

**52380**

**TO:** Board of Acquisition and Contract  
**FROM:** Thomas J. Lauro, P.E.  
Acting Commissioner, Department of Public Works and Transportation  
**DATE:** July 8, 2016

Final Acceptance Resolution  
Contract No. **09-508**  
Pump Station Rehabilitation Program  
Magnolia and Woodbine Pump Stations  
Larchmont, New York

<b>Contractor:</b>	Wilken Construction Corp.
<b>Surety:</b>	Utica Mutual Insurance Company
<b>Final Payment Amount:</b>	\$77,132.00
<b>Contract Savings:</b>	\$27,977.00

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The work required under Contract No. 09-508 between the County of Westchester and Wilken Construction Corp., 4 Abbeyfield Lane, Brewster, New York 10509 has been substantially completed.

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

On June 15, 2015, Wilken Construction Corp. assigned all funds due under the contract to Utica Mutual Insurance Company. Utica Mutual Insurance Company, 180 Genesee Street, New Hartford, New York 13413, is responsible for the payment of outstanding claims of subcontractors and material. Utica Mutual Insurance Company asserts a claim for the contract balance under an assignment from Wilken Construction Corp.

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 \$1,371,640.00. The work required under Contract No. 09-508 consists of all necessary labor, materials and equipment for Pump Station Rehabilitation Program, Magnolia and Woodbine Pump Stations, Larchmont, 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.

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# RESOLUTION

## ACCEPTANCE OF COMPLETED WORK AND APPROVAL OF FINAL ESTIMATE

**RE: CONTRACT NO. 09-508**  
**CONTRACT AMOUNT: \$1,399,617.00**  
**CONTRACT SAVINGS: \$ 27,977 00**  
**VALUE OF COMPLETED WORK: \$1,371,640.00**

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

**RESOLVED**, that the work performed by Utica Mutual Insurance Company, 180 Genesee Street, New Hartford, New York 13413 for Pump Station Rehabilitation Program, Magnolia and Woodbine Pump Stations, Larchmont, New York is accepted and Requisition No. 20 in the Final Contract Amount of \$1,371,640.00 is approved, and be it further

**RESOLVED**, that the Commissioner of Finance be and hereby is authorized to pay Utica Mutual Insurance Company the balance due on the net Final Estimate in the amount of \$77,132.00.

Value of Completed Work	\$1,371,640.00
Total Previously Paid Estimates	\$1,294,508.00

Completed Work Balance	\$ 9,000.00	
Released Retainage	<u>\$68,132.00</u>	
<b>BALANCE DUE IN FULL</b>		<b>\$ 77,132.00</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	
	322	60	SNR7507C	6210-99	#162-2009	
	322	60	SNR7508C	6210-99	#162-2009	

Budget Funding Year(s) 2016 Start Date March 31, 2011 End Date: April 30, 2014

(must match resolution)

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

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

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

(must match resolution)

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