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TO: Board of Acquisition and Contract

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

DATE: June 06, 2025

SUBJECT: Resolution for the County of Westchester to approve Change Order No. 1 to Contract No. 23-200 with American Petroleum Equipment and Construction Co., Inc. to provide a Service Contract for Environmental Remediation for Petroleum Based Products, Various County Facilities, Westchester County, New York in an amount not to exceed \$300,000.00 increasing the total contract amount to \$1,127,775.00

On October 12, 2023, your Honorable Board awarded Contract No. 23-200 to provide a Service Contract for Environmental Remediation for Petroleum Based Products, Various County Facilities, Westchester County, New York to American Petroleum Equipment and Construction Co., Inc, Walden, New York ("Apecco") for a term of three (3) years with one County option to renew for two (2) years, in an amount not to exceed \$827,775.00 ("Agreement"). The Agreement was duly executed.

Pursuant to the Agreement, Apecco provides all necessary labor, material and equipment required to perform testing, fuel tank pumping and removal, installation of temporary tanks and associated piping as needed, contaminated oil removal along with installation of new fuel tanks and associated piping, and replacement of soil.

This Change Order is necessary to ensure uninterrupted services to address petroleum base fuel spills. The work under this contract is performed on an as needed basis as tanks are tested and found non-compliant. The County required more of the services being performed under this Agreement than were initially anticipated at the time of bid as there were additional tanks that required remediation and replacement but it was not known at the time of bid that these tanks required remediation. In addition, there were an increased number of County locations that required remediation that were not known at the time of the bid and now require services.

As a result of the unanticipated increase in the amount of services required by the County, the funds remaining on the contract are insufficient to cover the remaining contract term. The cost of the work for the remainder of the contract term is estimated to be \$300,000.00 and is based upon Apecco's unit prices, which were reviewed and approved by the Department. Accordingly, it is necessary to increase the amount of the contract for the remainder of the term by \$300,000.00 bringing the new total amount not to exceed to \$1,127,775.00

The objective of this Agreement is to provide necessary services to address petroleum based fuel spills on an as needed basis.

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This Agreement is in the public's best interest because it will promote the health and safety of the general public by meeting all mandated codes and requirements in relation to fuel spills.

The Department will track scheduling and accomplishments by Apecco 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, and was unanticipated until work under the contract began.

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	\$300,000.00
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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.

RESOLUTION

RE: CONTRACT NO. 23-200
CONTRACT AMOUNT: \$ 827,775.00
CHANGE ORDER NO. 1: \$ 300,000.00
AMENDED CONTRACT AMOUNT: \$ 1,127,775.00

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. 23-200, between the County of Westchester and American Petroleum Equipment and Construction Co., Inc, Walden New York to provide a Service Contract for Environmental Remediation for Petroleum Based Products, Various County Facilities, Westchester County, New York, in order to amend Contract No. 23-200 and increase the contract amount by \$300,000.00 to a new amount not to exceed \$1,127,775.00; and

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

RESOLVED, that said Change Order No. 1 on Contract No. 23-200 between the County of Westchester and American Petroleum Equipment and Construction Co., Inc. be and the same is hereby approved in the amount of \$300,000.00; and be it further

RESOLVED, that all other terms and conditions of Contract No. 23-200 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 \$300,000.00

RESOLUTION

Contract No. 21-207, Change Order No. 1

Account to be Charged/Credited	Fund	Dept.	Major Program, Program & Phase Or Unit	Object/ Sub Object	Trust Account.	Dollars
			TO BE DETERMINED			\$ 110,100 (2024)
			TO BE DETERMINED			\$ 110,100 (2025)
			TO BE DETERMINED			\$ 79,800 (2026)

Budget Funding Year(s) 2023-2026 Start Date: January 1, 2024 End Date: September 30, 2026
(must match resolution)

Funding Source: Tax Dollars 100% County

State Aid _____

\$300,000.00 Federal Aid _____
(must match resolution)

Other _____

APPROVED BOARD OF ACQUISITION & CONTRACT - 06/17/2025 - RAYMOND SCULKY, SECRETARY