

LEXINGTON-FAYETTE URBAN COUNTY GOVERNMENT
CONTRACT MODIFICATION

4/7/2025

Project: West Loudon Avenue Streetscape

Location: W Loudon Ave from N Broadway to N Limestone

Contract No: 525-2016 Contract Modification No: 1

To (Contractor): Palmer Engineering, Inc.
1040 Monarch Street, Suite 210
Lexington, KY 40513

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	Right of Way Acquisition Services with Appraisal (see Exhibit A)				\$ -	\$ 60,000.00
						\$ -	\$ -
						\$ -	\$ -
						\$ -	\$ -
						\$ -	\$ -
						\$ -	\$ -
						\$ -	\$ -
						\$ -	\$ -

Total decrease

\$

Total increase

\$ 60,000.00

Net (increase/decrease) in contract price

\$ 60,000.00

Current Contract Amount = \$96,600.00

New Contract Amount = \$156,600.00

Recommended by *Ryan Taylor* (Proj. Engr.)

Date *6/6/2025*

Accepted by *AA Lull* (Contractor)

Date *6-5-25*

Approved by *[Signature]* (Director - Engineering)

Date *6/9/25*

Approved by *MC [Signature] for Nancy Albright* (Commissioner - EQPW)

Date *6/11/25*

Approved by *Penida Gorton* (Mayor or CAO)

Date *7/2/25*

JUSTIFICATION FOR CHANGE

PROJECT: West Loudon Avenue Streetscape

CONTRACT NO. 525-2016

CONTRACT MODIFICATION NO.: 1

1. Necessity for change: ROW services were initially planned to be performed by LFUCG Engineering staff. Instead, the design consultant is needed to perform ROW services to acquire temporary easements for construction.
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 ___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
7. Effect on operation and maintenance costs: N/A
8. Effect on contract completion date: N/A

*Linda Gorton**Linda Gorton*
Mayor*7/2/2025*
Date

CONTRACT HISTORY FORM

Project Name: West Loudon Avenue Streetscape

Contractor: Palmer Engineering, Inc.

Contract Number and Date: 525-2016 09/15/16

Responsible LFUCG Division: Engineering

CONTRACT AND MODIFICATION DETAILS

A. Original Contract Amount:	\$	<u>96,600.00</u>	
Next Lowest Bid Amount:			
B. Amount of Selected Alternate or Phase:	\$	<u></u>	
C. Cumulative Amount of All Previous Alternates or Phases:	\$	<u>96,600.00</u>	
D. Amended Contract Amount:	\$	<u>96,600.00</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>60,000.00</u>	<u>62.1%</u> <small>(Line F / Line D)</small>
G. Total Contract Amount:	\$	<u>156,600.00</u>	

SIGNATURES

Project Manager:



Date: 6/9/25

Reviewed by:



Date: 06/09/25

Division Director:



Date: 6/9/25

Exhibit A

Extra Work – Right of Way Acquisition West Loudon Avenue Streetscape

This Extra Work Scope of Services provides a minimum set of guidelines, tasks, and activities for professional engineering and registered land surveying services to be performed by Consultant as part of the design of the West Loudon Avenue Streetscape Project. The Extra Work Scope of Services includes Right of Way (ROW) Acquisition and modifies the original Engineering Services Contract dated September 15, 2016.

Consultant shall be pre-qualified by KYTC for Right of Way Services, at a minimum to perform Acquisition services.

Background

Through the design process of the West Loudon Avenue Streetscape Project, six (6) Temporary Construction Easements (TCE) were developed to allow construction of the project. Professional engineering services by the Consultant are needed to acquire the necessary TCE's, and these services are outlined in this Contract Modification.

Scope of Services

1. Easement and Right of Way Acquisition

- 1.1. Consultant shall prepare metes and bounds descriptions of six (6) temporary construction easements. Easement descriptions shall be prepared to meet the requirements of the Lexington-Fayette Urban County Government Division of Engineering. (existing Engineering Service Agreement scope)*
- 1.2. Consultant shall prepare all paperwork necessary for easement acquisition and right of way encroachment and/or taking. (existing Engineering Service Agreement scope)*
- 1.3. Consultant, or an agent thereof, will conduct negotiations with property owners for acquisitions of easements and right of way. The Minor Acquisition Review process shall be used to determine the amount of compensation to be offered to for each non-complex easement.
- 1.4. Consultant shall perform appraisals, review appraisals, and perform easement recordings as necessary for easement acquisition. All fees associated with these tasks shall be paid by Consultant. Appraisals and appraisal reviews may be subcontracted to a KYTC prequalified appraiser, subject to acceptance by LFUCG.

- 1.5. Consultant shall maintain documentation consisting of a comprehensive file for each parcel updated as new information is obtained, including a record of contacts in accordance with the KYTC Right of Way Guidance Manual.
- 1.6. Consultant shall enter, track and update all necessary information in the KYTC KROWDS on-line database.

Payments to Consultant

1. Methods of Payment for Services of Consultant

- 1.1. Owner shall pay Consultant for Extra Work a fee not exceeding **Thirteen thousand four hundred dollars (\$13,400)** per parcel for complex temporary easements requiring appraisals.
- 1.2. Owner shall pay Consultant for Extra Work a fee not exceeding **Eight thousand three hundred dollars (\$8,300)** per parcel for temporary easements not requiring appraisals.
- 1.3. The total compensation for all services rendered shall not exceed **Sixty thousand dollars (\$60,000)**.
- 1.4. In addition to monthly statements for Extra Work rendered as defined in the Engineering Services Agreement, the statements shall include a detailed description of services and activities performed for each parcel.
- 1.5. The amount of time to acquire temporary easements can vary substantially depending on the response of the property owners. The monthly statements shall also provide a breakdown of consulting time/cost spent on each property.

Additional Requirements

1. Schedule and Completion

- 1.1. TCE offers and the negotiation process shall begin within 30 days of the Notice to Proceed.

2. Deliverables

- 2.1 Easement plats, descriptions, and related paperwork for ROW taking and/or encroachment, including a comprehensive file for each parcel.



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

TC 40-2
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SECTION 1: PROJECT INFORMATION

DATE:	Apr 27, 2025	COUNTY:	Fayette	ITEM #:	7-3203
PROJECT:	W Loudon Right of Way Acquisition				
DESC:					

SECTION 2: BUDGET INFORMATION

FEE CONSIDERATIONS	PROPOSED MAN HOURS	NEGOTIATED MAN HOURS	AVERAGE RATE	ESTIMATED COST
Project Preparation	36		\$ 82.61	\$ 2,973.96
Minor Acquisitions	96		\$ 61.98	\$ 5,950.08
Complex Acquisitions	0			\$ -
Residential Relocations	0			\$ -
Com/Bus Relocations	0			\$ -
Miscellaneous Moves	0			\$ -
Project Management	38		\$ 86.12	\$ 3,272.56
				\$ -
				\$ -
				\$ -
TOTAL PRODUCTION HOURS & PAYROLL	170			\$ 12,196.60

OVERHEAD (177.32 %)	\$ 21,627.01
PROFIT (15.00 %)	\$ 5,073.54
COST OF MONEY (3.54 %)	\$ 431.76


DIRECT COSTS	AMOUNT
Mileage for Acquisitions and Relocations (29 trips @ 60.5 miles@\$0.57/mile)	\$ 761.00
Computer Time @ 20% (34 hrs @ \$15/hr)	\$ 510.00
TOTAL DIRECT COSTS	\$ 1,271.00

SUBCONSULTANTS	AMOUNT
Appraisal	\$ 8,000.00
Appraisal Review	\$ 1,200.00
Titles and Closings	\$ 7,800.00
Recording Fee	\$ 2,400.00
TOTAL SUBCONSULTANTS	\$ 19,400.00

TOTAL FEE	\$ 60,000
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*Rounded to the nearest dollar

SECTION 3: SIGNATURE

FIRM NAME: Palmer Engineering		SIGNED BY: Stephen Sewell	
		President	6/9/2025
CONSULTANT SIGNATURE	TITLE	DATE	
PROFESSIONAL SERVICES SIGNATURE	TITLE	DATE	

Right of Way Fee Per Parcel

Parcel	Travel Costs	Project Preparation	Project Management	Negotiations	Appraisals	Reviews	Title & Closing	Recording Fee	Relocation Assistance			TOTAL
									Residential	Bus/Com	Misc. Move/Sign	
1	\$200.00	\$950.00	\$2,500.00	\$2,000.00	\$ 4,000	\$ 600	\$ 1,300	\$ 400		\$ 4,000		\$15,950.00
2	\$150.00	\$950.00	\$2,500.00	\$2,000.00			\$ 1,300	\$ 400		-		\$7,300.00
3	\$150.00	\$950.00	\$2,500.00	\$2,000.00			\$ 1,300	\$ 400		-		\$7,300.00
4	\$150.00	\$950.00	\$2,500.00	\$2,000.00	4,000	600	\$ 1,300	\$ 400		-		\$11,900.00
5	\$150.00	\$950.00	\$2,500.00	\$2,000.00			\$ 1,300	\$ 400		-		\$7,300.00
6	\$200.00	\$950.00	\$2,500.00	\$2,000.00			\$ 1,300	\$ 400		2,900		\$10,250.00
												\$0.00
												\$0.00
												\$0.00
												\$0.00
												\$0.00
												\$0.00
TOTAL	\$1,000.00	\$5,700.00	\$15,000.00	\$12,000.00	\$8,000.00	\$1,200.00	\$7,800.00	\$2,400.00	\$0.00	\$0.00	\$6,900.00	\$60,000.00



KENTUCKY TRANSPORTATION CABINET
Department of Highways
DIVISION OF RIGHT-OF-WAY SERVICES
RIGHT-OF-WAY PRODUCTION-HOUR WORKSHEET

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SECTION 1: PROJECT INFORMATION

COUNTY:	Fayette	ROUTE:	W Loudon Ave	ITEM #:	7-3203
DESC:	West Loudon Avenue Streetscape Project - ROW				

SECTION 2: CONSULTANT INFORMATION

CONSULTANT:	Palmer Engineering				
PREPARED BY:	Stephen Sewell, PE			DATE:	Apr 25, 2025

SECTION 3: PRODUCTION HOURS

No.	ITEM	Parcels/ Amount	Hours per Parcel/Unit	Total Hours
PROJECT PREPARATION				
1	Project Report Development/Revisions			0
2	Public Meeting/Right of Way Meeting			0
3	Acquisition Stage Relocation Report and Updates (Each)			0
4	Minor Acquisition Review - Value Range Preparation	6	6	36
5	Title and Closing Attorney Coordination			0
MINOR ACQUISITION				
6	Initial Offer Meeting	6	3	18
7	Follow-Up Meeting(s)/Contacts	6	4	24
8	Records of Contact	6	3	18
9	Parcel File Documentation	6	3	18
10	Payment Packet	6	1	6
11	Check Delivery	6	2	12
12	Pro-Rata Property Tax Reminder Letters/Payment Packet			0
13	Condemnation Packet			0
COMPLEX ACQUISITION				
14	Initial Offer Meeting			0
15	Follow-Up Meeting(s)/Contacts			0
16	Records of Contact			0
17	Parcel File Documentation			0
18	Payment Packet			0
19	Check Delivery			0
20	Pro-Rata Property Tax Reminder Letters/Payment Packet			0
21	Condemnation Packet			0
RESIDENTIAL RELOCATION				
22	Initial Worksheet and Meeting			0
23	Certified Inventory			0
24	Worksheet Update			0
25	RHP/RAP Computations			0
26	Relocation Offer Meeting			0
27	Advisory Services			0
28	Move Estimates/Bids			0
29	Move Verification/Monitoring			0
30	DS&S Inspections			0
31	Records of Contact			0
32	Parcel File Documentation			0
33	Payment Packet			0
34	Check Delivery			0



KENTUCKY TRANSPORTATION CABINET
Department of Highways
DIVISION OF RIGHT-OF-WAY SERVICES

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RIGHT-OF-WAY PRODUCTION-HOUR WORKSHEET

No.	ITEM	Parcels/ Amount	Hours per Parcel/Unit	Total Hours
COMMERCIAL/BUSINESS RELOCATION				
35	Initial Worksheet and Meeting			0
36	Certified Inventory			0
37	Move Estimates/Bids			0
38	Relocation Offer Meeting			0
39	Advisory Services			0
40	Move/Re-Establishment/In Lieu of Move			0
41	Records of Contact			0
42	Parcel File Documentation			0
43	Payment Packet			0
44	Check Delivery			0
MISCELLANEOUS MOVE				
45	Initial Worksheet and Meeting			0
46	Certified Inventory			0
47	Move Estimates/Bids			0
48	Relocation Offer Meeting			0
49	Advisory Services			0
50	Move Verification			0
51	Records of Contact			0
52	Parcel File Documentation			0
53	Payment Packet			0
54	Check Delivery			0
OUTDOOR ADVERTISING RELOCATION				
55	Initial Worksheet and Meeting			0
56	Certified Inventory			0
57	Move Estimates/Bids			0
58	Relocation Offer Meeting			0
59	Advisory Services			0
60	Move Verification			0
61	Records of Contact			0
62	Parcel File Documentation			0
63	Payment Packet			0
64	Check Delivery			0
PROPERTY MANAGEMENT				
65	Inspect Parcels-Possible HAZMAT, UST's or AST's			0
66	Prepare-Project Summary Improvements Form w/salvage values w/ KYTC Approval			0
67	Status Report of Improvements Updated as Needed			0
68	Coordinate with KYTC for environmental remediation and ACM Removal			0
69	Photographs and Inspection of Improvements			0
70	Parcel File Documentation			0
71	Coordinate Clearance from Right of Way			0
72	Project Security of Improvements			0
73	Coordinate Bid Preparation for Removal of Improvement through KYTC			0
74	Monitor Removal of Improvements			0
75	Project Close out for Improvement Removal			0

**KENTUCKY TRANSPORTATION CABINET**

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Department of Highways

DIVISION OF RIGHT-OF-WAY SERVICES

RIGHT-OF-WAY PRODUCTION-HOUR WORKSHEET

No.	ITEM	Parcels/ Amount	Hours per Parcel/Unit	Total Hours
ROW PROJECT MANAGEMENT				
76	Parcel Review - Acquisition Payment Packet	6	3	18
77	Parcel Review - Condemnation Packet			0
78	Parcel Review - Relocation Payment Packet			0
79	Parcel Review - Tax Reimbursement Payment Packet			0
80	Monthly Project Status Meetings and Preparation (Each)	3	2	6
81	District Coordination			0
82	Sub-Consultant Coordination - Appraisal (Each)	2	2	4
83	Sub-Consultant Coordination - Appraisal Review (Each)			0
84	Sub-Consultant Coordination - Acquisition (Each)			0
85	Sub-Consultant Coordination - Relocation (Each)			0
86	Invoicing (Each)	2	1	2
87	Project Close-Out	1	8	8
RIGHT OF WAY TOTAL				170