

70357

**TO:** Board of Acquisition and Contract

**FROM:** Hugh J. Greechan, Jr., PE  
Commissioner of Public Works and Transportation

**DATE:** June 25, 2019

**SUBJECT:** First Amendment to Agreement No. 14-938 in the matter of Engineering Services in connection with the Bronx River Parkway Rehabilitation Program – Phase I, from the Bronx/Westchester Border to Scarsdale Road, Cities of Yonkers and Mount Vernon and Villages of Bronxville and Tuckahoe, New York

**Consultant:** Lockwood, Kessler & Bartlett, Inc.  
**Amendment Amount:** \$125,000.00

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Authority of your Honorable Board is requested to amend the existing Agreement No. 14-938 (“Agreement”) between the County of Westchester (“County”) and Lockwood, Kessler & Bartlett, Inc. (“Consultant”), One Aerial Way, Syosset, New York 11791. The original Agreement dated October 22, 2014, was for design services associated with the Bronx River Parkway Rehabilitation Program – Phase I, from the Bronx/Westchester Border to Scarsdale Road, Cities of Yonkers and Mount Vernon and Villages of Bronxville and Tuckahoe, New York.

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. The design was progressed and final plans were prepared for the entire project to be constructed under one contract. The County then determined that due to funding constraints the project would be separated into two contract document packages for bidding purposes. The Consultant assisted the County in determining the limits of each contract in order to meet the budgetary constraints. Design for the first set of contract documents was completed and the project was bid. The Consultant will require additional funds to complete the design and preparation of the second bid package.

It is therefore requested that the existing Agreement be amended to provide for engineering services in connection with the Bronx River Parkway Rehabilitation Program – Phase I, from the Bronx/Westchester Border to Scarsdale Road, Cities of Yonkers and Mount Vernon and Villages of Bronxville and Tuckahoe, New York. The Consultant shall provide additional design services associated with this project. Additional 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 additional design services during construction consisting of shop drawing and submittal review, attendance at project meetings, periodic site visits and preparation of as-built drawings.

Board of Acquisition and Contract  
Agreement No. 14-938, First Amendment  
Bronx River Parkway Rehabilitation Program – Phase I,  
from the Bronx/Westchester Border to Scarsdale Road,  
Cities of Yonkers and Mount Vernon and Villages of Bronxville and Tuckahoe, New York  
Lockwood, Kessler & Bartlett, Inc.  
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The objective of this project will be to rehabilitate the Bronx River Parkway from the Bronx/Westchester border to Scarsdale Road, a total distance of 4.36 miles. This work is necessary due to extensive deterioration of the roadway. The rehabilitation work shall include, but not be limited to, the following items: milling existing pavement; filling and sealing joints and cracks; adjusting castings and catch basins; repairing catch basins; replacing all existing frames and grates; curb replacement; replacing/upgrading traffic signal loops; installing a new Roadway Weather Information System; installing new travel time signs; installing additional CCTV units; lighting improvements at intersections and entrance/exit ramps; addressing drainage issues and roadside safety; resurfacing roadway pavement; and installing new pavement markings. This agreement will benefit the public as it will enhance the functionality of the roadway ensuring its safe use by the public.

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 \$125,000.00 pursuant to an approved budget, bringing the total Agreement plus Amendment to \$491,500.00. The completion date of the Agreement shall be extended to December 31, 2022.

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/KMR/as

# RESOLUTION

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

RESOLVED, that the existing Agreement No. 14-938 (“Agreement”) between the County of Westchester (“County”) and Lockwood, Kessler & Bartlett, Inc. (“Consultant”), One Aerial Way, Syosset, New York 11791, be amended to provide for engineering services in connection with the Bronx River Parkway Rehabilitation Program – Phase I, from the Bronx/Westchester Border to Scarsdale Road, Cities of Yonkers and Mount Vernon and Villages of Bronxville and Tuckahoe, New York. The Consultant shall provide additional design services associated with this project. Additional 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 additional design services during construction consisting of shop drawing and submittal review, 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, Lockwood, Kessler & Bartlett, Inc., shall be paid a fee of \$125,000.00 pursuant to an approved budget, increasing the total maximum fee to \$491,500.00; and be it further

RESOLVED, that the completion date of the Agreement shall be extended to December 31, 2022; 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	\$ 366,500.00	(Design Services)
This Amendment	<u>125,000.00</u>	(Additional Design Services)
TOTAL	\$ 491,500.00	

**Agreement No. 14-938**

Account to be Charged/Credited	Fund	Dept	Major Program, Program & Phase or Unit	Object/ Sub Object	Bond Act No.	Dollars
	371	46	P0024-01-E	6120-03	BA #11-2019 BA #12-2019	\$ 125,000.00

Budget Funding Year(s): 2019 Start Date: 10/22/14 End Date: 12/31/22  
(must match resolution)

Funding Source: Tax Dollars: 100% County Contractor Federal I.D. No./  
State Aid: \_\_\_\_\_ Social Security No.: \_\_\_\_\_  
\$125,000.00 Federal Aid: \_\_\_\_\_ Vendor No.: \_\_\_\_\_  
(must match resolution) Other: \_\_\_\_\_ Encumbrance No.: \_\_\_\_\_