,900.00. The completion date of the Agreement shall remain December 31, 2022.

In addition, the Consultant has requested the utilization of the following subconsultants: All Makes Pump & Motor Repair, Inc., for Actuator Installation Services, 1735 Front Street, Yorktown Heights, New York 10598; and Tully Waterworks LLC, for Gate Frame Repair Services, 2 Memory Lane, Orange, Massachusetts 01364.

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. 19-912 (“Agreement”) between the County of Westchester (“County”) and Woodard & Curran Engineering P.A. P.C. (“Consultant”), 800 Westchester Avenue, Suite N-507, Rye Brook, New York 10573, be amended to provide for additional engineering services in connection with Manursing Lake Tide Gate Improvements, Playland Park, Rye, New York. The Consultant shall provide additional engineering services associated with this project that is outside of the scope of work included in the existing Agreement. Additional engineering services shall include actuator installation and gate frame repair; and be it further

RESOLVED, that for the additional services rendered in accordance with the Consultant’s proposal, Woodard & Curran Engineering P.A. P.C., shall be paid a fee of \$25,000.00 pursuant to an approved budget, increasing the total maximum fee to \$99,900.00; and be it further

RESOLVED, that the use of the following subconsultants also be approved: All Makes Pump & Motor Repair, Inc., for Actuator Installation Services, 1735 Front Street, Yorktown Heights, New York 10598; and Tully Waterworks LLC, for Gate Frame Repair Services, 2 Memory Lane, Orange, Massachusetts 01364; 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	\$	74,900.00	(Engineering Services)
This Amendment		<u>25,000.00</u>	(Additional Engineering Services)
TOTAL	\$	99,900.00	

**Agreement No. 19-912**

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Account to be Charged/Credited	Fund	Dept	Major Program, Program & Phase or Unit	Object/ Sub Object	Bond Act No.	Dollars
	322	60	SBB85-03-S	6120-03	BA #131-2015	\$25,000.00

Budget Funding Year(s): 2020 Start Date: 09/11/19 End Date: 12/31/22  
 (must match resolution)

Funding Source: Tax Dollars: 100% County Contractor Federal I.D. No./  
 State Aid: \_\_\_\_\_ Social Security No.: \_\_\_\_\_  
\$25,000.00 Federal Aid: \_\_\_\_\_ Vendor No.: \_\_\_\_\_  
 (must match resolution) Other: \_\_\_\_\_ Encumbrance No.: \_\_\_\_\_

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