

50718

TO: Board of Acquisition and Contract

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

DATE: January 26, 2016

SUBJECT: First Amendment to Agreement No. 13-910
In the matter of Engineering Services in connection with the
Phase II – Cellular Bulkhead Rehabilitation, Yonkers Joint Wastewater Treatment Plant,
Yonkers, New York

Consultant: Dvirka and Bartilucci Consulting Engineers,
A Division of D&B Engineers and Architects, PC

Amendment Amount: \$143,200.00

Authority of your Honorable Board is requested to amend the existing Agreement between the County of Westchester (“County”) and Dvirka and Bartilucci Consulting Engineers, A Division of D&B Engineers and Architects, PC (“Consultant”), 330 Crossways Park Drive, Woodbury, New York 11797. The original Agreement dated May 13, 2013, was for construction administration services in connection with the Phase II – Cellular Bulkhead Rehabilitation, Yonkers Joint Wastewater Treatment Plant, Yonkers, New York.

Construction work for Phase II – Cellular Bulkhead Rehabilitation, Yonkers Joint Wastewater Treatment Plant was originally to be complete by June 2014. However, due to various factors, construction was delayed by approximately 18 months and was substantially complete in December 2015. This time delay was due to additional work related to conditions including: (1) unforeseen accumulation of silt that required removal at Cells 49 and 50; (2) unforeseen repairs of corroded cellular steel sheets which created sink holes in the adjacent roadway; and (3) contractor issues. During this extended project period, additional reviews, approvals, and construction oversight of these project elements was required by the consultant.

It is therefore requested that the existing Agreement be amended to provide for engineering services in connection with the Phase II – Cellular Bulkhead Rehabilitation, Yonkers Joint Wastewater Treatment Plant, Yonkers, 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 shop drawing and submittal reviews, 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 cellular bulkhead along the Hudson River at Yonkers Joint Wastewater Treatment Plant (“YJWWTP”). The cellular bulkhead at YJWWTP is being rehabilitated in multiple phases. Phase II construction work involves the rehabilitation of 12 bulkhead cells including, but not limited to, the following: installation of a protective coating system, removal and reinstallation of existing stone riprap, installation of tension rods, earth anchors, H-pile deadmen, miscellaneous metals, miscellaneous painting, concrete, test pits, utility markouts, vibratory monitoring, replacement of damaged utilities, construction sequencing, and site restoration. This work is necessary to provide improved sanitary facilities that are in compliance with all applicable regulations. This agreement will benefit the public as it avoids potential adverse environmental impact to the surrounding properties, thereby promoting public health policies and laws.

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 \$143,200.00 pursuant to an approved budget, bringing the total Agreement plus Amendment to \$393,600.00. The completion date of the Agreement shall remain December 31, 2016.

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/LR/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 ("County") and Dvirka and Bartilucci Consulting Engineers, A Division of D&B Engineers and Architects, PC ("Consultant"), 330 Crossways Park Drive, Woodbury, New York 11797, be amended to provide for engineering services in connection with the Phase II – Cellular Bulkhead Rehabilitation, Yonkers Joint Wastewater Treatment Plant, Yonkers, 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 shop drawing and submittal reviews, 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 \$143,200.00 pursuant to an approved budget, increasing the total maximum fee to \$393,600.00; 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	\$	250,400.00	(Constr. Admin. Services – Phase II Cellular Bulkhead Rehab)
This Amendment		<u>143,200.00</u>	(Additional Design & Constr. Admin. Services – Phase II Cellular Bulkhead Rehab)
TOTAL	\$	393,600.00	

Agreement No. 13-910

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	SY03700E	6120-03	BA # 5-2006	\$ 31,000.00
<i>CA Services</i>	322	60	SY03701I	6120-05	BA #136-2011	112,200.00

Budget Funding Year(s): 2016 Start Date: 05/13/13 End Date: 12/31/16
 (must match resolution)

Funding Source: Tax Dollars: 100% County Contractor Federal I.D. No./
 State Aid: _____ Social Security No.: _____
 \$ 143,200.00 Federal Aid: _____ Vendor No.: _____
 (must match resolution) Other: _____ Encumbrance No.: _____