

20409

TO: Board of Acquisition and Contract
FROM: John J. Hsu, PE
Commissioner of Public Works and Transportation
DATE: July 15, 2011
SUBJECT: First Amendment (of a Multi-Phased Agreement) to Agreement No. 10-923
In the matter of:

- (1) Amendment to change the name of the Consultant to GHD Consulting Engineers, LLC
- (2) Amendment for Construction Administration Services in connection with the Total Residual Chlorine Reduction and Structural Repairs to the Chlorine Contact Tank at the Ossining Wastewater Treatment Plant, Ossining, New York

Consultant:	GHD Consulting Engineers, LLC
Amendment Amount:	\$210,292.00
<i>Subconsultant Approval:</i>	<i>KJM Construction Management, Inc.</i> <i>Charles A. Manganaro Consulting Engineers, PC (MBE)</i> <i>Contour Graphics, Inc. (WBE)</i>

Pursuant to a Resolution approved on June 24, 2010, the County of Westchester ("County") entered into Agreement Number 10-923 with Stearns & Wheler, LLC ("Consultant"), One Remington Park Drive, Cazenovia, New York 13035, commencing on July 1, 2010, wherein the Consultant was to provide engineering design services associated with the Total Residual Chlorine Reduction and Structural Repairs to the Chlorine Contact Tank at the Ossining Wastewater Treatment Plant, Ossining, New York.

The Consultant recently advised the County that its name changed to GHD Consulting Engineers, LLC. Therefore, authority of your Honorable Board is requested to amend the existing Agreement to reflect the correct name of the Consultant.

In addition, authority of your Honorable Board is requested to amend the existing Agreement to provide for construction administration services in connection with the Total Residual Chlorine Reduction and Structural Repairs to the Chlorine Contact Tank at the plant. 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 design and construct new dechlorination facilities and make structural repairs to the chlorine contact tank at the Ossining Wastewater Treatment Plant. This work is necessary to meet the new lower total residual chlorine limits imposed under the New York State Department of Environmental Conservation (NYSDEC) issued State Pollutant Discharge Elimination System (SPDES) Permit which cannot be met with the existing hypochlorite disinfection facilities. An Engineering Study was conducted which recommended the continued use of hypochlorite disinfection and construction of new dechlorination facilities on the basis of reliability, construction cost and a life cycle analysis. Department of Environmental Facilities operations personnel observed erosion to the rip-rap barrier and deterioration of the steel pipe piles which support the chlorine contact tank. Because the contact tank extends into the Hudson River, an Engineering Study was performed which reported separation and settlement of the concrete tremie wall and erosion of the rip-rap barrier

within the River along the northern wall of the contact tank which protects the supporting steel pipe piles and concrete pile caps. The inspection report further indicated severe corrosion of the observed steel support piles throughout the exposed length with 100 percent loss of cross sectional area revealing the concrete fill within one of the piles. The inspection report assumed that the other pipe piles supporting the contact tank are in similar condition and recommended that immediate action be taken to ensure the exposed deteriorated piles are structurally rehabilitated to restore their original design strength and that the concrete tremie wall and rip-rap barrier, which protect the tank and piles, be reconstructed to prevent further deterioration, possible settlement and damage to the contact tank. This agreement will benefit the public as it will ensure that the plant's operations continue to be environmentally compliant, thereby enhancing the health and general welfare of the residents of Westchester County.

The original intent of this Agreement was to have the design and construction administration performed in multiple phases as subsequent funding became available. The initial design phase defined the scope of work and required budget for the subsequent phases of design and construction administration for which funding has been approved.

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 \$210,292.00 pursuant to an approved budget, bringing the total Agreement plus Amendment to \$581,292.00. The completion date of the Agreement shall remain December 31, 2014.

In addition, GHD Consulting Engineers, LLC, has requested the utilization of the following subconsultants: KJM Construction Management, Inc. (Construction Inspection), 33 West Main Street, Suite 208, Elmsford, New York 10523; Charles A. Manganaro Consulting Engineers, PC (Structural Construction Inspection), 7 West Cross Street, Hawthorne, New York 10532; and Contour Graphics, Inc. (Administrative Services Assistance), 33 West Main Street, Suite 208, Elmsford, New York 10523.

Proposed form of Resolution to accomplish the foregoing is attached hereto.

RESOLUTION

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

RESOLVED, that the County of Westchester is hereby authorized to amend Agreement No. 10-923 with Stearns & Wheler, LLC ("Consultant"), One Remington Park Drive, Cazenovia, New York 13035, to change the name of the Consultant to GHD Consulting Engineers, LLC; and be it further

RESOLVED, that the existing Agreement between the County of Westchester and GHD Consulting Engineers, LLC, One Remington Park Drive, Cazenovia, New York 13035, be amended to provide for construction administration services in connection with the Total Residual Chlorine Reduction and Structural Repairs to the Chlorine Contact Tank at the Ossining Wastewater Treatment Plant, Ossining, New York. 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 for the second phase of this multi-phase project, GHD Consulting Engineers, LLC, shall be paid a fee of \$210,292.00 pursuant to an approved budget, increasing the total maximum fee to \$581,292.00; and be it further

RESOLVED, that the use of the following subconsultants also be approved: KJM Construction Management, Inc. (Construction Inspection), 33 West Main Street, Suite 208, Elmsford, New York 10523; Charles A. Manganaro Consulting Engineers, PC (Structural Construction Inspection), 7 West Cross Street, Hawthorne, New York 10532; and Contour Graphics, Inc. (Administrative Services Assistance), 33 West Main Street, Suite 208, Elmsford, New York 10523; 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	\$	371,000.00	(Design Services for TRC Reduction & Structural Repairs at Ossining WWTP)
This Amendment		<u>210,292.00</u>	(CA Services for TRC Reduction & Structural Repairs at Ossining WWTP)
TOTAL	\$	581,292.00	

Agreement No. 10-923

Account to be Charged/Credited	Fund	Dept	Major Program, Program & Phase or Unit	Object/ Sub Object	Trust Account	Dollars
	322	60	SOS8100I	6120-05		\$ 180,000.00
	322	60	SOS0600I	6120-05		\$ 30,292.00

Budget Funding Year(s): 2011 Start Date: 08/08/11 End Date: 12/31/14
 (must match resolution)

Funding Source: Tax Dollars: 100% District Contractor Federal I.D. No./
 State Aid: _____ Social Security No.: _____
 \$ 210,292.00 Federal Aid: _____ Vendor No.: _____
 (must match resolution) Other: _____ Encumbrance No.: _____