

23-23-05

**RESOLUTION TO INCREASE THE PROJECT BUDGET FOR CONTRACT D012022
WITH ENVIRONMENTAL SERVICE GROUP (NY), INC. FOR ADDITIONAL WORK
AT HAWKINSVILLE DAM**

WHEREAS, in May 2022, via resolution 22-25-05 the Board of the Hudson River-Black River Regulating District awarded the Hawkinsville Dam Remediation construction project to the Environmental Service Group (NY), Inc. (“ESG”) for a price not to exceed \$1,722,015; and

WHEREAS, construction commenced in September 2022 with an anticipated completion date by December 15, 2022; and

WHEREAS, work slowed and then was suspended on the west side of the project in mid-November due to loose and liquefied soils encountered during excavation work adjacent to the existing west side abutment; and

WHEREAS, ESG subsequently submitted to the Regulating District a shoring system plan (“Phase I Shoring Plan”) prepared by ESG’s engineering consultant and thereafter took steps to implement said plan; and

WHEREAS, subsurface site conditions, in particular the depth of, and lack of, bedrock on the west side of the project required an additional suspension of work and development of a new shoring plan (“Phase II Shoring Plan”) by ESG’s consulting engineer; and

WHEREAS, ESG developed the Phase II Shoring Plan, subsequently accepted by the Regulating District, and began implementing such plan on April 10, 2023; and


WHEREAS, such schedule delays and subsurface conditions necessitating project scope amendment have affected the projected project cost; and

WHEREAS, staff recommends the Board accept ESG's Phase I and Phase II shoring plans, amend the scope of work to incorporate ESG’s implementation of such plans, and increase Contract D012022 by \$583,354 to a not-to exceed amount of \$2,305,369.

NOW THEREFORE BE IT RESOLVED the Hudson River – Black River Regulating District Board accepts ESG’s proposal to complete certain work and authorizes the Executive Director to execute an amendment to Contract D012022, in the amount of \$583,354.00, bringing the not-to-exceed contract value to \$2,305,369.00; and

BE IT FURTHER RESOLVED that the agreement is subject to the review and approval of the NYS Attorney General and the NYS Office of the State Comptroller.

Approved as to form:


Robert P. Leslie
General Counsel

Motion was made by Mr. Candido and seconded by Mr. DeWitt that the Resolution be approved.

Present and Voting:

<u>MEMBER</u>	<u>AYE</u>	<u>NOE</u>	<u>ABSTAIN</u>
Mr. Finkle	<u> X </u>	<u> </u>	<u> </u>
Mr. Candido.....	<u> X </u>	<u> </u>	<u> </u>
Mr. DeWitt.....	<u> X </u>	<u> </u>	<u> </u>
Mr. Hayes	<u> X </u>	<u> </u>	<u> </u>
Mr. Bird	<u> </u>	<u> </u>	<u> X </u>
Mr. Reagan	<u> X </u>	<u> </u>	<u> </u>
Ms. Allen.....	<u> </u>	<u> </u>	<u> X </u>