

49053

TO: Board of Acquisition and Contract

FROM: Thomas J. Lauro, P.E.
Commissioner of Environmental Facilities

DATE: October 21, 2015

SUBJECT: Change Order No. 1
Contract No. **EF-1311**
Maintenance Service for Fuel Systems and Related Equipment
of the Department of Environmental Facilities
Various County Locations, Westchester County, New York

**CONTRACTOR: American Petroleum Equipment &
Construction Company Incorporated**

Amount of Change Order No. 1: \$20,000.00

On October 30, 2014, your Honorable Board awarded Contract No. EF-1311, Maintenance Service for Fuel Systems and Related Equipment of the Department of Environmental Facilities, at various County locations to American Petroleum Equipment & Construction Company Incorporated, 63 Orange Ave, Walden, NY 12586 in the amount of \$28,900.00 and for the term 11/03/2014 to 11/02/2017, subject to appropriations.

The work of this Contract includes the furnishing of on-call repair and maintenance services to perform work on underground and aboveground fuel storage tanks, monitoring systems, bulk storage tanks, fuel management systems and fuel dispensing equipment.

The original contract amount was \$28,900, which consisted of hourly labor rates (normal hourly and premium hourly), materials, equipment and OEM parts costs, portal-to-portal travel costs and a miscellaneous additional work allowance.

The majority of contract funds have been expended in the first year of this contract. In the course of conducting periodic maintenance of underground fuel storage tanks at the Mamaroneck WWTP, it was determined that additional cleaning work was required, at a cost of approximately \$16,000. The Department has recently been advised that a similar type of cleaning is needed for an underground fuel storage tank located at the Sprout Brook Ashfill facility, at a cost of approximately \$5,000.

With consent of your Honorable Board, the Department would like to increase the contract amount to cover anticipated work that will be needed in Year 2 and Year 3 of the contract term. Accordingly, it is recommended that the contract be increased to address these unanticipated repairs and to maintain the equipment in good working order. This Change Order No. 1 will cover all work required to service and maintain all equipment listed in the contract.

It is requested that your Honorable Board approve the attached Resolution for Change Order No. 1 in the amount of \$20,000.00 to cover the cost of additional on-call services and other repair work that may be needed.

Original Contract Amount: \$28,900
Change Order No. 1: \$20,000
New Contract Amount: \$48,900

The work that will be performed by Change Order No. 1 is consistent with 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, and is to be performed in the same vicinity, is necessary to maintain the tanks and was unanticipated until work under the contract began.

The goals and objectives of the contract are to obtain services that will allow the Department to maintain a continued, efficient operation of the fuel systems at County facilities. As expenditures are made pursuant to this authorization, detailed records will be kept in the County's online financial system. These records will be easily accessible by Finance, Budget and department staff and will be reviewed regularly to ensure that funds are used appropriately. Personnel from the Department of Environmental Facilities will manage and supervise the work performed by the selected Contractor.

This Contract is deemed to fulfill a public purpose as the services provided under this contract protect the building and facilities owned by the Department of Environmental Facilities and enable the Department to carry out its basic mission to provide wastewater treatment and maintain satisfactory water quality.

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.....\$20,000.00

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.

RESOLUTION

CHANGE ORDER NO.1

Upon communication from the Commissioner of the Department of Environmental Facilities,

WHEREAS, the Commissioner, Department of Environmental Facilities, requests approval of Change Order No.1 on Contract No. EF-1311, between the County of Westchester and American Petroleum Equipment & Construction Company Incorporated, 63 Orange Ave, Walden, NY 12586 for Maintenance Service for Fuel Systems and Related Equipment of the Department of Environmental Facilities, Various County locations, Westchester County, New York; and

WHEREAS, it is requested that Contract No. EF-1311, be amended to provide for additional repairs that will be required for maintaining and for safety purposes at any of the various facilities that cannot be handled with County personnel or equipment; and

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

RESOLVED, that said Change Order No.1 on Contract No. EF-1311 be and the same is hereby approved in the amount of \$20,000.00: and be it further

RESOLVED, that all other terms and conditions of Contract No. EF-1311 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.

RE: CONTRACT NO. **EF-1311**
 CONTRACT AMOUNT: \$28,900.00
 CHANGE ORDER NO. 1 \$20,000.00
 NET INCREASE: \$20,000.00
REVISED CONTRACT AMOUNT: \$48,900.00

Total Amount of Change Order No.1.....\$20,000.00

Account to
be charged/
Credited

	Fund	Dept	Magor Program, Program & Phase or Unit	Object/Sub Object	Trust Account	Dollars
2015	221	60	0110	4380-99		\$5,000
2016	221	60	0110	4380-99		\$7,500
2017	221	60	0110	4380-99		\$7,500

Budget Funding Year (s) 2015-17 Start Date: End Date:

Funding Source: **Tax dollars** 100% County
State Aid -0-
Federal Aid -0-
\$20,000.00 **Other** -0-

(Must match resolution)