

**LEXINGTON-FAYETTE URBAN COUNTY GOVERNMENT  
CONTRACT MODIFICATION**

Date: 07/08/22

Project: Clays Mill Road Improvements, Section 1

Location: CMR from Waco Road to Harrodsburg Rd.

Contract No: 167-2015 Contract Modification No: 3

To (Contractor): CDP Engineers  
3250 Blazer Parkway  
Lexington, KY 40509

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	Revise plans and provide additional property appraisals.				\$ -	\$ 26,542.00
						\$ -	\$ -
						\$ -	\$ -
						\$ -	\$ -
						\$ -	\$ -
						\$ -	\$ -
						\$ -	\$ -
						\$ -	\$ -
						\$ -	\$ -
						\$ -	\$ -

Total decrease

Total increase

Net (increase/decrease) in contract price

Current Contract Amount = \$817,459.00

New Contract Amount = \$844,001.00

Recommended by [Signature] (Proj. Engr.)

Date 07/08/22

Accepted by [Signature] (Contractor)

Date 7/14/22

Approved by [Signature] (Urban Co. Engr.)

Date 7/20/22

Approved by [Signature] (Commissioner)

Date 7/21/22

Approved by \_\_\_\_\_ (Mayor or CAO)

Date \_\_\_\_\_

**JUSTIFICATION FOR CHANGE**

PROJECT: Clays Mill Road Improvements, Section 1

CONTRACT NO. 167-2015

CONTRACT MODIFICATION NO.: 3

1. Necessity for change: The original engineering services agreement has a line-item allowance for construction administration, i.e, providing design clarifications, reviewing shop drawings and preparing design modifications to address previously unforeseen site conditions. These hours have now been expended. This Change Order provides funds for additional construction administration services which are needed for the remainder of the construction phase.
2. Is proposed change an alternate bid? \_\_\_Yes \_\_\_No
3. Will proposed change alter the physical size of the project? \_\_\_Yes \_\_\_No  
If "Yes", explain.
4. Effect of this change on other prime contractors: N/A
5. Has consent of surety been obtained? \_\_\_Yes \_\_\_Not Necessary
6. Will this change affect expiration or extent of insurance coverage? \_\_\_Yes \_\_\_No  
If "Yes", will the policies be extended? \_\_\_Yes \_\_\_No
7. Effect on operation and maintenance costs: N/A
8. Effect on contract completion date: N/A

\_\_\_\_\_  
Mayor\_\_\_\_\_  
Date

**CONTRACT HISTORY FORM**

Project Name: Clays Mill Road Improvements, Section 1  
Contractor: CDP Engineers  
Contract Number and Date: 167-2015 08/27/15  
Responsible LFUCG Division: Engineering

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**CONTRACT AND MODIFICATION DETAILS**

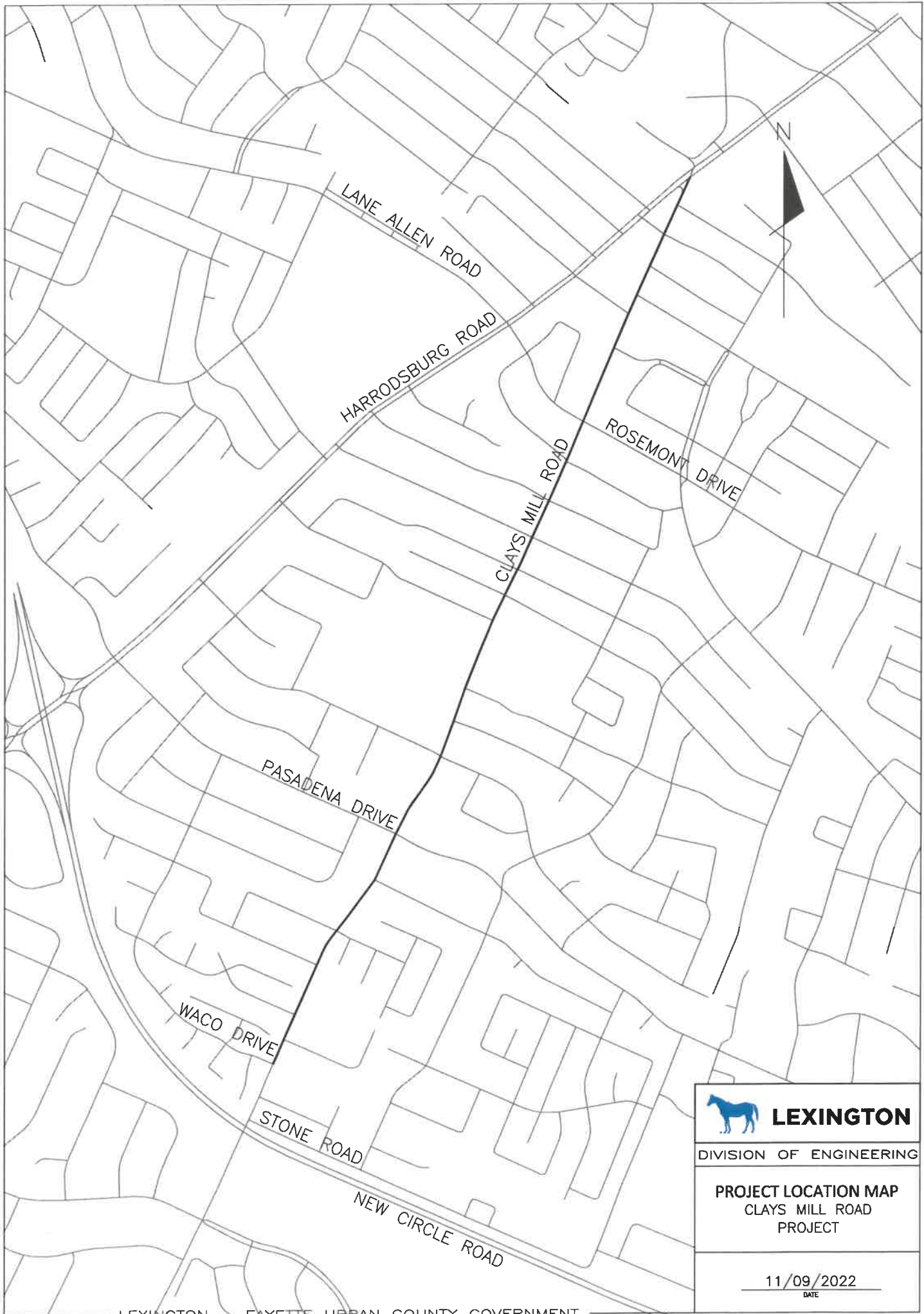
A. Original Contract Amount:	\$	<u>526,482.00</u>	
Next Lowest Bid Amount:			
B. Amount of Selected Alternate or Phase:	\$	<u>                    </u>	
C. Cumulative Amount of All Previous Alternates or Phases:	\$	<u>526,482.00</u>	
D. Amended Contract Amount:	\$	<u>526,482.00</u>	
E. Cumulative Amount of All Previous Change Orders:	\$	<u>290,977.00</u>	<u>55.3%</u> <small>(Line E / Line D)</small>
F. Amount of This Change Order:	\$	<u>26,542.00</u>	<u>5.0%</u> <small>(Line F / Line D)</small>
G. Total Contract Amount:	\$	<u>844,001.00</u>	

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**SIGNATURES**

Project Manager:		Date: <u>07/20/22</u>
Reviewed by:		Date: <u>7/20/22</u>
Division Director:		Date: <u>7/20/22</u>

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**LEXINGTON**

DIVISION OF ENGINEERING

**PROJECT LOCATION MAP**  
CLAYS MILL ROAD  
PROJECT

11/09/2022  
DATE

**KENTUCKY TRANSPORTATION CABINET**  
**Local Public Agency (Department of Highways Funding)**  
**CHANGE ORDER**

Ipa-DOH-chgord  
Mod 07/2/10

Page \_\_\_\_\_  
 Contract ID PO2-625-1500002693 Project Sponsor LFUCG  
 Change Order No Sheet 3 County Fayette  
 Contractor \_\_\_\_\_ Project Number \_\_\_\_\_  
 Contractor CDP Engineers Project Name Clays Mill Road - Sec I Improvements  
 Address 3250 Blazer Pkwy., Lexington, KY 40509

*Proposed Changes in Connection with Contract Items:*

Item No.	Description	Quantity	Unit	Unit Price	Amount
<i>Total for this Page</i>					
<i>Total for Continuation Page(s)</i>					
<i>Total Contract Items</i>					

*Proposed Items of Supplemental Agreement:*

Ref. No.	Description	Quantity	Unit	Unit Price	Amount
1	Add Additional Design Services	1.0	LS	\$ 26,542.00	26,542.00
<i>Total for this Page</i>					26,542.00
<i>Total for Continuation Page(s)</i>					
<i>Total Supplemental Agreement</i>					26,542.00
<b>Total Increase Amount</b>					<b>\$ 26,542.00</b>

Time Extension/Explanation:  
 N/A

**Reasons for Proposed Changes:**

The original engineering services agreement has a line-item allowance for construction administration, i.e., providing design clarifications, reviewing shop drawings and preparing design modifications to address previously unforeseen site conditions. These hours have now been expended. This Change Order provides funds for additional construction administration services which are needed for the remainder of the construction phase.

If approved by Transportation Cabinet, the undersigned contractor agrees to do the work outlined herein and to accept as payment in full the basis of payment as set forth herein.

By: CDP Engineers  
Contractor  
Paul D. [Signature], President  
8/24/2022  
 Date

Requested [Signature] 08/30/22 DATE  
 Project Engineer  
 Recommended [Signature] 8/31/22 DATE  
 Chief District Engineer  
 Recommended Jason Simula 10/27/2022 DATE  
 Deputy State Highway Engineer  
 Approved [Signature] 08/30/22 DATE  
 LPA Signature Authority  
 Approved [Signature] 10/28/2022 DATE  
 Title: Section Manager - Design & Construction  
 State Highway Engineer

MAYOR LINDA GORTON



LEXINGTON

DOUG BURTON  
DIRECTOR  
ENGINEERING

August 11, 2022

Mr. Shane Tucker  
KYTC District 7 Office  
800 Newtown Ct.  
Lexington, KY 40511

RESUBMITTED W/ DISTRICT C.O. FORM  
TO REPLACE OLD FORM FOR DESIGN  
CONTRACT MODIFICATION #3, PER J. JONES  
MFB 08/30/22

RE: Item No. 07-224.10, Federal Project No's. 8552-004, 8552-010, 8552-011  
Clays Mill Road Improvements, Section 1  
Request for Engineering Services Contract Modification No. 3  
Request for Construction Contract Change Order #2

Dear Mr. Tucker,

Enclosed please find the following items related to the subject project.

- 1. LPA Change Order Form for Engineering Services Contract Modification No. 3.

Since construction began on Section 1 of Clays Mill Road, multiple issues have arisen requiring engineering support services (construction administration) from CDP, the engineer of record. We have reached the limit on the line item for construction administration services in the original contract and would like to add an additional 200 hours to their contract. Because the work is related to construction services, we request that C funds be utilized for this change order.

For your reference, below is a summary of engineering costs for this project.

Original Contract	\$	526,482.00	
Contract Mod 1		241,814.00	Right of way services
Contract Mod 2		49,163.00	Design changes and add'l appraisals
Total	\$	817,459.00	
<u>Contract Mod 3</u>		<u>26,542.00</u>	Add'l const. phase design services
New Total	\$	844,001.00	

- 2. LPA Change Order Form for Construction Change Order No. 2.

We have two sanitary sewer related issues in the vicinity of the Wolf Run Creek. One is an existing 8" sanitary sewer line that in the way of the new culvert and has to be relocated.



Mr. Shane Tucker

August 11, 2022

Page 2 of 2

The other issue is a 24" sanitary trunk line running parallel to the culvert that is scheduled to be replaced by the LFUCG Division of Water Quality (DWQ) as part of LFUCG's EPA consent decree. DWQ is still in the ROW phase for this section of line and anticipates construction letting will be months away. In the interest of avoiding a project delay, we would like to add this work to our construction contract. The additional work falls within the limits of our approved CE, and we already have the requisite KDOW/USACE permits. Furthermore, DWQ has also obtained a permanent easement from the affected property owner for the rerouted 8" sewer.

Attached to the Change Order is a proposal from ATS for this work. Because of its specialized nature, rather than self-perform the work, ATS has chosen to subcontract the pipe installation to Cleary Construction, who is KTC prequalified in Utilities (I33).

Of this work, the 8" sewer replacement would happen regardless of the status of the 24" trunkline. In the attached spreadsheet I separated the costs into those that are for the 8" sewer (DOE responsibility), and those that are for the 24" sewer (DWQ responsibility). DWQ has reviewed this spreadsheet and agrees to this cost breakdown. Our intent is to separate those costs out of any future reimbursement requests to KYTC.

For your reference, below is a summary of construction costs for this project.

Original Contract Amount	\$10,683,653.39
Change Order No. 1	219,496.20
Total Contact Amount to Date	\$10,903,149.59
Proposed Change Order No. 2	511,920.47
Inspection Services (PM Toolbox)	254,246.63
Total Obligated	\$11,669,316.69
SA 4 (C Phase)	13,200,000.00
Unencumbered Balance	\$1,530,683.31

Please let me know if you need anything else.

Sincerely,

Mark H Feibes, P.E.  
Section Manager  
Design and Construction Section  
LFUCG, Division of Engineering

Attached: See above

Cc: Jackie Jones, KYTC, LPA Project Administration  
W. Doug Burton, P.E. Director of Engineering



Everyday technology for everyday work!

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June 23, 2022

Mr. Mark Feibes, PE  
Lexington-Fayette Urban County Government  
Division of Engineering  
101 East Vine Street  
Lexington, Kentucky 40507

RE: Clays Mill Road

Mr. Feibes:

Attached are the hours negotiated for additional services that were beyond the original scope that include the following:

- Redesign of a portion of sanitary sewer to accommodate changes requested by LFUCG
- Additional surveying requested by LFUCG
- Additional engineering services to provide clarifications of design intent

If you need any additional information or have any questions, please contact me at your convenience.

Sincerely,

A handwritten signature in blue ink, appearing to read 'DCarter', is written over a light blue horizontal line.

David Carter, President  
CDP Engineers, Inc.





**KENTUCKY TRANSPORTATION CABINET**  
**Department of Highways**  
**DIVISION OF PROFESSIONAL SERVICES**  
**ENGINEERING AND RELATED SERVICES FEE PROPOSAL**

TC 40-2  
 Rev. 06/2017  
 Page 1 of 1

**SECTION 1: PROJECT INFORMATION**

<b>DATE:</b>	June 15, 2022	<b>COUNTY:</b>	Fayette	<b>ITEM #:</b>	7-224.10
<b>PROJECT:</b>	Clays Mill Road				

**SECTION 2: BUDGET INFORMATION**

FEE CONSIDERATIONS	PROPOSED MAN HOURS	NEGOTIATED MAN HOURS	AVERAGE RATE	ESTIMATED COST
Surveying	0		\$ 31.73	\$ -
Preliminary Line and Grade	0		\$ 39.30	\$ -
Right of Way and Utility Plans	0		\$ 37.69	\$ -
Final Plan Preparation	0		\$ 36.38	\$ -
Meeting	0		\$ 43.48	\$ -
Public Involvement	0		\$ 43.48	\$ -
Construction Administration	200		\$ 43.48	\$ 8,696.00
				\$ -
				\$ -
				\$ -
<b>TOTAL PRODUCTION HOURS</b>	200			
<b>TOTAL DIRECT PAYROLL</b>				\$ 8,696.00
<b>OVERHEAD ( 164.89 %)</b>				\$ 14,338.83
<b>PROFIT ( 15.00 %)</b>				\$ 3,455.23
<b>COST OF MONEY ( 0.59 %)</b>				\$ 51.65

DIRECT COSTS	AMOUNT
<b>TOTAL DIRECT COSTS</b>	\$ -

SUBCONSULTANTS	AMOUNT
	\$ -
<b>TOTAL SUBCONSULTANTS</b>	\$ -

**TOTAL FEE** \$ **26,542**

\*Rounded to the nearest dollar

**SECTION 3: SIGNATURE**

**FIRM NAME:** CDP Engineers

**SIGNED BY:** David Carter

  
 \_\_\_\_\_  
**CONSULTANT SIGNATURE**

President

6/22/2022

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

# PRODUCTION-HOUR WORKSHEET (revised 7/14)

COUNTY <u>Fayette</u> ROUTE <u>Clays Mill Road</u> DESC _____ ITEM NO. <u>7-224-10</u>	PROJECT TYPE <u>Additional Services</u> CONSULTANT <u>CDP Engineers</u> REVIEWED BY _____ PREPARED BY <u>David Carter</u> DATE <u>06-22-2022</u>
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## IVO CONSTRUCTION ADMINISTRATION

No.	ITEM	PERSONS	UNIT	AMOUNT	HRS/UNIT	HOURS
	Additional Services - Construction Administration	1	LS			200
<b>CONSTRUCTION ADMINISTRATION</b>						<b>200</b>

## PRODUCTION-HOUR SUMMARY

CONSTRUCTION ADMINISTRATION						200
<b>GRAND TOTAL</b>						<b>200</b>