

71696

TO: Board of Acquisition and Contract

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

DATE: September 17, 2019

SUBJECT: Change Order No. 1
Contract No. 11-503-Rev.
Rehabilitation of the Fulton Avenue Bridge
Over Hutchinson River (BIN 3348220)
City of Mount Vernon and Village of Pelham Manor, New York

Contractor: E.E. Cruz & Company, Inc.
Amount of Change Order No. 1: \$167,215.20

On May 12, 2016, your Honorable Board awarded Contract No. 11-503-Rev. for Rehabilitation of the Fulton Avenue Bridge over Hutchinson River (BIN 3348220), City of Mount Vernon and Village of Pelham Manor, New York to E.E. Cruz & Company, Inc., 32 Avenue of the Americas, New York, New York 10013 in the amount of \$14,816,000.00.

The work under this contract consists of providing all necessary labor, material and equipment required to rehabilitate the bascule drawbridge including the removal and replacement of structural steel, approach spans, the operators house and associated electrical/mechanical components. Additional work includes installation of an emergency generator along with lead paint abatement and bridge painting.

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: spall repairs to the east side abutment wall, control house foundation repairs, repairs to the top of the interior machine room walls under the east and west approach spans, steel repairs for cracks in the NE and SW fascia girders, and emergency repairs to the span lock actuators.

The cost of this additional work is estimated to be \$167,215.20 and is based upon E.E. Cruz & Company, Inc.'s 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. 11-503-Rev. is hereby requested.

The objective of this contract is to rehabilitate a structurally and operationally deficient bascule drawbridge resulting from continued use in a harsh environment over brackish waters.

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 May 26, 2016 to November 25, 2019. In order to carry out the work contemplated by this Change Order and complete the project, an extension is requested until December 31, 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 | \$167,215.20 |
|---|---------------------|

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. 11-503-Rev.
CONTRACT AMOUNT: \$ 14,816,000.00
CHANGE ORDER NO. 1: \$ 167,215.20
NET INCREASE: \$ 167,215.20
REVISED CONTRACT AMOUNT: \$ 14,983,215.20

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. 11-503-Rev., between the County of Westchester and E.E. Cruz & Company, Inc., 32 Avenue of the Americas, New York, New York 10013 for Rehabilitation of the Fulton Avenue Bridge over Hutchinson River (BIN 3348220), City of Mount Vernon and Village of Pelham Manor, New York; and

WHEREAS, it is requested that Contract No. 11-503 Rev. be amended to provide for additional spall repairs to the east side abutment wall, repairs to the control house foundation, repairs to the top of the interior machine room walls, steel repairs for cracks in the NE and SW fascia girders and emergency repairs to the span lock actuators encountered during the bascule drawbridge rehabilitation; and

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

RESOLVED, that said Change Order No. 1 on Contract No. 11-503 Rev. be and the same is hereby approved in the amount of \$167,215.20; and be it further

RESOLVED, that the completion date of this contract is hereby extended to December 31, 2020; and be it further

RESOLVED, that all other terms and conditions of Contract No. 11-503-Rev. shall remain in full force and effect; and be it further

RESOLUTION

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 \$167,215.20

Contract No. 11-503-Rev., Change Order No. 1

| Account to be Charged/Credited | Fund | Dept. | Major Program, Program & Phase Or Unit | Object/ Sub Object | Bond Act No. | Dollars |
|--------------------------------|------|-------|--|--------------------|--|--------------|
| | 366 | 46 | RB2UU00C | 6210-99 | BA # 50-2015 BA # 200-2009 BA # 252-2015 | \$ 49,000.00 |
| | 366 | 46 | RB03S01C | 6210-99 | BA # 51-2015 BA # 254-2015 | \$118,215.20 |

Budget Funding Year(s): 2019 **Start Date:** May 26, 2016 **End Date:** December 31, 2020
 (must match resolution)

Funding Source: Tax Dollars 100% County Contractor Federal I.D. No./
 State Aid _____ Social Security No.: _____

\$167,215.20 Federal Aid _____ Vendor No.: _____
 (must match resolution) Other _____ Encumbrance No.: _____

APPROVED BOARD OF ACQUISITION & CONTRACT - 10/10/2019 - LISA MARIJAS, SECRETARY