

82668

TO: Board of Acquisition and Contract
FROM: Hugh J. Greechan, Jr., PE
Commissioner of Public Works and Transportation
DATE: February 16, 2021
SUBJECT: Authority to Enter into Agreement #21-902
In the matter of Engineering Services in connection with
Storm Drain Replacement, SPDES Outfall No. 7, Westchester County Airport,
Towns of Harrison and North Castle and Village of Rye Brook, New York

Consultant: Provident Design Engineering, PLLC
Agreement Amount: \$189,000.00

Subconsultant Approval: WBL and Associates, LLC

Authority of your Honorable Board is requested for the County of Westchester ("County") acting by and through its Department of Public Works and Transportation ("Department") to enter into Agreement No. 21-902 ("Agreement") with Provident Design Engineering, PLLC ("Consultant"), in connection with engineering services for Storm Drain Replacement, SPDES Outfall No. 7, Westchester County Airport, Towns of Harrison and North Castle and Village of Rye Brook, New York. The Consultant shall provide construction support and construction administration services associated with this project. Construction support services shall include shop drawing and submittal review, attendance at project meetings, periodic site visits, and preparation of as-built drawings. 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 objective of this project is to provide professional engineering services associated with storm drain replacement to SPDES Outfall No. 7 at Westchester County Airport ("Airport"). In 2019 the New York State Department of Environmental Conservation ("NYSDEC") and Westchester County ("County") entered into Order-on-Consent No. CO 3-20180308-44 ("Order") regarding storm water management improvements at the Airport. The Order requires, among other things, that the County submit a remedial work plan for NYSDEC's review. The proposed work plan calls for the County to address, by the end of the first quarter of 2021, an area of high per- and polyflouralkyl substances ("PFAS") concentration by the installation of a sealed site drainage system for the conveyance of surface storm water to Outfall No. 7, removal of contaminated soil, placement of new fill and restoration of pavement.

Failure to undertake this project may result in a violation of NYSDEC regulations potentially resulting in significant financial penalties. This agreement will benefit the public as it enables the County to conduct its basic mission of providing proper storm water management, thereby promoting public health policies and laws. Time is of the essence in order to achieve compliance with NYSDEC regulations as quickly as possible to minimize or avoid financial penalties.

In accordance with the Accelerated Qualification and Selection Procedure as outlined in the Rules of the Professional Prequalification and Selection Boards (Act 144-1996, §3D), on January 29, 2021, a statement outlining the reason requiring the accelerated procedure, the qualifications of the proposed firm and the scope of work was submitted to the Chair of the Professional Prequalification Board. The Chair of the Professional Prequalification Board on February 3, 2021, agreed that the accelerated consultant procurement procedure was warranted. Subsequently, these items were reviewed and approved by the Chair of the Professional Selection Board on February 4, 2021.

By Resolution approved February 11, 2021, your Honorable Board authorized the County to negotiate with the firm of Provident Design Engineering, PLLC, 7 Skyline Drive, Hawthorne, New York 10532, and a proposal was submitted for engineering services for Storm Drain Replacement, SPDES Outfall No. 7, Westchester County Airport, Towns of Harrison and North Castle and Village of Rye Brook, New York, for a total fee of \$189,000.00, pursuant to an approved budget.

In addition, the Consultant has requested the utilization of the following subconsultant: WBL and Associates, LLC, for Wetlands Mapping and Permitting Services, 103 Fort Salonga Road, Suite #6, Northport, New York 11768.

The Department 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/JA/JAD/as

RESOLUTION

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

RESOLVED, that approval for the County of Westchester ("County") acting by and through its Department of Public Works and Transportation ("Department") is hereby granted to enter into Agreement No. 21-902 ("Agreement") with the firm of Provident Design Engineering, PLLC ("Consultant"), 7 Skyline Drive, Hawthorne, New York 10532, for engineering services associated with Storm Drain Replacement, SPDES Outfall No. 7, Westchester County Airport, Towns of Harrison and North Castle and Village of Rye Brook, New York. The Consultant shall provide construction support and construction administration services associated with this project. Construction support services shall include shop drawing and submittal review, attendance at project meetings, periodic site visits, and preparation of as-built drawings. 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 contractor, submit construction progress reports and review and process contractors' applications for payment; and be it further

RESOLVED, that for services rendered in accordance with the Consultant's proposal, a total compensation of \$189,000.00 shall be provided, pursuant to an approved budget; and be it further

RESOLVED, that the use of the following subconsultants also be approved: WBL and Associates, LLC, for Wetlands Mapping and Permitting Services, 103 Fort Salonga Road, Suite #6, Northport, New York 11768; and be it further

RESOLVED, that the Agreement shall commence upon the Consultant's receipt of written notice from the Commissioner of Public Works and Transportation or his designee and that the completion date shall be December 31, 2022; 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.

Agreement No. 21-902

Account to be Charged/Credited	Fund	Dept	Major Program, Program & Phase or Unit	Object/ Sub Object	Bond Act No.	Dollars
	361	44	A042C-02-I	6120-05	BA #3-2021	\$ 189,000.00

Budget Funding Year(s): 2021 Start Date: 03/01/21 End Date: 12/31/22
 (must match resolution)

Funding Source: Tax Dollars: 100% County Contractor Federal I.D. No./
 State Aid: _____ Social Security No.: _____
\$189,000.00 Federal Aid: _____ Vendor No.: _____
 (must match resolution) Other: _____ Encumbrance No.: _____