

41233

TO: Board of Acquisition and Contract

FROM: Jay T. Pisco, PE
Commissioner of Public Works and Transportation

DATE: July 7, 2014

SUBJECT: Authority to Enter into Agreement #14-919
In the matter of Engineering Services in connection with
Chemical Bulk Storage Tank Inspections, Various Water District and Wastewater Facilities,
Westchester County, New York

Consultant: **Dvirka and Bartilucci Consulting Engineers,
a Division of D&B Engineers and Architects, PC**

Agreement Amount: **\$99,417.00**

Subconsultant Approval: *PCA Engineering, Inc.*

Authority of your Honorable Board is requested to enter into an Agreement in connection with engineering services for Chemical Bulk Storage Tank Inspections, Various Water District and Wastewater Facilities, Westchester County, New York. The consultant shall provide professional engineering services associated with this project which includes the following tasks: (1) Provide 5-Year Tank Inspections and Inspection Reports in accordance with 6 NYCRR §598.7(d); (2) Provide Annual Tank Inspections and Inspection Reports in accordance with 6 NYCRR §598.7(c); and (3) Preparation of technical specifications for the County's use in procuring contractors to make certain repairs of various deficiencies documented by the tank inspection reports.

The objective of this project is to provide inspections of aboveground chemical bulk storage tanks located at various Water District and Wastewater Facilities operated and maintained by the Westchester County Department of Environmental Facilities ("WCDEF"). In accordance with New York State Department of Environmental Conservation ("NYSDEC") regulations, as set forth in 6 NYCRR §598.7, WCDEF is required to make periodic inspections of aboveground chemical bulk storage tanks. Certain inspections that are required every five (5) years must be conducted under the direction of a qualified professional engineer. The engineer must certify that the tank is structurally sound and is not subject to external or internal corrosion that may result in a release before the next inspection and re-certification. Where necessary, the inspection must be made of all accessible tank surfaces and include the following: (i) cleaning the tank and difficult to reach areas within the tank in accordance with a consensus code, standard or practice developed by a nationally recognized association or independent testing laboratory; (ii) removal, transportation and disposal of solid precipitates or accumulated sludge in compliance with all applicable state, federal and local laws; (iii) inspecting the tank, both internally and externally, for structural soundness and testing of the welds and seams on the tank bottom for porosity and tightness; (iv) visual inspection of the internal surfaces of the tank and difficult to reach areas for corrosion or failure; and (v) inspection of internal and external liners, cladding and coatings for any signs of failure such as cracks, bubbles, blisters, peeling, curling or separation. This work is necessary to maintain water and wastewater treatment facilities that are in compliance with all applicable regulations. This agreement will benefit the public as it will help ensure that there are no unpermitted discharges of hazardous chemical substances from tanks used in the County's water and wastewater treatment operations, thereby protecting the public health, safety, welfare, and the environment of the County.

The Department of Public Works and Transportation will track scheduling and accomplishments by the consultant and perform on-site inspections to ensure the successful completion of this project.

On May 18, 2012, the Professional Prequalification Board was canvassed for the purpose of generating an eligible list of qualified firms to provide miscellaneous professional services for an estimated fee not-to-exceed \$100,000. The Professional Prequalification Board approved a list of twenty-two (22) qualified firms. The list was reviewed by the Professional Selection Board on May 27, 2014, whereby three firms were selected to possibly perform said services.

By Resolution approved July 3, 2014, your Honorable Board authorized the County to negotiate with the firm of Dvirka and Bartilucci Consulting Engineers, a Division of D&B Engineers and Architects, PC, 330 Crossways Park Drive, Woodbury, New York 11797, and a proposal was submitted for engineering services for Chemical Bulk Storage Tank Inspections, Various Water District and Wastewater Facilities, Westchester County, New York, for a total fee of \$99,417.00, pursuant to an approved budget.

In addition, Dvirka and Bartilucci Consulting Engineers, a Division of D&B Engineers and Architects, PC, has requested the utilization of the following subconsultant: PCA Engineering, Inc. (Internal Tank Inspection Services), 57 Cannonball Road, PO Box 196, Pompton Lakes, New Jersey 07442.

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

RESOLUTION

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

RESOLVED, that approval is hereby granted to enter into an Agreement with the firm of Dvirka and Bartilucci Consulting Engineers, a Division of D&B Engineers and Architects, PC, 330 Crossways Park Drive, Woodbury, New York 11797, for engineering services for Chemical Bulk Storage Tank Inspections, Various Water District and Wastewater Facilities, Westchester County, New York. The consultant shall provide professional engineering services associated with this project which includes the following tasks: (1) Provide 5-Year Tank Inspections and Inspection Reports in accordance with 6 NYCRR §598.7(d); (2) Provide Annual Tank Inspections and Inspection Reports in accordance with 6 NYCRR §598.7(c); and (3) Preparation of technical specifications for the County's use in procuring contractors to make certain repairs of various deficiencies documented by the tank inspection reports; and be it further

RESOLVED, that for services rendered in accordance with the consultant's proposal, a total compensation of \$99,417.00 shall be provided, pursuant to an approved budget; and be it further

RESOLVED, that this Agreement is subject to County appropriations; and be it further

RESOLVED, that this Agreement is also subject to further financial analysis of the impact of any New York State Budget (the "State Budget") proposed and adopted during the term of this Agreement. The County shall retain the right, upon the occurrence of any release by the Governor of a proposed State Budget and/or the adoption of a State Budget or any amendments thereto, and for a reasonable period of time after such release(s) or adoption (s), to conduct an analysis of the impacts of any such State Budget on County finances. After such analysis, the County shall retain the right to either terminate the Agreement or to renegotiate the amounts and rates approved herein. If the County subsequently offers to pay a reduced amount to the consultant, then the consultant shall have the right to terminate this Agreement upon reasonable prior written notice; and be it further

RESOLVED, that the use of the following subconsultant also be approved: PCA Engineering, Inc. (Internal Tank Inspection Services), 57 Cannonball Road, PO Box 196, Pompton Lakes, New Jersey 07442; and be it further

RESOLVED, that the Agreement shall commence upon the consultant's receipt of written notice from the Commissioner of Public Works and Transportation or his designee and that the completion date shall be December 31, 2015; 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

Agreement No. 14-919

Account to be Charged/Credited	Fund	Dept	Major Program, Program & Phase or Unit	Object/ Sub Object	Bond Act No.	Dollars
	221	60	0110-0110	4380-WAFS	N/A	\$ 87,391.00
	241	60	5110-5110	4380-WAFS	N/A	\$ 8,819.00
	243	60	5310-5310	4380-WAFS	N/A	\$ 3,207.00

Budget Funding Year(s): 2014 Start Date: 08/01/14 End Date: 12/31/15
(must match resolution)

Funding Source: Tax Dollars: 100% County Contractor Federal I.D. No./
State Aid: _____ Social Security No.: _____
\$99,417.00 Federal Aid: _____ Vendor No.: _____
(must match resolution) Other: _____ Encumbrance No.: _____