

38195

To: Board of Acquisition and Contract

From: Jay T. Pisco, P.E.
Commissioner of Public Works and Transportation

Date: January 28, 2014

Re: **Authority for the County of Westchester, acting by and through its Department of Public Works and Transportation (the "Department"), to execute an agreement consenting to the assignment of Agreement No. 06-919 with GHD Consulting Engineers, LLC to GHD Consulting Services Inc.**

Pursuant to a Resolution approved on June 15, 2006, the County of Westchester ("County") entered into Agreement No. 06-919 (the "Agreement") with Stearns & Wheler, LLC ("Consultant"), One Remington Park Drive, Cazenovia, New York 13035, commencing on June 5, 2006, wherein the Consultant was to provide engineering services associated with the Blind Brook Wastewater Treatment Plant Performance Maintenance, Rye, New York. The Agreement was thereafter amended by Resolution approved February 14, 2008, for additional engineering services associated with the addition of a second influent structure with a mechanically cleaned bar screen. The Agreement was thereafter further amended by Resolution approved December 17, 2009, for additional construction administration services associated with the construction of new screening facilities to be completed concurrently with the construction of other various facilities in conformance with performance maintenance requirements. The Agreement was thereafter further amended by Resolution approved April 5, 2012, to (1) change the name of the Consultant to GHD Consulting Engineers, LLC; and (2) provide for continued design services during construction and continued construction administration services for the additional time during which construction activities have been extended in connection with the new automated bar screen at the Blind Brook Wastewater Treatment Plant. The Agreement was thereafter further amended by Resolution approved March 21, 2013, for continued design services during construction and continued construction administration services for the additional time during which construction activities have been extended in connection with various performance maintenance upgrades at the Blind Brook Wastewater Treatment Plant.

The Department was notified by way of a letter dated January 14, 2014 that "GHD Consulting Engineers, LLC has reorganized in New York State to operate as GHD Consulting Services Inc." In this regard, it was requested in the aforesaid letter that the County consent to the assignment of Agreement No. 06-919 between GHD Consulting Engineers, LLC and the County, to GHD Consulting Services Inc. Therefore, GHD Consulting Services Inc. would assume all of the rights and obligations under Agreement No. 06-919.

The attached Resolution, if approved by your Honorable Board, would authorize the County to execute an agreement consenting to the assignment of Agreement No. 06-919 from GHD Consulting Engineers, LLC to GHD Consulting Services Inc. effective as of the date of execution of the assignment.

The objective of this assignment is in the County's best interest because it will provide for uninterrupted consulting services pursuant to Agreement No. 06-919 for the Department project contained therein.

The Department shall continue to track and monitor the progress of the Agreement.

Accordingly, your favorable action on the annexed Resolution is most respectfully urged and recommended.

JTP/lac
Attachment

RESOLUTION

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

RESOLVED, that the County of Westchester (“County”) is hereby authorized to consent to the assignment of Agreement No. 06-919, dated June 27, 2006, and as subsequently amended, for engineering services in connection with the Blind Brook Wastewater Treatment Plant Performance Maintenance, Rye, New York, from GHD Consulting Engineers, LLC to GHD Consulting Services Inc., One Remington Park Drive, Cazenovia, New York 13035, effective as of the date of execution of the assignment; and be it further

RESOLVED, that as a condition for the granting of the County’s consent to this assignment, GHD Consulting Services Inc. will comply with all contract provisions; and be it further

RESOLVED, that all other terms and conditions of Agreement No. 06-919 shall remain in full force and effect; and be it further

RESOLVED, that the County Executive or his authorized designee is hereby authorized to execute all instruments necessary to implement this Resolution.

Agreement No. 06-919

Account to be Charged/Credited

Fund	Dept.	Major Program, Program & Phase Or Unit	Object/ Sub Object	Trust Account	Dollars
322	60	SBB0600E	6120-03		
322	60	SBB0600I	6120-05		

Budget Funding Year(s) 2014 Start Date Upon Execution End Date 12/31/14
 (must match resolution)

Funding Source: Tax Dollars _____

State Aid _____

\$ _____ Federal Aid _____
 (must match resolution)

Other _____