

25-30-07

**RESOLUTION TO INCREASE THE PROJECT BUDGET FOR CONTRACT D012023
WITH C.D. PERRY, INC. FOR ADDITIONAL WORK AT INDIAN LAKE DAM**

WHEREAS, in August 2023, pursuant to resolution 23-38-08, the Board of the Hudson River-Black River Regulating District awarded the Indian Lake Dam Remediation construction project ("Project") to C.D. Perry, LLC (C.D. Perry) for a price not to exceed \$10,834,860.17; and

WHEREAS, the Project has been financed through a combination of pay-as-you-go basis and \$10,053,346 in EFC financing through the Clean Water State Revolving Fund Program; and

WHEREAS, C.D. Perry commenced construction in November 2023 with a contract completion date of December 31, 2025; and

WHEREAS, during construction, the Regulating District, C.D. Perry and the engineering consultant identified additional work related to the original scope of work but beyond the scope of the original contracted tasks at the logway sluice, and in other areas; and

WHEREAS, the Regulating District authorized field changes necessary to achieve the dam safety and stability goals inherent to the project; and

WHEREAS, while additional work was authorized, the Regulating District worked with the engineering consultant and C.D. Perry to reduce costs in other areas; and

WHEREAS, this additional work, after off-setting savings were applied, has resulted in a current net increase in the project cost for work related to the original scope of the project of \$1,776,543; and

WHEREAS, during construction, the Regulating District, C.D. Perry, and the engineering consultant identified additional emergent work at the gatehouse foundation unrelated to the original scope of work but necessary to meet the dam safety and stability goals inherent to the project; and

WHEREAS, staff has worked with the engineering consultant, C.D. Perry, and NYSDEC dam safety to identify a repair approach for the emergent gatehouse foundation work acceptable to NYSDEC dam safety; and

WHEREAS, C.D. Perry has provided a cost to complete the emergent gatehouse foundation work in accordance with the engineering consultant's plans and specifications of \$4,934,972.88; and

WHEREAS, staff has worked with New York State Division of Budget colleagues to secure external funding for the emergent work, including in the amount of \$5,714,976 for additional construction;

NOW THEREFORE BE IT RESOLVED the Hudson River – Black River Regulating District Board authorizes the Executive Director to execute an amendment to increase Contract


Approved at the July 8, 2025 Board Meeting

D012023 by an amount not to exceed \$7,491,519, for a total contract value not to exceed \$18,326,379.17; and

BE IT FURTHER RESOLVED that the Executive Director is authorized to extend the term of Contract D012023 to December 31, 2026; and

BE IT FURTHER RESOLVED that the amendment 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. Hayes 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>	_____	_____
Mr. Candido.....	_____	_____	_____
Mr. DeWitt	<u>X</u>	_____	_____
Mr. Hayes	<u>X</u>	_____	_____
Mr. Bird.....	<u>X</u>	_____	_____
Mr. Reagan.....	<u>X</u>	_____	_____
Ms. Allen.....	<u>X</u>	_____	_____