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**TO:** Board of Acquisition and Contract

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

**DATE:** March 10, 2020

**SUBJECT:** Change Order No. 1  
Contract No. 14-208  
Slope Repair and Stabilization  
North County Trailway  
Town of Yorktown, New York

**Contractor:** Papitto Construction Co., Inc.  
**Amount of Change Order No. 1:** \$323,000.00

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On June 13, 2019, your Honorable Board awarded Contract No. 14-208, Slope Repair and Stabilization, North County Trailway, Town of Yorktown, New York to Papitto Construction Co., Inc., 867 Fair Street, Carmel, New York 10512 in the amount of \$442,405.00.

The work under this contract consists of providing all necessary labor, material and equipment required to install drainage improvements and slope stabilization.

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: installation of additional erosion control measures, including a turbidity curtain, as requested by the NYCDEP, hydrojetting of the existing culverts to remove extensive debris and sediment accumulation, additional excavation required to uncover the existing culvert inlet and the collapsed outlet end, placement of additional material (large stones) required to access and stabilize the inlet end of the culvert, extension and modification of the headwalls and new sections of culvert to match existing culvert conditions.

The cost of this additional work is estimated to be \$323,000.00 and is based upon Papitto Construction Co., 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 14-208 is hereby requested.

The objective of this contract is to repair two washed out areas of the North County Trailway due to Hurricane Sandy.

This contract is in the public's best interest because it will provide an environmental benefit by reducing flooding and erosion.

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 27, 2019 to April 26, 2021.

It is requested that your Honorable Board take action on the following:

Approval of Change Order No. 1:

<b>Total Amount of Change Order No. 1</b>	<b>\$323,000.00</b>
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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.

HJG/RSD/er

# RESOLUTION

**RE: CONTRACT NO. 14-208**  
**CONTRACT AMOUNT: \$ 442,405.00**  
**CHANGE ORDER NO. 1: \$ 323,000.00**  
**NET INCREASE: \$ 323,000.00**  
**REVISED CONTRACT AMOUNT: \$ 765,405.00**

## 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. 14-208, between the County of Westchester and Papitto Construction Co., Inc., 867 Fair Street, Carmel, New York 10512 for Slope Repair and Stabilization, North County Trailway, Town of Yorktown, New York; and

**WHEREAS**, it is requested that Contract No. 14-208 be amended to provide for the installation of additional erosion control measures, including a turbidity curtain, as requested by the NYCDEP, hydrojetting of the existing culverts to remove extensive debris and sediment accumulation, additional excavation required to uncover the existing culvert inlet and the collapsed outlet end, placement of additional material (large stones) required to access and stabilize the inlet end of the culvert, extension and modification of the headwalls and new sections of culvert to match existing culvert conditions; and

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

**RESOLVED**, that said Change Order No. 1 on Contract No. 14-208 be and the same is hereby approved in the amount of \$323,000.00; and be it further

**RESOLVED**, that all other terms and conditions of Contract No. 14-208 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 ..... \$323,000.00**

Account to be Charged/Credited	Fund	Dept.	Major Program, Program & Phase Or Unit	Object/ Sub Object	Bond Act No.	Dollars
	372	42	RPA0301C	6210-99	BA #150-2018	\$323,000.00

**Budget Funding Year(s)** 2020                      **Start Date:** June 27, 2019                      **End Date:** April 26, 2021  
(must match resolution)

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

**State Aid** \_\_\_\_\_

\$323,000.00                      **Federal Aid** \_\_\_\_\_  
(must match resolution)

**Other** \_\_\_\_\_