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TO: Board of Acquisition and Contract

FROM: Hugh J. Greechan, Jr., P.E.
Commissioner of Public Works and Transportation

DATE: November 27, 2018

SUBJECT: Change Order No. 1
Contract No. **18-213**
Resurfacing and Related Improvements
Various Roadways
Westchester County, New York

Contractor: ELQ Industries, Inc.
Amount of Change Order No. 1: \$45,000.00

On August 30, 2018, your Honorable Board awarded Contract No. 18-213 for Resurfacing and Related Improvements, Various Roadways, Westchester County, New York to ELQ Industries, Inc., 567 Fifth Avenue, New Rochelle, New York 10801 in the amount of \$734,025.00.

The work under this contract consists of providing all necessary labor, material and equipment required to mill and resurface segments of three County roadways that were damaged as a result of the prior winter's weather conditions: Midland Avenue (C.R. 72), Mamaroneck Avenue (C.R. 8C and 8) and the Bronx River Parkway including the Kensico traffic circle. Additional work includes replacement of curb cuts and traffic signals loops, and placement of new pavement markings.

After award of this contract and as construction progressed, existing field conditions were encountered that could not have been determined at the time of design. The unexpected conditions required additional work to complete the specified project including: milling to a greater depth at the Kensico traffic circle in order to replace deeper areas of deteriorated asphalt, replacing areas of deteriorated asphalt that had developed adjacent to those that were known at the time of design along Mamaroneck Avenue and replacing buried traffic loops encountered during milling operations along Mamaroneck Avenue.

The cost of this additional work is estimated to be \$45,000.00 and is based upon ELQ Industries, Inc. unit prices, which were reviewed and approved by the Department. The scope of work for these unexpected field conditions could not have been anticipated at the time of bid, and therefore a Change Order to Contract No. 18-213 is hereby requested.

The objective of this contract is to repair roadway damage caused by extreme prior winter's weather conditions.

This contract is in the public's best interest because it will repair County roadways and make them safer for public use.

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 commenced. The term of the contract is September 13, 2018 to May 12, 2020.

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	\$45,000.00
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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

RESOLUTION

RE: CONTRACT NO. 18-213
CONTRACT AMOUNT: \$ 734,025.00
CHANGE ORDER NO. 1: \$ 45,000.00
NET INCREASE: \$ 45,000.00
REVISED CONTRACT AMOUNT: \$ 779,025.00

CHANGE ORDER NO. 1

Upon communication from the Commissioner of Public Works and Transportation,

WHEREAS, Hugh J. Greechan Jr., P.E., Commissioner of Public Works and Transportation, requests approval of Change Order No. 1 on Contract No. 18-213, between the County of Westchester and ELQ Industries, Inc., 567 Fifth Avenue, New Rochelle, New York 10801 for Resurfacing and Related Improvements, Various Roadways, Westchester County, New York; and

WHEREAS, it is requested that Contract No. 18-213 be amended to provide for additional milling and paving necessitated by deeper areas of deteriorated asphalt, replacing additional areas of deteriorated asphalt that had developed adjacent to those that were known at the time of design and replacing buried traffic loops encountered during milling operations along Mamaroneck Avenue; and

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

RESOLVED, that said Change Order No. 1 on Contract No. 18-213 be and the same is hereby approved in the amount of \$45,000.00; and be it further

RESOLVED, that all other terms and conditions of Contract No. 18-213 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 \$45,000.00

Account to be Charged/Credited	Fund	Dept.	Major Program, Program & Phase Or Unit	Object/ Sub Object	Bond Act No.	Dollars
	101	46	6000	4310	N/A	\$45,000.00

Budget Funding Year(s): 2018 **Start Date:** September 13, 2018 **End Date:** May 12, 2020
(must match resolution)

Funding Source: **Tax Dollars** 100% County

State Aid _____

\$ 45,000.00 **Federal Aid** _____

(must match resolution)

Other _____