

**46305**

**TO:** Board of Acquisition and Contract

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

**DATE:** April 21, 2015

**SUBJECT:** First Amendment to Agreement No. 09-953 in the matter of:

- (1) Authorization to change the name of the Consultant to WSP
- (2) Authorization to extend the term until December 31, 2015

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Pursuant to a Resolution approved on December 22, 2009, the County of Westchester ("County") entered into Agreement Number 09-953 with Chas. H. Sells, Inc. d/b/a WSP Sells ("Consultant"), 555 Pleasantville Road, Briarcliff Manor, New York 10510, wherein the Consultant was to provide design engineering services associated with the Replacement of the Croton Falls Road Bridge over Croton River (BIN 3348580) in North Salem, New York.

The Consultant recently advised the County that its name changed to WSP. Therefore, authority of your Honorable Board is requested to amend the existing Agreement to reflect the correct name of the Consultant.

In addition, authority of your Honorable Board is requested to extend the term of Agreement Number 09-953 between the County of Westchester and WSP, 555 Pleasantville Road, Briarcliff Manor, New York 10510, for the provision of engineering services associated with the Replacement of the Croton Falls Road Bridge over Croton River (BIN 3348580) in North Salem, New York, until December 31, 2015. The original Agreement was executed on January 11, 2010 and is for a total amount not to exceed \$178,197.00. The original Agreement completion date was December 31, 2013.

This project is currently under construction. The County has been satisfied with the overall quality of services provided to date by the Consultant. Due to unforeseen field conditions regarding damage to the existing steel reinforcing bars uncovered during construction, it is anticipated that construction will be completed later this year. The original Agreement includes design services during construction consisting of shop drawing and submittal review, attendance at project meetings, periodic site visits, preparation of as-built drawings, and final construction closeout. Therefore, the professional services of WSP will be required beyond the original Agreement completion date in order to provide design services during construction. Attached is a Resolution requesting an extension of the Agreement until December 31, 2015 with no increase in the not to exceed amount of \$178,197.00.

The objective of this project will be to replace the Croton Falls Road Bridge over Croton River (BIN 3348580). This work is necessary due to extensive deterioration of the bridge. The existing bridge was built in 1908 and has an annual average daily traffic count ("AADT") of 9,059. This bridge has a condition rating of 4.82 and requires replacement to insure that it can remain a key component of the County's infrastructure, vital to the Town of North Salem. This rating system, using a scale of 1 ("hazardous") through 7 ("new"), is a weighted average of the condition of an evaluated bridge. A rating below 5 indicates that a bridge requires work and delay of this work shall result in the continued deterioration of the bridge. This agreement will benefit the public as it will enhance the functionality of the bridge structure ensuring its safe use by the public, thus addressing the County Executive's priority area of Safety and Security.

Board of Acquisition and Contract  
Agreement No. 09-953, First Amendment  
Replacement of Croton Falls Road Bridge over Croton River (BIN 3348580)  
North Salem, New York  
WSP  
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The department will track scheduling and accomplishments by the Consultant and perform on-site inspections to ensure the successful completion of tasks. It is recognized and understood that the County shall evaluate the performance of this contract by the Consultant and shall use such evaluation in deciding to award future contracts to the Consultant.

I urge your favorable consideration of the annexed proposed Resolution.

AS/

# RESOLUTION

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

RESOLVED, that the County of Westchester ("County") is hereby authorized to amend Agreement No. 09-953 with Chas. H. Sells, Inc. d/b/a WSP Sells ("Consultant"), 555 Pleasantville Road, Briarcliff Manor, New York 10510, to change the name of the Consultant to WSP; and be it further

RESOLVED, that the County, acting by and through its Department of Public Works and Transportation, be and is hereby authorized to amend Agreement No. 09-953 with WSP, 555 Pleasantville Road, Briarcliff Manor, New York 10510 for the provision of engineering services associated with the Replacement of the Croton Falls Road Bridge over Croton River (BIN 3348580) in North Salem, New York by extending the term until December 31, 2015; and be it further

RESOLVED, that all other terms and conditions of Agreement No. 09-953, including the not to exceed amount of \$178,197.00 shall remain the same; 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 and appropriate to effectuate the purposes hereof.

JTP/RSD/KR/AS

Agreement No. 09-953

Account to be Charged/Credited	Fund	Dept	Major Program, Program & Phase or Unit	Object/ Sub Object	Bond Act No.	Dollars
	366	46	RB2TT00E	6120-03	BA #112-2009	

Budget Funding Year(s): 2015 Start Date: 01/11/2010 End Date: 12/31/2015  
 (must match resolution)

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