

**30647**

**TO:** Board of Acquisition and Contract

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

**DATE:** November 26, 2012

**SUBJECT:** Final Acceptance Resolution  
Contract No. **04-542-GC-Rev.**  
Performance Maintenance III  
Port Chester Wastewater Treatment Plant  
Port Chester, New York

**Contractor:** BMJ Construction Co. Inc.  
**Final Payment Amount:** \$53,850.00  
**Contract Savings:** \$64,595.00

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The work required under Contract No. 04-542-GC-Rev. between the County of Westchester and BMJ Construction Co. Inc., 35 E. Grassy Sprain Road, Suite 203, Yonkers, New York 10710 has been completed.

The department tracked scheduling and accomplishments by the contractor and performed on-site inspections to ensure the successful completion of this project.

A final inspection has been made which indicates that the work meets the terms and requirements of the contract.

It is recommended that your Honorable Board take appropriate action to accept the completed work and approve the Final Contract Amount of \$4,832,505.00. The work required under Contract No. 04-542-GC-Rev. consists of all necessary labor, materials and equipment for Performance Maintenance III, Port Chester Wastewater Treatment Plant, Port Chester, New York.

Payment shall be made in accordance with all applicable laws, including, without limitation, the New York State Lien Law.

A proposed form of Resolution is attached.

LR/

# RESOLUTION

## ACCEPTANCE OF COMPLETED WORK AND APPROVAL OF FINAL ESTIMATE

RE: **CONTRACT NO. 04-542-GC-Rev.**  
**CONTRACT AMOUNT** \$4,967,100.00  
**CREDIT CHANGE ORDER NO. 1** (\$ 70,000.00)  
**REVISED CONTRACT AMOUNT** \$4,897,100.00  
**CONTRACT SAVINGS** \$ 64,595.00  
**VALUE OF COMPLETED WORK** \$4,832,505.00

Upon communication from the Commissioner of Public Works and Transportation, be it

**RESOLVED**, that the work performed by BMJ Construction Co. Inc., 35 E. Grassy Sprain Road, Suite 203, Yonkers, New York 10710 for Performance Maintenance III, Port Chester Wastewater Treatment Plant, Port Chester, New York is accepted and Requisition No. 17 in the Final Contract Amount of \$4,832,505.00 is approved, and be it further

**RESOLVED**, that the Commissioner of Finance be and hereby is authorized to pay the Contractor the balance due on the Final Estimate in the amount of \$53,850.00.

Value of Completed Work	\$4,832,505.00
Total Previously Paid Estimates	\$4,778,655.00
Completed Work Balance	(\$15,000.00) Credit
Released Retainage	<u>\$68,850.00</u>
<b>BALANCE DUE IN FULL</b>	<u>\$ 53,850.00</u>

and be it further

**RESOLVED**, that payment shall be made in accordance with all applicable laws, including, without limitation, the New York State Lien Law.

Account to be Charged/Credited

Fund	Dept.	Major Program, Program & Phase or Unit	Object/ Sub Object	Trust Account	Dollars
	15		BSA5700		
322	60	SPC0101C	6210-99		

Budget Funding Year(s) 2012 Start Date October 12, 2006 End Date: December 31, 2012

(must match resolution)

Funding Source: Tax Dollars 100% County Contractor Federal I.D. No./ Social Security No: \_\_\_\_\_

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

\$ \_\_\_\_\_ Federal Aid \_\_\_\_\_ Vendor No. \_\_\_\_\_

(must match resolution)

Other \_\_\_\_\_ Encumbrance No. \_\_\_\_\_

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APPROVED BOARD OF ACQUISITION & CONTRACT - 12/20/2012 - JOMARY VIEIRA, SECRETARY