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TO: Board of Acquisition and Contract
FROM: Hugh J. Greechan, Jr., PE
Commissioner of Public Works and Transportation
DATE: July 10, 2018
SUBJECT: First Amendment (of a Multi-Phased Agreement) to Agreement No. 17-930 in the matter of

- (1) Engineering Services in connection with the Phase I Roof Replacement Program, Mamaroneck, Peekskill, and Port Chester Water Resource Recovery Facilities, Mamaroneck, Peekskill, and Port Chester, New York
- (2) Engineering Services in connection with the Phase II Roof Replacement Program, Yonkers Joint Water Resource Recovery Facility, Yonkers, New York

Consultant: H2M Architects, Engineers, Land Surveying and Landscape Architecture, D.P.C. d/b/a H2M architects + engineers

Amendment Amount: \$836,000.00

Authority of your Honorable Board is requested to amend existing Agreement Number 17-930 ("Agreement") between the County of Westchester ("County") and H2M Architects, Engineers, Land Surveying and Landscape Architecture, D.P.C. d/b/a H2M architects + engineers ("Consultant"), 2700 Westchester Avenue, Suite 415, Purchase, New York 10577. The original Agreement dated January 11, 2018, was for design and construction administration services associated with the Roof Replacement Program, Mamaroneck, Peekskill, and Port Chester Water Resource Recovery Facilities.

This is a multiple phase project. The Phase I Roof Replacement Program at the Mamaroneck, Peekskill, and Port Chester Water Resource Recovery Facilities is currently in design and 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 by the Consultant. The original Agreement included a study to determine the feasibility of solar panels at the Mamaroneck, Peekskill, and Port Chester Water Resource Recovery Facilities. However, the final design of solar panels was not included in the original Agreement as the full scope and cost could not be accurately assessed prior to the study completion. At this time, final design services of solar panels are required for Phase I.

It is therefore requested that the existing Agreement be amended to provide for engineering services in connection with the Phase I Roof Replacement Program, Mamaroneck, Peekskill, and Port Chester Water Resource Recovery Facilities, Mamaroneck, Peekskill, and Port Chester, New York. The Consultant shall provide additional design services associated with Phase I of this project that 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) and construction cost estimates associated with the final design of solar panels. The County 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 Phase I of this project is to replace various roofs at the Mamaroneck, Peekskill, and Port Chester Water Resource Recovery Facilities. The work at the Mamaroneck Water Resource Recovery Facility includes the Primary Building roof, including the influent and effluent wings. The work at the Peekskill Water Resource Recovery Facility includes the Administration Building roof and Blower Building roof. The work at the Port Chester Water Resource Recovery Facility includes the Administration/Sludge Processing Building roof and Sludge Thickening Building roof. These building roofs have been leaking for a number of years and have been patched numerous times in the past. The buildings roofs were last fully upgraded in the 1980's and have reached the end of their useful lives. Neglecting to upgrade these critical elements of the plant may result in damage to sensitive operating equipment in the plant that is located below the leaking roofs. Design for the roof replacement will evaluate the feasibility of using solar panels and high "R" value insulation for potential energy savings. This agreement will benefit the public as it will ensure the water tightness of the buildings and the continued reliable operation of equipment vital to the facilities.

Project funding for the Phase II Roof Replacement Program at the Yonkers Joint Water Resource Recovery Facility was approved by the Westchester County Board of Legislators under Bond Act #124-2017. At this time, engineering services are required for Phase II.

It is therefore requested that the existing Agreement be amended to provide for engineering services in connection with the Phase II Roof Replacement Program, Yonkers Joint Water Resource Recovery Facility, Yonkers, New York. The Consultant shall provide design and construction administration services associated with Phase II of this project. 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. For 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 County 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 Phase II of this project is to replace various roofs at the Yonkers Joint Water Resource Recovery Facility. The work includes the Dissolved Air Flotation ("DAF") Building roof, the Blower Building roof, and the Administration Building roof. These building roofs have been leaking for a number of years and have been patched numerous times in the past. The buildings roofs were installed in 1978 and have reached the end of their useful lives. Neglecting to upgrade these critical elements of the plant may result in damage to sensitive operating equipment in the plant that is located below the leaking roofs. These buildings have existing solar panels. Design for the roof replacement will evaluate the feasibility of using replacement solar panels and high "R" value insulation for potential energy savings. This agreement will benefit the public as it will ensure the water tightness of the buildings and the continued reliable operation of equipment vital to the facilities.

The original intent of this Agreement was to have the project performed in multiple phases as subsequent funding became available. The initial phase defined the scope of work and required budget for the subsequent phases of the project for which funding has been approved.

Board of Acquisition and Contract
Agreement No. 17-930, First Amendment
Phase I Roof Replacement Program, Mamaroneck, Peekskill, and Port Chester WRRFs
Phase II Roof Replacement Program, Yonkers Joint WRRF
H2M architects + engineers
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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 \$836,000.00 pursuant to an approved budget, bringing the total Agreement plus Amendment to \$1,530,272.46. The completion date of the Agreement shall be extended to December 31, 2023.

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.

HJG/LR/AS

RESOLUTION

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

RESOLVED, that the existing Agreement No. 17-930 (“Agreement”) between the County of Westchester (“County”) and H2M Architects, Engineers, Land Surveying and Landscape Architecture, D.P.C. d/b/a H2M architects + engineers (“Consultant”), 2700 Westchester Avenue, Suite 415, Purchase, New York 10577, be amended to provide for engineering services in connection with the Phase I Roof Replacement Program, Mamaroneck, Peekskill, and Port Chester Water Resource Recovery Facilities, Mamaroneck, Peekskill, and Port Chester, New York. The Consultant shall provide additional design services associated with Phase I of this project that 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) and construction cost estimates associated with the final design of solar panels. The County 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 the Agreement between the County and the Consultant be amended to provide for engineering services in connection with the Phase II Roof Replacement Program, Yonkers Joint Water Resource Recovery Facility, Yonkers, New York. The Consultant shall provide design and construction administration services associated with Phase II of this project. 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. For 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 County 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, H2M Architects, Engineers, Land Surveying and Landscape Architecture, D.P.C. d/b/a H2M architects + engineers, shall be paid a fee of \$836,000.00 pursuant to an approved budget, increasing the total maximum fee to \$1,530,272.46; and be it further

RESOLVED, that the completion date of the Agreement shall be extended to December 31, 2023; 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	\$	694,272.46	(Design and CA Services – Phase I Roof Replacement)
This Amendment		836,000.00	(Final Design of Solar Panels – Phase I & Design and CA Services – Phase II)
TOTAL		\$ 1,530,272.46	

Agreement No. 17-930

Account to be Charged/Credited	Fund	Dept	Major Program, Program & Phase or Unit	Object/ Sub Object	Bond Act No.	Dollars
	322	60	SM030-01-E	6120-03	BA #66-2016	\$ 18,000.00
	322	60	SPK30-01-E	6120-03	BA #130-2016	\$ 64,000.00
	322	60	SY030-03-E	6120-03	BA #124-2017	\$359,000.00
	322	60	SY030-03-I	6120-05	BA #124-2017	\$395,000.00

Budget Funding Year(s): 2018 Start Date: 01/11/18 End Date: 12/31/23
 (must match resolution)

Funding Source: Tax Dollars: 100% County Contractor Federal I.D. No./
 State Aid: _____ Social Security No.: _____
\$836,000.00 Federal Aid: _____ Vendor No.: _____
 (must match resolution) Other: _____ Encumbrance No.: _____