

53501

TO: Board of Acquisition and Contract

FROM: Vincent F. Kopicki, P.E.
Commissioner of Public Works and Transportation

DATE: November 21, 2016

SUBJECT: Change Order No. 1
Contract No. 06-552
PIN 8110.13
Replacement of Bronx River Parkway Bridges (at Crane Road)
Over Bronx River (BIN 3348779) and Metro-North Railroad (BIN 3348789)
Town of Greenburgh and Village of Scarsdale, New York
Contractor: E.E. Cruz & Company, Inc.
Amount of Change Order No. 1: \$78,340.50

On April 5, 2012, your Honorable Board awarded Contract No. 06-552 for PIN 8110.13, Replacement of Bronx River Parkway Bridges (at Crane Road) over Bronx River (BIN 3348779) and Metro-North Railroad (BIN 3348789), Town of Greenburgh and Village of Scarsdale, New York to E.E. Cruz & Company, Inc., 32 Avenue of the Americas, 13th Floor, New York, New York 10013 in the amount of \$39,425,000.00

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

While excavating for the middle abutment footing between the two bridges and the north abutment footing for the bridge over the railroad, it was revealed that sound rock was not present at the elevation expected. Instead a large layer of decomposed rock, heavily seamed and easily broken apart, was encountered. As the abutment footings were required to rest upon sound rock, a determination made by the project geotechnical consultant resulted in the need to hand dig to remove this decomposed rock so that the footings could bear on sound rock, as intended. Additional concrete was also required to fill the voids to create a level pad for the footing to sit upon.

The objective of this Change Order is to provide for additional labor and concrete as a result of the unexpected field conditions as hand digging to sound rock was beyond the requirements of the structural excavation item in the contract.

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 replacement of the Bronx River Parkway Bridges (at Crane Road) meets standards for pedestrian and vehicular safety.

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 May 1, 2012 to August 30, 2016. An extension is requested until June 30, 2017 to complete final close-out with NYSDOT and FHWA.

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.....\$78,340.50

Payment for a portion of this Change Order will be made from the Federal Highway Bridge Replacement and Rehabilitation Program (HBRR) and the New York State Marchiselli Program, not the County General Fund and will not impact the County tax levy.

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

RE: CONTRACT NO. 06-552
CONTRACT AMOUNT: \$ 39,425,000.00
CHANGE ORDER NO. 1: \$ 78,340.50
NET INCREASE: \$ 78,340.50
REVISED CONTRACT AMOUNT: \$ 39,503,340.50

CHANGE ORDER NO. 1

Upon communication from the Commissioner of Public Works and Transportation,

WHEREAS, Vincent F. Kopicki, P.E., Commissioner of Public Works and Transportation, requests approval of Change Order No. 1 on Contract No. 06-552, between the County of Westchester and E.E. Cruz & Company, Inc., 32 Avenue of the Americas, 13th Floor, New York, New York 10013 for PIN 8110.13, Replacement of Bronx River Parkway Bridges (at Crane Road) over Bronx River (BIN 3348779) and Metro-North Railroad (BIN 3348789), Town of Greenburgh and Village of Scarsdale, New York; and

WHEREAS, it is requested that Contract No. 06-552 be amended to provide for additional work including labor and concrete 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. 06-552 be and the same is hereby approved in the amount of \$78,340.50; and be it further

RESOLVED, that the completion date of this contract is hereby extended to June 30, 2017; and be it further

RESOLVED, that all other terms and conditions of Contract No. 06-552 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 \$78,340.50

Account to be Charged/Credited	Fund	Dept.	Major Program, Program & Phase Or Unit	Object/ Sub Object	Bond Act No.	Dollars
	371	46	P001800C	6210-99	BA #47-2011	\$78,340.50

Budget Funding Year(s) 2016 Start Date 05/01/2012 End Date 06/30/2017
 (must match resolution)

Funding Source: Tax Dollars \$ 3,917.03 (County Local Match)

State Aid \$11,751.07 (NYS Marchiselli Program)

\$78,340.50 Federal Aid \$62,672.40 (Federal HBRR)
 (must match resolution)

Other _____