

LEXINGTON-FAYETTE URBAN COUNTY GOVERNMENT
CONTRACT MODIFICATION #1

Date: March 18, 2016

Project: Clays Mill Road Improvements, Section 1

Location: CMR from Waco Road to Harrodsburg Road

To : CDP Engineers
 3250 Blazer Parkway
 Lexington, KY 40509

Contract Modification No: 1

You are hereby requested to comply with the following changes from the contract plans and specifications;

Item No.	ADD / DEL	Description of changes	Units	Quantity	Unit Price	Decrease in contract price	Increase in contract price
1	ADD	Hire subcontractor (H.W. Lochner, Inc.) to provide right-of-way services	LS	1	\$ 241,814.00	\$ -	\$ 241,814.00
						\$ -	\$ -
						\$ -	\$ -
						\$ -	\$ -
						\$ -	\$ -
						\$ -	\$ -
						\$ -	\$ -

Total decrease

\$ -

Total increase

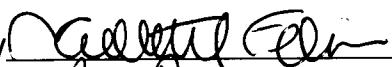
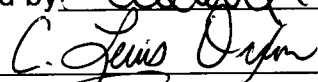
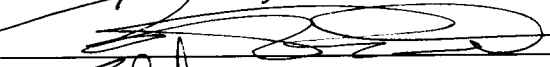
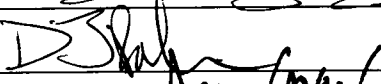
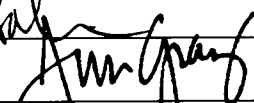
\$ 241,814.00

Net (increase) in contract price

\$ 241,814.00

Current Contract Amount = \$526,482.00

New Contract Amount = \$768,296.00

Recommended by  RAB (Proj. Engr.)
 Accepted by  (Consultant)
 Approved by  (Urban Co. Engr.)
 Approved by  (Commissioner)
 Approved by  (Mayor or CAO)

Date 3/21/16

Date 3/21/16

Date 3/21/16

Date 3/22/16

Date 21-Apr-16

JUSTIFICATION FOR CHANGE

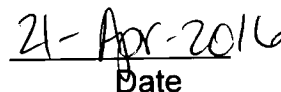
CLAYS MILL ROAD IMPROVEMENTS, SECTION 1

PROFESSIONAL SERVICES CONTRACT

CHANGE ORDER: 1

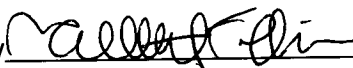
1. Necessity for change: On August 27, 2015, CDP Engineers entered into a professional services agreement (Contract No. 167-2015), with LFUCG for the noted project. In addition to design services, the agreement included easement and right-of-way acquisition services and identified H.W. Lochner as a subconsultant to perform the work. Production work hours were negotiated with H.W. Lochner, and a corresponding cost, based on Kentucky Transportation Cabinet (KYTC) negotiated rates were calculated. However, at the time, SLX project funds administered by the KYTC were designated specifically for design phase services and did not include any other phases of the project, such as right-of-way services. Therefore, the professional services contract with CDP only authorized payment for design phase services.
The KYTC has now issued Supplemental Agreement No.2, for right-of-way phase funding. Concurrent with this change order, the Supplemental Agreement is being placed on the Council docket for approval. Pending a Resolution to accept the Agreement, sufficient funds appropriated for right-of-way professional services will be available. Therefore, this Change Order is necessary for CDP Engineers to hire their approved sub-consultant to provide these services at the previously-negotiated rates.
2. Is proposed change an alternate bid? ___ Yes X No
3. Will proposed change alter the physical size of the project? ___ Yes X No
4. Effect of this change on other prime contractors: N/A
5. Has consent of surety been obtained? ___ Yes X Not Necessary
6. Will this change affect expiration or extent of insurance coverage? ___ Yes X No
If "Yes", will the policies be extended? ___ Yes ___ No N/A
7. Effect on operation and maintenance costs: N/A
8. Effect on contract completion date: N/A



Mayor


Date

Recommended by



3/21/16 (Proj. Engr.)

CONTRACT HISTORY FORM

Project Name: Clays Mill Road Improvements, Section 1

Contractor: CDP Engineers

Contract Number and Date: 167-2015 8/27/2015

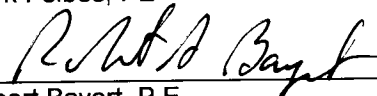
Responsible LFUCG Division: Division of Engineering

CONTRACT AND CHANGE ORDER DETAILS

A. Original Contract Amount:	\$	<u>526,482.00</u>	
B. Amount of Selected Alternate or Phase:	\$	<u> </u>	
C. Cumulative Amount of All Previous Alternates or Phases:	\$	<u>526,482.00</u>	
D. Amended Contract Amount:	\$	<u>526,482.00</u>	
E. Cumulative Amount of All Previous Change Orders:	\$	<u>0.00</u>	<u>0.0%</u> <small>(Line E / Line D)</small>
F. Amount of This Change Order:	\$	<u>241,814.00</u>	<u>45.9%</u> <small>(Line F / Line D)</small>
G. Total Contract Amount:	\$	<u>768,296.00</u>	

SIGNATURES

Project Manager:  Date: 3/21/16
Mark Feibes, PE

Reviewed by:  Date: 3/21/16
Robert Bayert, P.E.

Division Director:  Date: 3/21/16
W. Douglas Burton, P.E.

Professional Services PO Summary

Clays Mill Road Improvements, Section 1

Original PO

Item #	Date	PO	Amount	Payee	Description
1	8/3/2015	LF00129462	\$ 526,482.00	CDP Engineers	Design Phase Services

PO Added to maintain funding for Sub-Consultants

Item #	Date	PO	Amount	Payee / Subconsultant	Description
1			\$ 241,814.00	CDP Engineers / H. W. Lochner	Right-of-Way Phase Services
Sub-Total			\$ 241,814.00		

Total **\$ 768,296.00**

LOCHNER

H.W. Lochner, Inc.
1040 Monarch Street
Suite 300
Lexington, KY 40513

T 859 224 4475
F 859 224 9828
TF 855 407 0270

hwlochner.com

March 21, 2016

Mr. Bob Walling
CDP Engineers
3250 Blazer Parkway
Lexington, Kentucky 40509

Subject: Revised Fee Proposal
Clays Mill Road Right of Way Services
Item No. 7-224.20

Dear Mr. Walling:

As requested, we are submitting our revised fee proposal for the Right of Way Services for Clays Mill Road in Fayette County, Item No. 7-224.20 based on the hours negotiated with LFUCG on December 3, 2015 and the LFUCG request to add appraisals and appraisal reviews to our scope of services. These services include the project management and negotiations/acquisitions for 66 parcels and appraisal and reviews services for 16 parcels.

Our proposed fee for this work is \$241,814.00.

Should you have any questions concerning the enclosed material, we would be pleased to discuss them with you.

Sincerely,



Jerry Leslie, P.E.
Vice President
Lochner

Attachments

C: Mark Feibes, LFUCG



ENGINEERING AND RELATED SERVICES FEE PROPOSAL

COUNTY Fayette
 PROJECT Clays Mill Road, Item No. 7-224.20
 UPN _____
 FED. NO. _____

DATE 3/21/2016

FEE CONSIDERATIONS	Negotiated	Man Hours	Average Rate	Estimated Cost
Project Management (66 Parcels)		396	\$ 87.32	\$ 34,579
Acquisitions (66 Parcels)		774	\$ 37.98	\$ 29,397
		0	\$ -	\$ -
				\$ -
				\$ -
TOTALS		1,170		\$ 63,976

LIST OF OTHER DIRECT COSTS

_____	\$0

Total	\$0

TOTAL DIRECT PAYROLL	\$ 63,976
OVERHEAD (179.20%)	\$ 114,645
PROFIT (15%)	\$ 26,793
SUBCONSULTANTS	\$ 36,400
OTHER DIRECT COSTS	\$ -
COST OF MONEY	_____

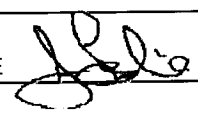
SUBCONSULTANTS

Dennis Badger & Associates, Inc.	\$28,000
Freeman Appraisal Services	\$8,400

Total	\$36,400

TOTAL PROPOSED FEE	\$ 241,814
SHOP PLANS	_____

FIRM NAME H.W. Lochner, Inc.
 DATE 3/21/16

SIGNATURE 
 TITLE Vice President

RIGHT-OF-WAY PRODUCTION-HOUR WORKSHEET

COUNTY	Fayette	PROJECT TYPE	Right-of-Way Services
ROUTE	Clays Mill Road	CONSULTANT	H.W. Lochner, Inc.
DESC.	Widening	PREPARED BY	DTT
ITEM NO.	7-224.20	DATE	3-21-16

RIGHT OF WAY ACQUISITION

No.	ITEM	CREW	UNIT	AMOUNT	HRS/UNIT	HOURS
APPRAISAL SERVICES						
1	Plan Prep	1	Parcel	0	0	0
2	Administrative	1	Parcel	0	0	0
3	Property Owner Contact/Fieldwork	1	Parcel	0	0	0
4	Research/Record Compilation	1	Parcel	0	0	0
5	Comparable Sales	1	Parcel	0	0	0
6	Finalizing/Assembling Appraisal	1	Parcel	0	0	0
APPRAISAL REVIEW SERVICES						
7	Paperwork	1	Parcel	0	0	0
8	Administrative	1	Parcel	0	0	0
9	Fieldwork/Research/Record Compilation	1	Parcel	0	0	0
10	Finalizing/Assembling Appraisal Review	1	Parcel	0	0	0
MINOR ACQUISITIONS						
11	Minor Acquisition Review	1	Parcel	49	1	49
12	Property Owner Verification	1	Parcel	49	0	0
13	Document and Plan Preparation	1	Parcel	49	1	49
14	Initial Offer Meeting	1	Parcel	49	2	98
15	Follow-up Meeting(s)/Contacts	1	Parcel	49	4	196
16	Parcel File Documentation	1	Parcel	49	2	98
17a	Payment Packet	1	Parcel	44	0.25	11
17b	Condemnation Packet	1	Parcel	5	2	10
COMPLEX ACQUISITIONS						
18	Property Owner Verification	1	Parcel	17	0	0
19	Document and Plan Preparation	1	Parcel	17	1	17
20	Initial Offer Meeting	1	Parcel	17	2	34
21	Follow-up Meeting(s)/Contacts	1	Parcel	17	10	170
22	Parcel File Documentation	1	Parcel	17	2	34
23a	Payment Packet	1	Parcel	15	0.25	4
23b	Condemnation Packet	1	Parcel	2	2	4
ROW PROJECT MANAGEMENT						
24	Project Report Development/Revisions	1	Parcel	17	0.5	9
25	Parcel File Preparation and Management	1	Parcel	66	1	66
26	Minor Acquisition Review Value Range and Reviews	1	Parcel	49	0.5	25
27	Bi-Weekly Status Reports	1	Each	16	1	16
28	LFUCG Coordination	1	Parcel	66	0.25	17
29	CDP Coordination	1	Parcel	66	0.25	17
30	Payment/Condemnation Packets QA/QC and Submittals	1	Parcel	66	1	66
31	Appraisal and Review Coordination	1	Each	16	1.5	24
32	Title and Closing Attorney Coordination	1	Parcel	66	0	0
33	Invoicing	1	Each	8	1	8
34	Project Close-out	1	Parcel	66	2	132
35	Public Involvement Meetings	2	Each	2	4	16

RIGHT-OF-WAY PRODUCTION-HOUR WORKSHEET						
COUNTY	<u>Fayette</u>	PROJECT TYPE	<u>Right-of-Way Services</u>			
ROUTE	<u>Clays Mill Road</u>	CONSULTANT	<u>H.W. Lochner, Inc.</u>			
DESC.	<u>Widening</u>	PREPARED BY	<u>DTT</u>			
ITEM NO.	<u>7-224.20</u>	DATE	<u>3-21-16</u>			
ATTORNEY						
36	Title Reports	1	Parcel	0	0	0
37	Closing	1	Parcel	0	0	0
RIGHT OF WAY TOTAL						1170

LOCHNER

H. W. Lochner, Inc.
1040 Monarch St.
Suite 300
Lexington, KY 40510


T: 859.224.4475
F: 859.224.6523

hwochner.com

<u>Classifications</u>	<u>Hourly Average Pay Rate</u>
Project Manager	\$87.32
Right of Way Specialist	\$37.98
Engineer	\$30.64
Senior Engineer	\$46.41
Technician	\$31.24

We certify that the amounts included with this report are true, accurate, complete, and in compliance with all applicable laws.

Respectfully,



Jerry Leslie, P.E.
Vice President

February 16, 2016



Commonwealth of Kentucky
TRANSPORTATION CABINET
 Frankfort, KY 40601
 www.kentucky.gov

Steven L. Beshear
 Governor

Michael W. Hancock, P.E.
 Secretary

MEMORANDUM

TO: Gary Valentine, Acting Director
 Division of Professional Services

FROM: Michael Coffey, Audit Manager
 External Audit Branch

DATE: November 10, 2015

SUBJECT: H.W. Lochner, Inc.
 FYE 2014 and 2015 Indirect Cost Rate

The Kentucky Transportation Cabinet has approved the following rates for H.W. Lochner, Inc. (the Company) for the fiscal years ended April 30, 2014 and 2015:

	<u>FYE 2014</u>	<u>FYE 2015</u>
Home Office:	184.32%	179.20%
Field Office:	128.95%	129.43%
Facilities Capital Cost of Money (FCCM):	0.30%	0.28%

We also recommend acceptance of the pay rates in the Attachment.

This approval does not constitute “establishment of a rate by a cognizant agency” for the purposes of applying the rules published in Title 23 CFR 172.7. The Kentucky Transportation Cabinet retains the right to audit the above rates or adjust them should a cognizant approval occur after this date.

This memorandum is intended solely for the use and information of the Company and the Kentucky Transportation Cabinet related to contracts employing the cost principles of the Federal Acquisition Regulations and should not be used for any other purpose. This restriction is not intended to limit the distribution of this memorandum, which is a matter of public record.

MC/slb
 Attachment

H.W. Lochner, Inc.
Attachment

Average Pay Rates

We have verified H.W. Lochner, Inc.'s pay rates per classification as of October 9, 2015:

<u>Classification</u>	<u>Hourly Rate</u>
Engineer	\$30.64
Project Manager	\$87.32
Senior Engineer	\$46.41
Technician	\$31.24

The average pay rates per classification have decreased an average of 0.43% over the last three years.

Certification of Final Indirect Costs

Firm Name: H.W. Lochner

Proposed Indirect Cost Rate: 179.20%

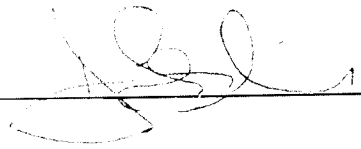
Date of Proposal Preparation (mm/dd/yyyy): 2/15/16

Fiscal Period Covered (mm/dd/yyyy to mm/dd/yyyy): 5/1/2014 to 4/30/2015

I, the undersigned, certify that I have reviewed the proposal to establish final indirect cost rates for the fiscal period as specified above and to the best of my knowledge and belief:

1. All costs included in this proposal to establish final indirect cost rates are allowable in accordance with the cost principles of the Federal Acquisition Regulations (FAR) of title 48, Code of Federal Regulations (CFR), part 31.
2. This proposal does not include any costs which are expressly unallowable under the cost principles of the FAR of 48 CFR 31.

All known material transactions or events that have occurred affecting the firm's ownership, organization and indirect cost rates have been disclosed.

Signature:  _____

Name of Certifying Official (Print): Jerry Leslie

Title: Vice President

Date of Certification (mm/dd/yyyy): 02/15/16