

111613

**TO:** Board of Acquisition and Contract

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

**DATE:** August 11, 2025

**SUBJECT:** Resolution for the County of Westchester to approve Change Order No. 1 to Contract No. 11-548 with Welkin Mechanical, LLC for HVAC Equipment Upgrades and Odor Control Improvements – Phase IV at the Yonkers Joint Wastewater Treatment Plant in Yonkers, New York in order to increase the contract amount by \$1,800,000.00 and extend the completion date from June 7, 2026 to December 31, 2027.

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On November 17, 2022, your Honorable Board awarded Contract No. 11-548 for HVAC Equipment Upgrades and Odor Control Improvements – Phase IV, Yonkers Joint Wastewater Treatment Plant, Yonkers, New York to Welkin Mechanical, LLC, 1010 Northern Boulevard, Great Neck, NY 11021 (“Welkin Mechanical”) in the amount of \$23,436,000.00 (“Agreement”) for the term December 7, 2022 to June 7, 2026. The Agreement was duly executed.

Pursuant to the Agreement, Welkin Mechanical provides the County of Westchester (“County”) all necessary labor, materials and equipment required to upgrade the Odor Control System at the Yonkers Joint Wastewater Treatment Plant. This treatment plant is located in Yonkers, New York. The objective of this contract is to promote the health and safety of the public by rehabilitating or replacing those treatment plant systems that have reached the end of their useful life and ensures ongoing operational needs and continued uninterrupted operation of the plant’s wastewater treatment systems.

At this time, we respectfully request consideration for an increase in the contract value for this project due to unforeseen conditions that have resulted in the need for additional work. Along with the increase in contract value, additional time is being requested to complete the additional work.

After award of this contract to Welkin Mechanical, it was determined that a future project will require electrical power distribution equipment to be placed above the current FEMA flood elevation requirement. The only available space above the required elevation is located on the second floor of the DAF Thickener Building, which is the area where the HVAC mechanical equipment under this Agreement was scheduled to be installed. As a result, the equipment for this project needs to be relocated to another area in order to maximize the amount of space required to accommodate the future electrical equipment. This requires the relocation of the existing air handlers and the rerouting of a significant amount of piping, ducting, and wiring around the space reserved for the future electrical room. Additionally, new wall penetrations are needed to allow the ducting to avoid running through the reserved space.

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Additionally, during pile installation for the foundation of the new truck loading bay, it was discovered that subsurface conditions and depth to bedrock varied from what the geotechnical borings done during design had indicated. During design, test borings were conducted near the Sludge Loading Bay to determine the depth to rock. Rock was encountered at approximately 35 feet. During the installation of the new piles, it was determined that the rock layer encountered was not bedrock but rather was fill containing boulders which were used to create a dike which was installed in the 1950 s. As more borings were drilled deeper, it was determined that bedrock ranged from 35 to 77 feet. Therefore, additional pile length is required to reach bedrock and provide adequate bearing for the new Sludge Loading Bay. As this could not have been anticipated at the time of bid, it will be necessary to increase the compensation to cover the additional unanticipated work.

These developments have introduced additional costs of \$1,800,000.00 that are essential to ensure continued progress and successful completion of the project in accordance with the revised requirements.

This requested additional work does not materially alter the main purpose of the contract as to constitute a new undertaking. The work is to be performed in the same vicinity. The additional work was reviewed and approved by the Department of Public Works and Transportation ("Department") and the cost of this additional work is estimated to be \$1,800,000.00. The scope of work for this unexpected additional work could not have been anticipated at the time of bid, and therefore a Change Order to Contract 11-548 is hereby requested.

Therefore, this Change Order No. 1 is being submitted to your Honorable Board to request an increase of the contract amount by \$1,800,000.00 and to extend the completion date from June 7, 2026 to December 31, 2027. All other terms and conditions of the Agreement shall remain unchanged and in full force and effect.

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

It is requested that your Honorable Board take action on the following:

Approval of Change Order No. 1:

<b>Total Amount of Change Order No. 1</b>	<b>\$1,800,000.00</b>
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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.

LR/CP

## RESOLUTION

**RE: CONTRACT NO. 11-548**

**CONTRACT AMOUNT: \$ 23,436,000.00**

**CHANGE ORDER NO. 1: \$ 1,800,000.00**

**AMENDED CONTRACT AMOUNT: \$ 25,236,000.00**

### 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 to Contract No. 11-548, between the County of Westchester and Welkin Mechanical, LLC, 1010 Northern Boulevard, Great Neck, NY 11021 for HVAC Equipment Upgrades and Odor Control Improvements – Phase IV, Yonkers Joint Wastewater Treatment Plant, Yonkers, New York to carry out unforeseen and unanticipated work in an additional amount of \$1,800,000.00 and to extend the completion date from June 7, 2026 to December 31, 2027; and

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

**RESOLVED**, that said Change Order No. 1 to Contract No. 11-548, between the County of Westchester and Welkin Mechanical, LLC be and the same is hereby approved to increase the contract amount by \$1,800,000.00 and extend the completion date from June 7, 2026 to December 31, 2027; and be it further

**RESOLVED**, that all other terms and conditions of Contract No. 11-548 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 ... \$1,800,000.00**

Account to be Charged/Credited	Fund	Dept.	Major Program, Program & Phase Or Unit	Object/ Sub Object	Bond Act No.	Dollars
	322	60	SY00903C	6210-99	BA #121-2025	\$1,800,000.00

**Budget Funding Year(s):** 2025 **Start Date:** December 7, 2022 **End Date:** December 31, 2027

(must match resolution)

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

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

**\$ 1,800,000.00** **Federal Aid** \_\_\_\_\_

(must match resolution)

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