

11975

TO: Board of Acquisition and Contract

FROM: John J. Hsu, P.E.
Acting Commissioner, Public Works

DATE: June 1, 2010

SUBJECT: Change Order No. 2
Contract No. **02-545-Rev.**
Bulkhead Replacement and Shoreline Stabilization
Croton Point Park
Croton-on-Hudson, New York

Contractor: Arben Group LLC
Amount of Change Order No. 2: \$15,000.00

On September 4, 2008, your Honorable Board awarded Contract No. 02-545-Rev., Bulkhead Replacement and Shoreline Stabilization, Croton Point Park, Croton-on-Hudson, New York to Arben Group LLC, 175 Marble Avenue, Pleasantville, New York 10570 in the amount of \$5,723,223.00.

On October 8, 2009, your Honorable Board approved Change Order No. 1 in the amount of \$299,500.00 to provide for additional rehabilitation of the embankment area of the shoreline at Enoch's Neck due to significant erosion.

This Change Order No. 2 will provide for repairs required to correct the extensive soil erosion caused by the winter storms that washed away a significant amount of soil and created low points in the grading along the bulkhead. This work will require placement of approximately 150 yards of topsoil, soil aeration and hydro seeding of the damaged area.

This was an unforeseen condition that could not be ascertained prior to start of work.

The objective of this Change Order is to preserve the shoreline and archaeological shell middens.

This Change Order is in the public's best interest because it will promote the health and safety of the general public and County employees by restoring the embankment area of the shoreline while maintaining environmental features such as erosion control, providing for a safe parkland, thus addressing the County Executive's priority areas of Safety and Security (SS) and Health and the Environment (HE).

This Change Order will provide an environmental benefit by restoring the original features of the park and protecting the shoreline from further erosion.

If this Change Order is not approved, the shoreline will continue to erode and endanger the archaeological shell middens. This will delay the overall completion of this important County project.

The department will utilize Primavera Software Management tools to track scheduling and accomplishments by the contractor and perform on-site inspections to ensure the successful completion of this project.

Change Order No. 2
Contract No. **02-545-Rev.**
Bulkhead Replacement and Shoreline Stabilization
Croton Point Park, Croton-on-Hudson, New York
Page 2

This additional work is incidental to the original work and does not materially alter the main purpose of the contract as to constitute a new undertaking. The work is of the same nature as the initial work, is to be performed in the same general vicinity, is necessary to efficiently complete the project and was unanticipated until work under the contract began. The term of the contract is September 11, 2008 to March 4, 2011.

It is requested that your Honorable Board take action on the following:

Approval of Change Order No. 2

Total Amount of Change Order No. 2.....\$15,000.00

This Change Order has been reviewed by the Law Department and a proposed form of Resolution is attached hereto for your approval.

Approval is recommended.

APPROVED BOARD OF ACQUISITION & CONTRACT - 6-17-2010 - JOMAR VIEIRA, SECRETARY

RESOLUTION

RE: CONTRACT NO. 02-545-Rev.
CONTRACT AMOUNT: \$5,723,223.00
CHANGE ORDER NO. 1: \$ 299,500.00
CHANGE ORDER NO. 2: \$ 15,000.00
NET INCREASE: \$ 314,500.00
REVISED CONTRACT AMOUNT: \$6,037,723.00

CHANGE ORDER NO. 2

Upon communication from the Acting Commissioner of Public Works,

WHEREAS, John J. Hsu, P.E., Acting Commissioner, Public Works, requests approval of Change Order No. 2 on Contract No. 02-545-Rev., between the County of Westchester and Arben Group LLC, 175 Marble Avenue, Pleasantville, New York 10570 for Bulkhead Replacement and Shoreline Stabilization, Croton Point Park, Croton-on-Hudson, New York; and

WHEREAS, it is requested that Contract No. 02-545-Rev. be amended to provide for placement of approximately 150 yards of topsoil, soil aeration and hydro seeding of the damaged area due to extensive soil erosion caused by the winter storms; and

WHEREAS, this matter has been discussed by the Board; now, therefore, be it

RESOLVED, that said Change Order No. 2 on Contract No. 02-545-Rev. be and the same is hereby approved in the amount of \$15,000.00; and be it further

RESOLVED, that all other terms and conditions of Contract No. 02-545-Rev. 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.

Total Amount of Change Order No. 2 \$15,000.00

Account to be Charged/Credited	Fund	Dept.	Major Program, Program & Phase Or Unit	Object/ Sub Object	Trust Account	Dollars
	372	42	RCP0900C	6210-99		\$15,000.00

Budget Funding Year(s) 2010 **Start Date:** September 11, 2008 **End Date:** March 4, 2011
(must match resolution)

Funding Source: **Tax Dollars** 100% County
State Aid _____
\$15,000.00 **Federal Aid** _____
(must match resolution) **Other** _____

Contractor Federal I.D. No./
Social Security No.: 01-0722131
Vendor No.: _____
Encumbrance No.: _____