

82983

TO: Board of Acquisition and Contract
FROM: Hugh J. Greechan, Jr., PE
Commissioner of Public Works and Transportation
DATE: March 2, 2021
SUBJECT: First Amendment to Agreement No. 16-903 in the matter of Engineering Services in connection with Sal J. Prezioso Mountain Lakes Park Dam Rehabilitation, Town of North Salem, New York

Consultant: GHD Consulting Services Inc.

Amendment Amount: \$496,836.00

Subconsultant Approval: KJM Construction Management, Inc.

The County of Westchester ("County"), acting by and through its Department of Public Works and Transportation ("Department"), entered into Agreement Number 16-903 ("Agreement"), dated March 24, 2016, with GHD Consulting Services Inc. ("Consultant"), 5788 Widewaters Parkway, Syracuse, New York 13214, wherein the Consultant was to provide design services associated with Sal J. Prezioso Mountain Lakes Park Dam Rehabilitation, Town of North Salem, New York. The Agreement expired on December 31, 2020.

The engineering services included in the original Agreement have been in progress. The County has been satisfied with the quality of services provided to date. A construction contract for this project was awarded to Remus Industries/Laura Li Industries, JV Inc. on February 25, 2021. Construction work for this project is anticipated to take seventeen (17) months for completion and is scheduled to begin in the near future. The original Agreement only included five (5) months for design services during construction. An additional twelve (12) months for design services during construction and construction administration services are required at this time.

Authority of your Honorable Board is therefore requested to amend the existing Agreement between the County and the Consultant retroactively from December 31, 2020 to provide for additional engineering services in connection with Sal J. Prezioso Mountain Lakes Park Dam Rehabilitation, Town of North Salem, 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.

The objective of this project will be to rehabilitate three dams at Sal J. Prezioso Mountain Lakes Park owned and maintained by the Westchester County Department of Parks, Recreation and Conservation. The following dams are included in this project: Pine Lake Dam, Hemlock Lake Dam, and Laurel Lake Dam. These dams are located in areas where their failure may cause isolated personal injury and/or property damage. Nevertheless these dams exhibit deficiencies which require remedial action. Rehabilitation work for these dams includes, but is not limited to, repairs to the structure; removal of vegetation growing on the structure; removal of debris from the spillway; installation of bank protection to prevent erosion; and rehabilitation of outlet gates, pipes, and valves. This work is necessary to ensure that these dams owned and maintained by the County are in conformance with all New York State Department of Environmental Conservation ("NYSDEC") regulations regarding dam safety. This Agreement will benefit the public as it will improve the functionality of these dam structures ensuring their safe use by the public.

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 \$496,836.00 pursuant to an approved budget, bringing the total Agreement plus Amendment to \$700,436.00. The completion date of the Agreement shall be extended to December 31, 2024.

In addition, the Consultant has requested the utilization of the following subconsultant: KJM Construction Management, Inc., for Construction Inspection Services, 150 Grand Street, 4th Floor, White Plains, New York 10601.

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/RSD/ER/as

RESOLUTION

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

RESOLVED, that the existing Agreement No. 16-903 (“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, 2020 to provide for additional engineering services in connection with Sal J. Prezioso Mountain Lakes Park Dam Rehabilitation, Town of North Salem, 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 \$496,836.00 pursuant to an approved budget, increasing the total maximum fee to \$700,436.00; and be it further

RESOLVED, that the use of the following subconsultant also be approved: KJM Construction Management, Inc., for Construction Inspection Services, 150 Grand Street, 4th Floor, White Plains, New York 10601; and be it further

RESOLVED, that the completion date of the Agreement shall be extended to December 31, 2024; 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.

Original Agreement	\$	203,600.00	(Design Services)
This Amendment		<u>496,836.00</u>	(Additional Design Services During Construction & Construction Admin. Services)
TOTAL	\$	700,436.00	

Agreement No. 16-903, First Amendment

Account to be Charged/Credited	Fund	Dept	Major Program, Program & Phase or Unit	Object/ Sub Object	Bond Act No.	Dollars
	372	42	RML03-01-E	6120-03	BA #202-2015 BA # 75-2020	\$ 103,000.00
	372	42	RML03-01-I	6120-05	BA #202-2015 BA # 75-2020	\$ 393,836.00

Budget Funding Year(s): 2021 Start Date: 03/24/16 End Date: 12/31/24
(must match resolution)

Funding Source: Tax Dollars: 100% County Contractor Federal I.D. No./
State Aid: _____ Social Security No.: _____
\$496,836.00 Federal Aid: _____ Vendor No.: _____
(must match resolution) Other: _____ Encumbrance No.: _____