

111234

TO: Board of Acquisition and Contract

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

DATE: June 3, 2025

SUBJECT: Third Amendment to Agreement No. 14-927 in the matter of:

(1) Authorization to change the name of the Consultant from Dvirka and Bartilucci Consulting Engineers, a Division of D&B Engineers and Architects, P.C. to D&B Engineers and Architects, D.P.C.

(2) Amendment for Engineering Services (Design Services During Construction) in connection with Phase III and Phase IV – Cellular Bulkhead Rehabilitation, Yonkers Joint Wastewater Treatment Plant, Yonkers, New York

Consultant: D&B Engineers and Architects, D.P.C.
Amendment Amount: \$95,000.00

Pursuant to a Resolution approved on October 9, 2014, the County of Westchester (“County”) entered into Agreement Number 14-927 (the “Agreement”) with Dvirka and Bartilucci Consulting Engineers, A Division of D&B Engineers and Architects, P.C. (“Consultant”), 330 Crossways Park Drive, Woodbury, New York 11797, commencing on November 4, 2014, wherein the Consultant was to provide design services in connection with the Phase III – Cellular Bulkhead Rehabilitation, Yonkers Joint Wastewater Treatment Plant (“YJWWTP”), Yonkers, New York. The original Agreement completion date was December 31, 2018.

The Agreement was thereafter amended pursuant to a Resolution approved on December 19, 2019, to extend the term of the Agreement from December 31, 2018 to December 31, 2022 (“First Amendment”).

The Agreement was thereafter further amended pursuant to a Resolution approved on February 23, 2023, to extend the term of the Agreement from December 31, 2022 to December 31, 2024 (“Second Amendment”).

The cellular bulkhead at YJWWTP is being rehabilitated in four (4) phases. Construction for Phase I was completed in 2009. Construction for Phase II was completed in 2015. Construction bids for Phase III were received and rejected in 2015. It was then decided that Phase III and Phase IV would be combined to bid as one construction contract in order to provide cost savings. The Board of Legislators subsequently approved Bond Act Number 184-2017 that authorized the financing of Phase IV. Contract documents were revised and permits were updated. The contract was bid and bids were received for the combined Phase III and Phase IV project on July 14, 2019. However, per the Resolution approved November 21, 2019, due to unforeseen field conditions, Phase III and Phase IV had to be re-bid. Subsequently, contract documents were again revised and permits were updated. The contract was re-bid, awarded and executed. Notice to Proceed was issued January 4, 2021.

The Department was notified that Dvirka and Bartilucci Consulting Engineers, a Division of D&B Engineers and Architects, P.C. has formally changed its company name to D&B Engineers and Architects, D.P.C. We were advised that this is a name change only and the same office contact personnel will be used to perform the work thus guaranteeing continuity throughout the Agreement. In addition, the Consultant has a new main office address located at 4 West Red Oak Lane, Suite 315, White Plains, New York 10604. Therefore, approval is requested to amend Agreement No. 14-927 to reflect the Consultant’s new name and office address. The objective of this name

change is in the County's best interest, as it will provide for uninterrupted consulting services pursuant to Agreement No. 14-927 for the Department project contained therein.

It is therefore also requested that the existing Agreement be amended to provide for additional engineering services in connection with the Phase III and Phase IV – Cellular Bulkhead Rehabilitation, YJWWTP, Yonkers, New York. 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.

The objective of this project is to rehabilitate the cellular bulkhead along the Hudson River at YJWWTP. The cellular bulkhead at YJWWTP is being rehabilitated in multiple phases. Phase III and Phase IV construction work involves the rehabilitation of bulkhead cells including, but not limited to, the following: installation of a protective coating system, removal and reinstallation of existing stone riprap, repairs at sink hole areas, installation of tension rods, earth anchors, H-pile deadmen, miscellaneous metals, miscellaneous painting, concrete, test pits, utility markouts, vibratory monitoring, replacement of damaged utilities, construction sequencing, and site restoration. This work is necessary to provide improved sanitary facilities that are in compliance with all applicable regulations. This agreement will benefit the public as it avoids potential adverse environmental impact to the surrounding properties, 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 \$95,000.00 pursuant to an approved budget, bringing the total Agreement plus Amendments to \$194,800.00. The completion date of the Agreement shall be extended retroactively from December 31, 2024 to December 31, 2026.

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/VFK/LR/cg

RESOLUTION

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

RESOLVED, that the County of Westchester ("County"), acting by and through its Department of Public Works and Transportation ("Department"), be and is hereby authorized to further amend Agreement No. 14-927 ("Agreement") with Dvirka and Bartilucci Consulting Engineers, a Division of D&B Engineers and Architects, P.C. ("Consultant"), 4 West Red Oak Lane, Suite 315, White Plains, New York 10604, for the provision of engineering services in connection with the Phase III and Phase IV – Cellular Bulkhead Rehabilitation, Yonkers Joint Wastewater Treatment Plant, Yonkers, New York and to change the name of the Consultant from Dvirka and Bartilucci Consulting Engineers, a Division of D&B Engineers and Architects, P.C. to D&B Engineers and Architects, D.P.C. 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. and be it further

RESOLVED, that the completion date of the Agreement shall be extended retroactively from December 31, 2024 until December 31, 2026; and be it further

RESOLVED, that for the additional services rendered, D&B Engineers and Architects, D.P.C., shall be paid a fee of \$95,000.00 pursuant to an approved budget, increasing the total maximum fee to \$194,800.00; and be it further

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

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	\$	99,800.00	(Design Services – Phase III Cellular Bulkhead Rehab)
First Amendment		0.00	(Term Extension until 12/31/2022)
Second Amendment		0.00	(Term Extension until 12/31/2024)
This Amendment		95,000.00	(Additional DSDC – Phase III/IV Cellular Bulkhead Rehab,
TOTAL	\$	194,800.00	Term Extension until 12/31/2026 and Name Change)

Agreement No. 14-927

Account to be Charged/Credited	Fund	Dept	Major Program, Program & Phase or Unit	Object/ Sub Object	Bond Act No.	Dollars
	322	60	SY037-03-E	6120-03	BA# 184-2017	\$ 95,000.00

Budget Funding Year(s): 2025 Start Date: 10/31/14 End Date: 12/31/26
(must match resolution)

Funding Source: Tax Dollars: 100% County Contractor Federal I.D. No./
State Aid: Social Security No.:
\$ 95,000.00 Federal Aid: Vendor No.:
(must match resolution) Other: Encumbrance No.: