

27406

TO: Board of Acquisition and Contract

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

DATE: June 5, 2012

SUBJECT: Change Order No. 1
Contract No. **09-532**
South County Trailway
Phase VI Pathway Improvements
Redmond Park to Tuckahoe Road
City of Yonkers, New York
Contractor: Avanti Building Construction Corp.
Amount of Change Order No. 1: \$25,000.00

On September 2, 2010, your Honorable Board awarded Contract No. 09-532 for South County Trailway, Phase VI Pathway Improvements, Redmond Park to Tuckahoe Road, City of Yonkers, New York to Avanti Building Construction Corp., 243 West Lincoln Avenue, Mount Vernon, New York 10550, in the amount of \$1,392,703.50.

After award of this contract, unexpected field conditions that could not have been determined at the time of design were discovered. These conditions require additional work to complete the specified project.

During the design phase of this contract, it was assumed that all the creosote treated timber railroad ties that were present in the old track bed (when the pathway site was once part of the former Putnam Division of the New York Central Railroad) had been removed and disposed of as was indicated on previous historic drawings. During excavation work for the proposed trailway, it was discovered that there were several locations where the old railroad ties had not been removed. In order to satisfactorily install the pavement for the new trailway in these locations, the old creosote treated timber ties had to be excavated, removed from the site (in eight, 20 cubic yard containers) and brought to an approved facility for disposal.

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 September 16, 2010 to September 15, 2012.

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.....\$25,000.00

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.

RSD

APPROVED BOARD OF ACQUISITION & CONTRACT - 06/08/2012 - JOMARY VIEIRA, SECRETARY

RESOLUTION

RE: CONTRACT NO. 09-532
CONTRACT AMOUNT: \$1,392,703.50
CHANGE ORDER NO. 1: \$ 25,000.00
NET INCREASE: \$ 25,000.00
REVISED CONTRACT AMOUNT: \$1,417,703.50

CHANGE ORDER NO. 1

Upon communication from the Commissioner of Public Works and Transportation,

WHEREAS, Jay T. Pisco, P.E., Commissioner, Public Works and Transportation, requests approval of Change Order No. 1 on Contract No. 09-532, between the County of Westchester and Avanti Building Construction Corp., 243 West Lincoln Avenue, Mount Vernon, New York 10550 for South County Trailway, Phase VI Pathway Improvements, Redmond Park to Tuckahoe Road, City of Yonkers, New York; and

WHEREAS, it is requested that Contract No. 09-532 be amended to include excavation, removal from the site and proper disposal of creosote treated timber railroad ties that were encountered at several locations during the excavation of the existing track bed, in preparation for new trailway pavement installation; and

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

RESOLVED, that said Change Order No. 1 on Contract No. 09-532 be and the same is hereby approved in the amount of \$25,000.00; and be it further

RESOLVED, that all other terms and conditions of Contract No. 09-532 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 \$25,000.00

Account to be Charged/Credited	Fund	Dept.	Major Program, Program & Phase Or Unit	Object/ Sub Object	Trust Account	Dollars
	346	46	B004508C	6210-99		\$25,000.00

Budget Funding Year(s) 2012 **Start Date:** September 16, 2010 **End Date:** September 15, 2012
(must match resolution)

Funding Source:	Tax Dollars <u>100% County</u> State Aid _____ Federal Aid _____ Other _____	Contractor Federal I.D. No./ Social Security No.: _____ Vendor No.: _____ Encumbrance No.: _____
<u>\$25,000.00</u> <small>(must match resolution)</small>		