

**58996**

**TO:** Board of Acquisition and Contract  
**FROM:** Vincent F. Kopicki, PE  
Commissioner of Public Works and Transportation  
**DATE:** September 19, 2017  
**SUBJECT:** Second Amendment to Agreement No. 13-919  
In the matter of Engineering Services in connection with the  
Woodlands Lake Dam Rehabilitation, V. E. Macy Park, Irvington, New York

**Consultant:** GHD Consulting Services Inc.  
**Amendment Amount:** \$53,500.00

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Pursuant to a Resolution approved on June 20, 2013, the County of Westchester ("County") entered into Agreement Number 13-919 with GHD Consulting Engineers, LLC ("Consultant"), One Remington Park Drive, Cazenovia, New York 13035, commencing on July 3, 2013, wherein the Consultant was to provide engineering services associated with the Woodlands Lake Dam Rehabilitation, V. E. Macy Park, Irvington, New York. The Agreement was thereafter amended by Resolution approved on February 20, 2014, consenting to the assignment of Agreement Number 13-919 with GHD Consulting Engineers, LLC to GHD Consulting Services Inc.

The design services included in the original Agreement are in progress. The County has been satisfied with the quality of services provided to date by the Consultant. The Woodlands Lake Dam functions both as a dam and as a bridge. The dam is at the southern end of Woodlands Lake (part of the Saw Mill River) within V. E. Macy Park in Irvington and the water level is maintained by uncontrolled discharge over the spillway. This dam is presently classified by the New York State Department of Environmental Conservation ("NYSDEC") as an intermediate-hazard Class B Dam, based on the potential impact upon human life and property in the event of a dam failure. Class B Dams are located in areas where their failure may cause isolated personal injury and/or property damage.

Meetings were recently held with representatives of the County and NYSDEC to discuss the project. At that meeting, the County presented a proposed design plan for rerouting the Saw Mill River and breaching the Woodlands Lake Dam to create a no-hazard Class D Dam that no longer impounds water. NYSDEC requested the County to change parts of the plan in order to meet NYSDEC's requirements and obtain the necessary permit approvals for the project. The incorporation of these changes requires additional design services to be performed by the Consultant which are outside of the scope of work included in the existing Agreement.

Authority of your Honorable Board is therefore requested to amend the existing Agreement to provide for additional design services for the Woodlands Lake Dam Rehabilitation, V. E. Macy Park, Irvington, New York. The Consultant shall provide additional design 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 the preparation of construction contract documents (drawings and specifications), construction cost estimates, shop drawing and submittal reviews, attendance at project meetings, periodic site visits and preparation of as-built drawings.

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Woodlands Lake Dam Rehabilitation,  
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The objective of this project is to rehabilitate the Woodlands Lake Dam. This work is necessary due to extensive deterioration of the structure which was originally built in 1840 for ice supply and was subsequently widened in 1930. This work is necessary to ensure that this dam owned and maintained by the County is in conformance with all NYSDEC regulations regarding dam safety. This agreement will benefit the public as it will enhance the functionality of the structure ensuring its safe use by the public, thus addressing the County Executive's priority area of Safety and Security.

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 \$53,500.00 pursuant to an approved budget, bringing the total Agreement plus Amendments to \$275,700.00. The completion date of the Agreement shall be extended to December 31, 2021.

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.

WFK/JAD/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 GHD Consulting Services Inc. ("Consultant"), One Remington Park Drive, Cazenovia, New York 13035, be amended to provide for additional engineering services for the Woodlands Lake Dam Rehabilitation, V. E. Macy Park, Irvington, New York. The Consultant shall provide additional design 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 the preparation of construction contract documents (drawings and specifications), construction cost estimates, shop drawing and submittal reviews, 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, GHD Consulting Services Inc., shall be paid a fee of \$53,500.00 pursuant to an approved budget, increasing the total maximum fee to \$275,700.00; and be it further

RESOLVED, that the completion date of the Agreement shall be extended to December 31, 2021; 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	\$	222,200.00	(Design Services)
First Amendment		0.00	(Assignment)
This Amendment		<u>53,500.00</u>	(Additional Design Services)
<b>TOTAL</b>	<b>\$</b>	<b>275,700.00</b>	

Agreement No. 13-919

Account to be Charged/Credited	Fund	Dept	Major Program, Program & Phase or Unit	Object/ Sub Object	Bond Act No.	Dollars
	372	42	RG1100E	6120-03	BA #94-2011	\$ 53,500.00

Budget Funding Year(s): 2017 Start Date: 07/03/13 End Date: 12/31/21  
 (must match resolution)

Funding Source: Tax Dollars: 100% County Contractor Federal I.D. No./  
 State Aid: \_\_\_\_\_ Social Security No.: \_\_\_\_\_  
\$ 53,500.00 Federal Aid: \_\_\_\_\_ Vendor No.: \_\_\_\_\_  
 (must match resolution) Other: \_\_\_\_\_ Encumbrance No.: \_\_\_\_\_