

**50846**

**TO:** Board of Acquisition and Contract

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

**DATE:** February 2, 2016

**SUBJECT:** Final Acceptance Resolution  
Contract No. **09-504-Rev.**  
Rehabilitation of Bathhouse – Phase II  
Tibbetts Brook Park  
Yonkers, New York

**Contractor:** Caladri Development Corp.  
**Surety:** Colonial Surety Company  
**Final Payment Amount:** \$58,461.09

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The work required under Contract No. 09-504-Rev. between the County of Westchester and Caladri Development Corp., 1223 Park Street, Peekskill, New York 10566 has been substantially completed.

On December 16, 2013 Caladri Development Corp., 1223 Park Street, Peekskill, New York 10566 assigned all funds due under Contract No. 09-504-Rev. to Colonial Surety Company. Colonial Surety Company c/o Smart Devine LLC, 1600 Market Street, Suite 3200, Philadelphia, Pennsylvania 19103 is responsible for paying outstanding claims of subcontractors and material.

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 substantially 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 \$3,569,250.00. The work required under Contract No. 09-504-Rev. consists of all necessary labor, materials and equipment for Rehabilitation of Bathhouse – Phase II, Tibbetts Brook Park, Yonkers, New York.

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

A proposed form of Resolution is attached.

JA

# RESOLUTION

## ACCEPTANCE OF COMPLETED WORK AND APPROVAL OF FINAL ESTIMATE

**RE: CONTRACT NO. 09-504-Rev.**

<b>CONTRACT AMOUNT:</b>	<b>\$2,944,250.00</b>
<b>CHANGE ORDER NO. 1:</b>	<b>\$ 275,000.00</b>
<b>CHANGE ORDER NO. 2:</b>	<b>\$ 350,000.00</b>
<b>REVISED CONTRACT AMOUNT:</b>	<b>\$3,569,250.00</b>
<b>UNUSED AMOUNT:</b>	<b>\$ 0 00</b>
<b>VALUE OF COMPLETED WORK:</b>	<b>\$3,569,250.00</b>

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

**RESOLVED**, that the work performed by Caladri Development Corp., 1223 Park Street, Peekskill, New York 10566 is accepted and Requisition No. 16 in the Final Contract Amount of \$3,569,250.00 is approved; and be it further

**RESOLVED**, that the Commissioner of Finance be and hereby is authorized to pay Colonial Surety Company c/o Smart Devine LLC, 1600 Market Street, Suite 3200, Philadelphia, Pennsylvania 19103 the balance due on the Final Estimate in the amount of \$58,461.09.

Value of Completed Work		\$3,569,250.00
Total Previously Paid Estimates		\$3,510,788.91
Completed Work Balance	\$10,000.00	
Released Retainage	\$48,461.09	
<b>BALANCE DUE IN FULL</b>		<b>\$ 58,461.09</b>

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	Bond Act No.	Dollars
		15		BSA5700	N/A	\$48,461.09
	372	42	RTB0601C	6210-99	BA #111-2010	\$10,000.00

Budget Funding Year(s): 2016 Start Date: September 15, 2011 End Date: May 12, 2013  
(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. \_\_\_\_\_