

24997

TO: Board of Acquisition and Contract

FROM: Jay T. Pisco, P.E.
Commissioner of Public Works and Transportation

DATE: February 17, 2012

SUBJECT: Change Order No. 1
Contract No. **09-516**
Water System Distribution Improvements
Water District No. 3
Mount Pleasant, New York
Contractor: Arben Group LLC
Amount of Change Order No. 1: \$300,000.00

On July 15, 2010, your Honorable Board awarded Contract No. 09-516 for Water System Distribution Improvements, Water District No. 3, Mount Pleasant, New York to Arben Group LLC, 175 Marble Avenue, Pleasantville, New York 10570 in the amount of \$3,744,000.00.

After award of this contract, there were several instances where field conditions existed and regulatory changes occurred that could not have been determined at the time of design. These conditions require additional work to complete the specified project.

During the construction phase, several unidentified underground utilities were discovered which require additional relocation. Con Edison regulation changes regarding proximity to their transmission tower require the pump station generator to be repositioned, and new requirements regarding working underneath high-voltage overhead lines necessitate a specific excavation methodology for the new water line, which was not previously anticipated. Additionally, the New York City Department of Environmental Protection (NYCDEP) requires a change to the flow meter due to recently discovered deficiencies in their standard equipment.

The objective of this Change Order is to make field and regulatory changes to complete the replacement of the existing pump station which has reached the end of its useful life.

This Change Order is in the public's best interest because it will promote the health and safety of the general public by providing a new pump station that meets current State and Health Department codes and standards, thus addressing the County Executive's priority area: Health and the Environment (HE). There are no energy or environmental components associated with this Change Order.

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

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 August 5, 2010 to August 4, 2012. An extension is requested to June 30, 2013.

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

Approval of Change Order No. 1

Total Amount of Change Order No. 1.....\$300,000.00

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.

JA/

APPROVED BOARD OF ACQUISITION & CONTRACT - 03/22/2012 - JOMAR VERA, SECRETARY

RESOLUTION

RE: CONTRACT NO. 09-516
CONTRACT AMOUNT: \$3,744,000.00
CHANGE ORDER NO. 1: \$ 300,000.00
NET INCREASE: \$ 300,000.00
REVISED CONTRACT AMOUNT: \$4,044,000.00

CHANGE ORDER NO. 1

Upon communication from the Commissioner of Public Works and Transportation,

WHEREAS, Jay T. Pisco, P.E., Commissioner of Public Works and Transportation, requests approval of Change Order No. 1 on Contract No. 09-516, between the County of Westchester and Arben Group LLC, 175 Marble Avenue, Pleasantville, New York 10570 for Water System Distribution Improvements, Water District No. 3, Mount Pleasant, New York; and

WHEREAS, it is requested that Contract No. 09-516 be amended to make field and regulatory changes to complete the replacement of the existing pump station which has reached the end of its useful life; and

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

RESOLVED, that said Change Order No. 1 on Contract No. 09-516 be and the same is hereby approved in the amount of \$300,000.00; and be it further

RESOLVED, that the completion date of this contract is hereby extended to June 30, 2013; and be it further

RESOLVED, that all other terms and conditions of Contract No. 09-516 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. 1 \$300,000.00

Account to be Charged/Credited	Fund	Dept.	Major Program, Program & Phase Or Unit	Object/ Sub Object	Trust Account	Dollars
	324	60	WD30203C	6210-99		\$300,000.00

Budget Funding Year(s) 2012 **Start Date:** August 5, 2010 **End Date:** June 30, 2013
(must match resolution)

Funding Source: <u>\$300,000.00</u> <small>(must match resolution)</small>	Tax Dollars <u>100% County</u> State Aid _____ Federal Aid _____ Other _____	Contractor Federal I.D. No./ Social Security No.: _____ Vendor No.: _____ Encumbrance No.: _____
---------------------------------------------------------------------------------------------	-------------------------------------------------------------------------------------------------------------------------------	-------------------------------------------------------------------------------------------------------------------------------------