

82489

TO: Honorable Board of Acquisition and Contract

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

DATE: February 5, 2021

SUBJECT: Resolution to Award Emergency Contract
Contract No. **21-503**
Storm Drain Replacement
SPDES Outfall No. 7
Westchester County Airport
Towns of Harrison and North Castle and Village of Rye Brook, New York

Contractor: R. Pagni & Sons, Inc.
Amount: \$3,540,435.08

Subcontractor(s): Centerline Trenchless Construction LLC
Glenn Davis Valve Solutions, Inc.
Azure Industries LLC (**WBE**)

As we informed your Honorable Board in a Declaration of Emergency Situation memorandum dated January 28, 2021 (“January 28th Memorandum”), concerns have been raised related to per- and polyfluoroalkyl substances (PFAS) identified in groundwater at the Westchester County Airport and surrounding areas. PFAS are reported to be very persistent in the environment, can travel via groundwater and can accumulate in the human body. Among other uses, PFAS were components of firefighting foam used at airports worldwide. Although no promulgated regulatory remediation standards have been developed for PFAS for various environmental media (i.e. soil, groundwater or sediment), the New York State Department of Environmental Conservation (NYSDEC) views PFAS as a deleterious chemical. As a result, in 2019 NYSDEC and the County of Westchester (County) entered into Order on Consent No. CO 3-20180308-44 (Order on Consent) to address the situation.

The Order on Consent required, 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 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 (the “Project”).

In response to this potential health risk, the Department of Public Works and Transportation (the “Department”) declared an emergency situation to procure the Project in an accelerated fashion. The Department, following its standard emergency contract protocols, selected the firm of R. Pagni and Sons, Inc., 25 Bedell Road, Katonah, New York 10536 to perform Contract No. 21-503, Storm Drain Replacement, SPDES Outfall No. 7, Westchester County Airport, Towns of Harrison and North Castle and Village of Rye Brook, New York.

February 5, 2021

The work under this Project consists of 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 payment. The cost for this Project is \$3,540,435.08. The Department has reviewed R. Pagni & Sons, Inc.'s line item breakdown for the work and has determined that the costs are consistent with similar items of work on other County projects.

R. Pagni & Sons, Inc. has requested the use of the following subcontractors: Centerline Trenchless Construction LLC (Pipe Fusing and Testing), 4349 Oswego Road, Blossvale, New York 13308; Glenn Davis Valve Solutions, Inc. (Line Stops), P.O. Box 244, 1521 Route 9W, Building 4, Selkirk, New York 12158; and Azure Industries LLC, a WBE firm (Project Management), 2883 Harrington Avenue, Bronx, New York 10461.

Funds for this project are available in the:

- Capital Budget
- Non-Recurring Budget
- Operating Budget

This emergency contract is in the public's best interest as it is necessary to protect the health and safety of the general public.

This emergency contract award has been reviewed by the Law Department and a proposed form of Resolution is attached hereto for your approval.

Payment for this contract will be made from the Airport Special Revenue Fund, not the County General Fund and will not impact the County tax levy.

It is my recommendation that Emergency Contract No. 21-503 be awarded to R. Pagni & Sons, Inc. in the amount of \$3,540,435.08.

RESOLUTION

CONTRACT NO. 21-503

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

RESOLVED, that Contract No. 21-503 for Storm Drain Replacement, SPDES Outfall No. 7, Westchester County Airport, Towns of Harrison and North Castle and Village of Rye Brook, New York be and is hereby awarded to the selected contractor, R. Pagni & Sons, Inc., 25 Bedell Road, Katonah, New York 10536 in the amount of \$3,540,435.08; and be it further

RESOLVED, that the use of the following subcontractors also be approved: Centerline Trenchless Construction LLC (Pipe Fusing and Testing), 4349 Oswego Road, Blossvale, New York 13308; Glenn Davis Valve Solutions, Inc. (Line Stops), P.O. Box 244, 1521 Route 9W, Building 4, Selkirk, New York 12158; and Azure Industries LLC, a WBE firm (Project Management), 2883 Harrington Avenue, Bronx, New York 10461; and be it further

RESOLVED, that this contract is subject to County appropriations; and be it further

RESOLVED, that the County Executive or his authorized designee is hereby authorized and empowered to execute any and all documents necessary or appropriate to effectuate the purposes hereof.

Account to be Charged/Credited	Fund	Dept.	Major Program, Program & Phase Or Unit	Object/ Sub Object	Bond Act No.	Dollars
	361	44	A042C02C	6210-99	BA #2-2021	\$3,540,435.08

Budget Funding Year(s): 2021 Start Date: January 28, 2021 End Date: December 31, 2021
(must match resolution)

Funding Source: Tax Dollars _____

State Aid _____

\$3,540,435.08 Federal Aid _____
(must match resolution)

Other 100% Airport Special Revenue Fund