

77539

**TO:** Board of Acquisition and Contract

**FROM:** Hugh J. Greechan, Jr., P.E.  
Commissioner of Public Works and Transportation

**DATE:** June 23, 2020

**SUBJECT:** Authority for the County of Westchester, acting by and through its Department of Public Works and Transportation (the "Department"), to execute an agreement consenting to the assignment of Agreement No. 18-932 with Woodard & Curran Engineering P.A. P.C. to Woodard & Curran Engineering and Geological Services, P.A. P.C.

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Pursuant to a Resolution approved on November 29, 2018, the County of Westchester ("County") entered into Agreement No. 18-932 ("Agreement") with Woodard & Curran Engineering P.A. P.C. ("Consultant"), 800 Westchester Avenue, Suite N-507, Rye Brook, New York 10573, commencing on December 3, 2018, wherein the Consultant was to provide study services associated with Memorial Field Complex Rehabilitation, Phase I – Project Evaluation and Conceptual Planning, Mount Vernon, New York. The Agreement was thereafter amended by Resolution approved March 21, 2019 ("First Amendment"), for final design services associated with Memorial Field Complex Rehabilitation, Phase II – Final Design, Mount Vernon, New York and to extend the completion date of the Agreement to December 31, 2022. The Agreement was thereafter further amended by Resolution approved May 21, 2020 ("Second Amendment"), for additional final design services associated with Memorial Field Complex Rehabilitation, Phase II – Final Design, Mount Vernon, New York. The Second Amendment has been fully executed.

After the Second Amendment was fully executed, the Department was notified by e-mail received on June 17, 2020 that Woodard & Curran Engineering P.A. P.C. has changed its name to Woodard & Curran Engineering and Geological Services, P.A. P.C. in order to comply with requirements in New York State with respect to the practice of geology. The Department has been notified that Woodard & Curran Engineering and Geological Services, P.A. P.C. is the successor firm to Woodard & Curran Engineering P.A. P.C. In this regard, Woodard & Curran Engineering P.A. P.C. has requested that the County approve the assignment of Agreement No. 18-932 to Woodard & Curran Engineering and Geological Services, P.A. P.C. Therefore, Woodard & Curran Engineering and Geological Services, P.A. P.C. would assume all of the rights and obligations under Agreement No. 18-932. In addition, the same principals and staff shall be assigned to complete the work, thus guaranteeing continuity to the project.

The attached Resolution, if approved by your Honorable Board, would authorize the County to execute an agreement consenting to the assignment of Agreement No. 18-932 from Woodard & Curran Engineering P.A. P.C. to Woodard & Curran Engineering and Geological Services, P.A. P.C., 800 Westchester Avenue, Suite N-507, Rye Brook, New York 10573, effective as of the date of execution of the assignment.

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Authority to Assign Contract No. 18-932  
Memorial Field Complex Rehabilitation  
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The objective of this assignment is in the County's best interest as it will provide for uninterrupted consulting services pursuant to Agreement No. 18-932 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.

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

HJG/SG/as

# RESOLUTION

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

RESOLVED, that the County of Westchester ("County") is hereby authorized to consent to the assignment of Agreement No. 18-932, dated December 3, 2018, and as subsequently amended, for engineering services associated with Memorial Field Complex Rehabilitation, Mount Vernon, New York, from Woodard & Curran Engineering P.A. P.C. to Woodard & Curran Engineering and Geological Services, P.A. P.C., 800 Westchester Avenue, Suite N-507, Rye Brook, New York 10573, effective as of the date of execution of the assignment; and be it further

RESOLVED, that as a condition for the granting of the County's consent to this assignment, Woodard & Curran Engineering and Geological Services, P.A. P.C. will comply with all contract provisions; and be it further

RESOLVED, that all other terms and conditions of Agreement No. 18-932 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	\$ 85,000.00	(Phase I, Study Services)
First Amendment	882,300.00	(Phase II, Final Design Services)
Second Amendment	294,000.00	(Phase II, Additional Final Design Services)
Assignment	<u>0.00</u>	(Assignment of Agreement)
TOTAL	\$ 1,261,300.00	

Agreement No. 18-932

Account to be Charged/Credited	Fund	Dept	Major Program, Program & Phase or Unit	Object/ Sub Object	Bond Act No.	Dollars
	318	19	BLA01-46-S	6120-03	BA #42-2020	

Budget Funding Year(s): 2020 Start Date: Upon Execution End Date: 12/31/22  
 (must match resolution)

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