

54942

TO: Board of Acquisition and Contract

FROM: Vincent F. Kopicki, P.E.
Commissioner of Public Works and Transportation

DATE: January 31, 2017

SUBJECT: Termination of Contract for Convenience and Release of Performance and Payment Bond
Contract No. 12-526
Renovations at Loading Dock
Terminal Building
Westchester County Airport
Towns of Harrison and North Castle and Village of Rye Brook, New York
Contractor: Avanti Building Construction Corp.

On April 21, 2016, your Honorable Board awarded Contract No. 12-526 for Renovations at Loading Dock, Terminal Building, Westchester County Airport, Towns of Harrison and North Castle and Village of Rye Brook, New York to Avanti Building Construction Corp., 243 West Lincoln Avenue, Mount Vernon, New York 10550 in the amount of \$2,876,600.00. Avanti Building Construction Corp. and the County of Westchester executed the contract and Avanti Building Construction Corp. provided a performance and payment bond for Contract No. 12-526.

Subsequent to the award and execution of the agreement for Contract No. 12-526 it was initially determined that commencement of construction should be delayed due to coordination issues with ongoing projects in the immediate vicinity of the loading dock renovation project, specifically, the construction of the new South Concourse and the installation of the new jet bridges at Gates One and Two. Ultimately, it was determined that modification to the scope of Contract No. 12-526 would be required before construction could begin.

After detailed review of all coordination issues, the Department of Public Works and Transportation determined that it would be in the best interest of the County to cancel Contract No. 12-526, perform a redesign of the construction documents and re-advertise the loading dock renovation project at a later date. Avanti Building Construction Corp. has concurred with this decision and has executed a release. It should be noted by your Honorable Board that no work has been performed and no payments made by the County in connection with Contract No. 12-526.

Therefore, it is requested that your Honorable Board take action on the following:

Termination for Convenience of Contract No. 12-526 and release of the performance and payment bond for Renovations at Loading Dock, Terminal Building, Westchester County Airport, Towns of Harrison and North Castle and Village of Rye Brook, New York with Avanti Building Construction Corp., 243 West Lincoln Avenue, Mount Vernon, New York 10550.

This request for termination for convenience of Contract No. 12-526 has been reviewed by the Law Department and a proposed form of Resolution is attached hereto for your approval.

Approval is recommended.

RESOLUTION

CONTRACT NO. 12-526

Upon communication from the Commissioner of Public Works and Transportation,

WHEREAS, on April 21, 2016, your Honorable Board awarded for construction Contract No. 12-526 for Renovations at Loading Dock, Terminal Building, Westchester County Airport, Towns of Harrison and North Castle and Village of Rye Brook, New York to the low bidder, Avanti Building Construction Corp., 243 West Lincoln Avenue, Mount Vernon, New York 10550, in the amount of \$2,876,600.00; and

WHEREAS, subsequent to the award and execution of Contract No. 12-526 it was determined that due to coordination issues with on-going projects in the immediate vicinity of Contract No. 12-526 it would be in the best interest of the County to terminate Contract No. 12-526 for convenience; now, therefore, be it

RESOLVED, that Contract No. 12-526 for Renovations at Loading Dock, Terminal Building, Westchester County Airport, Towns of Harrison and North Castle and Village of Rye Brook, New York with Avanti Building Construction Corp., 243 West Lincoln Avenue, Mount Vernon, New York 10550, in the amount of \$2,876,600.00 be and is hereby terminated for convenience; and be it further

RESOLVED, that the performance bond for Contract 12-526 be released to Avanti Building Construction Corp., 243 West Lincoln Avenue, Mount Vernon, New York 10550.

Account to be Charged/Credited	Fund	Dept.	Major Program, Program & Phase Or Unit	Object/ Sub Object	Bond Act No.	Dollars
	361	44	A083A05C	6210-99	BA #72-2013	N/A

Budget Funding Year(s): 2016
(must match resolution)

Start Date: May 19, 2016

End Date: January 18, 2019

Funding Source: **Tax Dollars** _____

State Aid _____

\$ N/A _____
(must match resolution)

Federal Aid _____

Other 100% Airport Special Revenue Fund