

77053

TO: Board of Acquisition and Contract
FROM: Hugh J. Greechan, Jr., PE
Commissioner of Public Works and Transportation
DATE: June 2, 2020
SUBJECT: Authority to Enter into Agreement #20-916
In the matter of Engineering Services in connection with
Storm Water Management Improvements, Westchester County Airport,
Towns of Harrison and North Castle and Village of Rye Brook, New York

Consultant: Provident Design Engineering, PLLC
Agreement Amount: \$521,208.00

Subconsultant Approval: Carlin-Simpson & Associates
WBL and Associates, LLC
Ward Carpenter Engineers, Inc.
Nasco Construction Services Inc. (WBE)

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 Agreement No. 20-916 ("Agreement") with Provident Design Engineering, PLLC ("Consultant"), 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 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. In addition, the County 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 provide professional engineering services associated with Storm Water Management Improvements. The New York State Department of Environmental Conservation ("NYSDEC") and the 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.

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 March 19, 2020, a statement outlining the reason requiring the accelerated procedure, the qualifications of the proposed firm and the scope of work was submitted to the Chair of the Professional Prequalification Board. 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.

By Resolution approved April 2, 2020, your Honorable Board authorized the County to negotiate with the firm of Provident Design Engineering, PLLC, 7 Skyline Drive, Hawthorne, New York 10532, and a proposal was submitted for engineering services for Storm Water Management Improvements, Westchester County Airport, Towns of Harrison and North Castle and Village of Rye Brook, New York, for a total fee of \$521,208.00, pursuant to an approved budget.

In addition, the Consultant has requested the utilization of the following subconsultants: Carlin-Simpson & Associates, for Geotechnical Engineering Services, 61 Main Street, Sayreville, New Jersey 08872; WBL and Associates, LLC, for Wetlands Mapping and Permitting Services, 103 Fort Salonga Road, Suite #6, Northport, New York 11768; Ward Carpenter Engineers, Inc., for Land Surveying Services, 76 Mamaroneck Avenue, White Plains, New York 10601; and Nasco Construction Services Inc., a WBE firm, for Construction Cost Estimating Services, 200 Business Park Drive, Suite #302, Armonk, New York 10504.

The Department 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/JA/JAD/as

RESOLUTION

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

RESOLVED, that approval for the County of Westchester ("County") acting by and through its Department of Public Works and Transportation ("Department") is hereby granted to enter into Agreement No. 20-916 ("Agreement") with the firm of Provident Design Engineering, PLLC ("Consultant"), 7 Skyline Drive, Hawthorne, New York 10532, for engineering services associated with Storm Water Management Improvements, Westchester County Airport, Towns of Harrison and North Castle and Village of Rye Brook, 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. In addition, the County 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 \$521,208.00 shall be provided, pursuant to an approved budget; and be it further

RESOLVED, that the use of the following subconsultants also be approved: Carlin-Simpson & Associates, for Geotechnical Engineering Services, 61 Main Street, Sayreville, New Jersey 08872; WBL and Associates, LLC, for Wetlands Mapping and Permitting Services, 103 Fort Salonga Road, Suite #6, Northport, New York 11768; Ward Carpenter Engineers, Inc., for Land Surveying Services, 76 Mamaroneck Avenue, White Plains, New York 10601; and Nasco Construction Services Inc., a WBE firm, for Construction Cost Estimating Services, 200 Business Park Drive, Suite #302, Armonk, New York 10504; 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, 2022, 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. 20-916

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	BA #49-2020	\$ 521,208.00

Budget Funding Year(s): 2020 Start Date: 06/15/20 End Date: 12/31/22
(must match resolution)

Funding Source: Tax Dollars: 100% County Contractor Federal I.D. No./
State Aid: _____ Social Security No.: _____
\$521,208.00 Federal Aid: _____ Vendor No.: _____
(must match resolution) Other: _____ Encumbrance No.: _____