

**TO:** Board of Acquisition and Contract

**FROM:** John J. Hsu, PE  
Acting Commissioner of Public Works

**DATE:** April 9, 2010

**SUBJECT:** Authority to Enter into Agreement #10-908 (a Multi-Phased Agreement)  
In the matter of Engineering Services in connection with the  
Hutchinson Pump Station Rehabilitation, Hutchinson Valley Sewer District,  
Mount Vernon, New York

**Consultant:** **Dvirka and Bartilucci Consulting Engineers,  
A Division of William F. Cosulich Associates, PC**

**Agreement Amount:** **\$495,000.00**

*Subconsultant Approval:* *JCE Estimating, Inc. (WBE)  
KJM Construction Management, Inc.  
Contour Graphics, Inc. (WBE)*

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Authority of your Honorable Board is requested to enter into an Agreement in connection with the Hutchinson Pump Station Rehabilitation, Hutchinson Valley Sewer District, Mount Vernon, New York. The consultant shall provide design and construction administration services associated with this project. Design services shall include the preparation of construction contract documents (drawings and specifications), construction cost estimates, any required addenda, and a bid analysis including an evaluation of the bids to determine compliance with bidding requirements and whether the bidders are responsible so that the County may recommend award of the construction contracts. In addition, the consultant shall provide design services during construction consisting of 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 rehabilitate essential systems and components at the Hutchinson Pump Station. This work is necessary to improve the energy efficiency and reliability of the pump station's integral systems. Neglecting to upgrade these critical elements of the pump station may result in a failure, including the occurrence of a sewage overflow emergency that could allow sewage into the surrounding properties and cause violations of the pump station's State Pollutant Discharge Elimination System (SPDES) Permit. This agreement will benefit the public as it will ensure that the pump station's operations are safe and environmentally compliant, thereby enhancing the health and general welfare of the residents of Westchester County.

The intent of this Agreement is to have the design and construction administration performed in multiple phases as subsequent funding becomes available. The initial design phase will define the scope of work and the required budget for the next phases of design and construction administration for which funding shall be approved in the future.

Since the estimated fee for professional services was greater than \$100,000, in accordance with the Rules of the Professional Prequalification and Selection Boards, on May 8, 2008, a meeting of the Professional Prequalification Board was held to discuss the scope of work and request a list of qualified firms to provide the necessary services. The list was reviewed by the Professional Selection Board on March 24, 2009 whereby Black & Veatch New York, LLP; Cameron Engineering & Associates, LLP; Camp Dresser & McKee; Dvirka and Bartilucci Consulting Engineers, A Division of William F. Cosulich Associates, PC; Savin Engineers, PC; and Stearns & Wheler, LLC were selected to possibly perform said services. On November 12, 2009, a request for proposal (RFP) was sent to the qualified firms and subsequently proposals were received on December 3, 2009.

After reviewing the proposals, and based on the evaluation criteria set forth in the request for proposal, including technical merit and net cost, the Professional Selection Board at its meeting held March 26, 2010, selected Dvirka and Bartilucci Consulting Engineers, A Division of William F. Cosulich Associates, PC, 330 Crossways Park Drive, Woodbury, New York 11797, as the number one firm to perform engineering services in connection with the Hutchinson Pump Station Rehabilitation, Hutchinson Valley Sewer District, Mount Vernon, New York, for a total fee of \$495,000.00, pursuant to an approved budget, which represents the best possible contract for the County.

In addition, Dvirka and Bartilucci Consulting Engineers, A Division of William F. Cosulich Associates, PC, has requested the utilization of the following subconsultants: JCE Estimating, Inc. (Construction Cost Estimating), 39-B North Lawn Avenue, Elmsford, New York 10523; KJM Construction Management, Inc. (Construction Administration), 33 West Main Street, Suite 208, Elmsford, New York 10523; and Contour Graphics, Inc. (Administrative Services), 33 West Main Street, Elmsford, New York 10523.

The proposed has been reviewed and is judged to be responsive to the task at hand.

This matter has been reviewed by the Deputy County Executive, the Commissioner of the Department of Environmental Facilities, and the Deputy Commissioner of the Department of Public Works, and they are in concurrence.

I recommend adoption of the attached proposed Resolution.

# RESOLUTION

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

RESOLVED, that approval is hereby granted to enter into an Agreement with the firm of Dvirka and Bartilucci Consulting Engineers, A Division of William F. Cosulich Associates, PC, 330 Crossways Park Drive, Woodbury, New York 11797, for engineering services associated with the Hutchinson Pump Station Rehabilitation, Hutchinson Valley Sewer District, Mount Vernon, New York; and be it further

RESOLVED, that for services rendered in accordance with the consultant's proposal for the first phase of this multi-phase project, a total compensation of \$495,000.00, shall be provided, pursuant to an approved budget; and be it further

RESOLVED, that the use of the following subconsultants also be approved: JCE Estimating, Inc. (Construction Cost Estimating), 39-B North Lawn Avenue, Elmsford, New York 10523; KJM Construction Management, Inc. (Construction Administration), 33 West Main Street, Suite 208, Elmsford, New York 10523; and Contour Graphics, Inc. (Administrative Services), 33 West Main Street, Elmsford, New York 10523; and be it further

RESOLVED, that the Agreement shall commence upon the consultant's receipt of written notice from the Acting Commissioner of Public Works or his designee and that the completion date shall be December 31, 2014; 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.

JJH/PTK/LR/AS

Agreement No. 10-908

Account to be Charged/Credited	Fund	Dept	Major Program, Program & Phase or Unit	Object/ Sub Object	Trust Account	Dollars
	322	60	SH07500E	6120-03		\$ 320,000.00
	322	60	SH07500I	6120-05		175,000.00
					<b>Total:</b>	<b>\$ 495,000.00</b>

Budget Funding Year(s): 2010 Start Date: 04/30/2010 End Date: 12/31/2014  
 (must match resolution)

Funding Source: Tax Dollars: 100% County Contractor Federal I.D. No./  
 State Aid: \_\_\_\_\_ Social Security No.: 11-2393559  
\$495,000.00 Federal Aid: \_\_\_\_\_ Vendor No.: \_\_\_\_\_  
 (must match resolution) Other: \_\_\_\_\_ Encumbrance No.: \_\_\_\_\_

Board of Acquisition and Contract  
Agreement No. 10-908  
Hutchinson Pump Station Rehabilitation, Hutchinson Valley Sewer District  
Mount Vernon, New York  
Dvirka and Bartilucci Consulting Engineers, A Division of William F. Cosulich Associates, PC

List of Respondents

Camp Dresser & McKee 100 Crossway Park West, Suite 415 Woodbury, New York 11797 (516) 496-8400	\$ 751,750.00
Dvirka and Bartilucci Consulting Engineers, A Division of William F. Cosulich Associates, PC 330 Crossways Park Drive Woodbury, New York 11797 (914) 467-5300	\$ 495,000.00
Cameron Engineering & Associates, LLP 100 Sunnyside Boulevard, Suite 100 Woodbury, New York 11797 (516) 827-4900	\$ 701,150.00
Stearns & Wheler, LLC One Remington Park Drive Cazenovia, New York 13035 (315) 655-8161	\$ 680,000.00

APPROVED BOARD OF ACQUISITION & CONTRACT - 4-29-2010 - JOMAR VIEIRA, SECRETARY