

78399

**TO:** Board of Acquisition and Contract  
**FROM:** Hugh J. Greechan, Jr., PE  
Commissioner of Public Works and Transportation  
**DATE:** August 4, 2020  
**SUBJECT:** Authority for the County of Westchester, acting by and through its Department of Public Works and Transportation (the "Department"), to execute an agreement consenting to the assignment of Agreement No. 17-907 with Petruccelli Engineering, D.P.C. to Fusion Engineering P.C.

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Pursuant to a Resolution approved on August 24, 2017, the County of Westchester ("County") entered into Agreement No. 17-907 ("Agreement") with Petruccelli Engineering, D.P.C. ("Consultant"), 600 N. Broadway, Suite 215, White Plains, New York 10603, commencing on August 29, 2017, wherein the Consultant was to provide engineering services associated with the Rehabilitation of Bedford Road, CR #27 & CR #106, Pleasantville, New York. The Agreement expires on December 31, 2021.

The Department was notified by e-mail received and letter dated on July 23, 2020 that Petruccelli Engineering, D.P.C. is in the process of closing down and will be dissolved in the near future. The Department has been notified that Fusion Engineering P.C. is the successor firm to Petruccelli Engineering, D.P.C. In this regard, Petruccelli Engineering, D.P.C. has requested that the County approve the assignment of Agreement No. 17-907 to Fusion Engineering P.C. Therefore, Fusion Engineering P.C. would assume all of the rights and obligations under Agreement No. 17-907. In addition, the same principals and staff shall be assigned to complete the work, thus guaranteeing continuity to the project.

The attached Resolution, if approved by your Honorable Board, would authorize the County to execute an agreement consenting to the assignment of Agreement No. 17-907 from Petruccelli Engineering, D.P.C. to Fusion Engineering P.C., 600 N. Broadway, Suite 215, White Plains, New York 10603, effective as of the date of execution of the assignment.

The objective of this assignment is in the County's best interest as it will provide for uninterrupted consulting services pursuant to Agreement No. 17-907 for the Department project contained therein.

The Department shall continue to track scheduling and accomplishments by the Consultant and perform on-site inspections to ensure the successful completion of this project.

The proposed form of Resolution to accomplish the foregoing is attached hereto.

HJG/RSD/as

# RESOLUTION

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

RESOLVED, that the County of Westchester ("County") is hereby authorized to consent to the assignment of Agreement No. 17-907, dated August 29, 2017, for engineering services associated with the Rehabilitation of Bedford Road, CR #27 & CR #106, Pleasantville, New York, from Petruccelli Engineering, D.P.C. to Fusion Engineering P.C., 600 N. Broadway, Suite 215, White Plains, New York 10603, effective as of the date of execution of the assignment; and be it further

RESOLVED, that as a condition for the granting of the County's consent to this assignment, Fusion Engineering P.C. will comply with all contract provisions; and be it further

RESOLVED, that all other terms and conditions of Agreement No. 17-907 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.

Agreement No. 17-907

Account to be  
Charged/Credited

| Fund | Dept | Major Program,<br>Program & Phase<br>or Unit | Object/<br>Sub Object | Bond Act No. | Dollars |
|------|------|----------------------------------------------|-----------------------|--------------|---------|
| 366  | 46   | RB133-01-E                                   | 6120-03               | BA #222-2016 |         |
|      |      |                                              |                       |              |         |
|      |      |                                              |                       |              |         |

Budget Funding Year(s): 2020 Start Date: Upon Execution End Date: 12/31/21  
(must match resolution)

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