

29718

TO: Board of Acquisition and Contract

FROM: Jay T. Pisco, P.E.
Commissioner of Public Works and Transportation

DATE: October 9, 2012

SUBJECT: Change Order No. 1
Contract No. **09-513**
Nitrogen Removal Improvements
Mamaroneck Wastewater Treatment Plant
Mamaroneck, New York
Contractor: Carlin Contracting Co., Inc.
Amount of Change Order No. 1: \$2,780,000.00

On December 10, 2009, your Honorable Board awarded Contract No. 09-513 for Nitrogen Removal Improvements, Mamaroneck Wastewater Treatment Plant, Mamaroneck, New York to Carlin Contracting Co., Inc., 454 Boston Post Road, Waterford, Connecticut 06385 in the amount of \$26,688,586.00. This contract includes the installation of an Integrated Fixed-Film Activated Sludge (IFAS) process to remove nitrogen from the wastewater per a consent order with the New York State Department of Environmental Conservation (NYSDEC).

After award of this contract there were several instances where field conditions existed that could not have been determined at the time of design. When the aeration tanks were drained and inspected at the start of construction, it was determined that primary effluent piping and tank mud valve and operator interfere with the required installation of baffle walls and flat screens. Additionally, the concrete tanks require crack repair and the hatch seals require replacement. The condition of the tank floor requires re-design of the baffle walls and flat screens. Various existing valves require replacement due to age and condition. Existing blowers need rehabilitation, including the removal of mercury contaminated components and upgrades for incompatible, discontinued instrumentation. Additional work is required to protect existing and newly installed underground utilities and comply with utility company requirements. Based on environmental and worker safety considerations, an enclosure for the new fine screens is needed. The enclosure will benefit the community by containing potential odors from this operation. This enclosure will also make operation and maintenance more efficient, safe and cost effective and prolong the life of the equipment. Only change order work authorized by the County or construction administrator in writing shall be performed by the contractor and will be paid for by the County. Payment to the contractor will be determined in strict accordance with the provisions of Article "Extra Work: Increased Compensation/Decreased Work: Credit of the Owner" of the General Clauses in the contract.

The objective of this Change Order is to make field changes to accomplish the Biological Nutrient Removal requirements of the New York State Department of Environmental Conservation Consent Order.

This Change Order is in the public's best interest because it will promote the health and safety of the general public and benefit the environment by insuring lower levels of nitrogen introduced into the Long Island Sound and meet New York State Department of Environmental Conservation's latest, more stringent requirements, thus addressing the County Executive's priority area: Health and the Environment (HE).

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 shall remain January 1, 2010 to September 30, 2013.

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.....\$2,780,000.00

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.

LR

RESOLUTION

RE: CONTRACT NO. 09-513
CONTRACT AMOUNT: \$26,688,586.00
CHANGE ORDER NO. 1: \$ 2,780,000.00
NET INCREASE: \$ 2,780,000.00
REVISED CONTRACT AMOUNT: \$29,468,586.00

CHANGE ORDER NO. 1

Upon communication from the Commissioner of Public Works and Transportation,

WHEREAS, Jay T. Pisco, P.E., Commissioner, Public Works and Transportation, requests approval of Change Order No. 1 on Contract No. 09-513, between the County of Westchester and Carlin Contracting Co., Inc. 454 Boston Post Road, Waterford, Connecticut 06385 for Nitrogen Removal Improvements, Mamaroneck Wastewater Treatment Plant, Mamaroneck, New York; and

WHEREAS, it is requested that Contract No. 09-513 be amended to provide for unforeseen conditions and IFAS modifications; and

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

RESOLVED, that said Change Order No. 1 on Contract No. 09-513 be and the same is hereby approved in the amount of \$2,780,000.00; and be it further

RESOLVED, that all other terms and conditions of Contract No. 09-513 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 \$2,780,000.00

Account to be Charged/Credited	Fund	Dept.	Major Program, Program & Phase Or Unit	Object/ Sub Object	Trust Account	Dollars
	322	60	SLI10100C	6210-99		\$2,780,000.00

Budget Funding Year(s) 2012 **Start Date:** January 1, 2010 **End Date:** September 30, 2013
(must match resolution)

Funding Source: <u>\$2,780,000.00</u> <small>(must match resolution)</small>	Tax Dollars <u>100% County</u> State Aid _____ Federal Aid _____ Other _____	Contractor Federal I.D. No./ Social Security No.: _____ Vendor No.: _____ Encumbrance No.: _____
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