

67529

**TO:** Board of Acquisition and Contract  
**FROM:** Hugh J. Greechan, Jr., PE  
Commissioner of Public Works and Transportation  
**DATE:** January 29, 2019  
**SUBJECT:** Authority to Enter into Agreement #19-901  
In the matter of Engineering Services in connection with Bulkhead Rehabilitation,  
Port Chester Water Resource Recovery Facility, Port Chester, New York

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

**Agreement Amount:** \$437,300.00

*Subconsultant Approval:* Badey & Watson Surveying & Engineering, P.C. (WBE)  
Carlin-Simpson & Associates  
KJM Construction Management, Inc.  
Land Use Ecological Services, Inc.  
Toscano Clements Taylor, LLC (WBE)

Authority of your Honorable Board is requested to enter into an Agreement in connection with Bulkhead Rehabilitation, Port Chester Water Resource Recovery Facility, Port Chester, New York. The consultant shall provide design services associated with 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. The County of Westchester also reserves the right to amend this Agreement with the consultant at a future date to provide for construction phase services including but not limited to construction administration services and project close-out services.

The objective of this project is to rehabilitate the steel and masonry bulkhead along the Byram River at Port Chester Water Resource Recovery Facility. The facility was purchased by the County in 1975 from the Village of Port Chester and expanded to secondary treatment in 1988. The bulkhead that protects the facility from the Byram River is deteriorating in many locations. The scope of work for this project includes, but is not limited to, the following: rehabilitation of steel sheeting, rebuilding and repointing of stone, installation of a protective coating system, construction sequencing, and site restoration. This work is necessary to provide improved sanitary facilities that are in compliance with all applicable regulations. This agreement will benefit the public as it avoids potential adverse environmental impact to the surrounding properties, thereby promoting public health policies and laws.

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Bulkhead Rehabilitation  
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H2M architects + engineers  
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Since the estimated fee for professional services was greater than \$100,000, in accordance with the Rules of the Professional Prequalification and Selection Boards, on September 23, 2016, a meeting of the Professional Prequalification Board was held to discuss the scope of work and request a list of qualified firms to provide the necessary services. The list was reviewed by the Professional Selection Board on May 29, 2018 whereby D&B Engineers and Architects, P.C.; H2M Architects, Engineers, Land Surveying and Landscape Architecture, D.P.C. d/b/a H2M architects + engineers; Jacobs Civil Consultants Inc.; and STV Incorporated were selected to possibly perform said services. On September 17, 2018, a request for proposal ("RFP") was sent to the qualified firms and subsequently two (2) proposals were received on October 24, 2018.

After reviewing the proposals, and based on the evaluation criteria set forth in the request for proposal, including technical merit and net cost, the Professional Selection Board at its meeting held December 19, 2018, selected H2M Architects, Engineers, Land Surveying and Landscape Architecture, D.P.C. d/b/a H2M architects + engineers, 2700 Westchester Avenue, Suite 415, Purchase, New York 10577 as the number one firm to perform engineering services in connection with Bulkhead Rehabilitation, Port Chester Water Resource Recovery Facility, Port Chester, New York, for a total fee of \$437,300.00, pursuant to an approved budget, which represents the best possible contract for the County.

In addition, H2M Architects, Engineers, Land Surveying and Landscape Architecture, D.P.C. d/b/a H2M architects + engineers has requested the utilization of the following subconsultants: Badey & Watson Surveying & Engineering, P.C. (Surveying Services), 3063 Route 9, Cold Spring, New York 10516; Carlin-Simpson & Associates (Geotechnical Engineering Services), 61 Main Street, Sayerville, New Jersey 08872; KJM Construction Management, Inc. (Construction Inspection Services), 1 Barker Avenue, White Plains, New York 10601; Land Use Ecological Services, Inc. (Permitting Services), 570 Expressway Drive South, Suite 2F, Medford, New York 11763; and Toscano Clements Taylor, LLC (Cost Estimating Services), 150 West 30<sup>th</sup> Street, Suite 701, New York, New York 10001.

The proposed has been reviewed and is judged to be responsive to the task at hand.

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.

This matter has been reviewed by the Deputy County Executive and the Commissioner of the Department of Environmental Facilities, and they are in concurrence.

I recommend adoption of the attached proposed Resolution.

HJG/LR/AS

# RESOLUTION

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

RESOLVED, that approval is hereby granted to enter into an Agreement with the firm of 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, for engineering services associated with Bulkhead Rehabilitation, Port Chester Water Resource Recovery Facility, Port Chester, New York. The Consultant shall provide design services associated with 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. The County of Westchester also reserves the right to amend this Agreement with the Consultant at a future date to provide for construction phase services including but not limited to construction administration services and project close-out services; and be it further

RESOLVED, that for services rendered in accordance with the Consultant’s proposal, a total compensation of \$437,300.00, shall be provided, pursuant to an approved budget; and be it further

RESOLVED, that the use of the following subconsultants also be approved: Badey & Watson Surveying & Engineering, P.C. (Surveying Services), 3063 Route 9, Cold Spring, New York 10516; Carlin-Simpson & Associates (Geotechnical Engineering Services), 61 Main Street, Sayerville, New Jersey 08872; KJM Construction Management, Inc. (Construction Inspection Services), 1 Barker Avenue, White Plains, New York 10601; Land Use Ecological Services, Inc. (Permitting Services), 570 Expressway Drive South, Suite 2F, Medford, New York 11763; and Toscano Clements Taylor, LLC (Cost Estimating Services), 150 West 30<sup>th</sup> Street, Suite 701, New York, New York 10001; 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, 2023; 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.

Agreement No. 19-901

Account to be Charged/Credited	Fund	Dept	Major Program, Program & Phase or Unit	Object/ Sub Object	Bond Act No.	Dollars
	322	60	SPC37-02-E	6120-03	BA #64-2016	\$437,300.00

Budget Funding Year(s): 2019 Start Date: 03/15/2019 End Date: 12/31/2023  
 (must match resolution)

Funding Source: Tax Dollars: 100% County Contractor Federal I.D. No./  
 State Aid: \_\_\_\_\_ Social Security No.: \_\_\_\_\_  
\$437,300.00 Federal Aid: \_\_\_\_\_ Vendor No.: \_\_\_\_\_  
 (must match resolution) Other: \_\_\_\_\_ Encumbrance No.: \_\_\_\_\_