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TO: Board of Acquisition and Contract
FROM: Hugh J. Greechan, Jr., PE
Commissioner of Public Works and Transportation
DATE: January 29, 2019
SUBJECT: Authority for the County of Westchester to amend the Resolution approved August 2, 2018 authorizing the County to Obtain a Proposal and Negotiate a Fee with Dolph Rotfeld Engineering, P.C. ("Consultant") in connection with Engineering Services for a Municipal Separate Storm Sewer Systems ("MS4") Permit Compliance Plan, Various Locations, Westchester County, New York, to change the name of the Consultant to AI Engineers, Inc. (#18-921)

Authority to Enter into Agreement #18-921
In the matter of Engineering Services in connection with a
Municipal Separate Storm Sewer Systems ("MS4") Permit Compliance Plan, Various
Locations, Westchester County, New York

Consultant: AI Engineers, Inc. (MBE)

Agreement Amount: \$328,500.00

Subconsultant Approval: Stellar Services, Inc. (MBE)

On August 2, 2018, your Honorable Board approved a Resolution authorizing the County of Westchester to obtain a proposal and negotiate a fee with Dolph Rotfeld Engineering, P.C., ("Consultant") in connection with engineering services for a Municipal Separate Storm Sewer Systems ("MS4") Permit Compliance Plan, Various Locations, Westchester County, New York (hereinafter referred to as the "August 2, 2018 Resolution").

Upon notification from the Consultant, the County was informed that effective September 27, 2018, the company name of the Consultant has been changed to AI Engineers, Inc. We are advised that this is a name change only and the same office contact personnel formerly with Dolph Rotfeld Engineering, P.C., will be used to perform the work, thus guaranteeing continuity throughout the Agreement. In addition, effective January 28, 2019, the Consultant has relocated its office to 570 Taxter Road, Elmsford, New York 10523. It shall also be noted that AI Engineers, Inc. is certified with the State of New York as a minority business enterprise ("MBE"). As such, authority is hereby sought to amend the August 2, 2018 Resolution to change the name of the Consultant from Dolph Rotfeld Engineering, P.C. to AI Engineers, Inc.

All other terms and conditions of the August 2, 2018 Resolution shall remain in full force and effect and unchanged.

In addition, authority of your Honorable Board is requested to enter into an Agreement with the firm of AI Engineers, Inc. in connection with engineering services for a Municipal Separate Storm Sewer Systems ("MS4") Permit Compliance Plan, Various Locations, Westchester County, New York. The Consultant shall provide the following professional services associated with this project: review existing GIS catch basin data, provide training for County employees involved in the maintenance of stormwater systems, conduct an outfall reconnaissance inventory, prepare maps of County outfalls, provide project management, and prepare a final

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MS4 Permit Compliance Plan, Various Locations, Westchester County, New York

AI Engineers, Inc.

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report. The County also reserves the right to amend this Agreement with the Consultant at a future date to provide for other related professional services.

The objective of this project is to provide professional engineering services associated with a MS4 Permit Compliance Plan. The New York State Department of Environmental Conservation (“NYSDEC”) and Westchester County (“County”) are entering into an Order-on-Consent (NYSDEC Case No. R3-20170822-159; the “Order”) regarding the County’s non-compliance with the terms and conditions of the County’s MS4 Permit. So as to comply with the Order, the County shall:

- Develop a schedule to periodically inspect catch basins within the MS4
- Develop a checklist for the periodic inspection of maintenance facilities for the MS4
- Offer one stormwater training session to appropriate County staff
- Develop a map pursuant to Part VII.A.3.b of the MS4 Permit.
- Conduct an outfall reconnaissance inventory in compliance with Part VII.A.3.d of the MS4 Permit

Failure to undertake this project may result in a violation of NYSDEC regulations potentially resulting in significant financial penalties. This agreement will benefit the public as it enables the County to conduct its basic mission of providing proper stormwater management, thereby promoting public health policies and laws. Time is of the essence in order to achieve compliance with NYSDEC regulations as quickly as possible to minimize or avoid financial penalties.

In accordance with the Accelerated Qualification and Selection Procedure as outlined in the Rules of the Professional Prequalification and Selection Boards (Act 144-1996, §3D), on July 19, 2018, a statement outlining the reason requiring the accelerated procedure, the qualifications of the proposed firm and the scope of work was submitted to the Chairman of the Professional Prequalification Board. The Chairman of the Professional Prequalification Board on July 19, 2018, agreed that the accelerated consultant procurement procedure was warranted. Subsequently, these items were reviewed and approved by the Chairman of the Professional Selection Board on July 19, 2018.

By Resolution approved August 2, 2018, your Honorable Board authorized the County to negotiate with the Consultant, and a proposal was submitted for engineering services for a MS4 Permit Compliance Plan, Various Locations, Westchester County, New York, for a total fee of \$328,500.00, pursuant to an approved budget.

In addition, AI Engineers, Inc., has requested the utilization of the following subconsultant: Stellar Services, Inc. (GIS Services), 70 West 36th Street, 7th Floor, New York, New York 10018.

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/RSD/as

RESOLUTION

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

RESOLVED, that the Resolution approved August 2, 2018, which authorized the County of Westchester (the "County") to obtain a proposal and negotiate a fee with Dolph Rotfeld Engineering, P.C., ("Consultant") in connection with engineering services for a Municipal Separate Storm Sewer Systems ("MS4") Permit Compliance Plan, Various Locations, Westchester County, New York (the "August 2, 2018 Resolution"), be and is hereby amended to change the name of the Consultant from Dolph Rotfeld Engineering, P.C. to AI Engineers, Inc.; and be it further

RESOLVED, that all other terms and conditions of the August 2, 2018 Resolution shall remain in full force and effect and unchanged; and be it further

RESOLVED, that approval is hereby granted to enter into an Agreement with the firm of AI Engineers, Inc., 570 Taxter Road, Elmsford, New York 10523, for engineering services for a Municipal Separate Storm Sewer Systems ("MS4") Permit Compliance Plan, Various Locations, Westchester County, New York. The Consultant shall provide the following professional services associated with this project: review existing GIS catch basin data, provide training for County employees involved in the maintenance of stormwater systems, conduct an outfall reconnaissance inventory, prepare maps of County outfalls, provide project management, and prepare a final report. The County also reserves the right to amend this Agreement with the Consultant at a future date to provide for other related professional services; and be it further

RESOLVED, that for services rendered in accordance with the Consultant's proposal, a total compensation of \$328,500.00 shall be provided, pursuant to an approved budget; and be it further

RESOLVED, that the use of the following subconsultant also be approved: Stellar Services, Inc. (GIS Services), 70 West 36th Street, 7th Floor, New York, New York 10018; and be it further

RESOLVED, that the Agreement shall commence upon the Consultant's receipt of written notice from the Commissioner of Public Works and Transportation or his designee and that the completion date shall be December 31, 2021; 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.

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Account to be Charged/Credited	Fund	Dept	Major Program, Program & Phase or Unit	Object/ Sub Object	Bond Act No.	Dollars
	318	19	BPL40-03-S	6120-03	BA #13-2019	\$ 328,500.00

Budget Funding Year(s): 2019 Start Date: 02/21/19 End Date: 12/31/21
 (must match resolution)

Funding Source: Tax Dollars: 100% County Contractor Federal I.D. No./
 State Aid: _____ Social Security No.: _____
\$328,500.00 Federal Aid: _____ Vendor No.: _____
 (must match resolution) Other: _____ Encumbrance No.: _____