

17832

**TO:** Board of Acquisition and Contract  
**FROM:** John J. Hsu, PE  
Commissioner of Public Works and Transportation  
**DATE:** March 25, 2011

**SUBJECT:** First Amendment (of a Multi-Phased Agreement) to Agreement No. 09-946  
In the matter of Engineering Services in connection with the  
Westchester County Water District No. 1 Alternate Water Supply,  
Mount Vernon and Yonkers, New York

**Consultant:** Stearns & Wheler, LLC

**Amendment Amount:** \$98,500.00

*Subconsultant Approval:* Lackowitz Engineering

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Authority of your Honorable Board is requested to amend the existing Agreement between the County of Westchester and Stearns & Wheler, LLC, One Remington Park Drive, Cazenovia, New York 13035. The original Agreement dated January 18, 2010, was for engineering services associated with the compiling of all available technical information and preparation of a scoping study for the Westchester County Water District No. 1 Kensico-Bronx Pipeline Alternate Water Supply.

It is requested that the existing Agreement be amended to provide for the next study phase associated with the evaluation of an alternate water supply for the Kensico-Bronx pipeline. The consultant shall investigate in detail the various alternatives developed during the first study phase, make recommendations to select the preferred alternative, and prepare associated cost estimates. This information will be used by the Westchester County Department of Environmental Facilities to develop future capital funding requests for this project.

The objective of this project will be to provide a comprehensive evaluation which will suggest the optimum alternative back-up supply scenario to the Westchester County Water District No. 1 48-inch Kensico-Bronx pipeline. The southern end of the 48-inch pipeline, which draws water from the New York City Delaware Aqueduct at Shaft 22, supplies 90% of the water to Mount Vernon and 48% of the water to Yonkers. A major break in this pipe would leave the areas affected in each city with no water. This work is necessary to provide the basis for an alternate method to supply the Cities of Mount Vernon and Yonkers with potable water when, and if, the Lower Kensico line is out of service. 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 ensures that the residents of Mount Vernon and Yonkers will have the proper water supply in the event the Lower Kensico line is out of service, thereby promoting public health policies and laws.

The original intent of this Agreement was to have the engineering services performed in multiple phases as subsequent funding became available. The initial scoping study phase defined the scope of work and the required budget for future phases of study, design, and construction administration, for which funding will be appropriated as required to complete this project.

**Board of Acquisition and Contract**  
**First Amendment to Agreement No. 09-946**  
**Westchester County Water District No. 1 Alternate Water Supply,**  
**Mount Vernon and Yonkers, New York**  
**Stearns & Wheler, LLC**  
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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 \$98,500.00, pursuant to an approved budget, bringing the total Agreement plus Amendment to \$138,400.00. The completion date of the Agreement shall be extended to December 31, 2013.

In addition, Stearns & Wheler, LLC, has requested the utilization of the following subconsultant: Lackowitz Engineering (Hydraulic Analysis), 3066 Radcliffe Drive, Yorktown Heights, New York 10598.

The proposed form of Resolution to accomplish the foregoing is attached hereto.

APPROVED BOARD OF ACQUISITION & CONTRACT - 3-31-2011  
JOHNNY VIEIRA SECRETARY

# RESOLUTION

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

RESOLVED, that the existing Agreement between the County of Westchester and Stearns & Wheler, LLC, One Remington Park Drive, Cazenovia, New York 13035, be amended to provide for an evaluation of alternatives associated with the Westchester County Water District No. 1 Kensico-Bronx Pipeline Alternate Water Supply. The consultant shall investigate in detail the various alternatives developed during the first study phase, make recommendations to select the preferred alternative, and prepare associated cost estimates. This information will be used by the Westchester County Department of Environmental Facilities to develop future capital funding requests for this project; and be it further

RESOLVED, that for the additional services rendered in accordance with the consultant's proposal for the second phase of this multi-phase project, Stearns & Wheler, LLC, shall be paid a fee of \$98,500.00 pursuant to an approved budget, increasing the total maximum fee to \$138,400.00; and be it further

RESOLVED, that the use of the following subconsultant also be approved: Lackowitz Engineering (Hydraulic Analysis), 3066 Radcliffe Drive, Yorktown Heights, New York 10598; and be it further

RESOLVED, that the completion date of the Agreement shall be extended to December 31, 2013; 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.

JJH/LR/AS

Original Agreement	\$	39,900.00	(Compiling Technical Information and Scoping Study)
This Amendment		<u>98,500.00</u>	(Evaluation of Alternatives for Kensico-Bronx Pipeline Alternate Water Supply)
TOTAL	\$	138,400.00	

Agreement No. 09-946

Account to be Charged/Credited	Fund	Dept	Major Program, Program & Phase or Unit	Object/ Sub Object	Trust Account	Dollars
	324	60	WD10300F	6120-03		\$ 98,500.00

Budget Funding Year(s): 2011 Start Date: 04/30/11 End Date: 12/31/13  
(must match resolution)

Funding Source: Tax Dollars: 100% County Contractor Federal I.D. No./  
State Aid: \_\_\_\_\_ Social Security No.: \_\_\_\_\_  
\$98,500.00 Federal Aid: \_\_\_\_\_ Vendor No.: \_\_\_\_\_  
(must match resolution) Other: \_\_\_\_\_ Encumbrance No.: \_\_\_\_\_