

56657

TO: Board of Acquisition and Contract

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

DATE: April 27, 2017

SUBJECT: Change Order No. 2
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. 2: \$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 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.

Change Order No. 1 under this contract was approved by your Honorable Board in the amount of \$20,000 on 11/12/2015. It was originally expected that this increase would be enough to cover all work to be performed under this contract through the end of the contract term. However, due to the unexpected amount of work that has been required under this contract since its inception, there again exists the need to amend the NTE upward. Of the \$48,900 that has been approved for this contract \$39,375.10 has already been expended, leaving a balance of \$9,524.90.

The Department is now requesting Change Order No 2 to cover additional work that could not have been anticipated at the time the contract was awarded or amended with Change Order #1. This work includes the repair of pipe leaks, additional tank cleaning work, and disposal of the contaminated soil at the Sprout Brook Ashfill facility at an estimated cost of \$18,000 as well as all other work between now and the end of the contract term that may arise, which brings the amended total Contract amount to \$68,900.

It is requested that your Honorable Board approve the attached Resolution for Change Order No. 2 in the amount of \$20,000.00 to cover the cost of additional required work outlined above.

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. 2

Total Amount of Change Order No.2.....\$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.

APPROVED BOARD OF ACQUISITION & CONTRACT 05/25/2011 USA M1333 SECRETARY

RESOLUTION

CHANGE ORDER NO. 2

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

WHEREAS, the Commissioner, Department of Environmental Facilities, requests approval of Change Order No. 2 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. 2 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
 CHANGE ORDER NO. 2 \$20,000.00
 REVISED CONTRACT AMOUNT: \$68,900.00

Total Amount of Change Order No. 2.....\$20,000.00

Account to
be charged/
Credited

2017

Fund	Dept	Magor Program, Program & Phase or Unit	Object/Sub Object	Trust Account	Dollars
221	60	0110	4380		\$20,000

Budget Funding Year (s) 2017 Start Date: N/A End Date:

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

(Must match resolution)