

100782

**TO:** Board of Acquisition and Contract

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

**DATE:** April 25, 2023

**SUBJECT:** Resolution for the County of Westchester to approve Change Order No. 1 in order to extend the term of Contract No. 17-508 with Arben Group LLC for Rehabilitation of Mamaroneck Avenue Bridge over Mamaroneck River (BIN 3347919), Town/Village of Harrison and Village of Mamaroneck, New York through December 29, 2023

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By Resolution approved on June 4, 2020 your Honorable Board awarded Contract No. 17-508 for Rehabilitation of Mamaroneck Avenue Bridge over Mamaroneck River (BIN 3347919), Town/Village of Harrison and Village of Mamaroneck, New York, to Arben Group LLC, 175 Marble Avenue, Pleasantville, New York 10570 ("Arben"), in the amount of \$5,118,748.00, for the period of June 18, 2020 through December 31, 2022 ("Agreement"). The Agreement was subsequently executed.

Pursuant to the Agreement, Arben provides all necessary labor, material and equipment required to rehabilitate the Mamaroneck Avenue Bridge over Mamaroneck River, including replacement of the bridge superstructure, repairs to the abutments, and repaving of the bridge approaches.

During the course of construction, Arben experienced multiple delays that were beyond their control. For instance, during installation of the water main, Arben uncovered "charge" wires extruding from a drilled blast hole. As a safety protocol, Arben shut down the job and called the appropriate agencies to respond. The "charge" wires were deemed to not be connected to explosives; however, as a safety protocol, the water main installation process had to continue by hand excavation, cautiously, and slowly. In addition, the water main was also redesigned to avoid breaking any rock in the area, which required the water main to be installed using different materials than those originally contemplated which required additional time to obtain.

In addition to the water main redesign, Con Ed had not completed the installation of the gas line that was intended to be completed before Arben's project started. As a result, Arben had to wait for Con Ed to complete the installation of the gas line to switch traffic to the other side of the bridge. This delay caused the final paving, line striping and water main work to be delayed and the work had to wait for another winter season to pass.

Arben is requesting an extension of the Agreement through December 29, 2023 to accommodate for these delays. All other terms and conditions of the Agreement shall remain unchanged and in full force and effect.

The Department will track scheduling and accomplishments by Arben and perform on-site inspections to ensure the successful completion of the work.

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                      \$0.00**

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.

APPROVED BOARD OF ACQUISITION & CONTRACT - 05/18/2023 - RAYMOND SCULKY, SECRETARY

# RESOLUTION

**RE: CONTRACT NO. 17-508**  
**CONTRACT AMOUNT: \$ 5,118,748.00**  
**CHANGE ORDER NO. 1: \$ 0.00**  
**AMENDED CONTRACT AMOUNT: \$ 5,118,748.00**

## 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. 17-508, between the County of Westchester and Arben Group LLC, 175 Marble Avenue, Pleasantville, New York 10570 (“Arben”), for Rehabilitation of Mamaroneck Avenue Bridge over Mamaroneck River (BIN 3347919), Town/Village of Harrison and Village of Mamaroneck, New York, in the amount of \$5,118,748.00, for the period of June 18, 2020 through December 31, 2022, in order to extend the term of the Agreement through December 29, 2023; and

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

**RESOLVED**, that Change Order No. 1 on Contract No. 17-508, between the County of Westchester and Arben, be and the same is hereby approved in order to extend the term of Contract No. 17-508 through December 29, 2023; and be it further

**RESOLVED**, that except as specifically amended hereby, all remaining terms and conditions of Contract No. 17-508, shall remain the same; and be it further

**RESOLVED**, that the County Executive or his duly authorized designee is hereby authorized to execute all documents and take all actions necessary to effectuate the purpose hereof.

**Total Amount of Change Order No. 1 ..... \$0.00**

Account to be Charged/Credited	Fund	Dept.	Major Program, Program & Phase Or Unit	Object/ Sub Object	Bond Act No.	Dollars
	366	46	RB03M01C	6210-99	BA #149-2018	

**Budget Funding Year(s):** 2023                      **Start Date:** June 18, 2020                      **End Date:** December 29, 2023  
(must match resolution)

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

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

**Federal Aid** \_\_\_\_\_

(must match resolution)

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