

110043

TO: Board of Acquisition and Contract

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

DATE: November 26, 2024

SUBJECT: Sixth Amendment to Agreement No. 16-918 in the matter of Engineering Services in connection with Playland Rehabilitation and Upgrades, Rye, New York

Consultant: LiRo Engineers, Inc.
Amendment Amount: \$1,322,373.00

The County of Westchester (“County”), acting by and through its Department of Public Works and Transportation (“Department”), entered into Agreement Number 16-918 (“Agreement”), dated August 17, 2016, with LiRo Engineers, Inc. (“Consultant”), 3 Aerial Way, Syosset, New York 11791, wherein the Consultant was to provide design, construction administration, and program management services associated with Playland Rehabilitation and Upgrades, Rye, New York. The original Agreement completion date was December 31, 2021.

The Agreement was thereafter amended by Resolution approved January 24, 2019, for additional design, construction administration, and program management services associated with this project and to extend the term of the Agreement to December 31, 2029 (“First Amendment”).

The Agreement was thereafter further amended by Resolution approved April 22, 2021, for additional design, construction administration, and program management services associated with this project (“Second Amendment”).

The Agreement was thereafter further amended by Resolution approved November 10, 2021, for revisions to the scope of work associated with this project (“Third Amendment”).

The Agreement was thereafter further amended by Resolution approved August 18, 2022, for additional design, construction administration, and program management services of items that required improvements that were not included in the in the existing Agreement and subsequent Amendments (“Fourth Amendment”).

The Agreement was thereafter further amended by Resolution approved February 22, 2024, for additional design, construction administration, and program management services of items that required improvements that were not included in the in the existing Agreement and subsequent Amendments (“Fifth Amendment”).

The Playland Rehabilitation and Upgrades project is being done in multiple phases. The engineering services included in the original Agreement have been in progress, and the County has been satisfied with the quality of services provided to date by the Consultant. At this time, additional work is required due to the delays caused by the following unforeseen field conditions and operational needs: (1) During the course of the project, it was determined that existing equipment in the 4 substations (Quad 1, Quad 2, Quad 3 and Quad 4) needed to be upgraded to increase capacity due to the new construction of the buildings, rides and additional equipment in Playland Park; (2) The existing ticket booth in front of the Dragon Coaster was originally intended to remain in place; however, during construction the framing was found to be deteriorated and a new ticket booth design is needed; (3) During the Parking Lot Improvement design review, several scope changes were requested. These changes required the following additional tasks be performed: additional signage, new digital screen frame, addition of raised curb and sidewalk, design access to existing gates, regrading of the sidewalk, design modifications to the existing drainage

system, and four (4) new ticket booths; and (4) The original design for the CXF Building was based on that intention of relocating the Music Express ride to avoid a two (2) hour fire rated exterior wall; however, upon further discussion the Music Express ride is not to be relocated and the CXF Building is to be designed with a two (2) hour fire rated exterior wall.

It is now therefore requested that the existing Agreement be further amended to provide for engineering services in connection with Playland Rehabilitation and Upgrades, Rye, New York. The Consultant shall provide additional design, construction administration, and program management services associated with this project that is outside of the scope of work included in the existing Agreement. Additional 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. In addition, the Consultant shall provide additional design services during construction consisting of shop drawing and submittal review, attendance at project meetings, periodic site visits and preparation of as-built drawings. For additional 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. For additional program management services, the Consultant shall review and coordinate the design and construction of all projects proposed at Playland. The County also reserves the right to further amend this Agreement with the Consultant at a future date to provide for subsequent design and construction phase services.

The objective of this project is to provide for the rehabilitation and upgrading of various existing facilities at Playland which includes the following:

- Various Rides and Components (RP006)
- Ice Casino Improvements (RP02A)
- Shoreline Rehabilitation (RP025)
- Structural Restoration (RP028)
- Administration Building Rehabilitation (RP040)
- Colonnade Rehabilitation (RP23B)
- Tower Rehabilitation (RP23F)
- Playland Switchgear Building (RP031)
- Fire Suppression System (RP033)
- Playland Site Improvements and Playland Parking Lot Drainage Improvement (RP042/RP047)

Playland was originally constructed in the 1920's and is listed on the National Register of Historic Places. As such, the proposed improvements will be done in a manner consistent with the Secretary of the Interior's Standards for the Treatment of Historic Properties. This Agreement will benefit the public as it will enhance this recreational facility thereby ensuring its safe use and enjoyment by the park's visitors.

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.

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Rye, New York
LiRo Engineers, Inc.
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The fee for the above services is for an amount of \$1,322,373.00 pursuant to an approved budget, bringing the total Agreement plus Amendments to \$34,467,709.00. The completion date of the Agreement shall remain December 31, 2029.

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/NS/BH/cg

APPROVED BOARD OF ACQUISITION & CONTRACT - 12/05/2024 - RAYMOND SCULKY, SECRETARY

RESOLUTION

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

RESOLVED, that the existing Agreement No. 16-918 (“Agreement”) between the County of Westchester (“County”) and LiRo Engineers, Inc. (“Consultant”), 3 Aerial Way, Syosset, New York 11791, be further amended to provide for engineering services in connection with Playland Rehabilitation and Upgrades, Rye, New York. The Consultant shall provide additional design, construction administration, and program management services associated with this project that is outside of the scope of work included in the existing Agreement. Additional 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. In addition, the Consultant shall provide additional design services during construction consisting of shop drawing and submittal review, attendance at project meetings, periodic site visits and preparation of as-built drawings. For additional 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. For additional program management services, the Consultant shall review and coordinate the design and construction of all projects proposed at Playland; and be it further

RESOLVED, that the County also reserves the right to further amend this Agreement with the Consultant at a future date to provide for subsequent design and construction phase services; and be it further

RESOLVED, that for the additional services rendered in accordance with the Consultant’s proposal, LiRo Engineers, Inc., shall be paid a fee of \$1,322,373.00 pursuant to an approved budget, increasing the total maximum fee to \$34,467,709.00; and be it further

RESOLVED, that all other provisions of the existing Agreement shall remain in full force and effect; and be it further

APPROVED BOARD OF ACQUISITION & CONTRACT ADMINISTRATION
12/01/2024 - 3:45 PM
SECRETARY

RESOLUTION

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	\$ 4,949,131.00	(Design, Construction Administration, and Program Management Services)
First Amendment	10,879,555.00	(Additional Design, Construction Administration, and Program Management Services)
Second Amendment	8,228,971.00	(Additional Design, Construction Administration, and Program Management Services)
Third Amendment	0.00	(Scope of Work Revision)
Fourth Amendment	6,587,679.00	(Additional Design, Construction Administration, and Program Management Services)
Fifth Amendment	2,500,000.00	(Additional Design, Construction Administration, and Program Management Services)
This Amendment	<u>1,322,373.00</u>	(Additional Design, Construction Administration, and Program Management Services)
TOTAL	\$ 34,467,709.00	

Agreement No. 16-918, A6

Account to be Charged/Credited	Fund	Dept	Major Program, Program & Phase or Unit	Object/ Sub Object	Bond Act No.	Dollars
	372	42	RP028-01-I	6120-05	BA #119-2016	\$ 638.00
	372	42	RP028-02-I	6120-05	BA #161-2020	\$ 244,570.00
	372	42	RP028-03-I	6120-05	BA #162-2020	\$ 66,677.27
	372	42	RP028-04-E	6120-03	BA #122-2016	\$ 5,427.64
	372	42	RP031-01-E	6120-03	BA #225-2019	\$ 401.75
	372	42	RP040-00-E	6120-03	BA #159-2020	\$ 3,164.81
	372	42	RP040-01-E	6120-03	BA #159-2020	\$ 81,273.28
	372	42	RP053-01-E	6120-03	BA #114-2017	\$ 36,019.86
	372	42	RP054-01-I	6120-05	BA #8-2019	\$ 62,172.07
	372	42	RP028-06-I	6120-05	BA #196-2020	\$ 822,028.32
					Total:	\$ 1,322,373.00

Budget Funding Year(s): 2024 Start Date: 08/17/16 End Date: 12/31/29
 (must match resolution)

Funding Source: Tax Dollars: 100% County Contractor Federal I.D. No./
 State Aid: _____ Social Security No.: _____
 Vendor No.: _____
\$1,322,373.00 Federal Aid: _____ Encumbrance No.: _____
 (must match resolution)
 Other: _____