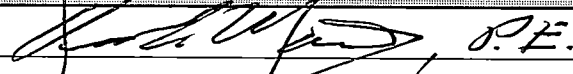


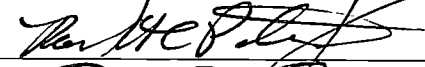
<b>LEXINGTON-FAYETTE URBAN COUNTY GOVERNMENT CONTRACT CHANGE ORDER</b>	DATE: Contract #-227-2017	October 15, 2019
	Contract Modificaiton:	Final Adjusting CO #2
	CONTRACT #:	227-2017

PROJECT: EA-3 Trunk Sewer Project; RMP CR-4

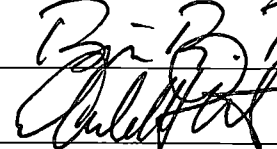
TO: L-M Asphalt Partners, Ltd. dba ATS Construction

Original Contract Amount	\$2,916,807.49
Cumulative Amount of Previous Contract Modifications	\$1,017,000.00
Percent Change of Previous Contract Modifications	35%
Existing Contract Amount	\$3,933,807.49
Net (increase/decrease) in Contract Amount - (From following pages)	\$543,063.16
Percent Change of This Contract Modification	18.62%
Original Contract Amount	\$2,916,807.49
Cumulative Amount of all Contract Modifications	\$1,560,063.16
Percent Change of all Contract Modifications	53.49%
New Contract Amount Including this Change Order	\$4,476,870.65

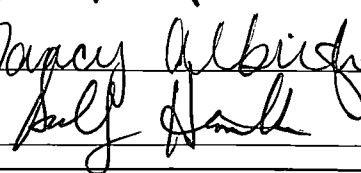
Recommended by , P.E. (Proj. Engr.) Date 11/11/19

Accepted by  (RMP Manager) Date 11/20/19

Accepted by Ben B. Bally, PRESIDENT (Contractor) Date 11/11/19

Approved by  (Director) Date 11/15/19

Approved by Nancy Albright (Commissioner) Date 11/20/19

Approved by  (Mayor or CAO) Date 11/20/19

<b>LEXINGTON-FAYETTE URBAN COUNTY GOVERNMENT CONTRACT MODIFICATION</b>	DATE:	October 15, 2019
	Contract Mod #:	Final Adjusting CO #2
	CONTRACT #:	227-2017

Project: EA-3 Trunk Sewer Project; RMP CR-4

TO: L-M Asphalt Partners, Ltd. dba ATS Construction

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
13b	ADD	Increase Site Restoration Method B to reflect the Final quantities.	SY	4980	\$ 0.74	\$0.00	\$3,685.20
20	ADD	Increase Rock Removal to reflect the Final quantities.	CY	7957	\$ 90.00	\$ -	\$ 716,130.00
21	ADD	Add T&M Shot Rock Backfill to reflect the Final quantities.	LS	1	190,000.00	\$ -	\$ 190,000.00
	DEL	Final Adjusting Change Order Amounts				\$ 366,752.04	\$ -
						\$ -	\$ -
						\$ -	\$ -
						\$ -	\$ -
						\$ -	\$ -
						\$ -	\$ -
						\$ -	\$ -
						\$ -	\$ -
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						\$ -	\$ -
						\$ -	\$ -
						\$ -	\$ -
						\$ -	\$ -
						\$ -	\$ -
						\$ -	\$ -
Total decrease						\$366,752.04	
Total increase							\$909,815.20
Net (increase/decrease) in contract price							\$543,063.16

**JUSTIFICATION FOR CHANGE**

PROJECT: EA-3 Trunk Sewer; RMP CR-4

CONTRACT NO. 227-2017

CHANGE ORDER: Final Adjusting CO #2

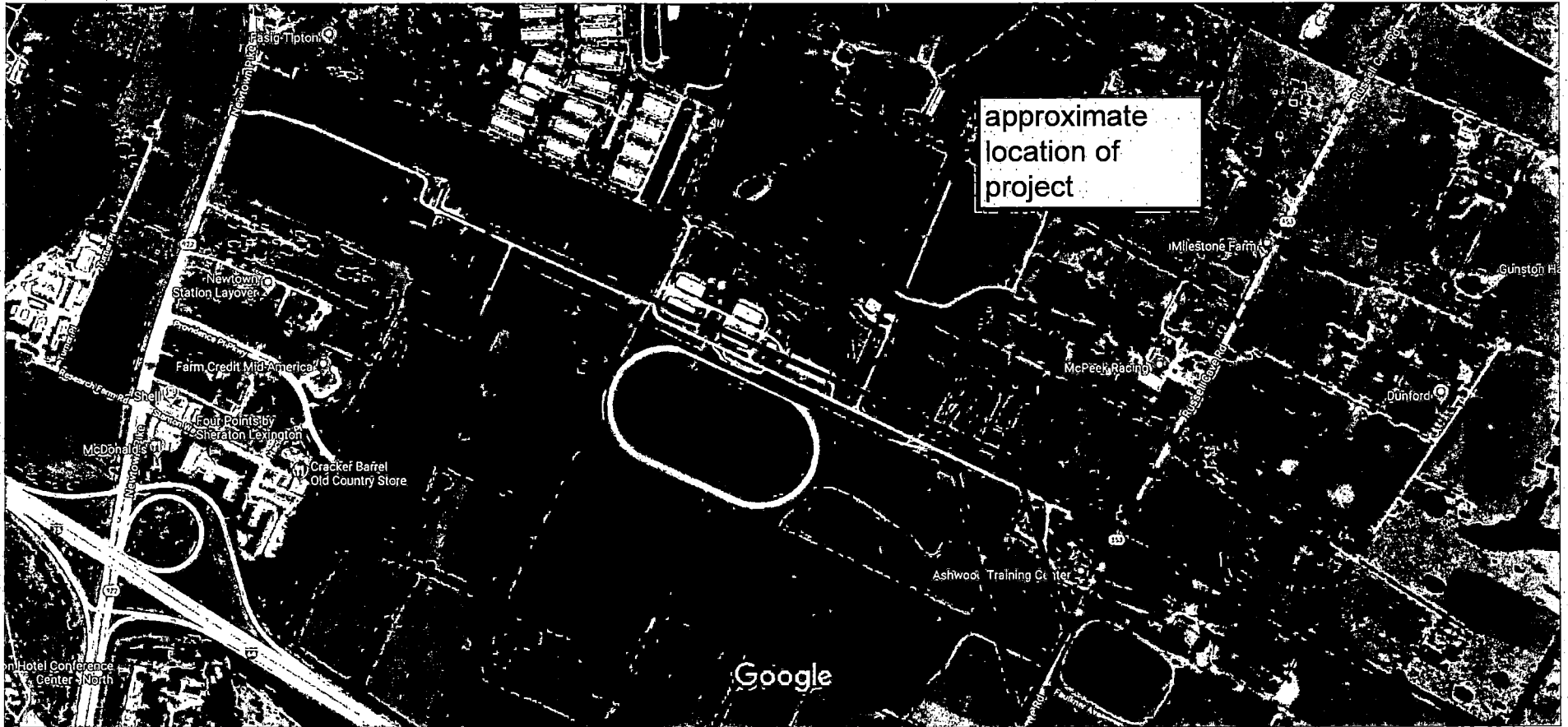
1. Necessity for change:  
These changes will reflect the Final Adjusting Quantities/Amounts of the Construction Contract.
2. Is proposed change an alternate bid? \_\_\_Yes \_\_\_X\_\_\_No
3. Will proposed change alter the physical size of the project? \_\_\_Yes \_\_\_X\_\_\_No  
If "Yes", explain.
4. 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: The contract completion date shall be extended for the piipe and manholes (ready to accept flow) to \_\_\_\_\_.

*Linda Gorton*  
\_\_\_\_\_  
Mayor

11/25/2019  
\_\_\_\_\_  
Date

Google Maps

# EA3 Trunk Sewer Project



Imagery ©2018 Google, Map data ©2018 Google 500 ft

## LaDonna Roberts

---

**From:** Michael Cravens  
**Sent:** Friday, November 15, 2019 4:12 PM  
**To:** Commisioner EQ PW Exec Asst  
**Cc:** LaDonna Roberts; Nancy Albright  
**Subject:** RE: Law Review: Change Order No. 2 EA3 Trunk Sewer Project

I have reviewed this request for a resolution authorizing the Mayor, on behalf of the Urban County Government, to execute Change Order No. 2 to the agreement with L-M Asphalt Partners, Ltd. d/b/a ATS Construction, for the EA3 Trunk Sewer Project, increasing the contract price by the sum of \$541,063.16, from \$3,933,807.49 to \$4,474,870.65.

No legal issues. OK to bluesheet. However, I would note that page 3 of the change order indicates that the contract completion date will be extended, but no date is indicated. I will not be addressing the contract completion date in the legislation unless one is provided. Happy to discuss.

**Michael Cravens**  
*Attorney Senior*  
Department of Law

859.258.3500  
[MCravens@lexingtonky.gov](mailto:MCravens@lexingtonky.gov)  
[lexingtonky.gov](http://lexingtonky.gov)



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**From:** Commisioner EQ PW Exec Asst <commeqpw@lexingtonky.gov>  
**Sent:** Friday, November 15, 2019 9:13 AM  
**To:** Susan Speckert <sspeckert@lexingtonky.gov>; Nancy Albright <nalbright@lexingtonky.gov>; Michael Cravens <mcravens@lexingtonky.gov>  
**Cc:** LaDonna Roberts <lroberts@lexingtonky.gov>  
**Subject:** FW: Law Review: Change Order No. 2 EA3 Trunk Sewer Project

Susan, please assign for review prior to input in Legistar.

**Sandra Sue Burke**  
*Executive Assistant to Nancy Albright*  
Commissioner, Department of Environmental Quality & Public Works

859.258.3401 office  
859.684.3493 cell  
[lexingtonky.gov](http://lexingtonky.gov)



---

**From:** LaDonna Roberts  
**Sent:** Thursday, November 14, 2019 9:27 AM  
**To:** Commisioner EQ PW Exec Asst <[commegpwea@lexingtonky.gov](mailto:commegpwea@lexingtonky.gov)>  
**Cc:** Charles Martin <[chmartin@lexingtonky.gov](mailto:chmartin@lexingtonky.gov)>; Nancy Albright <[nalbright@lexingtonky.gov](mailto:nalbright@lexingtonky.gov)>  
**Subject:** Law Review: Change Order No. 2 EA3 Trunk Sewer Project

Sandy,

Please forward the attached documents to law for review.

Thank you,

**LaDonna Roberts**  
*Administrative Specialist*  
Division of Water Quality

859.258.3362 office  
[lexingtonky.gov](http://lexingtonky.gov)



## LaDonna Roberts

---

**From:** Michael Cravens  
**Sent:** Tuesday, November 19, 2019 10:03 AM  
**To:** LaDonna Roberts  
**Cc:** Charles Martin  
**Subject:** RE: Law Review: Change Order No. 2 EA3 Trunk Sewer Project

I thought I reviewed this one closely, but I caught a difference between the bluesheet memo and the change order when I received the legistar file for review (Legistar File #1268-19). Change order says amount is \$543,063.16 with a new contract amount of \$4,476,870.65, but bluesheet memo says amount is \$541,063.16 with a new contract amount of \$4,474,870.65 (a \$2,000 difference).

Which is correct? If bluesheet memo is not correct, should swap out for a corrected memo.

**Michael Cravens**  
*Attorney Senior*  
Department of Law

859.258.3500  
[MCravens@lexingtonky.gov](mailto:MCravens@lexingtonky.gov)  
[lexingtonky.gov](http://lexingtonky.gov)



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**From:** Michael Cravens  
**Sent:** Friday, November 15, 2019 4:12 PM  
**To:** Commissioner EQ PW Exec Asst <commeqpwea@lexingtonky.gov>  
**Cc:** LaDonna Roberts <lroberts@lexingtonky.gov>; Nancy Albright <nalbright@lexingtonky.gov>  
**Subject:** RE: Law Review: Change Order No. 2 EA3 Trunk Sewer Project

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**Sent:** Friday, November 15, 2019 9:13 AM  
**To:** Susan Speckert <[sspeckert@lexingtonky.gov](mailto:sspeckert@lexingtonky.gov)>; Nancy Albright <[nalbright@lexingtonky.gov](mailto:nalbright@lexingtonky.gov)>; Michael Cravens <[mcravens@lexingtonky.gov](mailto:mcravens@lexingtonky.gov)>  
**Cc:** LaDonna Roberts <[lroberts@lexingtonky.gov](mailto:lroberts@lexingtonky.gov)>  
**Subject:** FW: Law Review: Change Order No. 2 EA3 Trunk Sewer Project

Susan, please assign for review prior to input in Legistar.

**Sandra Sue Burke**  
*Executive Assistant to Nancy Albright*  
Commissioner, Department of Environmental Quality & Public Works

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**Cc:** Charles Martin <[chmartin@lexingtonky.gov](mailto:chmartin@lexingtonky.gov)>; Nancy Albright <[nalbright@lexingtonky.gov](mailto:nalbright@lexingtonky.gov)>  
**Subject:** Law Review: Change Order No. 2 EA3 Trunk Sewer Project

Sandy,

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Thank you,

**LaDonna Roberts**  
*Administrative Specialist*  
Division of Water Quality

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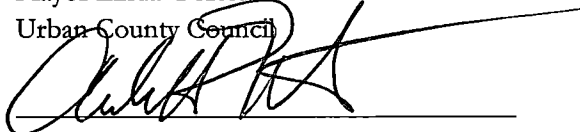
MAYOR LINDA GORTON



**LEXINGTON**

CHARLES H. MARTIN, P.E.  
DIRECTOR  
WATER QUALITY

TO: Mayor Linda Gorton  
Urban County Council

FROM:   
Charles H. Martin, P.E., Director  
Division of Water Quality

DATE: November 12, 2019

SUBJECT: Final Change Order No. 2 – EA3 Trunk Sewer Project

---

Request

The Division of Water Quality requests authorization to execute Change Order No. 2 to the agreement with L-M Asphalt Partners, Ltd. dba ATS Construction for the EA3 Trunk Sewer Project, increasing the contract price by a sum of \$543,063.16 from \$3,933,807.49 to \$4,476,870.65.

Purpose of Request

The requested change is to increase the quantity of rock removal from the original bid to the quantity encountered in the field. The quantity overran by 7,957 cubic yards. At the unit price bid by ATS Construction this is an increase of \$716,130.00. Of the seven (7) bidders, ATS has the lowest unit price for rock removal. Other balancing quantities reduced this amount to the \$543,063.16.

Project Cost in FY20 and in Future Budget Years

The cost for this FY is: \$543,063.16. The cost for future FY is: N/A

Are Funds Budgeted

The funds are budgeted in 4003-303408-3466-92811 2016 EA3TRK\_2016 CONSENT\_DE

Director/Commissioner

Martin/Albright

