

103074

TO: Board of Acquisition and Contract

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

DATE: August 29, 2023

SUBJECT: Request Authority to Obtain a Proposal and Negotiate a Fee with Hazen and Sawyer, D.P.C, in connection with Engineering Services for the Replacement of Tarrytown Forcemain (Phase II) and Route 119 Gravity Sewer, Saw Mill Sanitary Sewer District, Villages of Tarrytown and Elmsford, New York (#23-932)

Authority of your Honorable Board is requested to obtain a proposal and to negotiate a fee in connection with engineering services for the Replacement of Tarrytown Forcemain (Phase II) and Route 119 Gravity Sewer, Saw Mill Sanitary Sewer District, Villages of Tarrytown and Elmsford, New York.

The objective of this project is to provide professional engineering services associated with the Replacement of Tarrytown Forcemain (Phase II) and Route 119 Gravity Sewer. The Westchester County Department of Environmental Facilities ("DEF") recently notified the Department of Public Works and Transportation ("DPW&T") that it owns and maintains the Tarrytown Forcemain which carries sewage under pressure approximately 2.75 miles, from the Tarrytown Pumping Station in the Village of Tarrytown, to a 0.25 mile gravity sewer section that connects to the Saw Mill Trunk Sewer in the Village of Elmsford. The first 0.8 miles of this forcemain, from the Tarrytown Pumping Station to Route 119 (Phase I), was replaced in 2017. The remaining 1.95 miles of forcemain and 0.25 miles of gravity sewer (Phase II) was originally scheduled for replacement with design starting in 2027 and construction in 2029. However, the old forcemain section has broken and been repaired three times over the last two years, resulting in partially treated sewage discharge into the Hudson River. DEF is in receipt of a Notice of Violation from the New York State Department of Environmental Conservation (NYSDEC) as a result of the most recent break that occurred on July 10, 2023. The NYSDEC has requested that DEF submit a Corrective Action Plan by August 31, 2023. DEF is currently expediting the request for project funding so that design can begin this year.

Failure to undertake this project may result in future breaks in this pipe if it is not replaced as expeditiously as possible resulting in significant financial penalties. This agreement will benefit the public as it enables the County to conduct its basic mission of providing proper sanitary sewage collection, thereby promoting public health policies and laws. Time is of the essence in order to ensure continued compliance with the NYSDEC Notice of Violation, minimize the operational impact to the forcemain and avoid potential financial penalties.

Due to the urgency of this project, the Commissioner of Environmental Facilities requested that the accelerated consultant procurement procedure be followed to retain a consultant to provide the necessary engineering services for the Replacement of Tarrytown Forcemain (Phase II) and Route 119 Gravity Sewer. In accordance with the Accelerated Qualification and Selection Procedure as outlined in the Rules of the Professional Prequalification and Selections Boards (Act 144-1996, §3D), on August 14, 2023, a statement outlining the aforementioned reason requiring the accelerated procedure, the qualifications of the proposed firm and the scope of work for the Replacement of Tarrytown Forcemain (Phase II) and Route 119 Gravity Sewer was submitted to the Chair of the Professional Prequalification Board.

The Chair of the Professional Prequalification Board on August 14, 2023, agreed that the accelerated consultant procurement procedure was warranted. Subsequently, these items were reviewed and approved by the Chair of the Professional Selection Board on August 14, 2023, and the firm was selected to perform said services. The firm is:

Hazen and Sawyer, D.P.C.
1 North Lexington Avenue
Suite 1525
White Plains, New York 10601

The above-mentioned firm has the expertise on similar projects, technical knowledge, staffing and is the best-qualified firm to accomplish this project in the timeframe allowed.

Hazen and Sawyer, D.P.C. ("Consultant") is an engineering firm with significant experience in sewage collection, treatment, and disposal projects. The Consultant previously performed all design and construction administration services for the Replacement of Tarrytown Forcemain (Phase I). Additionally, the Consultant is currently performing all design and construction administration services for the Tarrytown Pumping Station Rehabilitation project.

It should be noted that this resolution only seeks authority to obtain a proposal and to negotiate a fee in connection with engineering services for the aforementioned work in order to fully inform your Honorable Board of the expected consultant agreement. This resolution contains the following conditions that ensure compliance with the requirement that the currently unfunded portion of this contract be subject to future bonding approval by the Board of Legislators ("BOL").

The Law Department is presently preparing legislation to authorize funding for this capital project. Authorization to enter into an agreement will be submitted to your Honorable Board for approval after the bonding authorization has been approved by the BOL and after satisfactory completion of negotiations with the consultant. No agreement will be executed until all applicable approvals have been received.

I recommend adoption of the attached proposed Resolution.

HJG/LR/eg

RESOLUTION

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

RESOLVED, that approval is hereby granted to obtain a proposal and to negotiate a fee with Hazen and Sawyer, D.P.C., 1 North Lexington Avenue, Suite 1525, White Plains, New York 10601, for engineering services for the Replacement of Tarrytown Forcemain (Phase II) and Route 119 Gravity Sewer, Saw Mill Sanitary Sewer District, Villages of Tarrytown and Elmsford, New York; and be it further

RESOLVED, that the engineering services associated with this project are subject to future bonding approval by the Board of Legislators.

Agreement No. 23-932

Account to be Charged/Credited	Fund	Dept	Major Program, Program & Phase or Unit	Object/ Sub Object	Bond Act No.	Dollars
	322	60	SY057-01-E	6120-03	TBD – Pending Future Bonding Authorization	
	322	60	SY057-01-I	6120-05	TBD – Pending Future Bonding Authorization	

Budget Funding Year(s): 2023 Start Date: N/A End Date: N/A
(must match resolution)

Funding Source: Tax Dollars: 100% County Contractor Federal I.D. No./
Social Security No.: _____
State Aid: _____
Federal Aid: _____ Vendor No.: _____
Other: _____ Encumbrance No.: _____