

58880

TO: Board of Acquisition and Contract
FROM: Vincent F. Kopicki, PE
Commissioner of Public Works and Transportation
DATE: September 12, 2017
SUBJECT: First Amendment to Agreement No. 14-917 in the matter of
Engineering Services in connection with a Leachate Collection and Disposal System,
Daniel P. Thomas Materials Recovery Facility, Yonkers, New York

Consultant: **ARCADIS of New York, Inc.**
Amendment Amount: **\$\$34,000.00**

Subconsultant Approval: *Manhattan College Environmental Laboratory*
Terry Bergendorff Collins Land Surveying, P.L.L.C. (WBE)
Tectonic Engineering & Surveying Consultants, P.C.

Authority of your Honorable Board is requested to amend the existing Agreement between the County of Westchester ("County") and ARCADIS of New York, Inc. ("Consultant"), 44 South Broadway, 9th Floor, White Plains, New York 10601. The original Agreement dated October 27, 2014, was for engineering services including a drainage study, sampling analyses, alternatives evaluation, and schematic design associated with a Leachate Collection and Disposal System, Daniel P. Thomas Materials Recovery Facility, Yonkers, New York.

The engineering services included in the original Agreement have been in progress. The County has been satisfied with the quality of services provided to date. The Consultant has sampled the three outfalls at the Daniel P. Thomas Materials Recovery Facility to establish an understanding of constituent concentrations in the stormwater runoff. After analysis of the stormwater constituents was completed, the County and Consultant reviewed various options and agreed that treatment on-site and conveyance to existing stormwater outfalls was the best approach for management of the stormwater. At this time, services are required which are outside of the scope of work in the existing Agreement including laboratory scale testing to further investigate the capabilities of the proposed onsite treatment option and preparing the design documents for construction of the sitework and detention basin modifications.

It is therefore requested that the existing Agreement be amended to provide for engineering services in connection with this project. The Consultant shall provide additional study and design services associated with this project that address additional tasks which are outside of the scope of work included in the existing Agreement. For additional study services, the Consultant shall provide sampling, perform laboratory scale treatment system evaluation and analysis, prepare a draft report for review, and issue a final report indicating recommended options. Additional 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 County of Westchester also reserves the right to further amend this Agreement with the Consultant at a future date to provide for subsequent design and construction phase services.

The objective of this project is to provide professional engineering services associated with a proposed leachate collection and disposal system at the Daniel P. Thomas Materials Recovery Facility ("MRF"). The Westchester County Department of Environmental Facilities ("WCDEF") has conducted sampling and analysis of the stormwater runoff collected on this site. The results of the analysis indicate that the runoff is characterized as leachate and must be removed from the site. WCDEF has received several inspection report violations from the New York State Department of Environmental Conservation ("NYSDEC"). WCDEF has implemented some interim remedial measures. However, NYSDEC requires permanent corrective measures to be in place as soon as possible. Failure to undertake this project may result in a violation of NYSDEC regulations potentially resulting in significant financial penalties. The leachate collection and disposal system is an integral component to the environmentally compliant, long-term operation of the facility. This agreement will benefit the public as it enables WCDEF to conduct its basic mission of providing proper solid waste stream reduction and recycling, 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 \$834,000.00 pursuant to an approved budget, bringing the total Agreement plus Amendment to \$986,000.00. The completion date of the Agreement shall be extended to December 31, 2021.

In addition, ARCADIS of New York, Inc., has requested the utilization of the following subconsultants: Manhattan College Environmental Laboratory (Treatment, Sampling, Analysis, and Reporting), 4513 Manhattan College Parkway, Riverdale, New York 10471; Terry Bergendorff Collins Land Surveying, P.L.L.C. (Land Surveying Services), 52 Starr Ridge Road, Brewster, New York 10509; and Tectonic Engineering & Surveying Consultants, P.C. (Geotechnical Engineering Services), 1 North Lexington Avenue, Suite 530, White Plains, New York 10601.

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.

VFK/LR/AS

RESOLUTION

First Amendment to Agreement No. 14-917

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 ARCADIS of New York, Inc. (“Consultant”), 44 South Broadway, 9th Floor, White Plains, New York 10601, be amended to provide for engineering services in connection with a Leachate Collection and Disposal System, Daniel P. Thomas Materials Recovery Facility, Yonkers, New York. The Consultant shall provide additional study and design services associated with this project that address additional tasks which are outside of the scope of work included in the existing Agreement. For additional study services, the Consultant shall provide sampling, perform laboratory scale treatment system evaluation and analysis, prepare a draft report for review, and issue a final report indicating recommended options. Additional 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 County of Westchester also reserves the right to further amend this Agreement with the Consultant at a future date to provide for subsequent design and construction phase services; and be it further

RESOLVED, that for the additional services rendered in accordance with the consultant’s proposal, ARCADIS of New York, Inc., shall be paid a fee of \$834,000.00 pursuant to an approved budget, increasing the total maximum fee to \$986,000.00; and be it further

RESOLVED, that the use of the following subconsultants also be approved: Manhattan College Environmental Laboratory (Treatment, Sampling, Analysis, and Reporting), 4513 Manhattan College Parkway, Riverdale, New York 10471; Terry Bergendorff Collins Land Surveying, P.L.L.C. (Land Surveying Services), 52 Starr Ridge Road, Brewster, New York 10509; and Tectonic Engineering & Surveying Consultants, P.C. (Geotechnical Engineering Services), 1 North Lexington Avenue, Suite 530, White Plains, New York 10601; and be it further

RESOLVED, that the completion date of the Agreement shall be extended to December 31, 2021; and be it further

RESOLUTION

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	\$	152,000.00	(Study and Schematic Design Services)
This Amendment		834,000.00	(Additional Study and Design Services)
TOTAL	\$	986,000.00	
+			

Agreement No. 14-917

Account to be Charged/Credited	Fund	Dept	Major Program, Program & Phase or Unit	Object/ Sub Object	Bond Act No.	Dollars
	325	60	RD01701E	6120-03	BA #32-2017	\$ 834,000.00

Budget Funding Year(s): 2017 Start Date: 10/27/14 End Date: 12/31/21
 (must match resolution)

Funding Source: Tax Dollars: 100% County Contractor Federal I.D. No./
 State Aid: _____ Social Security No.: _____
\$834,000.00 Federal Aid: _____ Vendor No.: _____
 (must match resolution) Other: _____ Encumbrance No.: _____