

50441

TO: Board of Acquisition and Contract
FROM: Jay T. Pisco, PE
Commissioner of Public Works and Transportation
DATE: January 12, 2016
SUBJECT: First Amendment (of a Multi-Phased Agreement) to Agreement No. 12-903
In the matter of Engineering Services in connection with Storm Water Management Upgrades,
Phase II – Final Design, Westchester County Airport, Towns of Harrison and North Castle and
Village of Rye Brook, New York

Consultant: TRC Engineers, Inc.
Amendment Amount: \$232,000.00

Subconsultant Approval: KC Engineering & Land Surveying, PC (DBE/MBE)

Pursuant to a Resolution approved on August 16, 2012, the County of Westchester (“County”) entered into Agreement Number 12-903 with TRC Engineers, Inc. (“Consultant”), 7 Skyline Drive, Hawthorne, New York 10532, wherein the Consultant was to provide engineering services associated with Storm Water Management Upgrades, Phase I – Engineering Design, Westchester County Airport, Towns of Harrison and North Castle and Village of Rye Brook, New York.

The consultant has completed all required environmental evaluation and preliminary design for this project. The environmental evaluation and preliminary design are both acceptable to the Federal Aviation Administration (“FAA”) and the County. In order for this project to advance on to its next phase, it is requested that the existing Agreement be amended to provide for engineering services in connection with Storm Water Management Upgrades, Phase II – Final Design at the Westchester County Airport. The consultant shall provide final design services associated with this project. Final design services shall include the completion 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 design services during construction consisting of shop drawing and submittal review, attendance at project meetings, periodic site visits and preparation of as-built drawings.

The objective of this project is to provide improvements to the storm water collection and detention facilities at the Westchester County Airport. The proposed project will improve the performance of the existing storm water management system during the 10- and 100-year storm events, reduce peak runoff rates and improve hydrologic conditions downstream within the Blind Brook headwaters, mitigate any negative impacts that properties located immediately downstream may be currently experiencing during a 100-year storm event, mitigate the storm water impacts of existing actions originating from offsite upstream areas, and provide accommodations for higher storm events. These improvements will ensure compliance with New York State Department of Environmental Conservation (“NYSDEC”) storm water permit requirements. This agreement will benefit the public as it will control the flow of storm water from the airport to help prevent flooding and damage to neighboring properties.

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The original intent of this Agreement was to have the design and construction administration performed in multiple phases as subsequent funding became available. The initial design phase defined the scope of work and required budget for the subsequent phases of design and construction administration for which funding has been approved.

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 \$232,000.00 pursuant to an approved budget, bringing the total Agreement plus Amendment to \$568,600.00. The completion date of the Agreement shall be extended to December 31, 2018.

In addition, TRC Engineers, Inc. has requested the utilization of the following subconsultant: KC Engineering & Land Surveying, PC (Construction Cost Estimating Services), 370 7th Avenue, Suite 1705, New York, New York 10001.

Payment for this contract will be made from FAA Funds, New York State Funds, and the Airport Special Revenue Fund, not the County General Fund and will not impact the County tax levy.

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.

JTP/JA/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 TRC Engineers, Inc. (“Consultant”), 7 Skyline Drive, Hawthorne, New York 10532, be amended to provide for engineering services in connection with Storm Water Management Upgrades, Phase II – Final Design at the Westchester County Airport, Towns of Harrison and North Castle and Village of Rye Brook, New York. The consultant shall provide final design services associated with this project. Final design services shall include the completion 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 design services during construction consisting of shop drawing and submittal review, attendance at project meetings, periodic site visits and preparation of as-built drawings; and be it further

RESOLVED, that for the additional services rendered in accordance with the consultant’s proposal for the current phase of this multi-phase project, TRC Engineers, Inc., shall be paid a fee of \$232,000.00 pursuant to an approved budget, increasing the total maximum fee to \$568,600.00; and be it further

RESOLVED, that the use of the following subconsultant also be approved: KC Engineering & Land Surveying, PC (Construction Cost Estimating Services), 370 7th Avenue, Suite 1705, New York, New York 10001; and be it further

RESOLVED, that the completion date of the Agreement shall be extended to December 31, 2018; 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	\$	336,600.00	(Phase I – Engineering Design)
This Amendment		<u>232,000.00</u>	(Phase II – Final Design)
TOTAL	\$	568,600.00	

Agreement No. 12-903

Account to be Charged/Credited	Fund	Dept	Major Program, Program & Phase or Unit	Object/ Sub Object	Bond Act No.	Dollars
	361	44	A042B02E	6120-03	N/A	\$ 232,000.00

Budget Funding Year(s): 2016 Start Date: 08/31/12 End Date: 12/31/18
 (must match resolution)

Funding Source: Tax Dollars: _____ Contractor Federal I.D. No./
 State Aid: \$ 10,710.00 (NYS) Social Security No.: _____
\$232,000.00 Federal Aid: \$192,793.00 (FAA) Vendor No.: _____
 (must match resolution) Other: \$ 28,497.00 (Airport Special Revenue Fund) Encumbrance No.: _____