



**Town of East Hampton
Long Island, NY**

Adopted
Sep 6, 2018 6:30 PM

**Resolution
RES-2018-1022**

**Extend Engineering Services - Fuel Farm Reconstruction
Construction Administration and Inspection Services at East Hampton Airport**

Information

Department:	Town Attorney	Sponsors:	Councilman Jeffrey Bragman
Category:	Prof. Services (Attorney, Eng., Appraisers, Cons.)	Functions:	Misc.

Body

WHEREAS, by Resolution 2016-100, the Town authorized L.K. McLean Associates, P.C. to provide professional services for design and permitting work, and construction administration and inspection services, to develop plans and specifications for, and oversee the reconstruction of the fuel farm at the East Hampton Town Airport; and

WHEREAS, a revision to the agreed upon engineering fee was approved due to delays on the part of the Contractor to complete construction of the fuel farm, and the Engineer's authorization was increased from 12 weeks to 20 weeks; and

WHEREAS, additional oversight beyond 20 weeks is required, and the Engineer has provided a proposal, dated August 14, 2018, to complete the engineering services at a cost not to exceed 55,000.00; and

WHEREAS, the Town is entitled to daily delay damages for the Contractor's failure to complete the fuel farm installation within the period agreed upon in the Contract, and such damages accrue daily and at the current time are in excess of \$55,000.00; and

WHEREAS, the Town shall withhold the daily damages from the sums due the Contractor, and

WHEREAS, the Engineer has agreed that their additional fees shall be payable by the Town only from such daily damages successfully withheld by the Town from the Contractor's total contract payment; and

WHEREAS, as a result of such engineering fees being payable only from funds obtained by the Town for the Contractor's delay damages, the cost to the Town for such additional engineering fees will not have an impact upon the overall project budget; now, therefore, be it

RESOLVED, that L.K. McLean Associates, P.C., shall be paid for for additional Construction Administration and inspection services for the East Hampton Airport fuel farm at their previously authorized weekly rate, not to exceed an additional \$55,000.00, from funds successfully retained by the Town from the Contractor as penalties for delay in the completion of the project, as set forth in the Contract; and be it further

RESOLVED, that L.K. McLean Associates, P.C. shall be paid for such additional services from Budget Account HA 5610-52104-17004.

Meeting History

Sep 6, 2018 6:30 PM Video	East Hampton Town Board	Regular Meeting	Draft
RESULT:	ADOPTED [UNANIMOUS]		
MOVER:	Jeffrey Bragman, Councilman		
SECONDER:	Kathee Burke-Gonzalez, Councilwoman		
AYES:	Kathee Burke-Gonzalez, David Lys, Sylvia Overby, Jeffrey Bragman, Peter Van Scoyoc		