

110729

**TO:** Board of Acquisition and Contract

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

**DATE:** March 18, 2025

**SUBJECT:** First Amendment to Agreement No. 20-926 in the matter of Engineering Services in connection with Wastewater Treatment System Upgrades, Alfred B. DelBello Muscoot Farm, Somers, New York

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

**Amendment Amount:** \$171,300.00

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Authority of your Honorable Board is requested to amend the existing Agreement No. 20-926 (“Agreement”) between the County of Westchester (“County”) and Environmental Design & Research, Landscape Architecture, Engineering & Environmental Services, D.P.C. (“Consultant”), a WBE firm, 217 Montgomery Street, Suite 1100, Syracuse, New York 13202. The original Agreement dated November, 4 2020, was for engineering services associated with Wastewater Treatment System Upgrades, Alfred B. DelBello Muscoot Farm, Somers, New York. The original Agreement completion date was December 31, 2024.

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. At this time, additional design services during construction and construction administration services are required due to the delays caused by unforeseen field conditions that could not have been identified during the design phase. Once the contractor exposed the underground utilities, the design needed to be modified.

It is therefore requested that the existing Agreement be amended to provide for additional engineering services in connection with Wastewater Treatment System Upgrades, Alfred B. DelBello Muscoot Farm, Somers, New York. The Consultant shall provide additional design services during construction and construction administration services associated with this project that is outside of the scope of work included in the existing Agreement. 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 improve the wastewater treatment system at Alfred B. DelBello Muscoot Farm. Several capital projects are currently under design for Muscoot Farm which is intended to upgrade existing facilities as well as address issues resulting from increasingly larger attendance to the facility. The projects include improvements to the main house, existing public restroom facilities, drainage improvements, and other site work. In addition to renovating the existing public restroom building, a new restroom building will be constructed in the main complex to accommodate the increased capacity at the facility. Several existing wastewater treatment systems are located throughout the property. While not all wastewater treatment systems are in need of replacement, the intent of this work is to assess existing wastewater treatment at the facility and design for the replacement of some

Board of Acquisition and Contract

Agreement No. 20-926, First Amendment

Wastewater Treatment System Upgrades, Alfred B. DelBello Muscoot Farm, Somers, New York

Environmental Design & Research, Landscape Architecture, Engineering & Environmental Services, D.P.C.

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of the of the existing systems to allow for increased capacity of wastewater disposal. The existing septic and bathroom systems were designed over 30 years ago to accommodate a small seasonal crowd. Since then, the farm has expanded its operating season to a year-round program which continues to increase in popularity. The capacity of the toilet system is not up to the task of addressing the increased number of patrons the farm currently accommodates. The current system is inadequate for the numbers of people who come to the farm, to the point where portable toilets must be rented to subsidize the existing facilities. The current septic system is prone to backup due to its insufficient capacity and requires cleanout and maintenance several times a year which incurs costly fees. This work is necessary to alleviate existing conditions and to create a better environment for users of the facility. This Agreement will benefit the public as it enables Westchester County to conduct its basic mission of providing proper sanitary sewage collection and treatment, thereby promoting public health policies and laws.

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 \$171,300.00 pursuant to an approved budget, bringing the total Agreement plus Amendment to \$263,750.00. The completion date of the Agreement shall be extended to December 31, 2027.

The Department of Public Works and Transportation 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//AS/ER/NS/cg

# RESOLUTION

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

RESOLVED, that the existing Agreement No. 20-926 (“Agreement”) between the County of Westchester (“County”) and Environmental Design & Research, Landscape Architecture, Engineering & Environmental Services, D.P.C. (“Consultant”), a WBE firm, 217 Montgomery Street, Suite 1100, Syracuse, New York 13202, be amended to provide for additional engineering services in connection with Wastewater Treatment System Upgrades, Alfred B. DelBello Muscote Farm, Somers, New York. The Consultant shall provide additional design services during construction and construction administration services associated with this project that is outside of the scope of work included in the existing Agreement. 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, Environmental Design & Research, Landscape Architecture, Engineering & Environmental Services, D.P.C., shall be paid a fee of \$171,300.00 pursuant to an approved budget, increasing the total maximum fee to \$263,750.00; and be it further

RESOLVED, that the completion date of the Agreement shall be extended to December 31, 2027; 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	\$	92,450.00	(Design Services)
This Amendment		<u>171,300.00</u>	(Additional Design Services During Construction and Construction Administration)
TOTAL	\$	263,750.00	

Agreement No. 20-926

Account to be Charged/Credited	Fund	Dept	Major Program, Program & Phase or Unit	Object/ Sub Object	Bond Act No.	Dollars
	372	42	RMUS3-04-I	6120-03	BA #140-2022	\$ 171,300.00

Budget Funding Year(s): 2025 Start Date: 11/01/2020 End Date: 12/31/2027  
 (must match resolution)

Funding Source: Tax Dollars: 100% County Contractor Federal I.D. No./ Social Security No.: \_\_\_\_\_

\$171,300.00 State Aid: \_\_\_\_\_ Vendor No.: \_\_\_\_\_  
 Federal Aid: \_\_\_\_\_

(must match resolution) Other: \_\_\_\_\_ Encumbrance No.: \_\_\_\_\_