

42153

TO: Board of Acquisition and Contract

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

DATE: September 9, 2014

SUBJECT: First Amendment to Agreement No. 11-935
In the matter of Engineering Services in connection with the
Tarrytown Pump Station Rehabilitation, Saw Mill Sewer District, Tarrytown, New York

Consultant: Hazen and Sawyer, PC
Amendment Amount: \$99,942.00

Authority of your Honorable Board is requested to amend the existing Agreement between the County of Westchester and Hazen and Sawyer, PC, 498 Seventh Avenue, New York, New York 10018. The original Agreement dated January 24, 2012, was for engineering services in connection with the Tarrytown Pump Station Rehabilitation, Saw Mill Sewer District, Tarrytown, New York.

The design phase of this project is complete. The County requested that the Consultant provide additional design services beyond the services included in the existing Agreement. The additional design services include the following: (1) Pump Station Vulnerability Assessment: After Superstorm Sandy caused the Hudson River to overflow its banks and encroach the Tarrytown Pump Station in October 2012, the County requested that the Consultant perform a Vulnerability Assessment of the Pump Station to determine what design improvements could be incorporated into the existing design upgrades in order to mitigate damage from similar future events. (2) Vulnerability Assessment Design Changes: The Vulnerability Assessment Report prepared by the Consultant identified several components of the Pump Station that are susceptible to flooding events potentially causing the Pump Station to be out of service. The County requested that the Consultant incorporate these mitigation measures into the design documents. (3) Multiple Phasing of Pump Station: While design was ongoing, the County requested that the Consultant split the project into two phases due to budgetary concerns. This required modification to previously developed design drawings and specifications. (4) Site Layouts: During design, the County informed the Consultant that it would acquire approximately ½ acre of property adjacent to the Pump Station. The property acquisition provides the County with more space on site allowing opportunities for more efficient facility operations. This required modification by the Consultant to the previously developed site layouts. (5) Andover Control System: During design, the County informed the Consultant of its standardizing the HVAC Control Systems around the Andover Control System. The County requested that the Consultant incorporate the Andover system into the design documents.

It is therefore requested that the existing Agreement be amended to provide for engineering services in connection with the Tarrytown Pump Station Rehabilitation, Saw Mill Sewer District, Tarrytown, New York. The Consultant shall provide additional design services associated with this project that address issues that have arisen which are outside of the scope of work included in the existing Agreement. Additional design services shall include the preparation of construction documents (plans 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 reviews, attendance at project meetings, periodic site visits and preparation of as-built drawings.

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The objective of this project is to rehabilitate essential systems and components at the Tarrytown Pump Station. This work is necessary to improve the energy efficiency and reliability of the pump station's integral systems. Neglecting to upgrade these critical elements of the pump station may result in a failure, including the occurrence of a sewage overflow emergency that could allow sewage into the surrounding properties and cause violations of the pump station's State Pollutant Discharge Elimination System (SPDES) Permit. This agreement will benefit the public as it will ensure that the pump station's operations are safe and environmentally compliant, thereby enhancing the health and general welfare of the residents of Westchester County.

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 \$99,942.00 pursuant to an approved budget, bringing the total Agreement plus Amendment to \$899,578.00. The completion date of the Agreement shall be extended to December 31, 2017.

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

JTP/LR/AS

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 Hazen and Sawyer, PC, 498 Seventh Avenue, New York, New York 10018, be amended to provide for engineering services in connection with the Tarrytown Pump Station Rehabilitation, Saw Mill Sewer District, Tarrytown, New York. The Consultant shall provide additional design services associated with this project that address issues that have arisen which are outside of the scope of work included in the existing Agreement. Additional design services shall include the preparation of construction documents (plans 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 reviews, attendance at project meetings, periodic site visits and preparation of as-built drawings; and be it further

RESOLVED, that for the additional services rendered Hazen and Sawyer, PC, shall be paid a fee of \$99,942.00 pursuant to an approved budget, increasing the total maximum fee to \$899,578.00; 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.

Original Agreement	\$ 799,636.00	(Design & CA Services – Tarrytown Pump Station Rehabilitation)
This Amendment	<u>99,942.00</u>	(Additional Design Services – Tarrytown Pump Station Rehabilitation)
TOTAL	\$ 899,578.00	

Agreement No. 11-935

Account to be Charged/Credited	Fund	Dept	Major Program, Program & Phase or Unit	Object/ Sub Object	Bond Act No.	Dollars
	322	60	SSM7400E	6120-03	BA #122-2013	\$ 99,942.00

Budget Funding Year(s): 2014 Start Date: 12/30/11 End Date: 12/31/17
 (must match resolution)

Funding Source: Tax Dollars: 100% County Contractor Federal I.D. No./
 State Aid: _____ Social Security No.: _____
\$ 99,942.00 Federal Aid: _____ Vendor No.: _____
 (must match resolution) Other: _____ Encumbrance No.: _____