

94612

TO: Board of Acquisition and Contract

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

DATE: July 12, 2022

SUBJECT: First Amendment to Agreement No. 21-934 in the matter of Engineering Services in connection with the Pumping Station Rehabilitation Program, Bronx Valley, Mamaroneck, and New Rochelle Sanitary Sewer Districts

Consultant: Environmental Design & Research, Landscape Architecture,
Engineering & Environmental Services, D.P.C. (WBE)

Amendment Amount: \$652,100.00

The County of Westchester ("County"), acting by and through its Department of Public Works and Transportation ("Department"), entered into Agreement Number 21-934 ("Agreement"), dated December 2, 2021, with Environmental Design & Research, Landscape Architecture, Engineering & Environmental Services, D.P.C. ("Consultant"), 217 Montgomery Street, Suite 1100, Syracuse, New York 13202, wherein the Consultant was to provide design and construction administration services associated with the Pumping Station Rehabilitation Program, Bronx Valley, Mamaroneck, and New Rochelle Sanitary Sewer Districts. The Agreement expires on December 31, 2026.

The engineering services included in the original Agreement have been in progress. The County has been satisfied with the quality of services provided to date. The Jackson Avenue Pumping Station (PS) electrical system and pumps were significantly damaged by Hurricane Ida, rendering the PS inoperable for a period in early September 2021. The Westchester County Department of Environmental Facilities implemented emergency services/operations in order to put the pumping station back in operation in as short a timeframe as possible. The County has requested that the design for the Jackson Avenue PS be placed on an accelerated path, including additional upgrades to minimize its vulnerability to future flood events and increase reliability. These upgrades include demolition of the PS superstructure to be rebuilt at a higher elevation with increased structural capacity to mitigate future flooding from a similar event, as well as the design and construction of an additional elevated structure for a new standby generator to be located adjacent to the pumping station structure. In order to proceed at an accelerated schedule, the County also requested construction documents for the Jackson Avenue PS to be developed separately from the construction contract under which the other Pumping Stations in the Agreement will be completed.

Authority of your Honorable Board is therefore requested to amend the existing Agreement between the County and the Consultant to provide for additional engineering services in connection with the Pumping Station Rehabilitation Program, Bronx Valley, Mamaroneck, and New Rochelle Sanitary Sewer Districts. The Consultant shall provide additional design and construction administration services associated with this project. Additional 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, upgrade, and replace various items of equipment and systems at pumping stations in the Bronx Valley, Mamaroneck, and New Rochelle Sanitary Sewer Districts. The existing equipment and systems are at the end of their useful life and require extensive maintenance which involves down time. Equipment or systems to be replaced or rehabilitated will include, but not be limited to: pumps, controls, valves, piping, electrical system, heating system, ventilation system, installation of new bar screens, and flood hazard mitigation measures. All equipment upgrades will include integration into the supervisory control and data acquisition ("SCADA") system. Neglecting to upgrade these critical elements of the pumping 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 pumping station's State Pollutant Discharge Elimination System ("SPDES") Permit. This Agreement will benefit the public as it will ensure that the facility's operations are safe and environmentally compliant, thereby enhancing the health and general welfare of the residents of Westchester County.

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. Accordingly, this type of engineering discipline was originally contemplated in the Professional Prequalification Board and Professional Selection Board process.

The fee for the above services is for an amount of \$652,100.00 pursuant to an approved budget, bringing the total Agreement plus Amendment to \$2,649,600.00. The completion date of the Agreement shall be extended to December 31, 2027.

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/LR/jr

RESOLUTION

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

RESOLVED, that the existing Agreement No. 21-934 (“Agreement”) between the County of Westchester (“County”) and Environmental Design & Research, Landscape Architecture, Engineering & Environmental Services, D.P.C. (“Consultant”), 217 Montgomery Street, Suite 1100, Syracuse, New York 13202, be amended to provide for additional engineering services in connection with the Pumping Station Rehabilitation Program, Bronx Valley, Mamaroneck, and New Rochelle Sanitary Sewer Districts. The Consultant shall provide additional design and construction administration services associated with this project. Additional 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; and be it further

RESOLVED, that for the additional services rendered in accordance with the Consultant’s proposal, Arcadis of New York, Inc., shall be paid a fee of \$652,100.00 pursuant to an approved budget, increasing the total maximum fee to \$2,649,600.00; and be it further

RESOLVED, that the completion date of the Agreement shall be extended to December 31, 2027; 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.

RESOLUTION

Original Agreement	\$	1,997,500.00	(Design and Construction Administration Services)
This Amendment		652,100.00	(Additional Design and Construction Administration Services)
TOTAL	\$	2,649,600.00	

Agreement No. 21-934

Account to be Charged/Credited

Fund	Dept	Major Program, Program & Phase or Unit	Object/ Sub Object	Bond Act No.	Dollars
322	60	SBV95-01-E	6120-03	BA #6-2021	\$ 307,373.00
322	60	SBV95-01-I	6020-05	BA #6-2021	\$ 163,173.00
322	60	SM095-02-E	6120-03	BA #6-2021	\$ 19,665.00
322	60	SM095-02-I	6020-05	BA #6-2021	\$ 35,582.00
322	60	SNR95-02-E	6120-03	BA #6-2021	\$ 29,162.00
322	60	SNR95-02-I	6020-05	BA #6-2021	\$ 97,145.00

Budget Funding Year(s): 2022 Start Date: 12/02/21 End Date: 12/31/27
 (must match resolution)

Funding Source: Tax Dollars: 100% County Contractor Federal I.D. No./
 State Aid: _____ Social Security No.: _____
\$652,100.00 Federal Aid: _____ Vendor No.: _____
 (must match resolution) Other: _____ Encumbrance No.: _____

APPROVED BOARD OF ACQUISITION & CONTRACT ADMINISTRATION
 RAYMOND SCULKY, SECRETARY