

The Legislature of Rockland County



MICHAEL M. GRANT
LEGISLATOR, DISTRICT 2
PLANNING AND PUBLIC WORKS, CHAIR

AGENDA PLANNING AND PUBLIC WORKS COMMITTEE WEDNESDAY, MAY 30, 2012 7:00 P.M.

- ROLL CALL
 - ADOPTION OF MINUTES OF 11/9/11 , 4/24/12 , 5/8/12.
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1. **REFERRAL NO. 2867** CONFIRMING APPOINTMENT TO THE ROCKLAND COUNTY SOLID WASTE MANAGEMENT AUTHORITY (**HONS. HARRIET D. CORNELL, ILAN S. SCHOENBERGER, LEGISLATURE**)
 2. **REFERRAL NO. 2825** SETTING A DATE FOR A PUBLIC HEARING WITH RESPECT TO UNITED STATES DEPARTMENT OF TRANSPORTATION FEDERAL TRANSIT ADMINISTRATION CALENDAR YEAR 2012 CAPITAL PROJECT GRANTS UNDER 5307 OF TITLE 49 OF THE UNITED STATES CODE [DEPARTMENT OF PUBLIC TRANSPORTATION] (**THOMAS VANDERBEEK, COMMISSIONER OF PUBLIC TRANSPORTATION**) DL# 2012-01826
 3. **REFERRAL NO. 9473** AMENDING THE 2012 BUDGET OF THE DEPARTMENT OF PUBLIC TRANSPORTATION BY APPROVING THE ACCEPTANCE OF ADDITIONAL MASS TRANSPORTATION OPERATING ASSISTANCE FUNDS IN THE AMOUNT OF \$203,500 FOR THE CALENDAR YEAR 2012(NO COUNTY TAX DOLLARS) [DEPARTMENT OF PUBLIC TRANSPORTATION] (\$203,500) (**THOMAS VANDERBEEK, COMMISSIONER OF PUBLIC TRANSPORTATION**) DL# 2012-01371
 4. **REFERRAL NO. 7300** BOND RESOLUTION OF THE COUNTY OF ROCKLAND, NEW YORK, ADOPTED 2012 AUTHORIZING FINANCING OF IMPROVEMENTS TO THE CORRECTION CENTER HYDRAULIC ELEVATORS, STATING THE CURRENT ESTIMATED MAXIMUM COST THEREOF IS \$400,000, APPROPRIATING \$400,000 FOR SUCH PURPOSE, AND AUTHORIZING THE ISSUANCE OF \$400,000 BONDS OF SAID COUNTY TO FINANCE SAID APPROPRIATION (**GERALD C. WALSH, COMMISSIONER OF DGS**) DL# 2012-01290

5. **REFERRAL NO. 6704** ACCEPTING A BID IN EXCESS OF \$100,000 FROM LORENCIN CONTRACTING CORPORATION IN THE AMOUNT OF \$256,800 UNDER RFB-RC-2012-01 FOR THE SUPPLY AND INSTALLATION OF SOUND ABSORPTION MATERIAL ON THE CONCRETE SAFETY WALLS FOR THE POLICE ACADEMY FIREARMS RANGE AND AUTHORIZING THE EXECUTION OF THE CONTRACT BY THE COUNTY EXECUTIVE AND APPROPRIATING SHERIFF'S DEPARTMENT FORFEITURE FUNDS TO FUND THE COST OF THE PROJECT [DEPARTMENT OF GENERAL SERVICES-FACILITIES MANAGEMENT] (\$256,800) **(GERRY WALSH, COMMISSIONER OF DGS-PURCHASING) DL# 2012-01650**

6. **REFERRAL NO. 6394/9472** AUTHORIZING THE ADVANCE OF GENERAL FUND MONIES IN THE AMOUNT OF \$30,000 FOR MONTEBELLO BRIDGE REHABILITATION CAPITAL PROJECT 3398 [DEPARTMENT OF FINANCE] (\$30,000) **(STEPHEN DEGROAT, ACTING COMMISSIONER OF FINANCE) DL# 2012-01565**

7. **REFERRAL NO. 6394/9472** APPROVING AGREEMENT IN EXCESS OF \$100,000 WITH TRANSYSTEMS CORPORATION FOR DESIGN AND CONSTRUCTION SUPPORT FOR RECONSTRUCTION OF THE MONTEBELLO ROAD BRIDGE OVER THE MAHWAH RIVER UNDER CAPITAL PROJECT NO. 3398 AND AUTHORIZING ITS EXECUTION BY THE COUNTY EXECUTIVE [DEPARTMENT OF HIGHWAYS] (\$275,554) **(CHARLES VEZZETTI, SUPERINTENDENT OF HIGHWAYS) DL# 2012-01157**

8. **REFERRAL NO. 5906** APPROVING AN AMENDMENT TO AND EXTENSION OF AGREEMENT WITH DVIRKA AND BARTILUCCI CONSULTING ENGINEERS IN THE ADDITIONAL AMOUNT OF \$90,000 FOR A TOTAL CONTRACT SUM NOT TO EXCEED \$534,000 FOR ENGINEERING SERVICES FOR DESIGN PHASE AND CONSTRUCTION PHASE FOR ROCKLAND COUNTY SEWER DISTRICT NO. 1 WASTEWATER TREATMENT PLANT MASONRY, ROOFING, STEEL DIGESTER COVER AND BUILDING REHABILITATION PROJECT EXTENDING THE TERM OF THE AGREEMENT THROUGH DECEMBER 31, 2013 AND AUTHORIZING ITS EXECUTION BY THE COUNTY EXECUTIVE [ROCKLAND COUNTY SEWER DISTRICT NO. 1] (\$534,000) **(DIANNE PHILIPPS, DIRECTOR SEWER DISTRICT NO. 1) 2012-01635**

"The Rockland County Legislature is committed to full compliance with the Americans with Disabilities Act. To that end, the Legislature is committed to creating an accessible environment for all. To request accommodations that you may require, please call Damaris Alvarez at 845-638-5248 (845-708-7899 for TTY/TDD). Please request these accommodations three (3) days in advance so that we can seek to meet your needs."

DRAFT

Introduced by:

Hon. Harriet D. Cornell, Sponsor
Hon. Ilan S. Schoenberger, Sponsor

Referral No.

RESOLUTION NO. OF 2012
CONFIRMING APPOINTMENT TO THE
ROCKLAND COUNTY SOLID WASTE MANAGEMENT AUTHORITY

WHEREAS, pursuant to Chapter 434 of the Laws of 1993, also known as Title 13-M of the Public Authorities Law of the State of New York, Rockland County was granted the power and authority to establish a Rockland County Solid Waste Management Authority; and

WHEREAS, Section 2053-c provides for the Rockland County Solid Waste Management Authority to consist of seventeen (17) members, to serve for a term of two (2) years; and

WHEREAS, eight (8) of the seventeen (17) members shall be members of the County Legislature; five (5) of the eight (8) members to be appointed by the Chair of the Legislature and three (3) of the eight (8) members to be appointed by the Minority Leader of the County Legislature, subject to, in each case, confirmation by a majority of the County Legislature; and

WHEREAS, pursuant to Resolution 11 of 2012, the Rockland County Legislature confirmed the legislative appointments to the Solid Waste Management Authority, reserving its confirmation of the two mayoral appointments until recommendations were received from the Rockland County Conference of Mayors; and

WHEREAS, the Rockland County Conference of Mayors, pursuant to its resolution dated March 6, 2012, the Legislature of Rockland County confirmed the appointment of Mayor Dennis Kay of the Village of Airmont and Mayor Lawrence Lynn of the Village of Grand View-On-Hudson to the Rockland County Solid Waste Management Authority; and

WHEREAS, subsequent to said appointment, Mayor Dennis Kay of the Village of Airmont died while in office; and

WHEREAS, at a Special Meeting of the Rockland County Conference of Mayors held on May 10, 2012, the Conference voted to recommend Mayor Jeffrey Oppenheim, Mayor of the Village of Montebello to serve the remaining term of said Mayor Dennis Kay; and

WHEREAS, the Village of Montebello has signed the Intermunicipal recyclables Managements agreement; and

WHEREAS, this appointment complies with the state statute that requires that the two mayors appointed shall be selected from different towns within Rockland county as defined in Public Authorities Law Title 13 – M Section 2053-c; and

WHEREAS, the _____ Committee has met, considered and by a _____ vote approved this resolution; now therefore be it

RESOLVED, that the Legislature of Rockland County hereby confirms the appointment of Mayor Jeffrey Oppenheim, M.D. of the Village of Montebello to the Rockland County Solid Waste Management Authority, to fill the unexpired term of Mayor Dennis Kay, which terms will expire on or about January 15, 2014.

LG3114
5/16/12; 5/21/12
RM/cs

LEGAL NOTICE
PUBLIC NOTICE

Notice is hereby given that a public hearing will be held by the Legislature of Rockland County at the Allison-Parris County Office Building, New City, New York on _____ at _____ p.m. of that day, for the purpose of considering projects for which financial assistance is being sought from the Federal Transit Administration (FTA), U.S. Department of Transportation, pursuant to the Intermodal Surface Transportation Efficiency Act of 1991 & the Safe, Accountable, Flexible, Efficient Transportation Equity Act: A Legacy for Users (SAFETEA-LU) of 2005, as amended

1. As set forth in the publication of the Federal Register, the New York State portion of the New York-Northeastern New Jersey Urbanized Area of the formula funds provided under Section 5307 of the Intermodal Surface Transportation Efficiency Act of 1991 & the Safe, Accountable, Flexible, Efficient Transportation Equity Act: A Legacy for Users (SAFETEA-LU) of 2005, as amended (hereinafter referred to as the "Act"), The County of Rockland is eligible for funding under Section 5307 of the Act. From Rockland County's 2011 eligible amount, plus an additional carry-over of funds from previous apportionments, **\$7,732,000** is the federal share of the capital projects totaling **\$9,665,000** that will be contained in the Program of Projects. The County of Rockland proposes to submit to the FTA a Program of Projects to be undertaken which is consistent with the above level of Section 5307 funding. Unless otherwise notified, this will serve as the final Program of Projects.

General Fund

Increase Approp. Acct.:

A-DOT-5630	E3111	Motor Fuel -External	125,000
	E5800	Transportation of Rockland	78,500

Increase Est. Revenue
Acct.:

A-DOT-5630	R1740	MTA Deficit Funding	203,500
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LG:lo
2012-01371
4/4/12
rev 5/14/12

BOND RESOLUTION NO. _____ OF 2012

BOND RESOLUTION OF THE COUNTY OF ROCKLAND, NEW YORK, ADOPTED _____, 2012, AUTHORIZING FINANCING OF IMPROVEMENTS TO THE CORRECTION CENTER HYDRAULIC ELEVATORS, STATING THE CURRENT ESTIMATED MAXIMUM COST THEREOF IS \$400,000, APPROPRIATING \$400,000 FOR SUCH PURPOSE, AND AUTHORIZING THE ISSUANCE OF \$400,000 BONDS OF SAID COUNTY TO FINANCE SAID APPROPRIATION.

THE LEGISLATURE OF THE COUNTY OF ROCKLAND, NEW YORK, HEREBY RESOLVES (by the favorable vote of not less than two-thirds of all the members of said Legislature) AS FOLLOWS:

Section 1. Based upon the review of this action by the County of Rockland (herein called the "County"), the Legislature of the County hereby determined that the object or purpose authorized pursuant to this resolution constitutes a Type II Action pursuant to the State Environmental Quality Review Act (Article 8 of the Environmental Conservation Law).

Section 2. The County is hereby authorized to finance Capital Project No. 1468, improvements to the Correction Center hydraulic elevators, including incidental expenses in connection therewith. The current estimated maximum cost thereof, including costs incidental thereto and the financing thereof, is \$400,000 and said amount is hereby appropriated therefor. The plan of financing includes the issuance of \$400,000 bonds of the County and any bond anticipation notes issued in anticipation of the sale of such bonds to finance said appropriation, and if not paid from other sources, the levy and collection of taxes on all the taxable real property in the County to pay the principal of said bonds and the interest thereon as the same shall become due and payable.

Section 3. Bonds of the County in the principal amount of \$400,000 are hereby authorized to be issued pursuant to the provisions of the Local Finance Law, constituting

Chapter 33-a of the Consolidated Laws of the State of New York (herein called the "Law") to finance said appropriation.

Section 4. The following additional matters are hereby determined and declared:

- a) The period of probable usefulness to the purpose for which said \$400,000 bonds are authorized to be issued, within the limitations of Section 11.00 a. 13 of the Law is ten (10) years; and
- b) The proposed maturity of the bonds authorized by this Resolution will exceed five (5) years.

Section 5. The proceeds of the bonds herein authorized and any bond anticipation notes issued in anticipation of said bonds may be applied to reimburse the County for expenditures made after the effective date of this resolution for the purpose for which said bonds are authorized. The foregoing statement of intent with respect to reimbursement is made in conformity with Treasury Regulation Section 1.150-2 of the United States Treasury Department.

Section 6. Each of the bonds authorized by this resolution, and any bond anticipation notes issued in anticipation of the sale of said bonds, shall contain the recital of validity as prescribed by Section 52.00 of the Law and said bonds, and any notes issued in anticipation of said bonds, shall be general obligations of the County, payable as to both principal and interest by general tax from all sources including all the taxable real property within the County without limitation as to rate or amount. The faith and credit of the County are hereby irrevocably pledged to the punctual payment of the principal of and interest on said bonds, and any notes issued in anticipation of the sale of said bonds, and provision shall be made annually in the budget of the County by appropriation for (a) the amortization and redemption of the bonds and any notes in

anticipation thereof to mature in such year and (b) the payment of interest to be due and payable in such year.

Section 7. Subject to the provisions of this resolution and of the Law and pursuant to the provisions of Section 21.00 thereof relative to the authorization of the issuance of bonds having substantially level or declining annual debt service, Section 30.00 thereof relative to the authorization of the issuance of bond anticipation notes or the renewals thereof, and Sections 50.00, 56.00 to 60.00 and 168.00 thereof, the powers and duties of the County Legislature relative to authorizing bond anticipation notes, or the renewals thereof, and relative to providing for substantially level or declining annual debt service, and prescribing the terms, form and contents, and as to the sale and issuance of the bonds herein authorized, and of any bond anticipation notes issued in anticipation of said bonds, and the renewals of said notes, as well as to executing agreements for credit enhancements, are hereby delegated to the Commissioner of Finance, the chief fiscal officer of the County.

Section 8. The validity of the bonds authorized by this resolution, and of any notes issued in anticipation of the sale of said bonds, may be contested only if:

- (a) such obligations are authorized for an object or purpose for which the County is not authorized to expend money, or
- (b) the provisions of law which should be complied with at the date of the publication of such resolution, or a summary thereof, are not substantially complied with, and an action, suit or proceeding contesting such validity is commenced within twenty days after the date of such publication, or
- (c) such obligations are authorized in violation of the provisions of the constitution.

Section 9. This bond resolution shall take effect in accordance with Section C2.02 of the Rockland County Charter, and the Clerk to the Legislature is hereby authorized and directed to publish the foregoing resolution, in summary, together with a Notice attached in substantially the form prescribed by Section 81.00 of the Law in the "ROCKLAND JOURNAL NEWS," published in West Nyack, New York and the "ROCKLAND COUNTY TIMES," published by Citizen Publishing Corp., Nanuet, New York, each of said newspapers having been designated the official newspapers of said County for such publication, and such other newspapers designated by the Clerk to the Legislature, each of said newspapers having a general circulation in the County for such publication.

* * * * *

The adoption of the following resolution was seconded by Legislator _____
and duly put to a vote on roll call, which resulted as follows:

AYES:

NOES:

ABSENT:

The resolution was declared and adopted.

* * * * *

CERTIFICATE

I, LAURENCE O. TOOLE, Clerk to the Legislature of the County of Rockland, State of New York, HEREBY CERTIFY that the Resolution No. _____ - 2012 contained in the foregoing annexed extract from the minutes of a meeting of the Legislature of said County of Rockland duly called and held on _____, 2012, has been compared by me with the original minutes as officially recorded in my office in the Minute Book of said Legislature and is a true, complete and correct copy thereof and of the whole of said original Resolution, which was duly adopted by the County of Rockland on _____, 2012, and approved by the County Executive on _____, 2012.

IN WITNESS WHEREOF, I have unto set my hand and affixed the corporate seal
of said County of Rockland this ____ day of
_____, 2012.

(SEAL)

Laurence O. Toole
Clerk to the Legislature

LEGAL NOTICE

The bond resolution, a summary of which is published herewith, has been adopted on _____, 2012, and the validity of the obligations authorized by such resolution may be hereafter contested only if such obligations were authorized for an object or purpose for which the County of Rockland, New York, is not authorized to expend money, or if the provisions of law which should have been complied with as of the date of publication of this notice were not substantially complied with, and an action, suit or proceeding contesting such validity is commenced within twenty days after the date of publication of this notice, or such obligations were authorized in violation of the provisions of the Constitution.

A complete copy of the resolution summarized herewith is available for public inspection during regular business hours at the Office of the Clerk of the Legislature for a period of twenty days from the date of publication of this Notice.

Dated: New City, New York,

_____, 2012.

Clerk of the Legislature

BOND RESOLUTION NO. _____ OF 2012

BOND RESOLUTION OF THE COUNTY OF ROCKLAND, NEW YORK, ADOPTED _____, 2012, AUTHORIZING FINANCING OF IMPROVEMENTS TO THE CORRECTION CENTER HYDRAULIC ELEVATORS, STATING THE CURRENT ESTIMATED MAXIMUM COST THEREOF IS \$400,000, APPROPRIATING \$400,000 FOR SUCH PURPOSE, AND AUTHORIZING THE ISSUANCE OF \$400,000 BONDS OF SAID COUNTY TO FINANCE SAID APPROPRIATION.

Specific object or purpose:	Correction Center hydraulic elevator improvements
Period of probable usefulness:	10 years
Amount of additional bonds:	\$400,000

Introduced by:

Referral No.

PREPARED

RESOLUTION NO. OF 2012
ACCEPTING A BID IN EXCESS OF \$100,000 FROM LORENCIN
CONTRACTING CORPORATION IN THE AMOUNT OF \$256,800 UNDER
RFB-RC-2012-01 FOR THE SUPPLY AND INSTALLATION OF
SOUND ABSORPTION MATERIAL ON THE CONCRETE SAFETY WALLS
FOR THE POLICE ACADEMY FIREARMS RANGE AND AUTHORIZING THE
EXECUTION OF THE CONTRACT BY THE COUNTY EXECUTIVE AND
APPROPRIATING SHERIFF'S DEPARTMENT FORFEITURE FUNDS TO
FUND THE COST OF THE PROJECT
[DEPARTMENT OF GENERAL SERVICES – FACILITIES MANAGEMENT]
(\$256,800)

WHEREAS, The Director of Facilities Management solicited bids for the supply and installation of sound absorption material on the concrete safety walls for the Police Academy Firearms Range; and

WHEREAS, Two (2) bids were received and evaluated by the Capital Projects staff; and

WHEREAS, Lorencin Contracting Corporation, 17 Schreiver Lane, New City, New York 10956, who submitted the lowest bid in the amount of \$256,800, was determined to be the lowest responsible bidder that met all the requirements of RFB-RC-2012-01; and

WHEREAS, Forfeiture funds in balance sheet account A-8885 (Designated for Sheriff - Federal Proceeds) in the amount of \$256,800 now needs to be appropriated to Dept. (Sheriff-Communication Division); and

WHEREAS, There is no expiration date required for use of these funds; and

WHEREAS, The adoption of this resolution does not involve the expenditure of any County funds since sufficient funds to cover \$256,800 appropriation exists within said balance sheet account; and

WHEREAS, Sufficient funding for these purchases is provided for in the Sheriff's Department Forfeiture Funds balance sheet account # A-8885; and

WHEREAS, The Director of Facilities Management recommends that the County Executive and the Legislature of Rockland County accept the bid from Lorencin Contracting Corporation, 17 Schreiver Lane, New City, New York 10956 for the supply

Referral No.

and installation of sound absorption material on the concrete safety walls for the Police Academy Firearms Range in the amount not to exceed \$256,800; and

WHEREAS, Local Law No. 18 of 1996 provides for the Legislature to approve "execution of all contracts in excess of \$100,000 entered into by the County;" and

WHEREAS, The _____ of the Legislature have met, considered and _____ approved this resolution; now therefore be it

RESOLVED, That the Legislature of Rockland County hereby accepts the bid in excess of \$100,000 from Lorencin Contracting Corporation, 17 Schreiver Lane, New City, New York 10956 for the supply and installation of sound absorption material on the concrete safety walls for the Police Academy Firearms Range in an amount not to exceed \$256,800 and authorizes the execution of a contract by the County Executive, subject to the approval of the County Attorney; and be it further

RESOLVED, That sufficient funding for these purchases is provided for in the Sheriff's Department Forfeiture Funds balance sheet account # A-8885; and be it further

GENERAL FUND 2012

Increase Approp. Acct. (Credit):

A-SHF-3120-E4500 Forfeiture Funds - Services 256,800

Increase Approp. Fund Bal. (Debit):

A-UNC-9990-R5990 (Designated for Law Enforcement - Federal Proceeds) 256,800

TS: lo
2012-01650
5/14/12

SECRET

WHEREAS, Any advance of general fund monies by the Commissioner of Finance shall be made with the understanding that such advance shall be reimbursed with interest in the future when the bond financing is undertaken by the County or at such time that Federal reimbursement is received; and

WHEREAS, The Legislature is authorized to approve the advance of such general fund monies for this capital project in accordance with Local Finance Law §165.10; and

WHEREAS, The Committees of the Legislature have met, considered and approved this resolution; now therefore be it

RESOLVED, That the Legislature of Rockland County hereby approves the advance of general fund monies in the amount of \$30,000 for Capital Project No. 3398 by the Commissioner of Finance to continue this capital project without delay, and that such advance shall be reimbursed with interest when bond financing is undertaken by the County or at such time Federal reimbursement is received.

DB:mf
2012-01565
4-23-12

Introduced by

Referral No.

DRAFT

**RESOLUTION NO. OF 2012
APPROVING AGREEMENT IN EXCESS OF \$100,000
WITH TRANSYSTEMS CORPORATION
FOR DESIGN AND CONSTRUCTION SUPPORT FOR
RECONSTRUCTION OF THE MONTEBELLO ROAD
BRIDGE OVER THE MAHWAH RIVER
UNDER CAPITAL PROJECT NO. 3398
AND AUTHORIZING ITS EXECUTION BY THE
COUNTY EXECUTIVE
[DEPARTMENT OF HIGHWAYS]
(\$275,554)**

WHEREAS, The Superintendent of Highways requests that the County enter into an agreement with Transystems Corporation, for design and construction support for reconstruction of the Montebello Road bridge over the Mahwah River, under Capital Project No. 3398 in an amount not to exceed \$275,554; and

WHEREAS, Transystems was interviewed along with four other firms from the County's Engineering Services Qualified Suppliers List to provide engineering design and construction support services for the reconstruction of the Montebello Road Bridge. Transystems was selected based upon its qualifications and proposed fee; and

WHEREAS, Transystem's services will include engineering condition evaluation of the site and existing bridge design alternatives analysis and reconstruction recommendation; preparation of contract bid documents; and preparation of the load rating and as-built documentation for the reconstructed structure; and

WHEREAS, The Montebello Road bridge had been subject to significant deterioration in recent years and was seriously damaged by Hurricane Irene in August 2011; and

WHEREAS, The project is one hundred percent county funded; and

WHEREAS, Local Law No. 18 of 1996 provides for the Legislature to approve "execution of all contracts in excess of \$100,000 entered into by the County," and

WHEREAS, Sufficient funding for this agreement exists within Capital Project No. 3398 in the 2012 Budget of the Department of Highways; and

WHEREAS, The
Legislature have met, considered and
now, therefore be it

Committees of the
approved this resolution;

RESOLVED, That the Legislature of Rockland County hereby approves the agreement in excess of \$100,000, between the County of Rockland and Transystems Corporation, for design and construction support for reconstruction of the Montebello Road bridge over the Mahwah River, 45 Eisenhower Drive, Suite 250, Paramus, New Jersey 07652, under Capital Project No. 3398 in an amount not to exceed \$275,554.00 and authorizes its execution by the County Executive, subject to the approval of the County Attorney; and be it further

RESOLVED, That sufficient funding for this agreement exists within Capital Project No. 3398 in the 2012 Budget of the Department of Highways.

DB:lo
2012-01157
3/22/12

Introduced by

Referral No.

DRAFT

RESOLUTION NO. OF 2012
APPROVING AN AMENDMENT TO AND EXTENSION OF AGREEMENT
WITH DVIRKA AND BARTILUCCI CONSULTING ENGINEERS
IN THE ADDITIONAL AMOUNT OF \$90,000 FOR A TOTAL
CONTRACT SUM NOT TO EXCEED \$534,000
FOR ENGINEERING SERVICES
FOR DESIGN PHASE AND CONSTRUCTION PHASE
FOR ROCKLAND COUNTY SEWER DISTRICT NO. 1
WASTEWATER TREATMENT PLANT MASONRY, ROOFING, STEEL DIGESTER
COVER AND BUILDING REHABILITATION PROJECT,
EXTENDING THE TERM OF THE AGREEMENT
THROUGH DECEMBER 31, 2013 AND AUTHORIZING
ITS EXECUTION BY THE COUNTY EXECUTIVE
[ROCKLAND COUNTY SEWER DISTRICT NO. 1]
(\$534,000)

WHEREAS, On November 16, 2005 the County, on behalf of the Rockland County Sewer District No. 1 (the "Sewer District"), entered into an agreement with Dvirka and Bartilucci Consulting Engineers ("Dvirka and Bartilucci"), 330 Crossways Drive, Woodbury, New York 11797, for the evaluation, recommendation and design of the improvements to the Wastewater Treatment Plant dewatering, digester and maintenance shop buildings in Orangeburg, for a period of nine months from the date of the agreement, for a total contract sum not to exceed \$97,500; and

WHEREAS, On December 8, 2006, the agreement was amended by extending the term of the agreement to March 31, 2007 and again on July 12, 2007 further extending the term of the agreement to March 31, 2008; and

WHEREAS, On July 9, 2008, the agreement was amended to include design of the repair for the failed primary digester cover and further extending the term of the agreement to March 31, 2009, and increasing the agreement in the amount of \$23,000 for a total contract amount not to exceed \$120,500; and

WHEREAS, On March 12, 2009, the agreement was amended to include design services for the replacement of the floating cover on the secondary digester in Orangeburg in the additional amount of \$60,000 for total contract sum not to exceed \$180,500, and further extending the term of the agreement to December 31, 2009; and

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WHEREAS, On January 14, 2011, the agreement was amended in the additional amount of \$263,500, for a total contract amount not to exceed \$444,000, further extending the agreement to September 30, 2011; and

WHEREAS, On November 10, 2012, the agreement was further amended and extended to June 1, 2012; and

WHEREAS, Spectraserve, Inc. was awarded the contract that included the repair of the primary digester cover and replacement of the secondary digester cover under CIP2007-02; and

WHEREAS, When the installation of the secondary digester cover was almost completed, the cover failed, was removed and needs to be replaced; and

WHEREAS, Since Dvirka and Bartilucci prepared the bid documents for the original contract, it would be most cost effective for them to continue providing engineering services for this project; and

WHEREAS, These design services will include the remaining demolition of the failed secondary digester cover, design drawings and specification for a replacement cover, assist in the bidding process, engineering services during construction and construction observation services; and

WHEREAS, On March 15, 2012, Dvirka and Bartilucci submitted a proposal for professional engineering services to provide design and engineering services during construction for the digester cover replacement and rehabilitation in the amount of \$90,000 for a total agreement amount not to exceed \$534,000; and

WHEREAS, The term of the agreement will be further extended through December 31, 2013; and

WHEREAS, By Resolution No. 18 of 2012, the Board of Sewer Commissioners approved an amendment of and extension to the agreement with Dvirka and Bartilucci Consulting Engineering Services for engineering services during the design phase and construction phase and periodic observation for, Rockland County Sewer District No. 1 Wastewater Treatment Plant Masonry, Roofing, Steel Digester Cover and Building Rehabilitation Project, in the additional amount of \$90,000, for a total contract sum not to exceed \$534,000, and extending the term of the agreement through December 31, 2013; and

WHEREAS, Local Law No. 18 of 1996 provides for the Legislature to approve "execution of all contracts in excess of \$100,000 entered into by the County;" and

WHEREAS, Sufficient funding for this agreement exists in the 2012 Capital Budget of of the Rockland County Sewer District No. 1 Account No. 6240; and

WHEREAS, The Committees of the Legislature have met, considered and approved this resolution; now, therefore be it

DRAFT

RESOLVED, That the Legislature of Rockland County approves an amendment to the agreement with Dvirka and Bartilucci Consulting Engineers, 330 Crossways Drive, Woodbury, New York 11797, for engineering services during the design phase and construction phase and periodic observation of construction for, Rockland County Sewer District No. 1 Wastewater Treatment Plant Masonry, Roofing, Steel Digester Cover and Building Rehabilitation Project, in the additional amount of \$90,000, for a total contract sum not to exceed \$534,000, and extending the term of the agreement through December 31, 2013, and authorizes its execution by the County Executive, subject to the approval of the County Attorney; and be it further

RESOLVED, That sufficient funding exists for this agreement in 2012 Capital Budget of the Rockland County Sewer District No. 1 Account No. 6240.

VWJ:mf
2012-01635
4-30-12
rev. 5-21-12