

90489

TO: Board of Acquisition and Contract

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

DATE: January 27, 2022

SUBJECT: Approval of Change Order No. 1 to Contract No. 18-200 with Open Systems Metro NY Inc. for Countywide Maintenance Service for Open Protocol Fire Alarm Systems, Various Locations, Westchester County, New York in an amount not to exceed \$200,000.00, increasing the total contract amount to \$1,033,500.00.

On May 10, 2018, your Honorable Board awarded Contract No. 18-200 for Countywide Maintenance Service for Open Protocol Fire Alarm Systems, Various Locations, Westchester County, New York to Open Systems Metro NY Inc., 258 Route 117 By Pass Road, Bedford Hills, New York 10507 ("Open Systems Metro") for a term of three (3) years with one two (2) year renewal, in an amount not to exceed \$500,100.00 ("Agreement"). The Agreement was duly executed.

Subsequently, on April 22, 2021, your Honorable Board approved a Resolution authorizing the renewal option through June 30, 2023 and increasing the amount of the Agreement by \$333,400.00 bringing the total amount of the Agreement to \$833,500.00.

Pursuant to the Agreement, Open Systems Metro provides all necessary labor, material and equipment required to perform testing inspections and repair services for open protocol fire alarm systems at various County buildings and facilities located throughout Westchester County.

This Change Order is necessary to ensure that additional work that could not have been anticipated at the time the Agreement was bid, but is of the nature contemplated by the Agreement, can be undertaken. As part of the ongoing overall reconstruction and rehabilitation of various facilities at Playland Park, removal, reinstallation and upgrades to programming of the existing fire alarm systems is required. Pursuant to the Second Restated and Amended Playland Management Agreement ("PMA") with Standard Amusements, LLC for the operation of Playland Park, the County is responsible to undertake a number of reconstruction and rehabilitation projects at Playland Park. The work covered under the Agreement is work that the County is now obligated to undertake in connection with the County's projects under the PMA. In order to ensure that the County is in compliance with its obligations under the PMA, the County requires Open Systems Metro to perform the work at Playland. This constitutes additional work.

As such a Change Order is required in order to increase the not to exceed amount to cover the Playland work. The cost of the additional Playland Park work is estimated to be \$200,000.00 and is based upon Open System Metro's unit prices, which were reviewed and approved by the Department.

The objective of this contract is to maintain vital life safety systems.

This contract is in the public's best interest because it will promote the health and safety of the general public by providing a safe and code compliant work environment at various County facilities.

The Department will track scheduling and accomplishments by Open Systems Metro and perform on-site inspections to ensure the successful completion of the work.

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 Agreement as amended is July 1, 2018 through June 30, 2023.

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	\$200,000.00
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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 - 02/24/2022 - RAYMOND J. SCULKY, SECRETARY

RESOLUTION

RE: CONTRACT NO. 18-200
CONTRACT AMOUNT: \$ 500,100.00
AGREEMENT EXTENSION: \$ 333,400.00
CHANGE ORDER NO. 1: \$ 200,000.00
AMENDED CONTRACT AMOUNT: \$ 1,033,500.00

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. 18-200, between the County of Westchester and Open Systems Metro NY Inc., 258 Route 117 By Pass Road, Bedford Hills, New York 10507 for Countywide Maintenance Service for Open Protocol Fire Alarm Systems, Various Locations, Westchester County, New York in order to amend Contract No. 18-200 to provide for removal, reinstallation and upgrades to programming of the existing fire alarm systems at Playland Park and increase the contract amount by \$200,000.00 to cover the additional work; and

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

RESOLVED, that said Change Order No. 1 on Contract No. 18-200 between the County of Westchester and Open Systems Metro NY Inc. be and the same is hereby approved in the amount of \$200,000.00; and be it further

RESOLVED, that all other terms and conditions of Contract No. 18-200 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 \$200,000.00

Account to be Charged/Credited	Fund	Dept.	Major Program, Program & Phase Or Unit	Object/ Sub Object	Bond Act No.	Dollars
	372	42	RP04001C	6210-99	BA #159-2020	\$200,000.00

Budget Funding Year(s): 2022 **Start Date:** July 1, 2018 **End Date:** June 30, 2023
(must match resolution)

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

State Aid _____

\$200,000.00 **Federal Aid** _____
(must match resolution)

Other _____