

42183

**TO:** Board of Acquisition and Contract

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

**DATE:** September 12, 2014

**SUBJECT:** Change Order No. 1  
Contract No. 11-502  
Rehabilitation of Croton Falls Road Bridge (BIN 3348580)  
Over Croton River  
Town of North Salem, New York

**Contractor:** McNamee Construction Corporation

**Amount of Change Order No. 1:** \$900,000.00

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On April 4, 2013, your Honorable Board awarded Contract No. 11-502 for Rehabilitation of Croton Falls Road Bridge (BIN 3348580) over Croton River, Town of North Salem, New York, to McNamee Construction Corporation, P.O. Box 182, 154 Route 202, Lincolndale, New York 10540 in the amount of \$2,274,179.50.

After award of this contract and as construction progressed, several existing field conditions were encountered that could not have been determined at the time of design. These unexpected conditions require additional work to complete the specified project.

While removing the deteriorated concrete under the original scope of work, it was revealed that the damage is deeper than could be determined by visual inspection prior to commencing the project. The depth of concrete extraction exposed existing reinforcement bars. This condition is prevalent across the underside of the existing arch. Additional concrete and reinforcing bars will be added to the arch to maintain the structural integrity of the bridge.

The objective of this Change Order is to provide for additional material and work including concrete, reinforcing steel and backfill items required as a result of the unexpected field conditions.

This Change Order is in the public's best interest because it will promote the health and safety of the general public by ensuring that the Croton Falls Road Bridge over the Croton River meets standards for pedestrian and vehicular safety, thus addressing the County Executive's priority area: Safety and Security (SS).

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 April 18, 2013 to December 17, 2015.

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.....\$900,000.00**

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.

VTP/RSD

# RESOLUTION

**RE: CONTRACT NO. 11-502**  
**CONTRACT AMOUNT: \$ 2,274,179.50**  
**CHANGE ORDER NO. 1: \$ 900,000.00**  
**NET INCREASE: \$ 900,000.00**  
**REVISED CONTRACT AMOUNT: \$ 3,174,179.50**

## 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. 11-502, between the County of Westchester and McNamee Construction Corporation, P.O. Box 182, 154 Route 202, Lincolndale, New York 10540 for Rehabilitation of Croton Falls Road Bridge (BIN 3348580) over Croton River, Town of North Salem, New York; and

**WHEREAS**, it is requested that Contract No. 11-502 be amended to provide for additional material and work including concrete, reinforcing steel and backfill items; and

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

**RESOLVED**, that said Change Order No. 1 on Contract No. 11-502 be and the same is hereby approved in the amount of \$900,000.00; and be it further

**RESOLVED**, that all other terms and conditions of Contract No. 11-502 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 ..... \$900,000.00**

| Account to be Charged/Credited | Fund | Dept. | Major Program, Program & Phase Or Unit | Object/ Sub Object | Bond Act No. | Dollars      |
|--------------------------------|------|-------|--|--------------------|--------------|--------------|
|                                | 366  | 46    | RB2TT00C                               | 6210-99            | BA #112-2009 | \$900,000.00 |
|                                |      |       |  |                    |              |              |

Budget Funding Year(s) 2014 Start Date April 18, 2013 End Date December 17, 2015  
(must match resolution)

Funding Source: Tax Dollars 100% County Contractor Federal I.D. No./ Social Security No.: \_\_\_\_\_  
 State Aid \_\_\_\_\_  
\$900,000.00 Federal Aid \_\_\_\_\_ Vendor No.: \_\_\_\_\_  
(must match resolution) Other \_\_\_\_\_ Encumbrance No.: \_\_\_\_\_

APPROVED BOARD OF ACQUISITION & CONTRACT ADMINISTRATION - JOMAR V. DE LA ROSA, SECRETARY