

50557

TO: Board of Acquisition and Contract
FROM: Jay T. Pisco, PE
Commissioner of Public Works and Transportation
DATE: January 19, 2016
SUBJECT: Second Amendment to Agreement No. 07-932 in the matter of:

- (1) Amendment to change the name of the Consultant to CHA Consulting, Inc.
- (2) Amendment for Engineering Services in connection with the Sprain Ridge Pool Modernization, Yonkers, New York

Consultant: CHA Consulting, Inc.

Amendment Amount: \$675,000.00

Subconsultant Approval: Arup
BDP Consulting Inc.
DG Jones International, Inc.

Pursuant to a Resolution approved on July 26, 2007, the County of Westchester ("County") entered into Agreement Number 07-932 with Clough Harbour & Associates, LLP ("Consultant"), III Winners Circle, PO Box 5269, Albany, New York 12205, wherein the Consultant was to provide preliminary design services associated with the Sprain Ridge Pool Modernization, Yonkers, New York. The Agreement was thereafter amended by Resolution approved July 23, 2009, for final design services associated with the Sprain Ridge Pool Modernization, Yonkers, New York.

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

The County originally retained the Consultant in 2007 to reconstruct and transform the existing park into a state-of-the-art water amusement park. The existing pools at that time were in great need of repair, but due to budgetary constraints the project was put on hold. Subsequently, due to the improvement needs and the disrepair of the existing systems, the pool facility was closed to the public in 2011 and has been closed since. The existing pool and bathhouse facilities have received little care over the last several years and further deterioration has occurred to both the pools and the bathhouse. The County has requested that the Consultant reexamine the pool facilities to provide an upgrade to the existing facilities rather than to follow the previously developed plans. The proposed work shall include the rehabilitation of Pool #1, the wading pool and aquatic play area as well as replacement of Pool #2 and concrete deck. The work shall also include bathhouse building rehabilitation to meet code requirements, electrical/mechanical replacement, drainage system improvements, and associated landscaping and site work.

It is therefore requested that the existing Agreement be amended to provide for engineering services in connection with the Sprain Ridge Pool Modernization, Yonkers, New York. The Consultant shall provide revised final design services associated with this project. Revised final 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 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 will be to make improvements to the existing pool and bathhouse facilities at Sprain Ridge Pool. These improvements are necessary to reopen the Sprain Ridge Pool to the public. This agreement will benefit the public as it meets the increased demand created by the rising popularity of aquatic recreation through modernizing the Sprain Ridge Pool with a safer, more sanitary facility.

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 \$675,000.00 pursuant to an approved budget, bringing the total Agreement plus Amendments to \$1,419,700.00. The completion date of the Agreement shall be extended to December 31, 2017.

In addition, CHA Consulting, Inc. has requested the utilization of the following subconsultants: Arup (Codes and ADA Compliance Design Services), 955 Massachusetts Avenue, Cambridge, Massachusetts 02139; BDP Consulting Inc. (Building Envelope Design Services), 121 Hartford Avenue, East Granby, Connecticut 06026; and DG Jones International, Inc. (Construction Cost Estimating Services), 3 Baldwin Green Common, Suite 201, Woburn, Massachusetts 01801.

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/JJN/RSD/AS

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. 07-932 with Clough Harbour & Associates, LLP ("Consultant"), III Winners Circle, PO Box 5269, Albany, New York 12205, to change the name of the Consultant to CHA Consulting, Inc.; and be it further

RESOLVED, that the existing Agreement between the County of Westchester and CHA Consulting, Inc., III Winners Circle, PO Box 5269, Albany, New York 12205, be amended to provide for engineering services in connection with the Sprain Ridge Pool Modernization, Yonkers, New York. The Consultant shall provide revised final design services associated with this project. Revised final 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 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, CHA Consulting, Inc., shall be paid a fee of \$675,000.00 pursuant to an approved budget, increasing the total maximum fee to \$1,419,700.00; and be it further

RESOLVED, that the use of the following subconsultants also be approved: Arup (Codes and ADA Compliance Design Services), 955 Massachusetts Avenue, Cambridge, Massachusetts 02139; BDP Consulting Inc. (Building Envelope Design Services), 121 Hartford Avenue, East Granby, Connecticut 06026; and DG Jones International, Inc. (Construction Cost Estimating Services), 3 Baldwin Green Common, Suite 201, Woburn, Massachusetts 01801; 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	\$	205,000.00	(Preliminary Design Services)
First Amendment		539,700.00	(Final Design Services)
This Amendment		<u>675,000.00</u>	(Revised Final Design Services)
TOTAL	\$	1,419,700.00	

Agreement No. 07-932

Account to be Charged/Credited	Fund	Dept	Major Program, Program & Phase or Unit	Object/ Sub Object	Bond Act No.	Dollars
	372	42	RSP0202E	6120-03	BA #128-2015	\$ 675,000.00

Budget Funding Year(s): 2016 Start Date: 07/30/07 End Date: 12/31/17
 (must match resolution)

Funding Source: Tax Dollars: 100% County Contractor Federal I.D. No./
 State Aid: _____ Social Security No.: _____
\$675,000.00 Federal Aid: _____ Vendor No.: _____
 (must match resolution) Other: _____ Encumbrance No.: _____