

82484

**TO:** Board of Acquisition and Contract  
**FROM:** Hugh J. Greechan, Jr., PE  
Commissioner of Public Works and Transportation  
**DATE:** February 5, 2021  
**SUBJECT:** Request Authority to Obtain a Proposal and Negotiate a Fee with  
Provident Design Engineering, PLLC, in connection with Engineering Services for  
Storm Drain Replacement, SPDES Outfall No. 7, Westchester County Airport,  
Towns of Harrison and North Castle and Village of Rye Brook, New York (#21-902)

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Authority of your Honorable Board is requested to obtain a proposal and to negotiate a fee in connection with engineering services for Storm Drain Replacement, SPDES Outfall No. 7, 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 drain replacement to SPDES Outfall No. 7 at Westchester County Airport ("Airport"). In 2019 the New York State Department of Environmental Conservation ("NYSDEC") and Westchester County ("County") entered into Order-on-Consent No. CO 3-20180308-44 ("Order") regarding storm water management improvements at the Airport. The Order requires, among other things, that the County submit a remedial work plan for NYSDEC's review. The proposed work plan calls for the County to address, by the end of the first quarter of 2021, an area of high per- and polyfluoralkyl substances ("PFAS") concentration by the installation of a sealed site drainage system for the conveyance of surface storm water to Outfall No. 7, removal of contaminated soil, placement of new fill and restoration of pavement.

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 drain replacement to SPDES Outfall No. 7 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 January 29, 2021, a statement outlining the aforementioned reason requiring the accelerated procedure, the qualifications of the proposed firm and the scope of work for storm drain replacement to SPDES Outfall No. 7 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 February 3, 2021, 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 February 4, 2021, 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. Authorization to enter into an agreement will be submitted to your Honorable Board for approval after satisfactory completion of negotiations with the Consultant.

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 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 Drain Replacement, SPDES Outfall No. 7, Westchester County Airport, Towns of Harrison and North Castle and Village of Rye Brook, New York.

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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-02-I	6120-05	BA #3-2021	

Budget Funding Year(s): 2021 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.: \_\_\_\_\_