

**25971**

**TO:** Board of Acquisition and Contract

**FROM:** Thomas J. Lauro, P.E.  
Commissioner of Environmental Facilities

**DATE:** April 11, 2012

**SUBJECT:** Change Order No. 1  
Contract No. **EF-1005**  
Sewer System On Call Cleaning and Televising  
Westchester County Sewer Districts  
Various Locations throughout  
Westchester County, New York

**Contractor:** Fred A. Cook, Jr. Inc.  
**Amount of Change Order No. 1:** \$85,000.00

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On August 13, 2010, your Honorable Board awarded Contract No. EF-1005., Sewer System On Call Cleaning and Televising at Westchester County Sewer Districts, Westchester County, New York to Fred A. Cook, Jr., Inc., P.O. Box 70, Montrose, NY 10548 in the amount of \$108,081.25 for the term August 01, 2010 to July 31, 2013, subject to appropriations.

This Contract includes on-call cleaning and televising work on the County sewer system in order to relieve sewage overflows or to prevent sewage overflows from occurring when it is determined that the work cannot be handled by County personnel and equipment.

This amendment is needed due to the expense associated with the cleaning of the Water Street Pump Station wet well and influent sewers due to a landslide from Hurricane Irene. This event was unanticipated and could not be planned for when setting up the contract. It is recommended that the contract amount be increased to add funds to allow for the potential for any future on call cleaning or televising work that may be required. This Change Order No. 1 will cover all work required to have a prompt response to clear sewer system blockages and/or overflows which require an immediate correction on a 24/7 basis and the cleaning and televising of County sewer lines which is necessary to prevent potential problems which cannot be handled with County personnel or equipment.

It is requested that your Honorable Board approve the attached Resolution for Change Order No. 1 in the amount of \$85,000.00 to cover the cost of additional required work, which brings the amended Contract amount to a total of \$193,081.25.

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This requested additional work is consistent with 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, and is to be performed in the same vicinity, is necessary to prevent and/or eliminate sewage overflows.

The goals and/or objectives of the contract are to have a prompt response to sewer system blockages and/or overflows which require an immediate correction on a 24/7 basis and the cleaning and televising of County sewer lines which is necessary to prevent potential problems which cannot be handled with County personnel or equipment. During the term of the contract, the response and work of the Contractor are monitored by representatives of the Department throughout an event to make sure all applicable regulations, safety precautions and codes regarding the protection of persons and property are adhered to and that a cost effective project is the end product. The Contractor is ultimately responsible to comply with all applicable regulations and codes.

This Contract is deemed to fulfill a public purpose as the services provided under this Contract promote the public health and welfare of County Residents by insuring the proper operation of the County's Trunk Sewer System and the prevention and/or elimination of any sewage overflows.

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.....\$85,000.00

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.

# RESOLUTION

RE: CONTRACT NO. **EF-1005**  
 CONTRACT AMOUNT: \$193,081.25  
CHANGE ORDER NO. 1 \$85,000.00  
 REVISED CONTRACT AMOUNT: \$193,081.25

## CHANGE ORDER NO.1

Upon communication from the Commissioner of the Department of Environmental Facilities,

WHEREAS, the Commissioner, Department of Environmental Facilities, requests approval of Change Order No.1 on Contract No. EF-1005, between the County of Westchester and Fred A. Cook, Jr., Inc., P.O. Box 70, Montrose, NY 10548 for Sewer System On Call Cleaning and Televising at Westchester County Sewer Districts, Westchester County, New York; and

WHEREAS, it is requested that Contract No. EF-1005, be amended due to the expense associated with the cleaning of the Water Street Pump Station wet well and influent sewers due to a landslide from Hurricane Irene, as this will provide funds for additional Cleaning and Televising that may be required to prevent and/or eliminate sewage overflows that cannot be handled with County personnel or equipment on the County Trunk Sewer System; and

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

RESOLVED, that said Change Order No.1 on Contract No. EF-1005 be and the same is hereby approved in the amount of \$85,000.00: and be it further

RESOLVED, that all other terms and conditions of Contract No. EF-1005 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.....\$85,000.00

Account to be charged/ Credited	Fund	Dept	Major Program, Program & Phase or Unit	Object/Sub Object	Trust Account	Dollars
2011	221	60	0110	4380		
2012	221	60	0110	4380		\$42,500.00
2013	221	60	0110	4380		\$42,500.00

**Budget Funding Year (s)** 2012-2013 Start Date: 08/01/2010 End Date: 07/31/2013

**Funding Source:** Tax dollars 100% County **Contractor -**  
 State Aid \_\_\_\_\_ **Federal I.D. No.**  
 Federal Aid \_\_\_\_\_  
\$85,000.00 Other \_\_\_\_\_

(Must match resolution)