

EXHIBIT B

CERTIFICATE OF INSURANCE

EXHIBIT C

**PROPOSAL OF ENGINEERING SERVICES
AND RELATED MATTERS**



November 13, 2012

Ms. Betty Landrum
Division of Central Purchasing
Room 338, Government Center
200 East Main Street
Lexington, KY 40507

Attn.: Selection Committee

RE: Tetra Tech Proposal (RFP #33-2012)
Category 2 - Dig & Replace Pipelines

Point of Contact

Mr. Richard W. Walker, P.E., CFM
800 Corporate Drive, Suite 200
Lexington, KY 40503
Office: (859) 514-8749
Cell: (859) 619-8013
richard.walker@tetrattech.com

Dear Selection Committee Member:

Tetra Tech has exceptional qualifications to successfully implement your Dig and Replace pipeline projects. Our project team has been involved with over \$120 million in sewer projects in the last 5 years. This work has been performed in over 20 different projects with relevant objectives. Tetra Tech nationally has been involved in over 75 wet weather programs and has completed hundreds of dig and replace projects. These projects have been constructed in an urban environment, and have included sewers that required dig and replace due to age, condition or capacity. Rebuilding and replacing sewers in a retrofit context is different than in a new development scenario. These projects are directly relevant to the work that you are undertaking.

We fully understand the EPA deadlines and reporting requirements of the Consent Decree. We have been on your Consent Decree Program Management Team since 2008 and work closely with DWQ staff and the other program management consultants. During this time, we have demonstrated our ability to deliver high-quality products, on schedule, and within budget. For example, as part of the Consent Decree work, we have successfully completed over 20 task orders. As a result, we understand your operating style and culture, and how to best respond to your needs. We have built a relationship of mutual trust and respect, which has allowed us to work as an extension of your staff.

I will serve as the Contract Manager and Mark Ralph will be the Technical Project Manager, and we are both in the Lexington office. Being local to the community means that we are personally invested in improving the quality of life in Lexington, and we take great satisfaction in working together with you to reach your goals. We look forward to working with you on these projects.

Sincerely,

A handwritten signature in blue ink that reads 'Richard W. Walker'.

Mr. Richard W. Walker, P.E., CFM
Vice President

Tetra Tech Inc.
800 Corporate Drive, Suite 200, Lexington, KY 40503
Tel (859) 223-8000 Fax (859) 224-1025 www.tetrattech.com

Mark Ralph will be the technical project manager and has 20 years of experience. He has been involved in the design of four projects in the last 5 years:

- Louisville MSD – Harrods Creek Interceptor
- Frankfort, KY – Juniper Hills Sanitary Sewer Rehabilitation and Replacement
- Cincinnati MSD – Ardmore Avenue Sewer Replacement
- Cincinnati MSD - Columbia Parkway Sewer Separation.

Risk Management Plan for Substitute Staffing

The Risk Management Plan is included in Section 3 and describes the process for ensuring substitute staffing if a key member leaves the project team. The foundation of Tetra Tech’s risk management plan is a focused project team whose members support each other throughout the project. The technical project team for each task order will consist of the technical project manager, project engineer, and staff engineer who collaborate and share information among each other and who serve as backups to each other. This ensures that the “institutional” knowledge of each project is shared by at least three people from the beginning to the end of the project. The project engineer will be the backup technical project manager, and the staff engineer will be the backup project engineer.

Office Status and Location of Employees

Richard Walker, the contract manager, and Mark Ralph, the technical manager, are in the Lexington office, along with the project engineers who will do 90% of the work. The Lexington office has 32 employees and provides engineering services for stormwater management, water and wastewater engineering, landfill engineering, and environmental services. In addition, the Lexington office provides project support to multiple Tetra Tech offices for accounting, human resources, information technology, operations, and marketing.



Cost Control

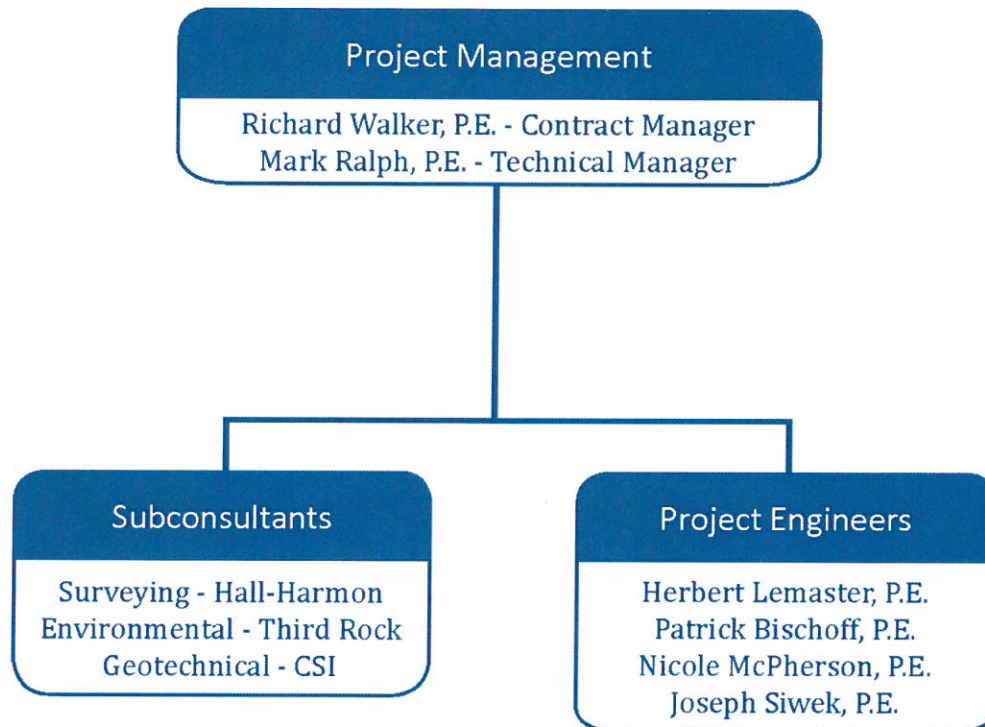
We have consistently demonstrated that we can deliver high-quality products, on schedule, and within budget on LFUCG projects. As your Consent Decree program manager since 2008, we have successfully completed over 20 task orders. To that end, we will continue to use this method of conducting work that we have been using over the last 5 years. We will develop a written scope of work for each task order, along with a schedule and estimated hours/fee for various staff to complete the work. We will not begin work until the LFUCG project manager has given us written approval of the task order.

Subconsultants

The following subconsultants are on the project team.

Subconsultant	Services Provided	Firm Headquarters	No. of Employees
Hall-Harmon	Surveying, Eng. Support	Lexington	7
Third Rock Consultants	Environmental	Lexington	26
Consulting Services Inc.	Geotechnical	Lexington	41

3 Project Team—Dig & Replace Pipelines



Project Team

The Tetra Tech team includes **Hall-Harmon Engineers (HHE)** (WBE) for surveying and civil/site support; **Third Rock Consultants (TRC)** (WBE) for environmental; and **Consulting Services Incorporated of KY (CSI)** for geotechnical services. Following are brief, relevant biographies of key staff members.

Staff Background

RICHARD WALKER, P.E., CFM (TETRA TECH, LEXINGTON)—Mr. Walker has 30 years of experience in civil and water resources engineering. He currently manages water resource projects for cities, state governments, and industries, including program management efforts for Consent Decrees, floodplain analyses, watershed master plans, stormwater utilities, and stormwater Phase I and Phase II permit implementation. He has worked with LFUCG since 1983 and has been the stormwater program manager for the Consent Decree for Lexington since 2008.

- **EPA Consent Decree Stormwater Program Management, Lexington, Kentucky**—Mr. Walker is the program manager for the Federal Consent Decree for Lexington, Kentucky, the first Consent Decree in the nation that addresses both sanitary sewer and stormwater violations of the Clean Water Act. Mr. Walker is responsible for QA/QC of all deliverables required by the Consent Decree and for ensuring they are submitted to EPA ahead of schedule. He is also responsible for assisting the city with implementing the Stormwater Quality Management Program (SWQMP) that is part of the Consent Decree. The SWQMP, developed by Tetra Tech, is a comprehensive program for complying with the EPA Phase I Stormwater regulations and addresses public education/involvement, watershed management, illicit discharges, construction site runoff, industrial facilities, high-risk commercial facilities, municipal operations, residential/commercial development, water quality monitoring, and recordkeeping.

MARK RALPH, P.E. (TETRA TECH, LEXINGTON)—Mr. Ralph's 20 years of experience include planning, design, and construction management of water, wastewater, recycled water, and stormwater facilities. Projects include treatment facilities, pump stations, reservoirs, dam modifications, force mains, domestic and recycled water pipelines, and gravity sewers. Over the past 4 years, Mark has worked almost exclusively

on Consent Decree projects similar to those required for the LFUCG RFP. His Dig and Replace Pipelines projects include:

- ***Harrods Creek Interceptor and Force Mains/Timberlake & South Hunting Creek WWTPs Elimination, Louisville MSD***—Installation of 8,800 LF of 30-inch force main and 8,600 LF of 24–42-inch sanitary to depths of over 30 feet.
- ***Columbia Parkway Sewer Separation and Ardmore Avenue Sewer Replacement, Cincinnati MSD***—Installation of 2,050 LF of 36-inch and 42-inch storm drains, 2,200 LF of 30-, 36-, and 42-inch combined sewer, and 1,000 LF of 30-inch sanitary sewer using jack-and-bore and open-cut construction.
- ***Covered Bridge WWTP Elimination, Oldham County Environmental Authority***—Installed 5,180 LF of 12-inch, 2,210 LF of 8-inch, and 2,270 LF of 6-inch PVC C900 force main.



HERBERT LEMASTER, P.E. (TETRA TECH, LEXINGTON)—Mr. Lemaster is a senior engineer in the Lexington office. He has 18 years of experience and is responsible for analysis and design, writing specifications, developing contract documents and cost estimates, preparation of construction drawings, construction administration, and construction engineering. He serves as a project manager and engineer on various civil and environmental projects. His wastewater-related projects include rehabilitation evaluations of wastewater collection systems, capacity studies, design of gravity sewer systems, pump station design, and wastewater treatment plant design.

- ***US 25 North Sewer System Expansion, Berea, Kentucky***—Project Manager and Design Engineer on the design and construction of this sewer system expansion. Major components included approximately 7,890 feet of 8-, 10-, 12-, and 15-inch gravity sewer, approximately 9,010 feet of 10-inch force main, approximately 9,010 feet of 12-inch force main, a standby generator, and a pump station with dual 85 HP pumps that were installed in the expansion of the collection system.
- ***University of Kentucky (UK) Western KY 4-H Camp Pump Station and Force Main, Hopkins County, Kentucky***—Project Manager and Senior Engineer on this design and construction administration services project. The project includes approximately 4,500 feet of 4-inch force main, 2,500 feet of 8-inch gravity sewer, and a pump station with dual 20 HP pumps that will be installed to eliminate two existing package treatment plants and pump the wastewater to a municipal system.

PATRICK BISCHOFF, P.E. (TETRA TECH, LEXINGTON)—Mr. Bischoff has worked on water and wastewater projects in Kentucky, Ohio, and North Carolina, including modeling, design, utility rate studies, and sewer rehabilitation. He has worked on commercial and residential site development projects involving roadway, storm sewer, sanitary sewer, and water design, and is familiar with the design of stormwater facilities in site development contexts. He is currently assisting the LFUCG Division of Water Quality with permitting issues associated with work in streams.

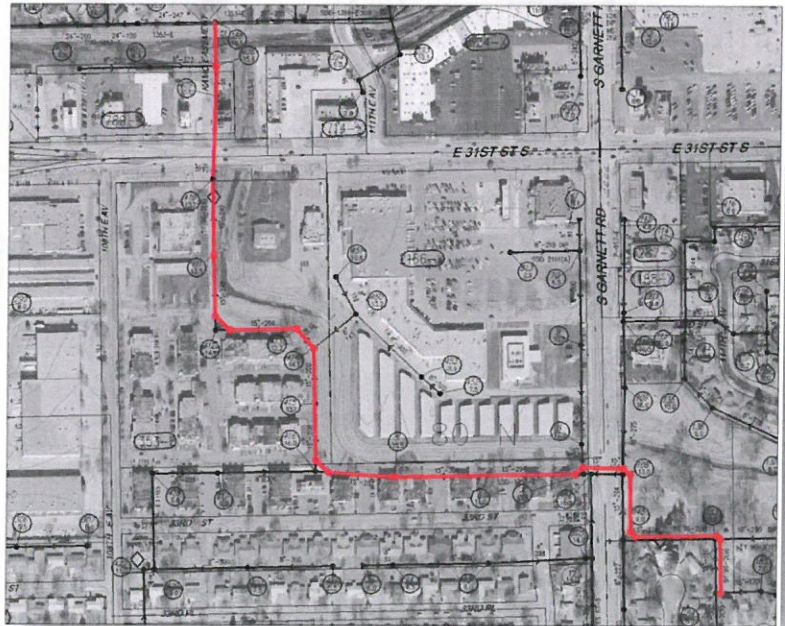
- ***Taxiway "D" Relocation and Ramp Addition, Phase 2, Lexington, Kentucky (2010)***—Project engineer.
- ***Taxiway "D" Relocation and Ramp Addition, Phase 1, Lexington, Kentucky (2009)***—Project engineer.
- ***Sugarmill Hazard Mitigation Grant Project, Lexington, Kentucky (2010)***—Project engineer.

NICOLE MCPHERSON, P.E., LEED AP (TETRA TECH, LANSING)—Ms. McPherson has been a consulting engineer for more than 12 years with experience in detailed civil design and construction of Combined Sewer Overflow (CSO) separation systems, and water and wastewater treatment projects. Highlights of her

expertise include: minimizing impacts of unforeseen situations in the field and improved response efficiency by prioritizing the schedule to accommodate such events; improving the accuracy of drawings by implementing a peer review process among project engineers; and reducing cost/schedule impacts from scope changes based on expedited delivery of field engineering solutions.

- **Phase V, Segment 2 - Downtown - Washington Square and Ottawa Street and 032 Trunk Sewer, Lansing, Michigan**—Design Leader for two sewer separation projects. Responsible for meeting timelines in accordance with the schedule set forth by the Michigan Department of Environmental Quality and the City.
- **Phase V, Segment 1 - 015 North, Lansing, Michigan**—Design Leader for the largest single CSO separation project to date for the City, which included over 30,000 feet of sewer. Continuous coordination with the City and various government agencies was performed to effectively complete projects. Construction engineering assistance is also being provided.
- **Phase IV, Segment 5 - Downtown - Grand Avenue and Walnut Street, 018 Southwest and 034A, Lansing, Michigan**—Design Leader for three sewer separation projects: the most designed and bid in one year for the CSO program. These projects included over 23,600 feet of sewer. Responsible for overseeing the detailed design of the sewer separation including evaluation of the existing systems, design of proposed sewers, water mains and roadways, and preparation of construction and bidding documents. Main contact for the field staff for engineering questions during construction.
- **Phase IV, Segment 4 - Downtown - Kalamazoo and Seymour Streets, 018 Southeast, Lansing, Michigan**—Design Leader and Project Engineer for two sewer separation projects. Responsible for the detailed design of the sewer separation including evaluation of the existing systems, design of proposed sewers (25,400 feet), water mains (17,800 feet) and roadways, and preparation of construction and bidding documents.
- **Phase IV, Segment 3 - 023, Lansing, Michigan**—Project Engineer for the construction phase of the sewer separation project. Responsible for answering field engineering questions in a timely manner as to not delay the contractor.

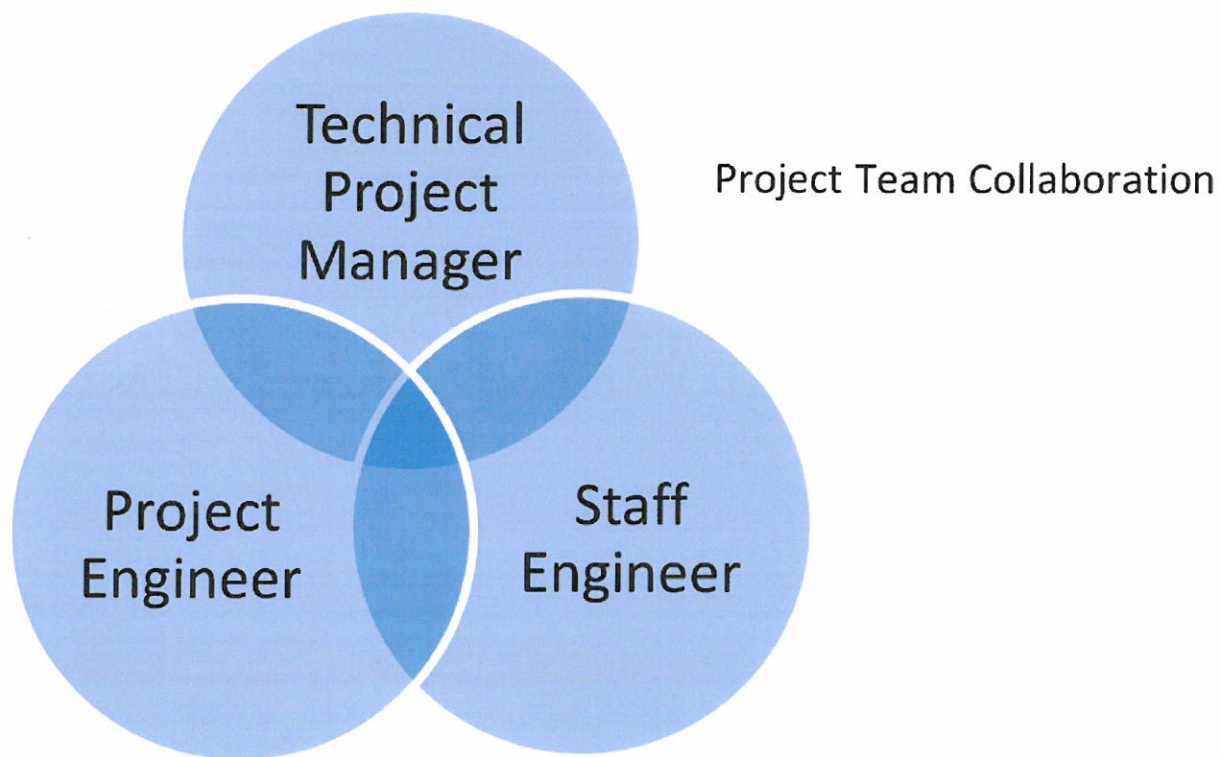
JOSEPH SIWEK, P.E. (TETRA TECH, LANSING)—Mr. Siwek is one of Tetra Tech IER's project engineer for civil and site design projects. He has participated on various civil projects for governmental, municipal and private clients including roadways, sewers, wastewater pump stations, water mains, booster pumping stations and both ground and elevated storage tanks. Mr. Siwek's wide range of experience on a broad array of projects in various fields contributes to efforts as a designer. Mr. Siwek is a registered PE in the state of Michigan, a certified Construction Document Technologist, LEED AP, and is certified under the PACP (Pipeline Assessment Certification Program), and holds a membership with NASSCO (National Association of Sewer Service Companies). Mr. Siwek has taken it upon himself to stay current with the rapidly growing and evolving of trenchless infrastructure rehabilitation by researching new products regularly and fostering professional contacts developed through his membership with NASSCO. Mr. Siwek's noteworthy technical accomplishments include the design of three separate phases of The City of Lansing's Combined Sewer Overflow programs,



which included the construction of new sanitary and storm sewer systems, water mains, and roadways comprising projects that ranged between \$6M and \$24M in construction cost. Mr. Siwek also completed the design of the initial phase The City of Lansing's Rehabilitation of the Central & Sycamore/Lindbergh Interceptor, a project that will be the blueprint for the eventual rehabilitation of the City's primary sanitary sewer interceptor.

Risk Management Plan for Substitute Staffing

The RFQ requires the inclusion of a Risk Management Plan for substitute staffing in the event that a key team member leaves the project team before a task order is completed. The foundation of Tetra Tech's risk management plan is a focused project team whose members support each other throughout the project. The technical project team for each task order will consist of the technical project manager, project engineer, and staff engineer who collaborate and share information among each other and who serve as backups to each other. This ensures that the "institutional" knowledge of each project is shared by at least three people from the beginning to the end of the project. The project engineer will be the backup technical project manager, and the staff engineer will be the backup project engineer.



Other provisions of the Tetra Tech Risk Management Plan include the following:

- The project team will have a weekly progress meeting to review what was accomplished the previous week and what is planned for the upcoming week.
- The project team will meet to review the plans and specifications at the 30%, 75%, and final completion stages. This will ensure that all member of the project team are up-to-date on the details of the project.
- Electronic project files including design decisions and calculations will be located on a central server that is accessible to all members of the project team at all times to ensure that everyone is fully knowledgeable of the project.

4 List of Clients for Which Similar Work Has Been Performed

Our team provided professional engineering services for the following clients.

Client	Similar Projects Completed
Mr. Gregory Lubeck, P.E., CFM Municipal Engineer Senior LFUCG Division of Water Quality (859) 258-3446 glubeck@lexingtonky.gov	<ul style="list-style-type: none"> • Sugarmill/Vaughn's Branch Flood Mitigation
Mr. Mark Day, P.E. Deputy Director of Engineering and Maintenance Blue Grass Airport (859) 425-3152 mday@bluegrassairport.com	<ul style="list-style-type: none"> • Blue Grass Airport Taxiway "D," Phase 1, sanitary and stormwater pipelines • Blue Grass Airport Taxiway "D," Phase 2, sanitary and stormwater pipelines
Mr. Chad Gamble Public Service Director City of Lansing (517) 483-4452 cgamble@lansingmi.gov	<ul style="list-style-type: none"> • 56 miles of new sanitary sewer ranging 8-60 inches in diameter • 16 miles of new storm sewer ranging 12-72 inches in diameter • 25 miles of sewer rehabilitation and 27 miles of new water main • Over 3 miles of pipe from 42-72 inches in diameter using open-cut and trenchless construction • Over 2 miles of bore/jack construction from 24-72 inches in diameter using microtunneling

5 List of Similar Design Services Projects

The following projects are ones worked on by the staff listed on the enclosed organization chart. Tetra Tech has worked on additional projects not listed below.

Project Name, Location	Completion Date	Services Provided / Project Description	Project Construction Cost
Harrods Creek Interceptor and Force Mains/Timberlake & South Hunting Creek WWTPs Elimination, Jefferson Co., KY	2014	Pump Station and WWTP Replacement - Installation of approximately 8,800 LF of 30-inch force main and 8,600 LF of 24-42-inch sanitary sewer to depths of 30 feet. Included open trench/jack and bore/tunneling.	\$7,000,000 (est.)
Ardmore Avenue Sewer Replacement, Cincinnati, OH	2012	Replacement - Construct 1,000 LF of 30-inch sanitary sewer, 800 LF jack and bore, and 200 LF open cut.	\$1,860,000 (est.)
Columbia Parkway Sewer Separation, Cincinnati, OH	2011	Combined Sewer Separation, Replacement and Rehabilitation - Construct and line 2,200 LF of 30", 36" and 60" combined sewer. Construct 2,050 LF of 36" and 42" storm drain.	\$3,339,000
Juniper Hills Sanitary Sewer Rehabilitation, Frankfort, KY	2012	Rehabilitation & Replacement - Pipe burst and installation of 1,100 LF 8-inch sanitary sewer and installation of 2,900 LF cured-in-place (CIPP) 8-inch sanitary sewer. Included 85 LF manhole lining, one manhole replacement, and six sewer point repairs.	\$416,000
Covered Bridge WWTP Elimination, Oldham County, KY	2012	Installation of 5,180 LF of 12-inch, 2,210 LF of 8-inch, and 2,270 LF of 6-inch PVC C900 force main.	\$500,000
Campbellsburg to Carrollton Force Main Construction, Phase II Addition, Campbellsburg, KY	2011	Installation of 400 feet of 16-inch steel casing bored under I-71 with a 3-inch, 4-inch, and 6-inch carrier pipe installed in the casing pipe.	\$225,000
Renovate 4-H Camp - Dawson Force Main and Pump Station, Dawson Springs, KY	2011	Installation of 2,500 feet of 8-inch PVC sewer line, 12 new manholes, 4,500 feet of 4-inch PVC force main, sodium hypochlorite feed pumps, and a duplex pump station with two 80 GPM pumps.	\$309,584
Sugarmill Hazard Mitigation Grant Project, Lexington, KY	2010	Demolition of four existing storm culverts, installation of four concrete clear span structures with wing walls, construction of a detention basin requiring 25,000 CY of excavation, replacing 630 feet of 8-inch sewer pipe, replacing 590 feet of 24-inch sewer pipe, and installing ten new manholes.	\$1,554,006
Richmond Landfill Leachate Force Main, Richmond, KY	2010	Installation of approximately 27,000 feet of 6-inch force main, 2,500 feet of 2-inch water line, a duplex pump station with two 176 GPM pumps, a 125 kW standby generator, a pre-engineered enclosure for chemical feed, and potassium permanganate chemical feed equipment.	\$1,200,000

Project Name, Location	Completion Date	Services Provided / Project Description	Project Construction Cost
Taxiway "D" Relocation and Ramp Addition, Phase 2, Lexington, KY	2010	Installation of storm and sanitary facilities/structures as part of a larger sitework project.	\$255,300
Taxiway "D" Relocation and Ramp Addition, Phase 1, Lexington, KY	2009	Installation of storm and sanitary facilities/structures as part of a larger sitework project.	\$447,114
Erie Street North, Port Huron, MI	2011	Sewer separation work which consisted of 19,000 feet of sanitary and storm sewers work and approximately 10,500 feet of water main construction.	\$5,823,191
Lansing 015N (As-Bid), Lansing, MI	2011	Separation, replacement, rehabilitation, involving 30,757 feet of sewer and 27,440 feet of water main	\$17,185,522
21st Street Sewer Separation, Phase I, Port Huron, MI	2010	31,000 feet of sanitary and storm sewers work and approximately 22,000 feet of water main construction.	\$9,938,647
Lansing 034B (As-Bid), Lansing, MI	2010	Separation, replacement, rehabilitation, involving 14,025 feet of sewer and 12,476 feet of water main	\$8,585,015
Lansing Downtown - Allegan/Chestnut, Lansing, MI	2010	Separation, replacement, rehabilitation, involving 4,675 feet of sewer and 2,107 feet of water main	\$3,356,077
Lansing 018 Southwest, Lansing, MI	2009	Separation, replacement, rehabilitation, involving 7,489 feet of sewer and 8,103 feet of water main	\$6,161,628
Lansing 034 A, Lansing, MI	2009	Separation, replacement, rehabilitation, involving 9,463 feet of sewer and 13,911 feet of water main	\$5,661,370
Lansing Downtown - Grand/Walnut, Lansing, MI	2009	Separation, replacement, rehabilitation, involving 6,650 feet of sewer and 2,182 feet of water main	\$6,589,399
Lansing 013 Northeast, Lansing, MI	2009	Separation, replacement, rehabilitation, involving 18,054 feet of sewer and 9,908 feet of water main	\$7,652,046
Lansing 045, Lansing, MI	2009	Separation, replacement, rehabilitation, involving 12,047 feet of sewer and 7,843 feet of water main	\$6,015,337
Lansing 018 Southeast, Lansing, MI	2008	Separation, replacement, rehabilitation, involving 19,998 feet of sewer and 14,493 feet of water main	\$10,288,372
Lansing 020, Lansing, MI	2008	Separation, replacement, rehabilitation, involving 7,409 feet of sewer and 6,653 feet of water main	\$4,399,091
Lansing 013 Northwest, Lansing, MI	2008	Separation, replacement, rehabilitation, involving 11,621 feet of sewer and 8,455 feet of water main	\$5,134,553
Lansing Downtown - Kalamazoo & Seymour, Lansing, MI	2008	Separation, replacement, rehabilitation, involving 5,143 feet of sewer and 3,324 feet of water main	\$6,049,442
Erie Street South, Port Huron, MI	2007	Sewer separation work which consisted of 5,000 feet of sanitary and storm sewers work and approximately 3,200 feet of water main construction.	\$2,825,978

6 Local Office

Prime Consultant	Location (City, State)	Date Office Established	Total No. of Employees	No. of Employees Expected to Work on DWQ Projects
Headquarters	Lexington, KY*	1999	32	12
Local Office	Lexington, KY	1999	32	12
PM Location	Lexington, KY			
Subconsultants				
Hall-Harmon Engineers	<i>Surveying</i>			
Headquarters	Lexington, KY	1994	7	5
Local Office	Lexington, KY	1994	7	5
Third Rock Consultants	<i>Environmental</i>			
Headquarters	Lexington, KY	2000	26	3
Local Office	Lexington, KY	2000	26	3
Consulting Services Incorporated of KY	<i>Geotechnical</i>			
Headquarters	Lexington, KY	2009	41	10
Local Office	Lexington, KY	2009	41	10

- * The Lexington office of Tetra Tech meets the definition of “headquarters” as defined in the RFQ (see the definition below). The Lexington office contains technical staff such as project managers, project engineers, CAD, and GIS technicians. In addition, the Lexington office contains project support staff for other offices in the region, including accounting, human resources, information technology, operations, and marketing. The corporate executive office of Tetra Tech is in Pasadena, CA; however, it provides no direct project support to the Lexington office.

Definition of Headquarters from the RFQ: “Headquarters” refers to the corporate office that provides project support to the local office, if applicable. If support comes from multiple locations, use the blank spaces in the form to provide relevant information.

Estimated Percent of Work Performed in Local Offices

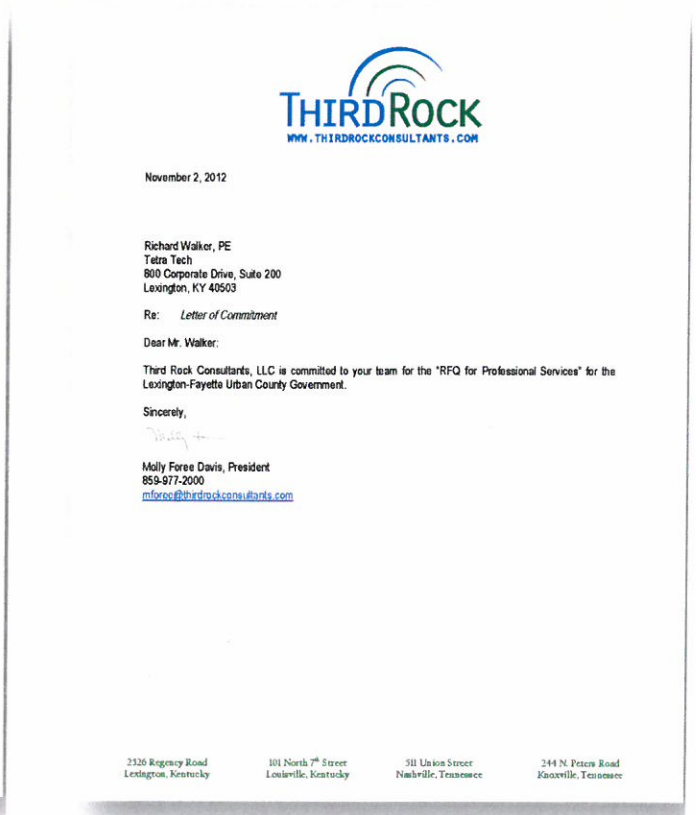
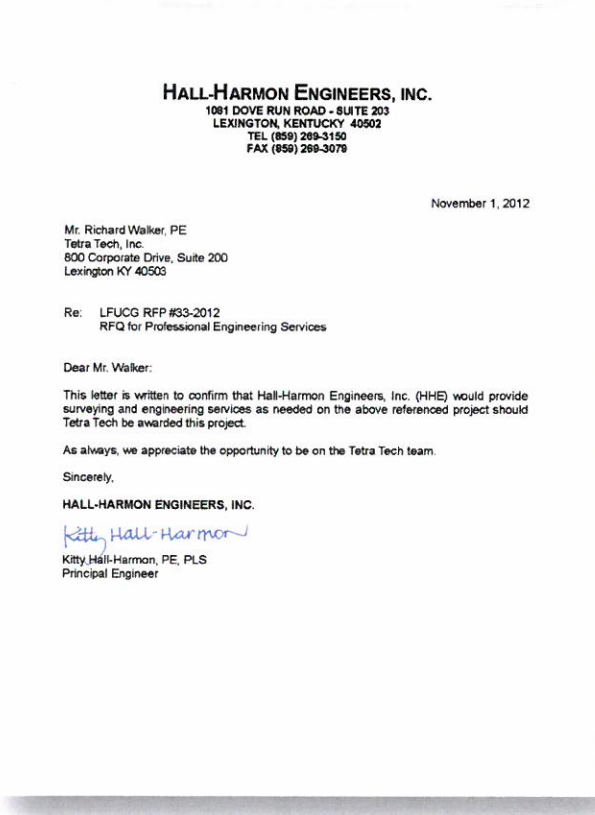
The estimated percent of work to be performed by staff in local offices is 90%.

7 Disadvantaged Business Enterprise Involvement

Tetra Tech understands the importance of MBE/WBE goals and is committed to providing meaningful women and minority participation at levels desired by LFUCG. Our track record on similar efforts demonstrates our commitment to, and success in, achieving or exceeding project-specific goals. For example, on our current program management contract, DBEs have performed over 30% of the work.

The following table outlines the WBEs Tetra Tech plans to use on this contract so as to meet or exceed the 10% participation goal set forth by LFUCG for this work:

Firm	Local Address	Scope to Provide	MBE/WBE Designation
Hall-Harmon Engineers (HHE)	1081 Dove Run Road, Suite 203 Lexington, KY	Surveying and Civil/Site Support	WBE
Third Rock Consultants (TRC)	2526 Regency Road, Suite 180 Lexington, KY	Environmental	WBE



8 Statement of Hourly Rates

Job Classification	Hourly Rate
Principal	\$195
Project Manager	\$190
Project Engineer (PE)	\$140
Project Engineer (EIT)	\$95
Engineering Technician / CAD Technician	\$115
Survey Crew	\$120
Clerical	\$70

The hourly rates are effective for 3 years following the contract date.

Following is a list of expected reimbursable expenses:

- Subcontractors: Cost plus 10%
- Mileage: Automobile: \$0.56/mile; Truck: \$0.70/mile
- Out-of-Pocket Expenses: At cost.

EXHIBIT D

**FURTHER DESCRIPTION OF BASIC
ENGINEERING SERVICES AND
RELATED MATTERS**

LFUCG TASK ORDER NO. _____
UNDER LFUCG AGREEMENT WITH _____ FOR _____

CONSULTANT

OWNER

		Lexington Fayette Urban County Government
Street Address	_____	200 East Main Street
City, State, Zip	_____	Lexington, KY 40507
Contact Person	_____	Charles Martin
Telephone	_____	859-425-2438
Fax	_____	859-254-7787
E-Mail	_____	chmartin@lexingtonky.gov
Task Order Date:	_____	
Task Name:	_____	
Task ID:	_____	

SCOPE OF WORK/DELIVERABLES

See Attached

SCHEDULE OF WORK

See Attached

FEE

See Attached

ADDITIONAL PROVISIONS

Because this is a Remedial Measures Plan project, **CONSULTANT** understands and agrees that the performance of these services is related to the Consent Decree entered in a case styled *United States & Commonwealth of Kentucky v. Lexington Fayette Urban County Government*, United States District Court for the Eastern District of Kentucky, Civil Action No. 5:06-cv-386-KSF (the "**CONSENT DECREE**"), a copy of which has been made available for review by the **CONSULTANT**, and which is incorporated herein by reference. The **CONSULTANT** further agrees that the services performed pursuant to this task order are necessary for the **OWNER** to meet the deadlines of the **CONSENT DECREE** and that the following requirements and conditions, which are in addition to those provided in the Engineering Services Agreement, shall apply to all work and services performed by the **CONSULTANT** under this task order:

1. Time is of the essence in the performance of the work and services. **CONSULTANT** is aware that the **OWNER** is subject to penalties for non-compliance with the **CONSENT DECREE** deadlines.
2. If delays result solely by reason of acts of the **CONSULTANT**, the **CONSULTANT** shall be held liable for any financial penalties incurred by the **OWNER** as a result of the delay, **including but not limited to those assessed pursuant to the CONSENT DECREE**. Section 6.5 of this Engineering Services Agreement (**Disputes**), shall apply in the event the parties cannot mutually agree upon the cause(s) associated with delays in completing project deliverables. The **CONSULTANT** must immediately notify the **OWNER** in the event of such delay, and provide the **OWNER** a written action plan within five (5) business days on how it will attempt to resolve the delay.
3. In the event that **CONSULTANT'S** delay or other nonperformance of its obligations hereunder results in the imposition of penalties against the **OWNER** pursuant to the **CONSENT DECREE**, or the **OWNER** otherwise suffers damage as a result of such delay or nonperformance, **CONSULTANT** shall be solely liable to **OWNER** for any and all such damages, including any costs and attorney's fees.

ACCEPTED BY:

AUTHORIZED BY:

Consultant's Authorized Signature

Owner's Authorized Signature

Date Signed

Date Signed

*Two originals of this work order shall be executed by the Owner and returned to Vernon Azevedo, P.E.
A fully executed copy will be returned to the Owner.*

