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TO: Board of Acquisition and Contract

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

DATE: May 20, 2022

SUBJECT: Approval of Change Order No. 1 to Contract 20-506-Rev. with The LandTek Group, Inc. for Memorial Field Complex Reconstruction, City of Mount Vernon, New York in an amount not to exceed \$7,500,000.00 increasing the total contract amount to \$32,383,600.00.

On July 30, 2020, your Honorable Board awarded Contract No. 20-506-Rev. for Memorial Field Complex Reconstruction, City of Mount Vernon, New York to The LandTek Group, Inc., 105 Sweeneydale Avenue, Bay Shore, New York 11706 ("LandTek") in the amount of \$24,883,600.00. The Agreement was duly executed.

The work under the base contract consists of providing all necessary labor, material and equipment to upgrade the existing Memorial Field Complex. This work includes redevelopment of a synthetic turf multi-sport athletic field; construction of grandstands for 3,900 spectators, an all-weather running track, and a new skate park, and renovation of tennis courts. The work also includes a new entry plaza, ticket booth, concession stand, restrooms, press box, fencing, landscaping and associated utility infrastructure.

After award of this contract and as construction progressed, it was discovered that there were unexpected field conditions including buried debris, contaminated soil, and shallow/unstable bedrock. These field conditions required removal and disposal of soil and debris, and modifications to building foundations. During construction, it was also found that modifications were required for the drainage system and site work to ensure properly functioning systems.

The cost of this additional work is estimated to be \$7,500,000.00 and is based upon LandTek's proposed unit prices, which were reviewed and approved by the project's Construction Administrator and the Department of Public Works and Transportation ("Department").

The additional work, which was discovered during construction, could not have been anticipated at the time of bid, and therefore a Change Order to Contract 20-506-Rev. is hereby requested.

The objective of this contract is to upgrade the existing Memorial Field Complex.

This contract is in the public's best interest because it will provide cleaner and safer grounds for community recreation, allowing the park to return to its original function as a municipal sports and recreational facility.

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 began. The term of the contract is August 3, 2020 to August 2, 2024.

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	\$7,500,000.00
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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.

APPROVED BOARD OF ACQUISITION & CONTRACT - 05/26/2022 - RAYMOND SCULLY, SECRETARY

RESOLUTION

RE: CONTRACT NO. 20-506-Rev.
CONTRACT AMOUNT: \$24,883,600.00
CHANGE ORDER NO. 1: \$ 7,500,000.00
AMENDED CONTRACT AMOUNT: \$32,383,600.00

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. 20-506-Rev., between the County of Westchester and The LandTek Group, Inc., 105 Sweeneydale Avenue, Bay Shore, New York 11706 for Memorial Field Complex Reconstruction, City of Mount Vernon, New York, and

WHEREAS, it is requested that Contract No. 20-506-Rev. be amended to provide for removal and disposal of unexpected soil and debris, and modifications to the building foundations and other systems; and

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

RESOLVED, that said Change Order No. 1 on Contract No. 20-506-Rev. between the County of Westchester and The LandTek Group, Inc. be and the same is hereby approved in the amount of \$7,500,000.00; and be it further

RESOLVED, that all other terms and conditions of Contract No. 20-506-Rev. 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 \$7,500,000.00

Account to be Charged/Credited	Fund	Dept.	Major Program, Program & Phase Or Unit	Object/ Sub Object	Bond Act No.	Dollars
	372	42	RMF02-06-C	6210-99	BA #182-2022	\$7,500,000.00

Budget Funding Year(s): 2022 **Start Date:** August 3, 2020 **End Date:** August 2, 2024
(must match resolution)

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

State Aid _____

\$7,500,000.00 **Federal Aid** _____
(must match resolution)

Other _____