

**49400**

**TO:** Board of Acquisition and Contract

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

**DATE:** November 9, 2015

**SUBJECT:** Second Amendment to Agreement No. 11-927  
In the matter of Construction Administration Services in connection with the Replacement of the Bronx River Parkway Bridges (at Crane Road) over the Bronx River (BIN 3348779) and Metro-North Railroad (BIN 3348789), Village of Scarsdale and Town of Greenburgh, New York

**Consultant:** Lockwood, Kessler & Bartlett, Inc.  
**Amendment Amount:** \$119,843.00

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Authority of your Honorable Board is requested to amend the existing Agreement between the County of Westchester ("County") and Lockwood, Kessler & Bartlett, Inc. ("Consultant"), One Aerial Way, Syosset, New York 11791. The original Agreement dated March 21, 2012, was for construction administration services in connection with the Replacement of the Bronx River Parkway Bridges (at Crane Road) over the Bronx River (BIN 3348779) and Metro-North Railroad (BIN 3348789), Village of Scarsdale and Town of Greenburgh, New York. The Agreement was thereafter amended by Resolution approved July 10, 2014, for additional construction administration services in connection with the Replacement of the Bronx River Parkway Bridges (at Crane Road) over the Bronx River (BIN 3348779) and Metro-North Railroad (BIN 3348789), Village of Scarsdale and Town of Greenburgh, New York.

Currently construction of these bridges is substantially complete and the consultant is providing the construction administration services included in the existing Agreement. During the construction phase, unforeseen field issues were encountered which required additional orders on contract to be performed by the General Contractor. These additional orders on contract required the consultant to expend additional field inspection effort and oversight. The Federal Highway Administration ("FHWA") and New York State Department of Transportation ("NYSDOT") have numerous detailed project funding requirements and procedures. In order for the County to receive maximum Federal and State reimbursement for this project, additional field personnel were deployed. Project closeout is expected to be complete in 2016.

It is therefore requested that the existing Agreement be amended to provide for construction administration services in connection with the Replacement of the Bronx River Parkway Bridges (at Crane Road) over the Bronx River (BIN 3348779) and Metro-North Railroad (BIN 3348789). The consultant shall provide additional construction administration services associated with this project. For additional construction administration services, the consultant shall monitor the construction procedures on the site to ensure compliance with the contract documents, process final orders on contract, complete final project closeout records, and process contractors' final applications for payment.

Board of Acquisition and Contract  
Agreement No. 11-927, Second Amendment  
Replacement of the Bronx River Parkway Bridges (at Crane Road) over the  
Bronx River (BIN 3348779) and Metro-North Railroad (BIN 3348789),  
Village of Scarsdale and Town of Greenburgh, New York  
Lockwood, Kessler & Bartlett, Inc.  
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The objective of this project is to replace the two connected bridges on the Bronx River Parkway at Crane Road in Scarsdale and Greenburgh, New York. This work is necessary due to extensive deterioration of both bridges. This project involves constructing two new bridges on a parallel alignment to the south and east of the existing structures. All work will be in conformance with American Association of State Highway and Transportation Officials ("AASHTO") specifications and NYSDOT Standard Specifications (Construction and Materials). This agreement will benefit the public as it will enhance the functionality of the bridge structures ensuring their safe use by the public, thus addressing the County Executive's priority area of Safety and Security.

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 \$119,843.00 pursuant to an approved budget, bringing the total Agreement plus Amendments to \$4,590,987.00. The completion date of the Agreement shall remain December 31, 2016.

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

ITP/RSD/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 Lockwood, Kessler & Bartlett, Inc., One Aerial Way, Syosset, New York 11791, be amended to provide for construction administration services in connection with the Replacement of the Bronx River Parkway Bridges (at Crane Road) over the Bronx River (BIN 3348779) and Metro-North Railroad (BIN 3348789), Village of Scarsdale and Town of Greenburgh, New York. The consultant shall provide additional construction administration services associated with this project. For additional construction administration services, the consultant shall monitor the construction procedures on the site to ensure compliance with the contract documents, process final orders on contract, complete final project closeout records, and process contractors' final applications for payment; and be it further

RESOLVED, that for the additional services rendered in accordance with the consultant's proposal, Lockwood, Kessler & Bartlett, Inc., shall be paid a fee of \$119,843.00 pursuant to an approved budget, increasing the total maximum fee to \$4,590,987.00; 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	\$	3,472,369.00	(Construction Administration Services – Rehab of Crane Road Bridge)
First Amendment		998,775.00	(Additional Construction Administration Services – Rehab of Crane Road Bridge)
This Amendment		<u>119,843.00</u>	(Additional Construction Administration Services – Rehab of Crane Road Bridge)
TOTAL	\$	4,590,987.00	

Agreement No. 11-927

Account to be Charged/Credited

Fund	Dept	Major Program, Program & Phase or Unit	Object/ Sub Object	Bond Act No.	Dollars
371	46	P001800I	6120-05	BA #47-2011	\$ 119,843.00

Budget Funding Year(s): 2015 Start Date: 04/01/12 End Date: 12/31/16  
(must match resolution)

Funding Source: Tax Dollars: 5% County (\$5,992.15) Contractor Federal I.D. No./  
 State Aid: 15% State Marchiselli Aid (\$17,976.45) Social Security No.: \_\_\_\_\_  
\$119,843.00 Federal Aid: 80% Federal HBRR Aid (\$95,874.40) Vendor No.: \_\_\_\_\_  
 (must match resolution) Other: \_\_\_\_\_ Encumbrance No.: \_\_\_\_\_