

40378

**TO:** Board of Acquisition and Contract  
**FROM:** Jay T. Pisco, PE  
Commissioner of Public Works and Transportation  
**DATE:** May 20, 2014  
**SUBJECT:** Second Amendment (of a Multi-Phased Agreement) to Agreement No. 11-900  
In the matter of Engineering Services in connection with the  
Phase II - Rehabilitation of Administration Building,  
Mamaroneck Wastewater Treatment Plant, Mamaroneck, New York

**Consultant:** Hillman & Miley Consulting Engineers, PLLC  
**Amendment Amount:** \$93,000.00

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Authority of your Honorable Board is requested to amend the existing Agreement between the County of Westchester and Hillman & Miley Consulting Engineers, PLLC, 235 Mamaroneck Avenue, White Plains, New York 10605. The original Agreement dated March 1, 2011, was for design services in connection with the Phase I - Rehabilitation of Administration Building Roof and Tower, Mamaroneck Wastewater Treatment Plant, Mamaroneck, New York. The Agreement was thereafter amended by Resolution approved July 5, 2012, for construction administration services associated with Phase I of this project.

During Phase I design of the roof and tower, it was observed that the Administration Building windows, exterior façade, and exterior stair assemblies were in need of rehabilitation due to age and weathering from the elements. The original Phase I design included a portion of these elements, but the original Phase I construction funding was inadequate to allow this work to be performed. The Westchester County Department of Environmental Facilities ("WCDEF") will request future Phase II construction funding for these items to complete the rehabilitation work required for this project.

It is therefore requested that the existing Agreement be amended to provide for engineering services in connection with the Phase II - Rehabilitation of Administration Building at the Mamaroneck Wastewater Treatment Plant. Phase II includes the rehabilitation of windows, façade, and stairs. The consultant shall provide design services associated with Phase II of this project. Design services shall include the preparation of construction contract documents (drawings and specifications), construction cost estimates, any required addenda, and a bid analysis including an evaluation of the bids to determine compliance with bidding requirements and whether the bidders are responsible so that the County may recommend award of the construction contracts. In addition, 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 is to rehabilitate the Administration Building at the Mamaroneck Wastewater Treatment Plant. The Mamaroneck Wastewater Treatment Plant Administration Building is an original structure to the plant constructed in the 1930s. The original neo-classic building is eligible for listing on the National Register of Historic Places. Therefore, the rehabilitation work must be designed and constructed in accordance

with the United States Secretary of the Interior's Standards for the Treatment of Historic Properties. The design documents prepared by the consultant for this project shall be reviewed for historic conformance by the Westchester County Department of Planning. This project will implement the most cost-effective and environmentally compliant technologies available which will provide long-term energy conservation. The Phase II - Rehabilitation of the Administration Building windows will reduce energy use by utilizing insulated glazing in compliance with LEED guidelines for environmental sustainability as per the United States Green Building Council. This agreement will benefit the public as it enables WCDEF to conduct its basic mission of providing wastewater treatment and maintaining water quality, thereby promoting public health policies and laws.

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, construction administration, and construction for which funding shall be 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 \$93,000.00 pursuant to an approved budget, bringing the total Agreement plus Amendments to \$447,280.60. The completion date of the Agreement shall be extended to December 31, 2017.

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 Hillman & Miley Consulting Engineers, PLLC, 235 Mamaroneck Avenue, White Plains, New York 10605, be amended to provide for engineering services in connection with the Phase II - Rehabilitation of Administration Building at the Mamaroneck Wastewater Treatment Plant. Phase II includes the rehabilitation of windows, façade, and stairs. The consultant shall provide design services associated with Phase II of this project. Design services shall include the preparation of construction contract documents (drawings and specifications), construction cost estimates, any required addenda, and a bid analysis including an evaluation of the bids to determine compliance with bidding requirements and whether the bidders are responsible so that the County may recommend award of the construction contracts. In addition, 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 in accordance with the consultant's proposal for the next phase of this multi-phase project, Hillman & Miley Consulting Engineers, PLLC, shall be paid a fee of \$93,000.00 pursuant to an approved budget, increasing the total maximum fee to \$447,280.60; and be it further

RESOLVED, that the completion date of the Agreement shall be extended to December 31, 2017; 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.

JTP/LR/AS

Original Agreement	\$	133,180.60	(Phase I Design Services for Roof and Tower)
First Amendment		221,100.00	(Phase I CA Services for Roof and Tower)
This Amendment		<u>93,000.00</u>	(Phase II Design Services for Windows/Façade/Stairs)
TOTAL	\$	447,280.60	

Agreement No. 11-900

Account to be Charged/Credited	Fund	Dept	Major Program, Program & Phase or Unit	Object/ Sub Object	Bond Act No.	Dollars
	322	60	SM00300E	6120-03	BA #127-2009	\$ 93,000.00

Budget Funding Year(s): 2014 Start Date: 06/30/14 End Date: 12/31/17  
 (must match resolution)

Funding Source: Tax Dollars: 100% County Contractor Federal I.D. No./  
 State Aid: \_\_\_\_\_ Social Security No.: \_\_\_\_\_  
\$ 93,000.00 Federal Aid: \_\_\_\_\_ Vendor No.: \_\_\_\_\_  
 (must match resolution) Other: \_\_\_\_\_ Encumbrance No.: \_\_\_\_\_