

109936

TO: Board of Acquisition and Contract

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

DATE: November 12, 2024

SUBJECT: Resolution for the County of Westchester to approve Change Order No. 3 to Contract No. 16-520 with OCS Industries, Inc. for Performance Enhancements, New Rochelle Wastewater Treatment Plant, New Rochelle, New York extending the completion date from June 30, 2024 to December 31, 2025.

On January 16, 2021, your Honorable Board awarded Contract No. 16-520 for Performance Enhancements, New Rochelle Wastewater Treatment Plant, New Rochelle, New York, to OCS Industries, Inc., 327 Mill Street, Poughkeepsie, New York 12601 (“OCS Industries”) in the amount of \$7,146,000.00 (“Agreement”), for the term January 30, 2020 through July 30, 2022. The Agreement was duly executed.

On September 29, 2022 your Honorable Board approved Change Order No. 1 in order to extend the completion date of the Agreement from July 30, 2022 to December 31, 2022.

On March 2, 2023 your Honorable Board approved Change Order No. 2 in order to extend the completion date of the Agreement from December 31, 2022 to June 30, 2024 and to increase the contract amount by \$250,000.00.

Pursuant to the Agreement, OCS Industries provides all necessary labor, materials and equipment required to provide improvements including increasing efficiency and reliability of equipment and ease of maintenance to various wastewater treatment processes at the New Rochelle Wastewater Treatment Plant.

As construction progressed, unforeseen existing equipment conditions were encountered that require additional time in order to repair or modify existing equipment and systems to complete the necessary performance enhancements. This includes unexpected issues with the installation and startup of the thickened sludge pumps as well as unforeseen necessary modifications of controls to ensure various system redundancies and reliability. Additionally, maintenance of plant operations requirements, prevented the additional work from being done concurrently and requiring careful scheduling and coordination to prevent process disruption, further delaying the overall completion. Therefore, an extension of time is being requested through December 31, 2025 to complete the work. 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 OCS Industries 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. 3:

Total Amount of Change Order No. 3	\$0.00
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A proposed form of Resolution is attached hereto for your approval.

Approval is recommended.

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APPROVED BOARD OF ACQUISITION & CONTRACT - 11/20/2024 - RAYMOND SCULKY, SECRETARY

RESOLUTION

RE: CONTRACT NO. 16-520
CONTRACT AMOUNT: \$ 7,146,000.00
CHANGE ORDER NO. 1: \$ 0.00
CHANGE ORDER NO. 2: \$ 250,000.00
CHANGE ORDER NO. 3: \$ 0.00
AMENDED CONTRACT AMOUNT: \$ 7,396,000.00

CHANGE ORDER NO. 3

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. 3 on Contract No. 16-520, between the County of Westchester and OCS Industries, Inc., 327 Mill Street, Poughkeepsie, New York 12601 for Performance Enhancements, New Rochelle Wastewater Treatment Plant, New Rochelle, New York; in order to extend the term of the Agreement through December 31, 2025; and

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

RESOLVED, that Change Order No. 3 on Contract No. 16-520 between the County of Westchester and OCS Industries, Inc. be and the same is hereby approved in order to extend the term through December 31, 2025 and be it further

RESOLVED, that all other terms and conditions of Contract No. 16-520 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. 3 \$0.00

Account to be Charged/Credited	Fund	Dept.	Major Program, Program & Phase Or Unit	Object/ Sub Object	Bond Act No.	Dollars
	322	60	SLI0100C	6210-99	BA #239-2008	\$0.00

Budget Funding Year(s): 2024 **Start Date:** January 30, 2020 **End Date:** December 31, 2025
 (must match resolution)

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

State Aid _____

\$ 0.00 **Federal Aid** _____
 (must match resolution)

Other _____