

12528

TO: Board of Acquisition and Contract

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

DATE: June 25, 2010

SUBJECT: Authority to Enter into Agreement #10-927 (a Multi-Phased Agreement)
In the matter of Engineering Services in connection with the
Playland Parkway Pathway Extension,
Town of Harrison and City of Rye, New York

Consultant: **The RBA Group**

Agreement Amount: **\$94,500.00**

Subconsultant Approval: *Berger Lehman Associates, P.C.*
M. J. Engineering and Land Surveying, P.C. (MBE)

Authority of your Honorable Board is requested to enter into an Agreement in connection with the Playland Parkway Pathway Extension, Town of Harrison and City of Rye, New York. The consultant shall provide preliminary design services associated with this project. Preliminary design services shall include the preparation of schematic construction contract documents (plans and specifications) and construction cost estimate. In addition to the preparation of preliminary plans and cost estimate, the preliminary design phase of the project will include, but not be limited to, preparation of a Design Approval Document (DAD) that identifies, assesses, and selects a feasible design alternative and describes associated environmental impacts. As part of the preparation of the DAD, environmental documentation required for the National Environmental Policy Act (NEPA) and State Environmental Quality Review (SEQR) will be prepared, community outreach will be conducted, updates to existing topographic and right-of-way survey and mapping will be performed, cost and environmental factors will be evaluated, preliminary plans will be prepared and a public information meeting will be held.

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. It should be noted that this resolution seeks approval of the preliminary design only. The County of Westchester reserves the right to amend this Agreement with the consultant to provide final design services and construction administration services.

The objective of this project is to make improvements to the Playland Parkway Pathway and to create linkages between the Rye and Harrison Metro North train stations and Playland Park. The work will include construction of new pathways, sidewalks, ramps and foot bridges. This project will implement the most cost-effective and environmentally compliant technologies available. Wherever possible, proposed new materials will be incorporated in compliance with LEED guidelines for environmental sustainability as per the United States Green Building Council. This agreement will benefit the public as it will enhance the use of these recreational facilities by improving public access and by providing a variety of settings for passive and active use.

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The RBA Group
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In accordance with the Federal Highway Administration (FHWA) and the New York State Department of Transportation (NYSDOT) requirements, on February 3, 2010 a Request for Qualifications (RFQ) was advertised in the New York State Contract Reporter and The Journal News. Responses to the RFQ were received on March 4, 2010. Based upon the responses received and after careful consideration, on May, 27, 2010, the Professional Selection Board ranked The RBA Group, as the number one firm suitable to perform engineering services for the Playland Parkway Pathway Extension, Town of Harrison and City of Rye, New York.

By Resolution approved June 24, 2010, the County Board of Acquisition and Contract authorized the negotiation based on the cost of technical salaries plus a fixed fee with a not-to-exceed ceiling, with the firm ranked as number one, The RBA Group, 27 Union Square West, 4th Floor, New York, New York 10003, and a proposal was submitted for engineering services in connection with the Playland Parkway Pathway Extension, Town of Harrison and City of Rye, New York, for a total fee of \$94,500.00, pursuant to an approved budget, which represents the best possible contract for the County.

In addition, The RBA Group has requested the utilization of the following subconsultants: Berger Lehman Associates, P.C. (Structural Design Services), 411 Theodore Fremd Avenue, Rye, New York 10580; and M.J. Engineering and Land Surveying, P.C. (Topographic Survey Services), 1533 Crescent Road, Clifton Park, New York 12065.

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

I recommend adoption of the attached proposed Resolution.

RESOLUTION

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

RESOLVED, that approval is hereby granted to enter into an Agreement with The RBA Group, 27 Union Square West, 4th Floor, New York, New York 10003, for engineering services associated with the Playland Parkway Pathway Extension, Town of Harrison and City of Rye, New York; and be it further

RESOLVED, that the engineering services under this agreement shall be completed in multiple phases and the consultant shall only proceed with the preliminary design services associated with the Playland Parkway Pathway Extension, for which funding has been approved; 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 \$94,500.00, shall be provided, pursuant to an approved budget; and be it further

RESOLVED, that the use of the following subconsultants also be approved: Berger Lehman Associates, P.C. (Structural Design Services), 411 Theodore Fremd Avenue, Rye, New York 10580; and M.J. Engineering and Land Surveying, P.C. (Topographic Survey Services), 1533 Crescent Road, Clifton Park, New York 12065; and be it further

RESOLVED, that the Agreement shall commence upon the consultant's receipt of written notice from the Commissioner of Public Works or his designee and that the completion date shall be December 31, 2012; 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/MC/AS

Agreement No. 10-927

Account to be Charged/Credited	Fund	Dept	Major Program, Program & Phase or Unit	Object/ Sub Object	Trust Account	Dollars
	372	42	RPA0103E	6120-03		\$ 94,500.00

Budget Funding Year(s): 2010 Start Date: 07/30/10 End Date: 12/31/12
 (must match resolution)

Funding Source: Tax Dollars: 5% County (\$ 4,725.00) Contractor Federal I.D. No./
 State Aid: 15% State (\$14,175.00) Social Security No.: 13-2849354
\$94,500.00 Federal Aid: 80% FHWA (\$75,600.00) Vendor No.: _____
 (must match resolution) Other: _____
 Encumbrance No.: _____