

TO: Board of Acquisition and Contract

FROM: John J. Hsu, P.E.
Acting Commissioner of Public Works

DATE: March 24, 2010

SUBJECT: Emergency Resolution to Award Contract No. 10-209
Emergency Roofing Repairs
Ice Casino
Playland Park
Rye, New York
Contractor: Nua Construction Corp. (WBE)
Amount: \$183,500.00

On March 15, 2010 Commissioner Joseph A. Stout notified your Honorable Board of an emergency situation involving the roof at the Ice Casino at Playland Park.

The main building's roof membrane was ripped from its supports and damaged along with the aluminum channel system that holds the membrane in place as a result of wind gusts in excess of 70 miles per hour. In addition to the roof, 46 of the diamond skylight windows below the membrane roof area were also damaged. A full inspection conducted by the Public Works' Structural Division indicated that if necessary structural repairs are not immediately made to the roof and the adjoining lower diamond windows, it is likely to lead to further compromise of the building and could lead to continued roof failure, as well as water damage inside the Ice Casino, putting public property and life, health and safety of Playland personnel in jeopardy.

It is imperative to complete this emergency work as soon as possible in order to maintain the weather tightness of the Ice Casino.

In accordance with the emergency contracting procedures utilized since April 8, 2002, the Department of Public Works immediately prepared documents to solicit bids from responsible general contractors on the County's Emergency Contractor List and requested bids from three (3) contractors on that list. Three (3) contractors attended the site inspection and submitted bids (bid sheet attached). Nua Construction Corp. (WBE), 38 White Deer Lane, West Harrison, New York 10604 submitted the low bid in the amount of \$183,500.00.

Funds for this project are available in the:

- Capital Budget
 Non-Recurring Budget
 Operating Budget
 Other (6N Insurance Account)

The objective of this contract is to effect those repairs that are necessary to alleviate the imminent danger to this public building and the property therein and to the life, health, safety or property of the County's inhabitants as described in the March 15, 2010 memorandum filed with your Honorable Board on March 18, 2010.

If this resolution is not approved and the necessary structural repairs are not immediately made to repair the roof and the adjoining lower diamond windows, further compromise of the building structure could lead to continued roof failure, as well as water damage inside the Ice Casino.

The department will utilize Primavera Software Management tools to track scheduling and accomplishments by the contractor and perform on-site inspections to ensure the successful completion of this project.

Therefore, it is requested that your Honorable Board grant authorization for the Acting Commissioner of Public Works to enter into an emergency contract with Nua Construction Corp. (**WBE**), 38 White Deer Lane, West Harrison, New York 10604 for a total cost not-to-exceed \$183,500.00.

This resolution has been reviewed by the Law Department.

APPROVED BOARD OF ACQUISITION & CONTRACT - 3-25-2010 - JOMARY VIEIRA, SECRETARY

RESOLUTION

CONTRACT NO. 10-209

Upon communication from the Acting Commissioner of Public Works,

WHEREAS, an emergency condition developed at the roof at the Ice Casino at Playland Park involving damage to the building's membrane roofing and the adjoining lower diamond windows; now, therefore, be it

RESOLVED, that Contract No. 10-209 for Emergency Roofing Repairs, Ice Casino, Playland Park, Rye, New York be and is hereby awarded to the low bidder, Nua Construction Corp. (**WBE**), 38 White Deer Lane, West Harrison, New York 10604 in the amount of \$183,500.00; and be it further

RESOLVED, that the retention of 10 percent of all contractor payments by the County instead of the normal 5 percent retention shall be deemed adequate and sufficient security for the full and faithful performance of this work in lieu of a performance bond; and be it further

RESOLVED, that the County Executive or his authorized designee is hereby authorized and empowered to execute any and all documents necessary or appropriate to effectuate the purposes hereof.

Account to be Charged/Credited	Fund	Dept.	Major Program, Program & Phase Or Unit	Object/ Sub Object	Trust Account	Dollars
	615	59	0690/3460	4280/10		\$ 183,500.00

Budget Funding Year(s) 2010 **Start Date:** March 26, 2010 **End Date:** April 25, 2011
(must match resolution)

Funding Source: Tax Dollars _____

Contractor Federal I.D. No./
Social Security No.: 06-1698298

State Aid _____

\$183,500.00
(must match resolution) **Federal Aid** _____

Vendor No.: _____

Other 100% 6N Insurance Account

Encumbrance No.: _____