

94317

TO: Board of Acquisition and Contract
FROM: Hugh J. Greechan, Jr., PE
Commissioner of Public Works and Transportation
DATE: June 28, 2022
SUBJECT: Authority to Enter into Agreement #22-922
In the matter of Engineering Services in connection with Plant Wide Flood Mitigation, Yonkers Joint Water Resource Recovery Facility, Yonkers, New York

Consultant: AECOM USA, Inc.

Agreement Amount: \$3,895,612.95

Subconsultant Approval: Hazen and Sawyer, D.P.C.
Savin Engineers, P.C. (MBE)
Charles A. Manganaro Consulting Engineers, P.C. (MBE)
Toscano Clements Taylor, LLC (WBE)

Authority of your Honorable Board is requested for the County of Westchester ("County") acting by and through its Department of Public Works and Transportation ("Department") to enter into Agreement No. 22-922 ("Agreement") with AECOM USA, Inc. ("Consultant"), 125 Broad Street, 14th Floor, New York, New York 10004, in connection with Plant Wide Flood Mitigation, Yonkers Joint Water Resource Recovery Facility, Yonkers, New York. The Consultant shall provide design services associated with this project. Design services shall include the preparation of construction contract documents (drawings and specifications), construction cost estimates, any required addenda, and a bid analysis including an evaluation of the bids to determine compliance with bidding requirements and whether the bidders are responsible so that the County may recommend award of the construction contracts. The County also reserves the right to amend this agreement with the Consultant at a future date to provide for construction phase services including but not limited to design services during construction, construction administration services, and project close-out services.

The objective of this project is to provide resiliency for the County's flood-prone wastewater treatment infrastructure due to climate change, sea level rise, high levels of precipitation, storms, and storm surge. In 2015, the County conducted a flood vulnerability assessment study at the Yonkers Joint Water Resource Recovery Facility (YJWRRF). Subsequently, the Federal Emergency Management Agency (FEMA) identified it as a Critical Action Facility subject to flood protection requirements as per FEMA guidelines. The required design flood elevation will be the FEMA 500-year storm elevation plus 1 foot. The project will strategically harden the YJWRRF using cost-effective upgrades targeting critical plant infrastructure. These measures are intended to ensure the facility is not critically damaged by, and can remain in operation during, a flood caused by a storm event similar to Superstorm Sandy or Hurricane Ida. If the YJWRRF is unable to treat wastewater for any amount of time, the County risks the occurrence of a sewage overflow emergency that could allow sewage into the surrounding properties and cause violations of the facility's State Pollutant Discharge Elimination System ("SPDES") Permit. This Agreement will benefit the public as it will ensure that the facility's operations are safe and environmentally compliant, thereby enhancing the health and general welfare of the residents of Westchester County.

Since the estimated fee for professional services was greater than \$250,000, in accordance with the Rules of the Professional Prequalification and Selection Boards, a meeting of the Professional Prequalification Board was held on December 22, 2020 to discuss the scope of work and request a list of qualified firms to provide the necessary services. The list was reviewed by the Professional Selection Board on February 24, 2021 whereby CDM Smith NY, Inc.; Greeley and Hansen LLC; AECOM USA, Inc.; ARUP; Hazen and Sawyer, D.P.C.; and H2M architects + engineers were selected to possibly perform said services. On February 11, 2022, a request for proposal ("RFP") was sent to the qualified firms and subsequently three (3) proposals were received on April 14, 2022.

After reviewing the proposals, and based on the evaluation criteria set forth in the RFP, including technical merit and net cost, the Professional Selection Board at its meeting held May 4, 2022, selected AECOM USA, Inc., as the number one firm to perform engineering services in connection with Plant Wide Flood Mitigation, Yonkers Joint Water Resource Recovery Facility, Yonkers, New York, for a total fee of \$3,895,612.95, pursuant to an approved budget, which represents the best possible contract for the County.

In addition, the Consultant has requested the utilization of the following subconsultants: Hazen and Sawyer, D.P.C., for Design Services, 498 Seventh Avenue, 11th Floor, New York, New York 10018; Savin Engineers, P.C., an MBE firm, for Design Services – Structural, Mechanical, I&C, 3 Campus Drive, Pleasantville, New York 10570; Charles A. Manganaro Consulting Engineers, P.C., an MBE firm, for Design Services – Stormwater Engineering, 303 South Broadway, Suite 224, Tarrytown, New York 10591; and Toscano Clements Taylor, LLC, a WBE firm, for Cost Estimating, 16 Oakwood Road, Huntington, New York 11743.

The proposed has been reviewed and is judged to be responsive to the task at hand.

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

This matter has been reviewed by the Deputy County Executive and the Commissioner of the Department of Environmental Facilities, and they are in concurrence.

I recommend adoption of the attached proposed Resolution.

HJG/LR/jr

RESOLUTION

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

RESOLVED, that approval for the County of Westchester (“County”) acting by and through its Department of Public Works and Transportation (“Department”) is hereby granted to enter into Agreement No. 22-922 (“Agreement”) with the firm of AECOM USA, Inc. (“Consultant”), 125 Broad Street, 14th Floor, New York, New York 10004, for engineering services associated with Plant Wide Flood Mitigation, Yonkers Joint Water Resource Recovery Facility, Yonkers, New York. The Consultant shall provide design services associated with this project. Design services shall include the preparation of construction contract documents (drawings and specifications), construction cost estimates, any required addenda, and a bid analysis including an evaluation of the bids to determine compliance with bidding requirements and whether the bidders are responsible so that the County may recommend award of the construction contracts. The County also reserves the right to amend this agreement with the Consultant at a future date to provide for construction phase services including but not limited to design services during construction, construction administration services, and project close-out services; and be it further

RESOLVED, that for services rendered in accordance with the Consultant’s proposal, a total compensation of \$3,895,612.95, shall be provided, pursuant to an approved budget; and be it further

RESOLVED, that the use of the following subconsultants also be approved: Hazen and Sawyer, D.P.C., for Design Services, 498 Seventh Avenue, 11th Floor, New York, New York 10018; Savin Engineers, P.C., an MBE firm, for Design Services – Structural, Mechanical, I&C, 3 Campus Drive, Pleasantville, New York 10570; Charles A. Manganaro Consulting Engineers, P.C., an MBE firm, for Design Services – Stormwater Engineering, 303 South Broadway, Suite 224, Tarrytown, New York 10591; and Toscano Clements Taylor, LLC, a WBE firm, for Cost Estimating, 16 Oakwood Road, Huntington, New York 11743; and be it further

RESOLVED, that the Agreement shall commence upon the Consultant's receipt of written notice from the Commissioner of the Department or his designee and that the completion date shall be December 31, 2026; 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. 22-922

Account to be Charged/Credited	Fund	Dept	Major Program, Program & Phase or Unit	Object/ Sub Object	Bond Act No.	Dollars
	322	60	SY041-01-E	6120-03	BA #211-2019	\$3,895,612.95

Budget Funding Year(s): 2022 Start Date: 08/01/2022 End Date: 12/31/2026
 (must match resolution)

Funding Source: Tax Dollars: 100% County Contractor Federal I.D. No./
 State Aid: _____ Social Security No.: _____
\$3,895,612.95 Federal Aid: _____ Vendor No.: _____
 (must match resolution) Other: _____ Encumbrance No.: _____