

52885

To: Board of Acquisition and Contract

From: Vincent F. Kopicki, P.E.
Commissioner of Public Works and Transportation

Date: October 4, 2016

Re: **Authority for the County of Westchester, acting by and through its Department of Public Works and Transportation (the "Department"), to execute an agreement consenting to the assignment of Agreement No. 12-903 with TRC Engineers, Inc. to Provident Design Engineering, PLLC**

Pursuant to a Resolution approved on August 16, 2012, the County of Westchester ("County") entered into Agreement No. 12-903 (the "Agreement") with TRC Engineers, Inc. ("Consultant"), 7 Skyline Drive, Hawthorne, New York 10532, dated September 7, 2012, 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 Agreement was thereafter amended by Resolution approved February 4, 2016, for additional engineering services associated with Storm Water Management Upgrades, Phase II – Final Design at the Westchester County Airport.

The Department was notified by way of a letter dated August 23, 2016 that "This is to notify you that effective August 20, 2016 TRC will be operating as Provident Design Engineering, PLLC." In this regard, it was requested in the aforesaid letter that the County consent to the assignment of Agreement No. 12-903 between TRC Engineers, Inc. and the County, to Provident Design Engineering, PLLC. Therefore, Provident Design Engineering, PLLC would assume all of the rights and obligations under Agreement No. 12-903.

The attached Resolution, if approved by your Honorable Board, would authorize the County to execute an agreement consenting to the assignment of Agreement No. 12-903 from TRC Engineers, Inc. to Provident Design Engineering, PLLC effective as of the date of execution of the assignment.

The objective of this assignment is in the County's best interest because it will provide for uninterrupted consulting services pursuant to Agreement No. 12-903 for the Department project contained therein.

The Department shall continue to track and monitor the progress of the Agreement.

Accordingly, your favorable action on the annexed Resolution is most respectfully urged and recommended.

VFK/ku
Attachment

RESOLUTION

Upon a communication from the Commissioner of Public Works and Transportation, be it hereby

RESOLVED, that the County of Westchester (“County”) is hereby authorized to consent to the assignment of Agreement No. 12-903, dated September 7, 2012, and as subsequently amended, for engineering services in connection with Storm Water Management Upgrades, Phase I – Engineering Design and Phase II – Final Design, Westchester County Airport, Towns of Harrison and North Castle and Village of Rye Brook, New York, from TRC Engineers, Inc. to Provident Design Engineering, PLLC, 7 Skyline Drive, Hawthorne, New York 10532, effective as of the date of execution of the assignment; and be it further

RESOLVED, that as a condition for the granting of the County’s consent to this assignment, Provident Design Engineering, PLLC will comply with all contract provisions; and be it further

RESOLVED, that all other terms and conditions of Agreement No. 12-903 shall remain in full force and effect; and be it further

RESOLVED, that the County Executive or his authorized designee is hereby authorized to execute all instruments necessary to implement this Resolution.

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	

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

Funding Source: Tax Dollars _____

State Aid _____

\$ _____ Federal Aid _____
 (must match resolution)

Other _____