

48283

TO: Board of Acquisition and Contract

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

DATE: September 3, 2015

SUBJECT: Change Order No. 1
Contract No. **15-515**
Aircraft Deicing Fluid Collection System Improvements and
Apron Reconstruction at Terminal – Contract 3
Westchester County Airport
Towns of Harrison and North Castle and Village of Rye Brook, New York
Contractor: ELQ Industries Inc.
Amount of Change Order No. 1: \$1,830,044.00

On June 25, 2015, your Honorable Board awarded Contract No. 15-515 for Aircraft Deicing Fluid Collection System Improvements and Apron Reconstruction at Terminal – Contract 3, Westchester County Airport, Towns of Harrison and North Castle and Village of Rye Brook, New York to ELQ Industries Inc., 567 Fifth Avenue, New Rochelle, New York 10801 in the amount of \$4,579,956.00.

The scope of work of the base contract consisted of providing all necessary labor, material and equipment required to install new under drains and closed drainage collection system components along with reconstruction of the concrete apron at the Terminal. Work also included a quantity of removal of contaminated soil which was based on test cores that were taken during design.

Upon removal of the existing concrete apron a substantial amount of additional contaminated soil was discovered. This additional contaminated soil was not uniformly dispersed beneath the existing apron and could not have been anticipated via the aforementioned test cores.

The cost of this additional contaminated soil removal is estimated to be \$1,830,044.00 and is based upon ELQ Industries Inc.'s unit prices, which were reviewed and approved by the Department. The scope of work for this abatement project could not have been anticipated at the time of bid, and therefore a Change Order to Contract No. 15-515 is hereby requested.

The objective of this Change Order is to remove hazardous material from the Westchester County Airport.

This Change Order is in the public's best interest because it will promote the health and safety of the general public by providing for a safe and healthy environment at the Westchester County Airport, 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 is July 1, 2015 to April 30, 2018.

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: \$1,830,044.00

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 & CONTRACTS 09/10/2015 -- JOAO G. SCIARDI, SECRETARY

RESOLUTION

RE: CONTRACT NO. 15-515
CONTRACT AMOUNT: \$ 4,579,956.00
CHANGE ORDER NO. 1: \$ 1,830,044.00
NET INCREASE: \$ 1,830,044.00
REVISED CONTRACT AMOUNT: \$ 6,410,000.00

CHANGE ORDER NO. 1

Upon communication from the Commissioner of Public Works and Transportation,

WHEREAS, Jay T. Pisco, P.E., Commissioner of Public Works and Transportation, requests approval of Change Order No. 1 on Contract No. 15-515, between the County of Westchester and ELQ Industries Inc., 567 Fifth Avenue, New Rochelle, New York 10801 for Aircraft Deicing Fluid Collection System Improvements and Apron Reconstruction at Terminal – Contract 3, Westchester County Airport, Towns of Harrison and North Castle and Village of Rye Brook, New York; and

WHEREAS, it is requested that Contract No. 15-515 be amended to provide for the removal of additional contaminated soil at the Terminal Apron, Westchester County Airport; and

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

RESOLVED, that said Change Order No. 1 on Contract No. 15-515 be and the same is hereby approved in the amount of \$1,830,044.00; and be it further

RESOLVED, that all other terms and conditions of Contract No. 15-515 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:..... \$1,830,044.00

Account to be Charged/Credited	Fund	Dept.	Major Program, Program & Phase Or Unit	Object/ Sub Object	Bond Act No.	Dollars
	361	44	A069A02C	6210-99	N/A	\$1,830,044.00

Budget Funding Year(s) 2015 **Start Date:** July 1, 2015 **End Date:** April 30, 2018
(must match resolution)

Funding Source:	Tax Dollars _____ State Aid _____ Federal Aid _____ Other <u>100% Passenger Facility Charges</u>	Contractor Federal I.D. No./ Social Security No.: _____ Vendor No.: _____ Encumbrance No.: _____
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\$1,830,044.00
(must match resolution)