



# Westchester Community College

State University of New York

**TO:** Board of Acquisition and Contract

**FROM:** Joseph N. Hankin  
President

**DATE:** April 19, 2010

**SUBJECT:** First Amendment to Agreement No. WCC-06-829  
In the matter of Construction Management Services in connection with the  
Gateway Center  
Westchester Community College  
Valhalla, New York  
Consultant: STV Construction, Inc  
Agreement Amount: \$257,000.00

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Authority from your Honorable Board is requested to amend the existing Agreement between the County of Westchester and STV Construction, Inc, 225 Park Avenue South, New York, NY 10003. On June 15, 2006 your Honorable Board passed the original agreement for construction management services in connection with the Gateway Center, Westchester Community College, Valhalla, New York in the amount of \$1,378,066.00 for the period September 5<sup>th</sup> 2006 through November 30, 2009.

Authority is now requested to amend the original agreement in the amount of \$257,000 and extend the agreement term from November 30<sup>th</sup>, 2009 to June 30<sup>th</sup> 2010 for construction management services in connection with the continued construction of the Gateway Center at Westchester Community College. During the design phase the construction schedule was delayed due to unanticipated but required value engineering exercises. During the construction period, the construction schedule was delayed due to unforeseen site conditions, coordination issues, and design issues which required a change to construction documents and the subsequent delay in construction progress. The construction manager is required to remain in this position to oversee the completion of the project. We recommend that they be compensated for their additional services.

The additional funding required for this amendment will come from savings realized in the original design and construction budgets and does not require any additional monies from Westchester County.

The fee for the above services is for an amount of \$257,000.00 pursuant to an approved budget, bringing the total Agreement plus Amendment to \$1,635,066.00. The completion date of the Agreement shall now be June 30, 2010.

I recommend adoption of the attached Resolution.

# RESOLUTION

Upon a communication from the President, Westchester Community College,

WHEREAS, authority was granted to enter into an Agreement between the County of Westchester and STV Construction, Inc, 225 Park Avenue South, New York, NY 10003. The original Agreement, dated September 5, 2006, was for construction management services in connection with the Gateway Center, Westchester Community College, Valhalla, New York; therefore be it

RESOLVED, that the existing Agreement be amended to provide construction management services in connection with the continued construction of the Gateway Center at Westchester Community College. During the design phase the construction schedule was delayed due to unanticipated but required value engineering exercises. During the construction period, the construction schedule was delayed due to unforeseen site conditions, coordination issues, and design issues which required a change to construction documents and the subsequent delay in construction progress. The construction manager is required to remain in this position to oversee the completion of the project. We recommend that they be compensated for their additional services.

RESOLVED, that for the additional services rendered, STV Construction, Inc., shall be paid a fee of \$257,000.00 pursuant to an approved budget, increasing the total maximum fee to \$1,635,066.00; and be it further

RESOLVED, that the completion date of the Agreement shall be June 30, 2010; and be it further

RESOLVED, that all other provisions of the existing Agreement 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.

Original Agreement	\$	1,378,066.00
This Amendment	\$	<u>257,000.00</u>
TOTAL	\$	1,635,066.00

Agreement No. WCC-06-829

Account to be Charged/Credited	Fund	Dept	Major Program, Program & Phase or Unit	Object/ Sub Object	Trust Account	Dollars
	381	32	WCC53	5602001		\$ 257,000.00

Budget Funding Year(s): \_\_\_\_\_ Start Date: September 5, 2006 End Date: June 30, 2010  
 (must match resolution)

Funding Source: Tax Dollars: <u>\$128,500.00</u>	Contractor Federal I.D. No./
State Aid: <u>\$128,500.00</u>	Social Security No.: _____
Federal Aid: _____	Vendor No.: _____
Other: _____	Encumbrance No: _____

APPROVED BOARD OF ACQUISITION & CONTRACT - 5-13-2010 - JOMARY VIEIRA, SECRETARY