

94603

TO: Board of Acquisition and Contract

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

DATE: July 12, 2022

SUBJECT: Authority to Enter into Agreement #22-917 in the matter of Geotechnical Consulting Services and Material Testing Services for various projects

Consultant: Tectonic Engineering Consultants, Geologists & Land Surveyors, D.P.C.

Agreement Amount: \$2,000,000.00

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. 22-917 ("Agreement") with Tectonic Engineering Consultants, Geologists & Land Surveyors, D.P.C. ("Consultant"), 70 Pleasant Hill Road, P.O. Box 37, Mountainville, New York 10953, in connection with Geotechnical Consulting Services and Material Testing Services for various projects. The Consultant shall provide these services to assist Department personnel in the planning, design, permitting, and construction administration of various projects. For geotechnical consulting services, the Consultant shall prepare a subsurface investigation and a geotechnical engineering report consisting of soils analysis and foundation design recommendations. The Consultant shall undertake any such data acquisition, exploratory work including but not limited to soil borings, rock corings, and other sampling methods in addition to survey work necessary to ensure complete reports. For material testing services, the Consultant shall sample and test roadway pavement cores to determine asphalt, concrete and/or subbase thicknesses as well as the quality of the pavement materials, through physical or visual testing. The Consultant may also test concrete and structural steel to determine strength and durability properties. The Consultant shall also provide other consulting services as directed by the Commissioner of the Department.

The objective of this project will be to provide geotechnical consulting services and material testing services for various projects. This work is necessary to augment the Department's Engineering Division staff during the study, design, and construction phases of a capital project. Projects vary in complexity and may include buildings, roads, bridges, recreational facilities, and environmental facilities. Project budgets may range from \$100,000 to \$10,000,000. This Agreement will benefit the public as it will provide a cost-effective method to manage capital projects, thereby ensuring timely project completion within budget.

Since the estimated fee for professional services was greater than \$250,000, in accordance with the Rules of the Professional Prequalification and Selection Boards, on December 14, 2020, 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 June 14, 2021, whereby Langan Engineering and Environmental Services, D.P.C.; Schnabel-Lachel Engineering P.C. dba Schnabel Engineering of New York; Tectonic Engineering Consultants, Geologists & Land Surveyors, D.P.C.; and TriState Planning Engineering & Land Surveying, P.C. were selected to possibly perform said services. On September 21, 2021, a request for proposal (RFP) was sent to the qualified firms and subsequently two (2) proposals were received on October 28, 2021.

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Geotechnical Consulting Services and Material Testing Services for various projects

Tectonic Engineering Consultants, Geologists & Land Surveyors, D.P.C.

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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 April 20, 2022, selected Tectonic Engineering Consultants, Geologists & Land Surveyors, D.P.C., 70 Pleasant Hill Road, P.O. Box 37, Mountainville, New York 10953, as the number one firm to perform Geotechnical Consulting Services and Material Testing Services for various projects, for a total fee not to exceed \$2,000,000.00, pursuant to an approved budget, which represents the best possible contract for the County. The consultant shall be paid at various hourly rates for services rendered. The term of the Agreement shall be for three (3) years, commencing on August 15, 2022 and continuing through August 14, 2025. The Agreement may be extended for an additional two (2) years at the sole option of the County. Should the County elect to extend the Agreement for an additional two (2) year term, the same terms and conditions as agreed to for the initial term, including price proposal, shall apply to the option term.

Payment for this contract will be made from the various County capital project accounts for which the services are rendered as needed and as determined by the Department.

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

The Department will track scheduling and accomplishments by the consultant and perform on-site inspections to ensure the successful completion of this project.

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

I recommend adoption of the attached proposed Resolution.

HJG/RSD/jr

RESOLUTION

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

RESOLVED, that approval is hereby granted for the County of Westchester (“County”) acting by and through its Department of Public Works and Transportation (“Department”) to enter into an Agreement with the firm of Tectonic Engineering Consultants, Geologists & Land Surveyors, D.P.C. (“Consultant”), 70 Pleasant Hill Road, P.O. Box 37, Mountainville, New York 10953, in connection with Geotechnical Consulting Services and Material Testing Services for various projects. The Consultant shall provide these services to assist Department personnel in the planning, design, permitting, and construction administration of various projects. For geotechnical consulting services, the Consultant shall prepare a subsurface investigation and a geotechnical engineering report consisting of soils analysis and foundation design recommendations. The Consultant shall undertake any such data acquisition, exploratory work including but not limited to soil borings, rock corings, and other sampling methods in addition to survey work necessary to ensure complete reports. For material testing services, the Consultant shall sample and test roadway pavement cores to determine asphalt, concrete and/or subbase thicknesses as well as the quality of the pavement materials, through physical or visual testing. The Consultant may also test concrete and structural steel to determine strength and durability properties. The Consultant shall also provide other consulting services as directed by the Commissioner of the Department; and be it further

RESOLVED, that for services rendered in accordance with the Consultant’s proposal, a total compensation not to exceed \$2,000,000.00, shall be provided, pursuant to an approved budget; and be it further

RESOLVED, that payment for this contract will be made from the various County capital project accounts for which the services are rendered as needed and as determined by the Department; and be it further

RESOLVED, that the Agreement shall commence upon the Consultant's receipt of written notice from the Commissioner of the Department or his designee and that the completion date shall be August 14, 2025; and be it further

RESOLVED, that the Agreement may be extended for an additional two (2) years at the sole option of the County. Should the County elect to extend the Agreement for an additional two (2) year term, the same terms and conditions as agreed to for the initial term, including price proposal, shall apply to the option term; and be it further

RESOLVED, that this Agreement is subject to County appropriations; and be it further

RESOLVED, that this Agreement is also subject to further financial analysis of the impact of any New York State Budget (the “State Budget”) proposed and adopted during the term of this Agreement. The County shall retain the right, upon the occurrence of any release by the Governor of a proposed State Budget and/or the adoption of a State Budget or any amendments thereto, and for a reasonable period of time after such release(s) or adoption (s), to conduct an analysis of the impacts of any such State Budget on County finances. After such analysis, the County shall retain the right to either terminate the Agreement or to renegotiate the amounts and rates approved herein. If the County subsequently offers to pay a reduced amount to the Consultant, then the Consultant shall have the right to terminate this Agreement upon reasonable prior written notice; and be it further

RESOLUTION

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. 22-917

Account to be Charged/Credited

Fund	Dept	Major Program, Program & Phase or Unit	Object/ Sub Object	Bond Act No.	Dollars
366	46	TBD	6120-03	TBD	\$2,000,000.00

Budget Funding Year(s): 2022-2025 Start Date: 08/15/2022 End Date: 08/14/2025
 (must match resolution)

Funding Source: Tax Dollars: 100% County Contractor Federal I.D. No./ Social Security No.: _____
 State Aid: _____ Vendor No.: _____
\$2,000,000.00 Federal Aid: _____ Encumbrance No.: _____
 (must match resolution) Other: _____

APPROVED BOARD OF COMMISSIONERS & COUNTY CLERK - 08/04/2022 - RAYMOND SCULKY, SECRETARY