

102424

**TO:** Board of Acquisition and Contract

**FROM:** Vincent F. Kopicki, P.E.  
Commissioner of Environmental Facilities

**DATE:** July 20, 2023

**SUBJECT:** Resolution for the County of Westchester to approve Change Order No. 1 to Contract No. EF-1902-1<sup>st</sup> Extension with National Water Main Cleaning Co. Sewer System On Call Cleaning and Televising Westchester County Sewer Districts Various locations throughout Westchester County, New York in the amount not to exceed of \$219,713.30 increasing the total contract amount to \$1,059,192.00.

On March 17, 2022, your Honorable Board authorized the County to exercise its option to exercise its three (3) year renewal option for Contract No. EF-1902, Sewer System On Call Cleaning and Televising for Westchester County Sewer Districts at various locations throughout Westchester County, New York ("Agreement") to National Water Main Cleaning Co., 1806 Newark Turnpike, Kearny, NJ 07032 ("Contractor"). The renewal option increased the amount of the Agreement by \$207,234.35 from an amount of \$632,234.35 to a new amount of \$839,468.70, and extended the termination date of the Agreement from July 31, 2022 to July 31, 2025.

Over the weekend of April 28 through May 1, 2023, the Yonkers Joint Water Resource Recovery Facility (WRRF) recorded over 4-1/2 inches of rain. As a result of this amount of rain, several of DEF's facilities became overloaded with grit. The amount of grit that was removed was beyond the capacity of County forces to perform with our own personnel and equipment, and the Contractor was directed to perform additional grit removal services in order to restore and maintain proper functioning at each facility. The additional grit removal work performed by the Contractor is consistent with the work expected to be performed under this Agreement. However, the amount of grit that needed to be removed by the contractor was extensive. At the Yonkers Joint WRRF, the Contractor removed 101.32 tons of grit from Primary Sludge Thickener #2, 196.85 tons of grit from the Primary Clarifier #4 cross collector and 24.39 tons of grit from the Combined Sewer Overflow swirl concentrators. At the North Yonkers Pumping Station, 54.02 tons of grit was removed from the North and South Influent Channels at the Pumping Station. At the Main Street Pumping Station, 12.17 tons of grit was removed from the wet well. The total amount of grit removed as a result of this unforeseen rain event was 388.75 tons of grit. The total cost for this work was \$219,713.30. This change order is needed to cover the additional grit removal costs from these facilities as this volume of work could not have been anticipated in the original Agreement. The costs associated with this work will cause the original Agreement amount to be exceeded.

It is requested that your Honorable Board approve the attached Resolution for Change Order No. 1 in the amount of \$219,713.30 to cover the total cost of the additional required work, which brings the amended Agreement amount to a total of \$1,059,192.00. All other terms and conditions of the Agreement shall remain in full force and effect.

This requested additional work is consistent with the original work and does not materially alter the main purpose of the Agreement as to constitute a new undertaking as cleaning of sanitary sewer lines involves the removal and disposal of grit and deposits from sanitary sewers. The work is of the same nature as the initial work, and was performed in the same vicinity.

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      \$219,713.30**

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 - 09/14/2023 - RAYMOND SULKY, SECRETARY

## RESOLUTION

### RE: CONTRACT NO. EF-1902-1<sup>st</sup> Extension

CONTRACT AMOUNT:	\$839,468.70
<u>CHANGE ORDER NO. 1</u>	<u>\$219,713.30</u>
AMENDED CONTRACT AMOUNT:	\$1,059,192.00

### CHANGE ORDER NO. 1

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

**WHEREAS**, the Commissioner, Department of Environmental Facilities, requests approval of Change Order No. 1 on Contract No. EF-1902-1<sup>st</sup> Extension, between the County of Westchester and National Water Main Cleaning Co., 1806 Newark Turnpike, Kearny, NJ 07032 for Sewer System On Call Cleaning and Televising for Westchester County Sewer Districts, at various locations, Westchester County, New York; and

**WHEREAS**, it is requested that Contract No. EF-1902-1<sup>st</sup> Extension, be amended due to the expenses associated with additional cleaning and grit removal services at Yonkers Joint Water Resource Recovery Facility, North Yonkers Pumping Station and Main Street Pumping Station in the City of Yonkers related to heavy rain from April 28 to May 1, 2023; and

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

**RESOLVED**, that said Change Order No. 1 on Contract No. EF-1902-1<sup>st</sup> Extension between the County of Westchester and National Water Main Cleaning Co., be and the same is hereby approved in the amount of \$219,713.30; and be it further

**RESOLVED**, that all other terms and conditions of Contract No. EF-1902-1<sup>st</sup> Extension 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 ..... \$219,713.30**

Account to  
be charged/

2023

Fund	Dept	Major Program, Program & Phase or Unit	Object/Sub Object	Trust Account	Dollars
221	60	0110	4310		\$219,713.30

**Budget Funding Year (s)** 2022-2025 Start Date: N/A End Date N/A

**Funding Source:**

**Tax dollars** 100% County

**Contractor -**

**State Aid** \_\_\_\_\_

**Federal I.D. No.**

**Federal Aid** \_\_\_\_\_

**Other** \_\_\_\_\_

\$219,713.30

(Must match resolution)