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**TOWN OF NEWBURGH  
TOWN ENGINEER**

**MEMORANDUM**

**TO:** G. Piaquadio, Supervisor & Town Board  
**FROM:** P. Hines, Representative Engineer for Town   
**DATE:** 21 Sept 2023  
**RE:** **Chadwick Lake Filter Plant Resiliency Project  
Pall Filter Rental Agreement Extension**

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The NYC DEP has postponed the Delaware Aqueduct Project until October 2024. The Town has a contract with Pall to supply a one million gallon per day trailer mounted filter for use at the Chadwick Lake Filter Plant during the NYC DEP Delaware shut-down.

HDR and the Engineering office has discussed the contract extension with representatives of Pall. Three options were provided. The attached is a copy of the options.

After review with HDR we are recommending Option #2 on the attached sheet. This option extends the existing contract with a \$3,500.00 per month reservation fee.

NYC DEP has indicated that they are aware of the increased cost to the Town and will amend the agreement with the Town to cover the increased costs to the Town for the delay.

The contract extension requires Town Board approval.

Cc: R. Clum, Town Accountant  
J. Osborne, Town Engineer

## Newburgh Trailer Options

	<b>Option</b>	<b>Estimated Cost</b>
1	Cancel the existing contract and start a new contract in Summer/Fall 2024.	\$40,565 in August 2023. Costs as indicated in other options for a new contract in 2024.
2	Extend rental (one T96 unit) to begin deployment in October 2024 and end deployment in August 2025.	<ul style="list-style-type: none"> <li>• Monthly reservation fee: \$3,500/month (August 2023 through September 2024).</li> <li>• Monthly Rental fee: \$49,181/month (October 2024 through July 2025).</li> <li>• Start-up commissioning fee: \$46,000 (October 2024).</li> <li>• Decommissioning fee: \$36,800 (July 2025).</li> <li>• Freight: \$20,000 (est.)</li> </ul>
3	Extend rental (one T96 unit) to begin deployment in October 2024 and end deployment in August 2025. Include trailer on site September 2023 and October 2023 for testing.	<ul style="list-style-type: none"> <li>• Monthly reservation fee: \$3,500/month (August 2023 through September 2024).</li> <li>• Monthly Rental fee: \$49,181/month (October 2024 through July 2025).</li> <li>• Monthly rental fee: \$46,839/month (September 2023 and October 2023).</li> <li>• Start-up commissioning fee: \$46,000 (October 2024).</li> <li>• Start-up/commissioning fee: \$46,000 (September 2023).</li> <li>• Decommissioning fee: \$36,800 (October 2023).</li> <li>• Decommissioning fee: \$36,800 (July 2025).</li> <li>• Freight: \$20,000 (est.)</li> </ul>
4	Purchase of new trailer	Not pursued at this time.



Trojan Technologies Corporation  
 839 NYS Rte. 13  
 P.O. Box 5630  
 Cortland, N.Y. 13045-5630  
 Phone 866-475-0115

REQUEST FOR CHANGE ORDER APPROVAL

Project Name: Newburgh		Project WBS: 60.000670	SO#: 187158704	CO#: 3
Date*: 9/14/23	Total Price: <input checked="" type="checkbox"/> Increase <input type="checkbox"/> Decrease <input type="checkbox"/> No Change		Value \$111,354 USD	
Taxable: <input checked="" type="checkbox"/> No <input type="checkbox"/> Yes: <input type="checkbox"/> Tax included in CO value; or <input type="checkbox"/> will be applied to invoices				
<input type="checkbox"/> Freight included in CO value; or <input type="checkbox"/> will be applied to invoices				
Initiated By: Aria Filtra	Initiator: Dave Glovinsky	Reference Documents: Pall Proposal 1183635-01122022-01; Equipment Rental Agreement dated January 13, 2021 between Pall and the Town of Newburgh Customer PO No.:		

**\*THIS REQUEST FOR CHANGE ORDER APPROVAL EXPIRES 30 DAYS FROM INITIATION DATE ABOVE.**

Change Order Description: (See Referenced Documents Also)  
 Bid form pricing due to the delayed deployment will need to be changed to the following:

2A = \$442,629. (\$49,181/asset/month x 9 months)  
 2B = \$46,000.  
 2C = \$36,800.

Lessor will require official notification on or before Feb 1, 2024, in the form of a letter of "Notification of readiness to receive" to guarantee the above prices for the July 1, 2024 deployment.

Additional Change Order items:

- A monthly reservation fee (\$3,500/month), every month after July 1, 2023 to guarantee an asset is available for a July 1, 2024 deployment.
- A Project Delay fee of (\$2,500/month) on July 1, 2024 and every month thereafter for a deployment that continues to be delayed.
- A Project Cancellation fee (of \$40,565 USD) on July 1, 2024, if unit deployment is no longer needed.

Discounts to be provided:

- Lessor will provide a lump sum discount of \$10,000 USD if Lessor provides a T80 unit (instead of the T96).

AriaFiltr (Formerly Pall Water) is part of Danaher Corp.'s Environmental & Applied Solutions ("EAS") segment. Danaher Corp. has announced its intention to separate its EAS segment to create an independent, publicly traded company (the "Transaction") (see: Danaher Announces Intention to Separate Environmental & Applied Solutions Segment to Create an Independent, Publicly Traded Company - Sep 14, 2022). In connection with the Transaction, the Pall Water assets, including this contract, will be assigned and transferred to Trojan Technologies Corp. or an affiliate thereof (the "Assignment"). Buyer hereby consents to the Transaction and the Assignment of this contract to Trojan Technologies Corp. or an affiliate thereof. Upon assignment of this contract, Trojan Technologies Corp. or an affiliate thereof will have all rights, and be liable for all obligations and responsibilities, under this contract as if the original seller.

Does this Change Order Affect Delivery Schedule? Yes  No



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REQUEST FOR CHANGE ORDER APPROVAL

Description of Change to Delivery Schedule: Asset to be deployed on or around July 1, 2024.
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To be completed by the Customer Representative (Buyer)

Name:	Title:	
Address:	Phone:	
<input type="checkbox"/> Approved	<input type="checkbox"/> Not Approved	Signature/Date:
Comments:		

To be completed by the ariaFiltra Representative (Seller)

<b>Project Manager</b>	Name:	<input type="checkbox"/> Approved <input type="checkbox"/> Not Approved	Signature/Date:
Comments:			
<input type="checkbox"/> <b>Process Engineer</b> <input type="checkbox"/> <b>System Engineer</b>	Name:	<input type="checkbox"/> Approved <input type="checkbox"/> Not Approved	Signature/Date:
Comments:			
<input type="checkbox"/> <b>Project Manager Team Leader</b>	Name:	<input type="checkbox"/> Approved <input type="checkbox"/> Not Approved <input type="checkbox"/> Not Applicable	Signature/Date:
Comments:			