

67740

**TO:** Board of Acquisition and Contract  
**FROM:** Hugh J. Greechan, Jr., PE  
Commissioner of Public Works and Transportation  
**DATE:** February 12, 2019  
**SUBJECT:** Authority to Enter into Agreement #19-905  
in the matter of On-Call Construction Administration Services for Building Construction  
Projects at Various Locations in Westchester County, New York

**Consultant:** LiRo Program and Construction Management, PE P.C.  
**Agreement Amount:** \$2,750,000.00

*Subconsultant Approval:* Laland Baptiste, LLC (MBE/WBE)

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Authority of your Honorable Board is requested for the County of Westchester ("County") acting by and through its Department of Public Works and Transportation ("Department") to enter into an Agreement in connection with On-Call Construction Administration Services for Building construction projects at various locations in Westchester County, New York. The consultant shall provide on-call construction administration services to assist Department personnel in overseeing construction projects. 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, review and process contractors' applications for payment, and provide other consulting services as directed by the Commissioner of the Department.

The objective of this project will be to perform construction administration services for various projects in Westchester County. This work is necessary to ensure that construction work is in conformance with the contract documents. Projects vary in complexity and cost and include buildings, structures, and facilities. Project budgets may range from \$100,000 to \$10,000,000. This Agreement will benefit the public as it will provide a cost-effective method to manage any future increase in required construction inspection activities, thereby ensuring timely project completion within budget.

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 July 19, 2018, 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 August 30, 2018, whereby H2M Architects, Engineers, Land Surveying and Landscape Architecture, D.P.C. d/b/a H2M architects + engineers; LiRo Program and Construction Management, PE P.C.; and WSP USA Inc. were selected to possibly perform said services. On November 9, 2018, a request for proposal (RFP) was sent to the qualified firms and subsequently one (1) proposal was received on December 11, 2018.

The two (2) firms that declined to submit a proposal were contacted. H2M architects + engineers and WSP USA Inc. did not have the staff resources available at that particular time to prepare a responsive proposal.

After reviewing the proposal, 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 January 25, 2019, selected LiRo Program and Construction Management, PE P.C., Three Aerial Way, Syosset, New York 11791, as the number one firm to perform the On-Call Construction Administration Services for Building construction projects at various locations in Westchester County, New York, for a total fee not to exceed \$2,750,000.00, pursuant to an approved budget, which represents the best possible contract for the County. The consultant shall be paid at various hourly rates for services rendered. The term of the Agreement shall be for three (3) years, commencing on February 25, 2019 and continuing through February 24, 2022. The Agreement may be extended for an additional two (2) years at the sole option of the County. Should the County elect to extend the Agreement for an additional two (2) year term, the same terms and conditions as agreed to for the initial term, including price proposal, shall apply to the option term.

Payment for this contract will be made from the various County capital project accounts for which the services are rendered as needed and as determined by the Department.

In addition, LiRo Program and Construction Management, PE P.C. has requested the utilization of the following subconsultant: Laland Baptiste, LLC (Construction Inspection Services), 8513 Coventry Road, Brooklyn, New York 11236.

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

The Department 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 Planning, and they are in concurrence.

I recommend adoption of the attached proposed Resolution.

HJG/JJN/AJF/AS

# RESOLUTION

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

RESOLVED, that approval is hereby granted for the County of Westchester (“County”) acting by and through its Department of Public Works and Transportation (“Department”) to enter into an Agreement with the firm of LiRo Program and Construction Management, PE P.C. (“Consultant”), Three Aerial Way, Syosset, New York 11791, in connection with On-Call Construction Administration Services for Building construction projects at various locations in Westchester County, New York. The Consultant shall provide on-call construction administration services to assist Department personnel in overseeing construction projects. 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, review and process contractors’ applications for payment, and provide other consulting services as directed by the Commissioner of the Department; and be it further

RESOLVED, that for services rendered in accordance with the Consultant’s proposal, a total compensation not to exceed \$2,750,000.00, shall be provided, pursuant to an approved budget; and be it further

RESOLVED, that payment for this contract will be made from the various County capital project accounts for which the services are rendered as needed and as determined by the Department; and be it further

RESOLVED, that the use of the following subconsultant also be approved: Laland Baptiste, LLC (Construction Inspection Services), 8513 Coventry Road, Brooklyn, New York 11236; and be it further

RESOLVED, that the Agreement shall commence upon the Consultant's receipt of written notice from the Commissioner of the Department or his designee and that the completion date shall be February 24, 2022; and be it further

RESOLVED, that the Agreement may be extended for an additional two (2) years at the sole option of the County. Should the County elect to extend the Agreement for an additional two (2) year term, the same terms and conditions as agreed to for the initial term, including price proposal, shall apply to the option term; and be it further

RESOLVED, that this Agreement is subject to County appropriations; and be it further

RESOLVED, that this Agreement is also subject to further financial analysis of the impact of any New York State Budget (the “State Budget”) proposed and adopted during the term of this Agreement. The County shall retain the right, upon the occurrence of any release by the Governor of a proposed State Budget and/or the adoption of a State Budget or any amendments thereto, and for a reasonable period of time after such release(s) or adoption(s), to conduct an analysis of the impacts of any such State Budget on County finances. After such analysis, the County shall retain the right to either terminate this Agreement or to renegotiate the amounts and rates approved herein. If the County subsequently offers to pay a reduced amount to the Consultant, then the Consultant shall have the right to terminate this Agreement upon reasonable prior written notice; 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.

# RESOLUTION

Agreement No. 19-905

Account to be Charged/Credited

Fund	Dept	Major Program, Program & Phase or Unit	Object/ Sub Object	Bond Act No.	Dollars
346	46	TBD	6120-05	TBD	\$2,750,000.00

Budget Funding Year(s): 2019-2022 Start Date: 02/25/2019 End Date: 02/24/2022  
(must match resolution)

Funding Source: Tax Dollars: 100% County Contractor Federal I.D. No./  
State Aid: \_\_\_\_\_ Social Security No.: \_\_\_\_\_  
\$2,750,000.00 Federal Aid: \_\_\_\_\_ Vendor No.: \_\_\_\_\_  
(must match resolution) Other: \_\_\_\_\_ Encumbrance No.: \_\_\_\_\_

APPROVED BOARD OF ACQUISITION & CONTRACT - 02/14/2019 - LISA MRUJAJ, SECRETARY