

28791

**TO:** Board of Acquisition and Contract

**FROM:** Edward Buroughs  
Commissioner of Planning

**DATE:** August 16, 2012

**SUBJECT:** Change Order No. 1  
Contract No. C-LSW-11-208B  
Lead-Based Paint Hazard Control Activities throughout Westchester County  
**Contractor:** Linear Environmental Corp.  
**Amount of Change Order No. 1:** \$125,000.00

As part of the Lead Safe Westchester Program, pursuant to a resolution approved on February 9, 2012, your Honorable Board awarded contracts for lead based paint hazard control activities throughout Westchester County to the lowest bidder, Krutown Construction Corporation as the primary contractor, and to the next lowest bidder, Linear Environmental Corp as the secondary contractor. The secondary contractor would be utilized only in the event that the primary contractor is unable to provide the services. The project is funded by the Lead Safe Westchester program with federal grants provided through the U.S. Department of Housing and Urban Development. The term of the agreements is January 15, 2012 to January 14, 2014. The amounts of the agreements are \$804,250.00 for Krutown and \$383,750.00 for Linear, to be paid pursuant to an approved budget.

Due to an unanticipated increase in the volume of work exceeding the original estimates done by the Planning Department, additional funds are needed to cover the necessary lead based paint removal services provided by Linear Environmental Corp. As per the above paragraph, Krutown is at full capacity with current work, therefore the additional work is being assigned to Linear. The increase in volume is in part a result of the Department of Health issuance of violations due to elevated blood lead levels in children. The cost of this additional work is estimated to be \$125,000.00 based upon unit prices contained in the original contract with Linear.

The objective of this Change Order is to provide necessary lead paint removal services in residential units occupied by low and moderate income households. 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 safer environment.

The Planning 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 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 was unanticipated.

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.....\$125,000.00**

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

EB/cp  
Attachment

APPROVED BOARD OF ACQUISITION & CONTRACT - 09/20/2012 - JOMARY VIEIRA, SECRETARY

**RESOLUTION**

**RE: CONTRACT NO. C-LSW-11-208B**  
**CONTRACT AMOUNT: \$383,750.00**  
**CHANGE ORDER NO. 1 \$125,000.00**  
**REVISED CONTRACT AMOUNT: \$508,750.00**

**CHANGE ORDER NO. 1**

Upon communication from the Commissioner of Planning,

**WHEREAS**, the Commissioner of Planning requests approval of Change Order No. 1 on Contract No. C-LSW-11-208B, between the County of Westchester and Linear Environmental Corp., for lead based paint hazard control activities throughout Westchester County; and

**WHEREAS**, it is requested that Contract No. C-LSW-11-208B be amended to provide for additional lead based paint hazard control activities in the amount of \$125,000.00; and

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

**RESOLVED**, that said Change Order No. 1 on Contract No. C-LSW-11-208B is hereby approved in the amount of \$125,000.00; and be it further

**RESOLVED**, that all other terms and conditions of Contract No. C-LSW-11-208B 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 ..... \$125,000.00**

Original Agreement      \$383,750.00  
 This Amendment        \$125,000.00

TOTAL                      \$508,750.00

AGREEMENT              C-LSW-11-208B  
 NUMBER

Account to be  
 Charged/Credited

|      |      | Major Program,<br>Program &<br>Phase | Revenue/<br>Trust |         |              |
|------|------|--------------------------------------|-------------------|---------|--------------|
| Fund | Dept | Or Unit                              | Sub<br>Object     | Account | Dollars      |
| 263  | 19   | 471L                                 | 4380              | T471    | \$125,000.00 |

Budget Funding Year(s) 2011 Start Date January 15, 2012 End Date January 14, 2014  
 (must match resolution)

Funding Source

Tax Dollars \_\_\_\_\_

State Aid \_\_\_\_\_

**\$125,000.00**  
Urban Development  
(must match resolution)

Federal Aid \$125,000.00 - U.S. Department of Housing and

Other \_\_\_\_\_

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