


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: February 23, 2024

SUBJECT: MS4 Decreasing Change Orders for Agreement Years FY21 and FY22

**Request**

The Division of Water Quality (DWQ) recommends a decrease to the MS4 Annual Program Management Contracts #87-2020 for FY21 and FY22 for a total savings of \$440,720.55.

**Purpose of Request**

For more than a decade, DWQ has utilized the professional services of Tetra Tech, Inc. for the MS4 Program Management Services, and the approved fiscal year budgets are typically \$816,000; however, sometimes the task orders are completed under budget or task orders for the entire amount were not issued. Due to reduced Federal Reporting Requirements and DWQ staffing vacancy and turnover, several task orders were deferred that resulted in greater savings that DWQ recommends be utilized in FY25 MS4 Program Management services.

CONTRACT	FISCAL YEAR	CONTRACT AMOUNT	SAVINGS
#87-2020	FY21	\$ 719,258.00	\$ 195,260.80
#87-2020	FY22	\$ 727,119.00	\$ 245,459.75

**Project Costs in FY24 and in Future Budget Years**

The division recommends that the \$440,720.55 in savings from these older agreements be used for the MS4 Annual Program Management Agreement renewal in lieu of requesting Fund 4052 budget funds in FY25.

**Are Funds Budgeted- NA**

**Director/Commissioner**

Martin/Albright



<b>LEXINGTON-FAYETTE URBAN COUNTY GOVERNMENT CONTRACT CHANGE ORDER</b>		DATE:	February 23, 2024
		Contract Modification:	1
		CONTRACT #:	87-2020
PROJECT: MS4 Program Management Services			
TO: Tetra Tech, Inc.			
Original Contract Amount		\$1,446,377.00	
Cumulative Amount of Previous Contract Modifications		\$0.00	
Percent Change of Previous Contract Modifications		0%	
Existing Contract Amount		\$1,446,377.00	
Net (increase/decrease) in Contract Amount - (From following pages)		-\$440,720.55	
Percent Change of This Contract Modification		-30%	
Original Contract Amount		\$1,446,377.00	
Cumulative Amount of all Contract Modifications		-\$440,720.55	
Percent Change of all Contract Modifications		-30%	
New Contract Amount Including this Change Order		\$1,005,656.45	
Recommended by	<i>[Signature]</i>	(Proj. Engr.)	Date <u>3/14/24</u>
Accepted by	<i>Richard W. Walker</i>	(Consultant)	Date <u>3/14/24</u>
Accepted by	<i>[Signature]</i>	(Contractor)	Date _____
Approved by	<i>[Signature]</i>	(Director)	Date <u>3-14-24</u>
Approved by	<i>Nancy Albright</i>	(Commissioner)	Date <u>3/19/24</u>
Approved by	_____	(Mayor or CAO)	Date _____

LEXINGTON-FAYETTE URBAN COUNTY GOVERNMENT CONTRACT MODIFICATION					DATE:	February 23, 2024
					Contract Mod #:	1
					CONTRACT #:	87-2020
Project: MS4 Program Management Services						
TO: Tetra Tech, Inc.						
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	Increase in contract price
1	DEL	FY21	LS	1		\$ 195,260.80
		FY22				\$ 245,459.75
1						\$ -
2						\$ -
3						\$ -
4						\$ -
5						\$ -
6						\$ -
7						\$ -
8						\$ -
9						\$ -
10						\$ -
11						\$ -
12						\$ -
13						\$ -
Total decrease						\$ 440,720.55
Total increase						\$ -
Net (increase) in contract price						\$ (440,720.55)

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**JUSTIFICATION FOR CHANGE**

PROJECT: MS4 Program Management Services

CONTRACT NO. 87-2020

CHANGE ORDER: 1

1. Necessity for change:
  
2. Is proposed change an alternate bid? \_\_\_Yes XNo
3. Will proposed change alter the physical size of the project? \_\_\_Yes XNo  
If "Yes", explain.
  
4. Effect of this change on other prime contractors: N/A
  
5. Has consent of surety been obtained? \_\_\_Yes XNot Necessary
6. Will this change affect expiration or extent of insurance coverage? \_\_\_Yes XNo  
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