

82980

TO: Board of Acquisition and Contract

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

DATE: March 2, 2021

SUBJECT: Third Amendment to Agreement No. 12-908 in the matter of Engineering Services in connection with the Boiler and Generator Replacement, Ossining Wastewater Treatment Plant, Ossining, New York

Consultant: **GHD Consulting Services Inc.**

Amendment Amount: **\$136,433.00**

Subconsultant Approval: *Environmental Design & Research, Landscape Architecture, Engineering & Environmental Services, D.P.C. (WBE)*

Robert Butterworth, P.E.

Pursuant to a Resolution approved on August 16, 2012, the County of Westchester ("County"), acting by and through its Department of Public Works and Transportation ("Department"), entered into Agreement Number 12-908 ("Agreement") with GHD Consulting Engineers, LLC ("Consultant"), 5788 Widewaters Parkway, Syracuse, New York 13214, commencing on September 15, 2012, wherein the Consultant was to provide engineering design and construction administration services associated with the Boiler and Generator Replacement, Ossining Wastewater Treatment Plant, Ossining, New York. The Agreement was thereafter amended by Resolution approved on February 20, 2014, consenting to the assignment of the Agreement with GHD Consulting Engineers, LLC to GHD Consulting Services Inc. The Agreement was thereafter further amended by Resolution approved January 14, 2016, for additional design and construction administration services associated with the Boiler and Generator Replacement, Ossining Wastewater Treatment Plant, Ossining, New York and to extend the term of the Agreement to December 31, 2019.

The engineering services included in the original Agreement are in progress. The County has been satisfied with the quality of services provided to date. A construction contract for this project was awarded to Clean Air Quality Service, Inc. on June 8, 2017. Due to unforeseen field conditions, construction is expected to take longer than originally anticipated. Due to the extended construction time frame, additional design services during construction and construction administration services are necessary at this time.

Authority of your Honorable Board is therefore requested to further amend the existing Agreement retroactively from December 31, 2019 to provide for additional engineering services for the Boiler and Generator Replacement, Ossining Wastewater Treatment Plant, Ossining, New York. The Consultant shall provide additional design services during construction and construction administration services associated with this project. Additional design services during construction shall include shop drawing and submittal review, attendance at project meetings, periodic site visits and preparation of as-built drawings. For construction administration services, the Consultant shall monitor the construction procedures on the site to ensure compliance with the contract documents, coordinate scheduled activities of the contractors, submit construction progress reports and review and process contractors' applications for payment.

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The objective of this project is to replace the boiler, generator, and associated systems at the Ossining Wastewater Treatment Plant. The Ossining Wastewater Treatment Plant was constructed as a Secondary WWTP in the late 1970's. Since initial construction, there have been repairs and minor modifications made to the plant equipment, but at this time the plant's heating boilers/burners, emergency generator, air conditioning and plant water system equipment are reaching the end of their useful life and all are in need of replacement. This work is necessary to insure that the facility operates reliably and efficiently. This agreement will benefit the public as it will ensure that the plant's operations are safe and environmentally compliant, thereby enhancing the health and general welfare of the residents of Westchester County.

The engineering discipline encompassed in this Amendment is not new, but rather, it is an integral part of the project that involves the same degree of skill, experience and complexity as the expertise generally described in the original project. Accordingly, this type of engineering discipline was originally contemplated in the Professional Prequalification Board and Professional Selection Board process.

The fee for the above services is for an amount of \$136,433.00 pursuant to an approved budget, bringing the total Agreement plus Amendments to \$973,319.00. The completion date of the Agreement shall be extended to December 31, 2022.

In addition, GHD Consulting Services Inc. has requested the utilization of the following subconsultants: Environmental Design & Research, Landscape Architecture, Engineering & Environmental Services, D.P.C., a WBE firm, for Design Services during Construction and Construction Administration Services, 217 Montgomery Street, Suite 1100, Syracuse, New York 13202; and Robert Butterworth, P.E., for Design Services during Construction, 11 Evergreen Lane, Cazenovia, New York 13035.

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/LR/as

RESOLUTION

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

RESOLVED, that the existing Agreement No. 12-908 (“Agreement”) between the County of Westchester (“County”) and GHD Consulting Services Inc. (“Consultant”), 5788 Widewaters Parkway, Syracuse, New York 13214, be amended retroactively from December 31, 2019, to provide for additional engineering services in connection with the Boiler and Generator Replacement, Ossining Wastewater Treatment Plant, Ossining, New York. The Consultant shall provide additional design services during construction and construction administration services associated with this project. Additional design services during construction shall include shop drawing and submittal review, attendance at project meetings, periodic site visits and preparation of as-built drawings. For construction administration services, the Consultant shall monitor the construction procedures on the site to ensure compliance with the contract documents, coordinate scheduled activities of the contractors, submit construction progress reports and review and process contractors’ applications for payment; and be it further

RESOLVED, that for the additional services rendered in accordance with the Consultant’s proposal, GHD Consulting Services Inc., shall be paid a fee of \$136,433.00 pursuant to an approved budget, increasing the total maximum fee to \$973,319.00; and be it further

RESOLVED, that the use of the following subconsultants also be approved: Environmental Design & Research, Landscape Architecture, Engineering & Environmental Services, D.P.C., a WBE firm, for Design Services during Construction and Construction Administration Services, 217 Montgomery Street, Suite 1100, Syracuse, New York 13202; and Robert Butterworth, P.E., for Design Services during Construction, 11 Evergreen Lane, Cazenovia, New York 13035; and be it further

RESOLVED, that the completion date of the Agreement shall be extended to December 31, 2022; and be it further

RESOLVED, that all other provisions of the existing Agreement 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.

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|--------------------|-----------|-------------------|--|
| Original Agreement | \$ | 730,000.00 | (Design and Construction Administration Services) |
| First Amendment | | 0.00 | (Assignment) |
| Second Amendment | | 106,886.00 | (Additional Design and Construction Administration Services) |
| This Amendment | | 136,433.00 | (Additional Design and Construction Administration Services) |
| TOTAL | \$ | 973,319.00 | |

Agreement No. 12-908, Third Amendment

| Account to be Charged/Credited | Fund | Dept | Major Program, Program & Phase or Unit | Object/ Sub Object | Bond Act No. | Dollars |
|--------------------------------|------|------|--|--------------------|--------------|--------------|
| | 322 | 60 | SOS09-00-E | 6120-03 | BA #73-2014 | \$ 88,450.00 |
| | 322 | 60 | SOS09-00-I | 6120-05 | BA #73-2014 | \$ 47,983.00 |

Budget Funding Year(s): 2021 Start Date: 09/15/12 End Date: 12/31/22
 (must match resolution)

Funding Source: Tax Dollars: 100% County Contractor Federal I.D. No./
 State Aid: _____ Social Security No.: _____
 \$ 136,433.00 Federal Aid: _____ Vendor No.: _____
 (must match resolution) Other: _____ Encumbrance No.: _____