

The Legislature of Rockland County



ILAN S SCHOENBERGER
Legislator – District 4

Chair, Planning & Public Works Committee
Budget & Finance Committee

AGENDA
PLANNING & PUBLIC WORKS COMMITTEE
TUESDAY, DECEMBER 13, 2016
7:00 PM

ROLL CALL
ADOPTION OF MINUTES: 11/29/16

1) REFERRAL #5906 APPROVING AMENDMENT TO CONTRACT IN EXCESS OF \$100,000 WITH EMA, INC. IN THE ADDITIONAL AMOUNT OF \$103,100 FOR A TOTAL CONTRACT SUM NOT TO EXCEED \$769,786 AND EXTENDING THE TERMS OF THE CONTRACT FROM DECEMBER 31, 2016 TO MARCH 31, 2018 FOR ENGINEERING SERVICES FOR PLANT PROCESS CONTROL SYSTEM UPGRADE PROJECT AT THE WASTEWATER TREATMENT PLANT IN ORANGETOWN, NEW YORK AND AUTHORIZING ITS EXECUTION BY THE COUNTY EXECUTIVE [ROCKLAND COUNTY SEWER DISTRICT NO. 1] (\$769,786)
(DIANNE T. PHILIPPS, P.E., EXECUTIVE DIRECTOR, SEWER DISTRICT)
DL#: 2016-03802

TRANSFERRED TO B&F 12/13/16

2) REFERRAL #5906 APPROVING A CONTRACT IN EXCESS OF \$100,000 WITH VEOLIA WATER NORTH AMERICA – NORTHEAST LLC FOR THE AMENDED AND RESTATED SERVICE AGREEMENT FOR THE OPERATION AND MAINTENANCE OF THE ADVANCED WASTEWATER TREATMENT PLANT IN AN AMOUNT NOT TO EXCEED \$11,039,607 [NCTD] FOR THE PERIOD FROM JANUARY 1, 2016 THROUGH DECEMBER 31, 2025 AND AUTHORIZING ITS EXECUTION BY THE COUNTY EXECUTIVE [ROCKLAND COUNTY SEWER DISTRICT NO. 1] (\$11,039,607)
(DIANNE T. PHILIPPS, P.E., EXECUTIVE DIRECTOR, SEWER DISTRICT)
DL#: 2016-03838

TRANSFERRED TO B&F 12/13/16

3) REFERRAL # 2867

APPROVING THE ACCEPTANCE OF A DONATION OF REAL PROPERTY LOCATED ON TWEED BOULEVARD IN THE TOWN OF ORANGETOWN FROM PETER A. GLICKLICH AND AUTHORIZING THE COUNTY EXECUTIVE TO EXECUTE ANY DOCUMENTS TO EFFECTUATE THE ACCEPTANCE OF SUCH CONVEYANCE [DEPARTMENT OF ENVIRONMENTAL RESOURCES]
(R. ALLAN BEERS, COORDINATOR, ENVIRONMENTAL RESOURCES)
DL#: 2016-03913

*SUBJECT TO APPROVAL OF ENVIRONMENTAL COMMITTEE 12/13/16
TRANSFERRED TO B&F 12/13/16*

4) REFERRAL #9511

DISCUSSION ITEM REGARDING EXECUTIVE ORDER NO. 16-02 GUIDELINES FOR USE OF COUNTY TECHNOLOGY RESOURCES
(HON. ALDEN WOLFE, LEGISLATURE)

TRANSFERRED TO B&F 12/13/16

WHEREAS, On October 9, 2007, the agreement with EMA, Inc. was amended and the contract increased by an additional amount of \$196,467, for a total contract sum not to exceed \$458,871, for additional design and construction administration services, and extending the term of the agreement through December 31, 2008; and

WHEREAS, By Resolution No. 589 of 2008, the Legislature of Rockland County approved an amendment to the agreement with EMA, Inc., 900 Northbrook Drive, Suite 110, Trevose, Pennsylvania, in the additional amount of \$36,141 for a total contract sum not to exceed \$495,012 for additional design and construction administration services to include a security system and review communication alternatives, and extending the term of the agreement through August 1, 2009; and

WHEREAS, On February 10, 2010, the agreement with EMA, Inc. was amended and the contract increased by an additional amount of \$36,141, for a total contract sum not to exceed \$495,012, for additional design and construction administration services, and extending the term of the agreement through August 1, 2009; and

WHEREAS, By Resolution No. 263 of 2010, the Legislature of Rockland County approved an amendment to the agreement with EMA, Inc., 900 Northbrook Drive, Suite 110, Trevose, Pennsylvania, in the additional amount of \$171,674 for a total contract sum not to exceed \$666,686 for additional design and construction administration services to include a security system and review communication alternatives, and extending the term of the agreement through January 31, 2012; and

WHEREAS, On April 30, 2015, the agreement with EMA, Inc. was amended for an extension of terms through December 31, 2016; and

WHEREAS, The Executive Director of the Rockland County Sewer District No. 1 is requesting an amendment to the agreement with EMA, Inc. for additional final design, construction management, interface coordination efforts and support services for the wastewater treatment plant telemetry and security system in Orangeburg, increasing the contract in the amount of \$103,100 for a total contract sum not to exceed \$769,786, and extending the term of the agreement through March 31, 2018; and

WHEREAS, EMA, Inc. has submitted a proposal on September 15, 2016 in the amount of \$103,100 for the additional engineering services related to the plant process control system for a total contract amount not to exceed \$769,786; and

WHEREAS, The District staff has reviewed the cost proposals for the additional engineering services and has found them to be acceptable; and

WHEREAS, The Executive Director and the Board of Sewer Commissioner's recommends the Legislature of Rockland County approve an amendment to the contract with EMA, Inc., 900 Northbrook Drive, Suite 110, Trevose, Pennsylvania, in an additional amount of \$103,100 for engineering services for Plant Process Control System Upgrade Project at the

Wastewater Treatment Plant in Orangeburg, New York for a total contract not to exceed \$769,786; 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 the amendment to this agreement is available in the 2016 Capital Budget, Capital Project No. 6210; 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 an amendment to the contract with EMA, Inc., 900 Northbrook Drive, Suite 110, Trevose, Pennsylvania, in an additional amount of \$103,100 for engineering services for Plant Process Control System Upgrade Project at the Wastewater Treatment Plant in Orangeburg, New York for a total contract not to exceed \$769,786; 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 the amendment to this agreement is available in the 2016 Capital Budget, Capital Project No. 6210.

DB/bb
2016-03802
11/9/16

DRAFT

Introduced by:

Referral No. **5906**

**RESOLUTION NO. OF 2016
APPROVING A CONTRACT IN EXCESS OF \$100,000
WITH VEOLIA WATER NORTH AMERICA – NORTHEAST LLC
FOR THE AMENDED AND RESTATED SERVICE AGREEMENT FOR THE
OPERATION AND MAINTENANCE OF THE
ADVANCED WASTEWATER TREATMENT PLANT
IN AN AMOUNT NOT TO EXCEED \$11,039,607 [NCTD]
FOR THE PERIOD FROM JANUARY 1, 2016 THROUGH
DECEMBER 31, 2025 AND AUTHORIZES ITS EXECUTION
BY THE COUNTY EXECUTIVE
[ROCKLAND COUNTY SEWER DISTRICT NO. 1]
(\$11,039,607)**

WHEREAS, The Rockland County Sewer District No. 1 (the "District"), is a County improvement district, duly organized and existing under Article 5-A of the County Law of the State of New York; and

WHEREAS, The Advanced Wastewater Treatment Plant ("AWTP") in Western Ramapo was built under special legislation from New York State so it could be constructed and operated under a design build operate formula; and

WHEREAS, By Resolution No. 138 of 2006, the Legislature of Rockland County approved execution of the Service Agreement for the design, construction and operation of the Rockland County Advanced Wastewater Treatment Plant between the County of Rockland (the "County"), the District, and Veolia Water, N.A. - Northeast, LLC ("VWNA"); and

WHEREAS, The Service Agreement for the design, construction and operation of the Rockland County Advanced Wastewater Treatment Plant was executed on May 6, 2006; and

WHEREAS, By Resolution No. 332 of 2016, the Legislature of Rockland County approved a Term Sheet setting forth key provisions to be carried forward and contained in formal settlement documents resolving pending Litigation concerning design and construction of the Western Ramapo Advanced Wastewater Treatment Plant, including the Service Agreement with VWNA upon terms substantially similar to those now presented for approval to the Legislature of Rockland County; and

WHEREAS, The original Service Agreement included options to renew the operation and maintenance agreement for three (3) additional five (5) year terms or one additional ten (10) year term; and

WHEREAS, The Service Agreement was amended in 2015 for a temporary extension for the operation and maintenance of the AWTP extending the Service Agreement to August 31, 2016 and then in 2016 to extend the Service Agreement to February 28, 2017; and

WHEREAS, The Rockland County Sewer District No. 1 is desirous of entering into an agreement with VWNA for an amended and restated ten (10) year Service Agreement in accordance with the parties' Settlement Agreement upon terms previously approved by the Legislature; and

WHEREAS, The Board of Sewer Commissioners and the Rockland County Legislature have approved an extension of the original operation and maintenance term, the Term Sheet outlining the terms of a new ten (10) year Service Agreement, and the Settlement Agreement resolving claims regarding the design and construction of the AWTP; and

WHEREAS, The details of the contract are described in the Service Agreement; and

WHEREAS, By Resolution No. 54 of 2016, the Board of Commissioners of the Rockland County Sewer District No. 1 approved the contract with VWNA for the amended and restated ten (10) year Service Agreement for the Operation and Maintenance of the advanced wastewater treatment plant in Hillburn, New York, subject to the approval of the Legislature of Rockland County; and

WHEREAS, The Executive Director of the Sewer District recommends to the County Executive and the Rockland County Legislature that they approve the Amended and Restated Service Agreement with Veolia Water North America – Northeast, LLC for a period of ten (10) years from January 1, 2016 through December 31, 2025 in an amount not to exceed \$11,039,607 plus CPI and PPI and subject to flow categories; and

WHEREAS, Sufficient funding for this agreement is available in the 2016 Budget of the Rockland County Sewer District No. 1, and is contingent upon budget appropriations in fiscal years 2017 through 2025; and

WHEREAS, The adoption of this resolution does not require the expenditure of any County funds; 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 Amended and Restated Service Agreement with Veolia Water North America – Northeast, LLC for a period of ten (10) years from January 1, 2016 through December 31, 2025 in an amount not to exceed \$11,039,607 plus CPI and PPI and subject to flow categories, and authorizes its execution by the County Executive, subject to the review of the County Attorney; and be it further

RESOLVED, That Sufficient funding for this agreement is available in the 2016 Budget of the Rockland County Sewer District No. 1, and is contingent upon budget appropriations in fiscal years 2017 through 2025.

DB:dc
2016-03838
11-28-16

RESOLVED, That the title to said real property that is conveyed to the County shall be good and marketable title and be acceptable to the County Attorney; and be it further

RESOLVED, That the Coordinator of Environmental Resources is authorized to record said deed with the metes and bounds description and the size of the parcel when all legal requirements have been satisfied.

TS:dc
2016-03913
11-25-16

Request for Discussion Item - Regarding EXECUTIVE ORDER NO.
16-02 Guidelines for Use of County Technology Resources **9511**

Toole, Laurence

Wed 11/23/2016 1:45 PM

To: Alvarez, Damaris <AlvarezD@co.rockland.ny.us>;

Cc: Yeger, Elana <YegerE@co.rockland.ny.us>; Sabrina Greco <GrecoS@co.rockland.ny.us>; esquireAW@aol.com <esquireaw@aol.com>; Widmer, Mary <WidmerM@co.rockland.ny.us>; Jacqueline Sanders <SandersJ@co.rockland.ny.us>; Friedman, Daniel <FriedmDa@co.rockland.ny.us>; Schoenberger, Ilan <Schoenbl@co.rockland.ny.us>; Doliner, Nicole <DolinerN@co.rockland.ny.us>; Grant, Michael <GrantM@co.rockland.ny.us>; Jay Hood <jhood96@aol.com>;

1 attachments (4 MB)

EXEC ORDER 2016-02.pdf;

Damaris -

Please place a Discussion Item on our committee calendar addressing the above topic. Please find specifics below and attached that outline the scope of the issue.

Please proceed to coordinate the review of this Discussion Item and request that staff invite officials and others deemed appropriate (see below) as determined by the sponsor Chairman Alden Wolfe and Legislator Ilan Schoenberger, Chair, Planning & Public Works committee. Please note list of Officials to be invited below from Offices of District Attorney, MIS and County Executive.

Please prepare and direct this matter to the Tuesday, December 13, 2016 agenda of the Planning & Public Works committee and list Chairman Alden Wolfe as the sponsor.

Thank you.

Larry

From: Wolfe, Alden

Sent: Tuesday, November 22, 2016 4:04 PM

To: Toole, Laurence <TooleL@co.rockland.ny.us>; Widmer, Mary <WidmerM@co.rockland.ny.us>

Cc: Yeger, Elana <YegerE@co.rockland.ny.us>; Sabrina Greco <GrecoS@co.rockland.ny.us>

Subject: REFERRAL FOR DISCUSSION AT COMMITTEE MEETING OF 12-13-16 REGARDING EXECUTIVE ORDER NO. 16-02

Larry & Mary,