

84958

TO: Board of Acquisition and Contract

FROM: Hugh J. Greechan, Jr., P.E.
Commissioner of Public Works and Transportation

DATE: May 11, 2021

SUBJECT: Change Order No. 1
Contract No. **18-501**
Resurfacing and Related Improvements
Columbus Avenue (C.R. # 64)
From Lakeview Avenue to Nannyhagen Road
A Distance of 2.17 Miles
Town of Mount Pleasant, New York

Contractor: ELQ Industries, Inc.
Amount of Change Order No. 1: \$826,790.00

On February 27, 2020, your Honorable Board awarded Contract No. 18-501, Resurfacing and Related Improvements, Columbus Avenue (C.R. # 64), from Lakeview Avenue to Nannyhagen Road, a Distance of 2.17 Miles, Town of Mount Pleasant, New York to ELQ Industries, Inc., 567 Fifth Avenue, New Rochelle, New York 10801 in the amount of \$5,996,888.40.

The work under this contract consists of providing all necessary labor, material and equipment required to mill and resurface 2.17 miles of roadway, repair or adjust drainage structures as needed, replace selected drainage structures and pipes, replace asphalt and stone swales, replace guide railing, clear and grub roadside, install curb cuts and sidewalk segments as required, replace all traffic signal loops or install video detection systems and restore pavement markings to current standards.

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. The unexpected conditions required additional work to complete the specified project including: the replacement of a large drainage culvert found to be badly deteriorated during nearby excavation work, replacing several unmarked deteriorated drainage pipes, including the additional excavation and backfill necessary to bypass and protect numerous undocumented gas, electric and communication utilities and the installation of additional drainage swales due to inadequate existing subgrade material.

The cost of this additional work is estimated to be \$826,790.00 and is based upon ELQ Industries, Inc.'s unit prices, which were reviewed and approved by the Department. The scope of work for these unexpected field conditions could not have been anticipated at the time of bid, and therefore a Change Order to Contract 18-501 is hereby requested.

The objective of this contract is to replace substandard areas of asphalt paving.

This contract is in the public's best interest because it will promote the health and safety of the general public by ensuring that Columbus Avenue meets current codes and standards as well as reducing the County's annual maintenance costs.

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 commenced. The term of the contract is March 12, 2020 to June 11, 2022.

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	\$826,790.00
---	---------------------

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.

HJG/RSD

APPROVED BOARD OF ACQUISITION & CONTRACT - 157002021 - LISI MARIJAN SECRETARY

RESOLUTION

RE: CONTRACT NO. 18-501
CONTRACT AMOUNT: \$ 5,996,888.40
CHANGE ORDER NO. 1: \$ 826,790.00
NET INCREASE: \$ 826,790.00
REVISED CONTRACT AMOUNT: \$ 6,823,678.40

CHANGE ORDER NO. 1

Upon communication from the Commissioner of Public Works and Transportation,

WHEREAS, Hugh J. Greechan, Jr., P.E., Commissioner of Public Works and Transportation, requests approval of Change Order No. 1 on Contract No. 18-501, between the County of Westchester and ELQ Industries, Inc., 567 Fifth Avenue, New Rochelle, New York 10801 for Resurfacing and Related Improvements, Columbus Avenue (C.R. # 64), from Lakeview Avenue to Nannyhagen Road, a Distance of 2.17 Miles, Town of Mount Pleasant, New York; and

WHEREAS, it is requested that Contract No. 18-501 be amended to provide for the replacement of a large drainage culvert found to be badly deteriorated during nearby excavation work, replacing several unmarked deteriorated drainage pipes, including the additional excavation and backfill necessary to bypass and protect numerous undocumented gas, electric and communication utilities and the installation of additional drainage swales due to inadequate existing subgrade material; and

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

RESOLVED, that said Change Order No. 1 on Contract No. 18-501 be and the same is hereby approved in the amount of \$826,790.00; and be it further

RESOLVED, that all other terms and conditions of Contract No. 18-501 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 \$826,790.00

Account to be Charged/Credited	Fund	Dept.	Major Program, Program & Phase Or Unit	Object/ Sub Object	Bond Act No.	Dollars
	366	46	RB14801C	6210-99	BA #92-2018	\$826,790.00

Budget Funding Year(s): 2021 **Start Date:** March 12, 2020 **End Date:** June 11, 2022
 (must match resolution)

Funding Source: **Tax Dollars** 100% County

State Aid _____

\$826,790.00 **Federal Aid** _____
 (must match resolution)

Other _____