

71697

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. 17-544
Competition Pool Reconstruction
Sprain Ridge Park
Yonkers, New York

Contractor: ELQ Industries, Inc.
Amount of Change Order No. 1: \$823,600.00

On June 14, 2018, your Honorable Board awarded Contract No. 17-544 for Competition Pool Reconstruction, Sprain Ridge Park, Yonkers, New York to ELQ Industries, Inc., 567 Fifth Avenue, New Rochelle, New York 10801 in the amount of \$6,839,000.00.

The work under this contract consists of providing all necessary labor, material and equipment required for the removal and replacement of the competition pool along with the required surge tank, piping, mechanical filtration system, concrete patio replacement, grading, drainage and fencing.

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: removal of piping with Asbestos Containing Material (ACM) found embedded within the walls of the pool and within the mastic waterproofing of the grade beam foundation, additional rock removal, off-site disposal of unsuitable for reuse excavated material, providing suitable fill material for backfill beneath and around the pool as well as additional work to comply with Westchester County and New York State Departments of Health requirements.

The cost of this additional work is estimated to be \$823,600.00 and is based upon ELQ Industries, 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. 17-544 is hereby requested.

The objective of this contract is to replace and upgrade the existing competition pool so that it can be reopened and operated safely for public use.

This contract is in the public's best interest because it will provide a new competition pool, meeting current County and State Health Departments codes and standards. The project will provide energy savings by the use of state-of-the-art water filtration systems.

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 June 18, 2018 to December 17, 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	\$823,600.00
---	---------------------

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

