

46826

TO: Board of Acquisition and Contract
FROM: Jay T. Pisco, PE
Commissioner of Public Works and Transportation
DATE: May 19, 2015
SUBJECT: Sixth Amendment to Agreement No. 02-907 in the matter of:

- (1) Amendment to change the name of the Consultant to Dvirka and Bartilucci Consulting Engineers, a Division of D&B Engineers and Architects, PC
- (2) Amendment for Engineering Services in connection with the Twin Sludge Force Main Rehabilitation, Mamaroneck and New Rochelle, New York

Consultant: **Dvirka and Bartilucci Consulting Engineers,
a Division of D&B Engineers and Architects, PC**
Amendment Amount: **\$455,159.00**

Subconsultant Approval: *LynStaar Engineering, PC (WBE)*
Lohrius Blueprint Company, LLC (WBE)

The County of Westchester ("County") entered into Agreement Number 02-907, dated June 28, 2002, with Dvirka and Bartilucci Consulting Engineers, A Division of William F. Cosulich Associates, PC ("Consultant"), 330 Crossways Park Drive, Woodbury, New York 11797, wherein the Consultant was to prepare a design report to establish the scope, size and character of work associated with the Twin Sludge Force Main Rehabilitation, Mamaroneck and New Rochelle, New York. The Agreement was thereafter amended pursuant to a Resolution approved July 10, 2003, to extend the term of the Agreement until December 31, 2003. The Agreement was thereafter amended pursuant to a Resolution approved November 20, 2003, to provide engineering services associated with the improvements to the Twin Sludge Force Main Rehabilitation located in Mamaroneck and New Rochelle, New York. The Agreement was thereafter amended pursuant to a Resolution approved December 30, 2008, to extend the term of the Agreement until December 31, 2009. The Agreement was thereafter amended pursuant to a Resolution approved December 22, 2009, to extend the term of the Agreement until March 31, 2010. The Agreement was thereafter amended pursuant to a Resolution approved November 10, 2011, to extend the term of the Agreement until December 31, 2011.

The Consultant recently advised the County that its name changed to Dvirka and Bartilucci Consulting Engineers, a Division of D&B Engineers and Architects, PC. Therefore, authority of your Honorable Board is requested to amend the existing Agreement to reflect the correct name of the Consultant.

Due to the new Biological Nutrient Removal ("BNR") process at the Mamaroneck Wastewater Treatment Plant, an increase in solids loading is anticipated. A study was recently completed for the Westchester County Department of Environmental Facilities ("WCDEF") which evaluated the use of a submersible chopper pump to remove sludge from the primary tanks. The results of the study indicate that the sludge can be thickened, thereby reducing the volume of sludge pumped. This will allow the utilization of only one of the two twin sludge force main pipelines for future transfer of sludge to the New Rochelle Wastewater Treatment Plant. Utilizing only one of the twin sludge force mains consistently and reliably would allow the other force main to be out of service for extended periods of time when repairs are required.

Authority of your Honorable Board is therefore requested to amend the existing Agreement between the County of Westchester and Dvirka and Bartilucci Consulting Engineers, a Division of D&B Engineers and Architects, PC, 330 Crossways Park Drive, Woodbury, New York 11797 to provide for additional engineering services in connection with the Twin Sludge Force Main Rehabilitation. The Consultant shall provide additional design and construction administration services associated with this project that address tasks which are outside of the scope of work included in the existing Agreement. Additional 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 additional design services during construction consisting of shop drawing and submittal review, attendance at project meetings, periodic site visits and preparation of as-built drawings. For additional construction administration services, the Consultant shall monitor the construction procedures on the site to ensure compliance with the contract documents, coordinate scheduled activities of the contractors, submit construction progress reports and review and process contractors' applications for payment.

The objective of this project is to rehabilitate the twin sludge force main pipelines which transfer sludge from the Mamaroneck Wastewater Treatment Plant to the New Rochelle Wastewater Treatment Plant. This work is necessary to provide improved sanitary facilities that are in compliance with all applicable regulations. This project will implement the most cost-effective and environmentally compliant technologies available. This agreement will benefit the public as it enables WCDEF to conduct its basic mission of providing wastewater treatment and maintaining water quality, 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 \$455,159.00 pursuant to an approved budget, bringing the total Agreement plus Amendments to \$1,354,159.00. The completion date of the Agreement shall be extended to December 31, 2018.

In addition, Dvirka and Bartilucci Consulting Engineers, a Division of D&B Engineers and Architects, PC, has requested the utilization of the following subconsultants: LynStaar Engineering, PC (Construction Inspection Services), 448-450 Manville Road, Pleasantville, New York 10570; and Lohrius Blueprint Company, LLC (Printing Services), 226 Newtown Road, Plainview, New York 11803.

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.

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 County of Westchester is hereby authorized to amend Agreement No. 02-907 with Dvirka and Bartilucci Consulting Engineers, A Division of William F. Cosulich Associates, PC (“Consultant”), 330 Crossways Park Drive, Woodbury, New York 11797, to change the name of the Consultant to Dvirka and Bartilucci Consulting Engineers, a Division of D&B Engineers and Architects, PC; and be it further

RESOLVED, that the existing Agreement between the County of Westchester and Dvirka and Bartilucci Consulting Engineers, a Division of D&B Engineers and Architects, PC, 330 Crossways Park Drive, Woodbury, New York 11797, be amended to provide for engineering services in connection with the Twin Sludge Force Main Rehabilitation, Mamaroneck and New Rochelle, New York. The Consultant shall provide additional design and construction administration services associated with this project that address tasks which are outside of the scope of work included in the existing Agreement. Additional 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 additional design services during construction consisting of shop drawing and submittal review, attendance at project meetings, periodic site visits and preparation of as-built drawings. For additional construction administration services, the Consultant shall monitor the construction procedures on the site to ensure compliance with the contract documents, coordinate scheduled activities of the contractors, submit construction progress reports and review and process contractors’ applications for payment; and be it further

RESOLVED, that for the additional services rendered, Dvirka and Bartilucci Consulting Engineers, a Division of D&B Engineers and Architects, PC, shall be paid a fee of \$455,159.00 pursuant to an approved budget, increasing the total maximum fee to \$1,354,159.00; and be it further

RESOLVED, that the use of the following subconsultants also be approved: LynStaar Engineering, PC (Construction Inspection Services), 448-450 Manville Road, Pleasantville, New York 10570; and Lohrius Blueprint Company, LLC (Printing Services), 226 Newtown Road, Plainview, New York 11803; and be it further

RESOLVED, that the completion date of the Agreement shall be extended to December 31, 2018; and be it further

RESOLUTION

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	\$	149,000.00	(Study)
First Amendment		0.00	(Term Extension)
Second Amendment		750,000.00	(Engineering Services)
Third Amendment		0.00	(Term Extension)
Fourth Amendment		0.00	(Term Extension)
Fifth Amendment		0.00	(Term Extension)
This Amendment		455,159.00	(Additional Design & Construction Administration Services)
TOTAL	\$	1,354,159.00	

Agreement No. 02-907

Account to be Charged/Credited	Fund	Dept	Major Program, Program & Phase or Unit	Object/ Sub Object	Bond Act No.	Dollars
<i>Design Services</i>	322	60	SNR2000E	6120-03	BA# 110-2014	\$ 123,000.00
<i>CA Services</i>	322	60	SNR2000I	6120-05	BA# 110-2014	146,000.00
<i>CA Services</i>	322	60	SLI0100I	6120-05	BA# 239-2008	186,159.00

Budget Funding Year(s): 2015 Start Date: 06/15/15 End Date: 12/31/18
 (must match resolution)

Funding Source: Tax Dollars: 100% County Contractor Federal I.D. No./
 State Aid: _____ Social Security No.: _____
 \$ 455,159.00 Federal Aid: _____ Vendor No.: _____
 (must match resolution) Other: _____ Encumbrance No.: _____