

75516

TO: Board of Acquisition and Contract

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

DATE: March 24, 2020

SUBJECT: Request Authority to Obtain a Proposal and Negotiate a Fee with Provident Design Engineering, PLLC, in connection with Engineering Services for Storm Water Management Improvements, Westchester County Airport, Towns of Harrison and North Castle and Village of Rye Brook, New York (#20-916)

Authority of your Honorable Board is requested to obtain a proposal and to negotiate a fee in connection with engineering services for Storm Water Management Improvements, Westchester County Airport, Towns of Harrison and North Castle and Village of Rye Brook, New York.

The objective of this project is to provide professional engineering services associated with Storm Water Management Improvements. The New York State Department of Environmental Conservation (“NYSDEC”) and Westchester County (“County”) have entered into an Order-on-Consent (“Order”) regarding storm water management at Westchester County Airport (“Airport”). The Order requires the design of new forebays at Detention Basins A and B, the relocation of inlet piping, and the dredging of Detention Basin A at the Airport. In addition, Interim Remedial Measures are required regarding per- and polyflouralkyl substances (“PFAS”) at SPDES Outfall No. 4 and Outfall No. 7. The Order establishes that the work specified above must be completed no later than March 26, 2021.

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 storm water 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.

Due to the urgency of this project, the Commissioner of Public Works and Transportation requested that the accelerated consultant procurement procedure be followed to retain a consultant to provide the necessary engineering services for Storm Water Management Improvements at the Airport. In accordance with the Accelerated Qualification and Selection Procedure as outlined in the Rules of the Professional Prequalification and Selections Boards (Act 144-1996, §3D), on March 19, 2020, a statement outlining the aforementioned reason requiring the accelerated procedure, the qualifications of the proposed firm and the scope of work for Storm Water Management Improvements at the Airport was submitted to the Chair of the Professional Prequalification Board.

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The Chair of the Professional Prequalification Board on March 19, 2020, agreed that the accelerated consultant procurement procedure was warranted. Subsequently, these items were reviewed and approved by the Chair of the Professional Selection Board on March 20, 2020, and the firm was selected to perform said services. The firm is:

Provident Design Engineering, PLLC
7 Skyline Drive
Hawthorne, New York 10532

The above-mentioned firm has the expertise on similar projects, technical knowledge, staffing and is the best-qualified firm to accomplish this project in the timeframe allowed.

Provident Design Engineering, PLLC (“Consultant”) is an engineering firm with significant experience in the planning, permitting, design, and construction of storm water systems, including those of immediate concern to the County. The Consultant has worked closely with the NYSDEC in the past and has provided similar services with many municipalities including a recent storm water upgrade project at the Airport.

It should be noted that this resolution only seeks authority to obtain a proposal and to negotiate a fee in connection with engineering services for the aforementioned work in order to both fully inform your Honorable Board of the expected Consultant agreement and to demonstrate to the NYSDEC that the County has undertaken its commitments to fully comply with the Order. This resolution contains the following conditions that ensure compliance with the requirement that the currently unfunded portion of this contract be subject to future bonding approval by the Board of Legislators (“BOL”).

The Law Department is presently preparing legislation to authorize funding for this capital project. Authorization to enter into an agreement will be submitted to your Honorable Board for approval after bonding authorization has been approved by the BOL and after satisfactory completion of negotiations with the Consultant. No agreement will be executed until all applicable approvals have been received.

I recommend adoption of the attached proposed Resolution.

HJG/JA/JAD/as

RESOLUTION

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

RESOLVED, that approval is hereby granted for the County of Westchester to obtain a proposal and to negotiate a fee with Provident Design Engineering, PLLC, 7 Skyline Drive, Hawthorne, New York 10532, for engineering services for Storm Water Management Improvements, Westchester County Airport, Towns of Harrison and North Castle and Village of Rye Brook, New York; and be it further

RESOLVED, that the engineering services associated with this project are subject to future bonding approval by the Board of Legislators.

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Account to be Charged/Credited	Fund	Dept	Major Program, Program & Phase or Unit	Object/ Sub Object	Bond Act No.	Dollars
	361	44	A042C-01-E	6120-03	<i>Future Bonding Authorization</i>	

Budget Funding Year(s): 2020 Start Date: N/A End Date: N/A
(must match resolution)

Funding Source: Tax Dollars: 100% County Contractor Federal I.D. No./ Social Security No.: _____

State Aid: _____

Federal Aid: _____ Vendor No.: _____

Other: _____ Encumbrance No.: _____
