

23341

TO: Board of Acquisition and Contract

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

DATE: November 30, 2011

SUBJECT: Fourth Amendment (of a Multi-Phased Agreement) to Agreement No. 06-929
In the matter of Engineering Services in connection with the
Reconstruction/Replacement of the Structures carrying
the Bronx River Parkway over the Bronx River and Metro-North Railroad
at Crane Road (BINs 3348779 and 3348789)
Village of Scarsdale and Town of Greenburgh, New York

Consultant: Stantec Consulting Services, Inc.
Agreement Amount: \$1,134,583.00

Authority of your Honorable Board is requested to amend the existing Agreement between the County of Westchester and Stantec Consulting Services, Inc., 50 West 23rd Street, New York, New York 10010. The original Agreement, dated December 28, 2006, was for engineering services with Vollmer Associates, LLP, 50 West 23rd Street, New York, New York 10010, in connection with the reconstruction/replacement of the structures carrying the Bronx River Parkway over the Bronx River and Metro-North Railroad at Crane Road (BINs 3348779 and 3348789), Village of Scarsdale and Town of Greenburgh, New York. Effective April 2, 2007, Vollmer Associates, LLP was purchased by Stantec Consulting Services, Inc. The Agreement was thereafter amended by Resolution approved May 10, 2007, to enter into an assumption agreement with Stantec Consulting Services, Inc. taking over the original agreement from Vollmer Associates, LLP. The Agreement was thereafter amended by Resolution approved January 31, 2008, for additional engineering services associated with emergency repairs resulting from two punch-through failures of the deck. The Agreement was thereafter amended by Resolution approved August 13, 2009, for final engineering design services.

It is requested that the existing Agreement be further amended to provide for design services during construction associated with the reconstruction/replacement of the structures carrying the Bronx River Parkway over the Bronx River and Metro-North Railroad at Crane Road (BINs 3348779 and 3348789), Village of Scarsdale and Town of Greenburgh, New York. 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.

The objective of this project will be to reconstruct and replace the structures carrying the Bronx River Parkway over the Bronx River and Metro-North Railroad at Crane Road (BINs 3348779 and 3348789), Village of Scarsdale and Town of Greenburgh, New York. This work is necessary due to extensive deterioration of the structures. 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

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Page 2

guidelines for environmental sustainability as per the United States Green Building Council. This agreement will benefit the public as it will enhance the functionality of these structures ensuring their safe use by the public, thus addressing the County Executive's priority area of Safety and Security.

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 \$1,134,583.00, pursuant to an approved budget, bringing the total Agreement plus Amendments to \$6,736,531.00. The completion date of the Agreement shall be extended to December 31, 2016.

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 existing Agreement between the County of Westchester and Stantec Consulting Services, Inc., 50 West 23rd Street, New York, New York 10010, be amended to provide for design services during construction associated with the reconstruction/replacement of the structures carrying the Bronx River Parkway over the Bronx River and Metro-North Railroad at Crane Road (BINs 3348779 and 3348789), Village of Scarsdale and Town of Greenburgh, New York. 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; and be it further

RESOLVED, that for the additional services rendered Stantec Consulting Services, Inc., shall be paid a fee of \$1,134,583.00 pursuant to an approved budget, increasing the total maximum fee to \$6,736,531.00; and be it further

RESOLVED, that the completion date of the Agreement shall be extended to December 31, 2016; 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/RSD/AS

Original Agreement	\$ 2,192,662.00	(Preliminary Engineering Design Services)
First Amendment	0.00	(Assumption Agreement)
Second Amendment	218,779.00	(Emergency Repair Design and Monitoring)
Third Amendment	3,190,507.00	(Final Engineering Design Services)
This Amendment	<u>1,134,583.00</u>	(Design Services During Construction)
TOTAL	\$ 6,736,531.00	

Agreement No. 06-929

Account to be Charged/Credited	Fund	Dept	Major Program, Program & Phase or Unit	Object/ Sub Object	Trust Account	Dollars
	371	46	P001800I	6120-05		\$ 1,098,085.00
	371	46	P001800R	6120-03		\$ 36,498.00

Budget Funding Year(s): 2011 Start Date: 12/30/11 End Date: 12/31/16
(must match resolution)

Funding Source: Tax Dollars: 5% County (\$56,729.15) Contractor Federal I.D. No./
 State Aid: 15% State (\$170,187.45) Social Security No.: _____
\$1,134,583.00 Federal Aid: 80% FHWA (\$907,666.40) Vendor No.: _____
 (must match resolution) Other: _____ Encumbrance No.: _____