

34370

TO: Board of Acquisition and Contract

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

DATE: June 06, 2013

SUBJECT: Change Order No. 3
Contract No. **EF-908**
Boiler Maintenance and Repairs
Three (3) Wastewater Treatment Plants
Westchester County, New York

Contractor: Unity Mechanical Corporation
Amount of Change Order No. 3: \$71,320.00

On January 21, 2010, your Honorable Board awarded Contract No. EF-0908., Boiler Maintenance and Repairs at three (3) Wastewater Treatment Plants to Unity Mechanical Corporation, 11 Bill Horton Way, Wappingers Falls, NY 12590 in the amount of \$179,060.00 for a two-year term commencing February 1, 2010. The work of this Contract included yearly maintenance and on-call services of fourteen (14) boilers located at the Peekskill, Port Chester and Yonkers Joint Wastewater Treatment Plants.

On August 25, 2011, your Honorable Board approved Change Order No. 1 in the amount of \$65,000 to Contract No. EF-0908, for additional repair work not covered under the original contract sum.

On December 15, 2011, your Honorable Board amended Contract No. EF-0908 to authorize the extension of the Contract for an additional two-year term commencing February 1, 2012, subject to appropriations.

As noted above, the Contract covers yearly preventative maintenance and emergency on-call services of fourteen (14) boilers which are located at the Peekskill, Port Chester and Yonkers Joint Wastewater Treatment Plants. Following the events of Superstorm Sandy on October 29 & 30, 2012 and in accordance with the existing contract, Unity Mechanical Corporation was called to the Yonkers Joint Wastewater Treatment Plant to provide emergency services related to the flooded and damaged boilers.

Subsequently, on December 20, 2012, your Honorable Board approved Change Order No. 2 in the amount of \$495,000 to Contract No. EF-0908 for additional repair work not covered under the original contract sum. The impact of the storm was unanticipated and the significant amount of emergency on-call services could not have been planned for when setting up the original contract.

This Office did not realize the full extent and cost of the services that would be rendered under the Agreement until the final bills were received. This amendment is needed to cover costs associated with the repair work of four (4) boilers located at the Yonkers Joint Wastewater Treatment Plant.

It is recommended that the contract amount be increased to add funds to allow for the repair work that is required. This Change Order No. 3 will cover all work required to complete the repairs which is necessary to bring back the boilers which cannot be handled with County personnel or equipment.

It is requested that your Honorable Board approve the attached Resolution for Change Order No. 3 in the amount of \$71,320.00 to cover the cost of additional required work, which brings the amended Contract amount to a total of \$989,440.00.

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.

The goals and objectives of the contract are to obtain services which will allow the Department to maintain 3 treatment plant's boilers, assuring proper operation, safety, and to function properly at peak efficiency with minimal breakdowns. During the two year term of the contract, Department representatives will track and monitor the required preventive maintenance, and necessary repairs using written service reports which will be signed by Maintenance Superintendents. These service reports are to be submitted with each payment request. The Contractor will be 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 protect the building and facilities owned by the Department of Environmental Facilities and enable the Department to carry out its basic mission to provide wastewater treatment and maintaining satisfactory water quality. The term of this contract is for a period of two (2) consecutive years, subject to appropriations. The Operating Budget for contractual services contains the funds required for this service contract.

RESOLUTION

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

WHEREAS, the Commissioner, Department of Environmental Facilities, requests approval of Change Order No.3 on Contract No. EF-0908, between the County of Westchester and Unity Mechanical Corporation, 11 Bill Horton Way, Wappingers Falls, NY 12590 for Boiler Maintenance and Repairs at three (3) Wastewater Treatment Plants, Westchester County, Westchester County, New York; and

WHEREAS, it is requested that Contract No. EF-0908, be amended due to expense associated with emergency services related to the flooded and damaged four (4) boilers located at Yonkers Joint Wastewater Treatment Plant as a result of Superstorm Sandy on October 29 & 30, 2012 that cannot be handled with County personnel or equipment; and

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

RESOLVED, that said Change Order No.3 on Contract No. EF-0908 be and the same is hereby approved in the amount of \$71,320.00: and be it further

RESOLVED, that all other terms and conditions of Contract No. EF-0908 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.

RE: CONTRACT NO. EF-0908	
CONTRACT AMOUNT:	\$179,060.00
CHANGE ORDER NO. 1	\$65,000.00
AMENDED CONTRACT AMOUNT	\$179,060.00
CHANGE ORDER NO. 2	\$495,000.00
<u>CHANGE ORDER NO. 3</u>	<u>\$71,320.00</u>
REVISED CONTRACT AMOUNT:	\$989,440.00

CHANGE ORDER NO.3

Total Amount of Change Order No.3.....\$71,320.00

Account to
be charged/

Fund	Dept	Major Program, Program & Phase or Unit	Object/Sub Object	Trust Account	Dollars
322	60	SY043 01 S	6050		\$71,320.00

Budget Funding Year (s) 2013 Start Date: N/A End Date

Funding Source: Tax dollars 100% County **Contractor -**
 State Aid **Federal I.D. No.**

 Federal Aid

 Other

\$71,320.00
(Must match resolution)