

78409

**TO:** Board of Acquisition and Contract

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

**DATE:** August 4, 2020

**SUBJECT:** First Amendment to Agreement No. 19-929 in the matter of consulting services in support of the County's compliance with New York State Department of Environmental Conservation Consent Order Index No. CO-3-20180308-44 involving Westchester County Airport, for a term from July 1, 2019 to June 30, 2024, with the County's option to renew the agreement for an additional five (5) years.

**Consultant:** WSP USA Inc.  
**Amendment Amount:** \$235,000.00

*Subconsultant Approval:* York Analytical Laboratories Inc.

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The County of Westchester (the "County"), acting by and through its Department of Public Works and Transportation (the "Department"), entered into Agreement Number 19-929 ("Agreement"), dated September 26, 2019, with WSP USA Inc. (the "Consultant"), 4 Westchester Park Drive, Suite 175, White Plains, New York 10604, wherein the Consultant was to provide consulting services in support of the County's compliance with New York State Department of Environmental Conservation Consent Order Index No. CO-3-20180308-44 ("NYSDEC Consent Order") involving Westchester County Airport (the "Airport"), for a term from July 1, 2019 to June 30, 2024, for an amount not to exceed \$110,000.00 payable pursuant to an approved budget and subject to budget appropriations, with the County having the option to renew the Agreement for an additional five (5) years.

The NYSDEC Consent Order requires characterization of any contamination at the Airport and remedial work to address it. The consulting services included in the original Agreement have been in progress, and the County has been satisfied with the quality of services provided to date. The County and the Consultant are requesting that the existing Agreement be amended in order to provide for additional consulting services associated with the NYSDEC Consent Order that are not included under the existing Agreement, including, but not limited to, laboratory analyses and completion of a Brown Field Program Application (the "Additional Services"). The Additional Services shall include without limitation, soil, groundwater and surface water sampling in accordance with the NYSDEC Consent Order.

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.

The objective of this project is to assist the County in satisfying its obligations under the NYSDEC Consent Order. This will ensure environmental compliance and promote the public health of the County's residents.

Board of Acquisition and Contract  
Agreement No. 19-929, First Amendment  
NYSDEC Consent Order Index No. CO-3-20180308-44  
Westchester County Airport  
WSP USA Inc.  
Page 2

The Department will track scheduling and accomplishments by the Consultant to ensure the successful completion of this project.

The fee for the above services is for an amount of \$235,000.00 pursuant to an approved budget, bringing the total Agreement plus Amendment to \$345,000.00. The completion date of the Agreement shall remain June 30, 2024, with the County having the option to renew the Agreement for an additional five (5) years.

In addition, WSP USA Inc. has requested the utilization of the following subconsultant: York Analytical Laboratories Inc., 120 Research Drive, Stratford, Connecticut 06615 for Laboratory Analysis of Samples.

Payment for this amendment will be made from the Airport Special Revenue Fund, not the County General Fund and will not impact the County tax levy.

Proposed form of Resolution to accomplish the foregoing is attached hereto.

HJG/JA/ku

APPROVED BOARD OF ACQUISITION & CONTRACT 08/14/2022 - LISAMRIJAJ, SECRETARY

# RESOLUTION

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

RESOLVED, that the existing Agreement No. 19-929 (“Agreement”) between the County of Westchester (“County”), acting by and through its Department of Public Works and Transportation (“Department”), and WSP USA Inc. (“Consultant”), 4 Westchester Park Drive, Suite 175, White Plains, New York 10604, be amended to provide for additional consulting services in support of the County’s compliance with New York State Department of Environmental Conservation Consent Order Index No. CO-3-20180308-44 (the “NYSDEC Consent Order”) involving Westchester County Airport that are not included under the existing Agreement, including, but not limited to, laboratory analyses and completion of a Brown Field Program (the “Additional Services”). The Additional Services shall include without limitation, soil, groundwater and surface water sampling in accordance with the NYSDEC Consent Order; and be it further

RESOLVED, that for the additional services rendered, the Consultant shall be paid a fee of \$235,000.00 pursuant to an approved budget, increasing the total maximum fee to \$345,000.00; and be it further

RESOLVED, that the use of the following subconsultant also be approved: York Analytical Laboratories Inc., 120 Research Drive, Stratford, Connecticut 06615 for Laboratory Analysis of Samples; 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	\$110,000.00	(Consulting Services)
This Amendment	\$235,000.00	(Additional Consulting Services)
<b>TOTAL</b>	<b>\$345,000.00</b>	

Agreement No. 19-929

Account to be Charged/Credited	Fund	Dept	Major Program, Program & Phase or Unit	Object/ Sub Object	Bond Act No.	Dollars
	161	44	4110	4420	N/A	\$ 235,000.00

Budget Funding Year(s): 2020 Start Date: 07/01/2019 End Date: 06/30/24  
 (must match resolution)

Funding Source: Tax Dollars: \_\_\_\_\_ Contractor Federal I.D. No./  
 State Aid: \_\_\_\_\_ Social Security No.: \_\_\_\_\_  
\$235,000.00 Federal Aid: \_\_\_\_\_ Vendor No.: \_\_\_\_\_  
 (must match resolution) Other: 100% Airport Special Revenue Fund Encumbrance No.: \_\_\_\_\_