

Contract 235-2013

SANITARY SEWERS REMEDIAL MEASURES PLAN CONTRACT CHANGE ORDER FORM

Project Name: East Lake Trunk Sewer Replacement
 Contractor: Cleary Construction
 Contract Number: 99-2013
 RMP Project ID: EH13
 Change Order ID Number: 1 - Final Adjusting
 Applicable Tier: 2

CHANGE ORDER DETAILS

Contract Amount	<u>\$735,206.00</u>	Contract Time	<u>120</u>
Original Contract Amount:	<u>\$735,206.00</u>	Original Contract Time	<u>120</u>
Change in Contract Amount	<u>(\$51,740.00)</u>	Change in Contract Time	<u>112</u>
New Contract Amount:	<u>\$683,466.00</u>	New Contract Time	<u>232</u>

JUSTIFICATION FOR CHANGE ORDER

Item 1 adjustment in contract amount due to final adjustment of installed quantities. Items 2 through 4, adjustment of contract time due to weather and coordination.

REQUIRED SIGNATURES

Tier 1

 Remedial Measures Plan or Construction Manager Date

Tier 2 Vincent Azevedo
 Remedial Measures Plan or Construction Manager 9-17-14
 Date

[Signature]
 Director of the Division of Water Quality 9-18-14
 Date

[Signature]
 Director of the Division of Purchasing 9-18-14
 Date

URBAN COUNTY COUNCIL NOTIFICATION

[Signature]
 Employee Submitting Notification 9/18/14
 Date

Change Order No. 1
Remedial Measures Plan (RMP)
Division of Water Quality

Lexington-Fayette Urban County Government (LFUCG)

Date of Issuance: August 22, 2014	Effective Date: August 28, 2014
Owner: Lexington-Fayette Urban County Government (LFUCG)	Owner's Bid No.: 99-2013
Contractor: Cleary Construction	Contractor's Project No.:
Engineer: Palmer Engineering	Engineer's Project No.: 10892
Project: East Lake Trunk Sewer Replacement (EH13)	Contract Name:

The Contract is modified as follows upon execution of this Change Order:

Description:

Item 1, see Attachment 1, Actual Quantities Installed Adjustment: Which details a contract reduction in the amount of (\$51,740.00). No change in contract time associated with this item.

Item 2, see Attachment 2, Letter from Greg Isaacs dated March 24, 2014 to Doug Baldwin. This letter recommends a time extension of 64 calendar days. No change in contract price associated with this item.

Item 3, see Attachment 3, letter from Greg Isaacs dated March 14, 2014 to Spenser Smith. This letter approves a request to extend working hours of the project. No change in contract price or time associated with this item.

Item 4, see Attachment 4, letter from Greg Isaacs dated August 28 to Doug Baldwin. This letter recommends a time extension of 48 days. No change in contract price associated with this item.

CHANGE IN CONTRACT PRICE	CHANGE IN CONTRACT TIMES <i>[note changes in Milestones if applicable]</i>
Original Contract Price: \$ <u>735,206.00</u>	Original Contract Times: Substantial Completion: <u>120</u> Ready for Final Payment: <u>March 30, 2014</u> dates
[Increase] [Decrease] from previously approved Change Orders No. <u>-</u> to No. <u>-</u> : \$ <u>0.00</u>	[Increase] [Decrease] from previously approved Change Orders No. <u>-</u> to No. <u>-</u> : Substantial Completion: <u>120</u> Ready for Final Payment: <u>120</u> days
Contract Price prior to this Change Order: \$ <u>735,206.00</u>	Contract Times prior to this Change Order: Substantial Completion: <u>March 30, 2014</u> Ready for Final Payment: <u>March 30, 2014</u> dates
[Increase] [Decrease] of this Change Order: \$ <u>(51,740.00)</u>	[Increase] [Decrease] of this Change Order: Substantial Completion: <u>112 day</u> Ready for Final Payment: <u>112 days</u> days
Contract Price incorporating this Change Order: \$ <u>683,466.00</u>	Contract Times with all approved Change Orders: Substantial Completion: <u>July 20, 2014</u> Ready for Final Payment: <u>July 20, 2014</u> dates

REGOMMENDED (Palmer Engineering):

By: [Signature]
 Title: Project Manager
 Date: August 28, 2014

ACCEPTED (Cleary Construction):

By: [Signature]
 Title: PRESIDENT
 Date: 8/28/14

ACCEPTED (Owner: LFUCG)

By: [Signature]
 Title: REMEDIAL MEASURES PROGRAM MANAGER
 Date: 9-17-14

Approved by Funding Agency
 (If applicable):

By: _____
 Title: _____
 Date: _____

**ATTACHMENT NO. 1 TO CHANGE ORDER NO. 1: FINAL ADJUSTING
ACTUAL QUANTITIES INSTALLED ADJUSTMENT - FINAL**

**East Lake Trunk Sewer Replacement
For: Lexington Fayette Urban County Government
Bid No. 99-2013, RMP No. EH 13
By: Palmer Engineering
August 27, 2014**

Cleary Construction Inc
2006 Edmonton Road
Tompkinsville, KY 42167

BID ITEM NO.	UNIT DESCRIPTION	APPROX. QTYS. BID	ACTUAL QTYS. INSTALLED	DIFF. OF QTYS.	UNITS	UNIT PRICE	BID AMOUNT	ACTUAL INSTALLED AMOUNT	DIFF. OF AMOUNT
1	Mobilization	1	1	0	LS	\$ 13,000.00	\$ 13,000.00	\$13,000.00	\$ -
2	Bonds and Insurance	1	1	0	LS	\$ 10,000.00	\$ 10,000.00	\$10,000.00	\$ -
3	General Requirements	1	1	0	LS	\$ 10,000.00	\$ 10,000.00	\$10,000.00	\$ -
4	Demobilization	1	1	0	LS	\$ 7,000.00	\$ 7,000.00	\$7,000.00	\$ -
5	Erosion and Sediment Control and Conformance with SWPPP	1	1	0	LS	\$ 15,000.00	\$ 15,000.00	\$15,000.00	\$ -
6	18-inch Gravity Sewer Pipe (DIP, FRP, RCP, PVC), 6.1'-10' depth	220	220	0	LF	\$ 144.00	\$ 31,680.00	\$31,680.00	\$ -
7	18-inch Gravity Sewer Pipe (DIP, FRP, RCP, PVC), 10.1'-14' depth	565	565	0	LF	\$ 150.00	\$ 84,750.00	\$84,750.00	\$ -
8	21-inch (RCP, PVC) or 20-inch (DIP, FRP) Gravity Sewer Pipe, 10.1'-14' depth	285	0	-285	LF	\$ 159.00	\$ 45,315.00	\$0.00	\$ (45,315.00)
9	21-inch (RCP, PVC) or 20-inch (DIP, FRP) Gravity Sewer Pipe, greater than 14' depth	880	1,165	285	LF	\$ 159.00	\$ 139,920.00	\$185,235.00	\$ 45,315.00
10	Connect to existing 8-inch sewer	4	4	0	EA	\$ 1,500.00	\$ 6,000.00	\$6,000.00	\$ -
11	Connect to existing 15-inch sewer	1	1	0	EA	\$ 2,000.00	\$ 2,000.00	\$2,000.00	\$ -
12	Connect to existing 48-inch sewer	2	2	0	EA	\$ 7,500.00	\$ 15,000.00	\$15,000.00	\$ -
13	Partially demolish and fill manhole	9	10	1	EA	\$ 1,000.00	\$ 9,000.00	\$10,000.00	\$ 1,000.00
14	Standard Manhole, 4-foot diameter (depth 5.1 to 6.0 ft)	10	10	0	EA	\$ 2,700.00	\$ 27,000.00	\$27,000.00	\$ -
15	Standard Manhole, 8-foot diameter (depth to 6.0 ft)	1	1	0	EA	\$ 10,000.00	\$ 10,000.00	\$10,000.00	\$ -
16	Manhole Barrel Extensions, 4 ft. diameter	68	79	11	VF	\$ 160.00	\$ 10,880.00	\$12,640.00	\$ 1,760.00
17	Manhole Barrel Extensions, 8 ft. diameter	8	8	0	VF	\$ 300.00	\$ 2,400.00	\$2,400.00	\$ -
18	Manhole Drop Connection (8"-10")	4	4	0	EA	\$ 2,500.00	\$ 10,000.00	\$10,000.00	\$ -
19	Manhole Diaphragm and Watertight Cover	2	2	0	EA	\$ 613.00	\$ 1,226.00	\$1,226.00	\$ -

ATTACHMENT NO. 1 TO CHANGE ORDER NO. 1: FINAL ADJUSTING
ACTUAL QUANTITIES INSTALLED ADJUSTMENT - FINAL
East Lake Trunk Sewer Replacement
For: Lexington Fayette Urban County Government
Bid No. 99-2013, RMP No. EH 13
By: Palmer Engineering
August 27, 2014

Cleary Construction Inc
2006 Edmonton Road
Tompkinsville, KY 42167

BID ITEM NO.	UNIT DESCRIPTION	APPROX. QTYS. BID	ACTUAL QTYS. INSTALLED	DIFF. OF QTYS.	UNITS	UNIT PRICE	BID AMOUNT	ACTUAL INSTALLED AMOUNT	DIFF. OF AMOUNT
20	Cut and cap existing 8-inch sewer	4	4	0	EA	\$ 1,000.00	\$ 4,000.00	\$4,000.00	\$ -
21	Cut and cap existing 15-inch sewer	2	2	0	EA	\$ 1,300.00	\$ 2,600.00	\$2,600.00	\$ -
22	Plug Manhole Inlet 15-inch sewer	1	1	0	EA	\$ 1,500.00	\$ 1,500.00	\$1,500.00	\$ -
23	Video inspection of new sewer pipe	1,950	1,950	0	LF	\$ 3.00	\$ 5,850.00	\$5,850.00	\$ -
24	Tree Removal, > 12-inch diameter	20	20	0	EA	\$ 750.00	\$ 15,000.00	\$15,000.00	\$ -
25	Dense Graded Aggregate (DGA) Replacement (6" depth)	4,200	4,200	0	SY	\$ 10.00	\$ 42,000.00	\$42,000.00	\$ -
26	Storm Sewer Replacement (15")	25	25	0	LF	\$ 61.00	\$ 1,525.00	\$1,525.00	\$ -
27	Storm Sewer Replacement (18")	25	25	0	LF	\$ 63.00	\$ 1,575.00	\$1,575.00	\$ -
28	Storm Sewer Replacement (24")	25	25	0	LF	\$ 67.00	\$ 1,675.00	\$1,675.00	\$ -
29	Precast Concrete Headwall 15"	2	2	0	EA	\$ 1,600.00	\$ 3,200.00	\$3,200.00	\$ -
30	Precast Concrete Headwall 18"	2	2	0	EA	\$ 1,800.00	\$ 3,600.00	\$3,600.00	\$ -
31	Precast Concrete Headwall 24"	2	2	0	EA	\$ 2,000.00	\$ 4,000.00	\$4,000.00	\$ -
32	Seeding, Temporary, Extra as directed by Engineer	8,700	0	-8,700	SY	\$ 1.00	\$ 8,700.00	\$0.00	\$ (8,700.00)
33	Seeding, Permanent	8,700	8,700	0	SY	\$ 4.00	\$ 34,800.00	\$34,800.00	\$ -
34	Dense Graded Aggregate - DGA, Extra as directed by Engineer	50	0	-50	Ton	\$ 25.00	\$ 1,250.00	\$0.00	\$ (1,250.00)
35	No. 9 Crushed Stone, Extra as directed by Engineer	50	0	-50	Ton	\$ 25.00	\$ 1,250.00	\$0.00	\$ (1,250.00)
36	No. 57 Crushed Stone, Extra as directed by Engineer	50	0	-50	Ton	\$ 25.00	\$ 1,250.00	\$0.00	\$ (1,250.00)

**ATTACHMENT NO. 1 TO CHANGE ORDER NO. 1: FINAL ADJUSTING
ACTUAL QUANTITIES INSTALLED ADJUSTMENT - FINAL**

East Lake Trunk Sewer Replacement
For: Lexington Fayette Urban County Government
Bid No. 99-2013, RMP No. EH 13
By: Palmer Engineering
August 27, 2014

Cleary Construction Inc
2006 Edmonton Road
Tompkinsville, KY 42167

BID ITEM NO.	UNIT DESCRIPTION	APPROX. QTYS. BID	ACTUAL QTYS. INSTALLED	DIFF. OF QTYS.	UNITS	UNIT PRICE	BID AMOUNT	ACTUAL INSTALLED AMOUNT	DIFF. OF AMOUNT
37	No. 2 Crushed Stone, Extra as directed by Engineer	50	25	-25	Ton	\$ 25.00	\$ 1,250.00	\$625.00	\$ (625.00)
38	Safety Fence	300	300	0	LF	\$ 2.00	\$ 600.00	\$600.00	\$ -
39	Temporary Gate	1	1	0	EA	\$ 600.00	\$ 600.00	\$600.00	\$ -
40	Bypass Pumping Setup, <12-inch Sewer Line	4	4	0	EA	\$ 3,000.00	\$ 12,000.00	\$12,000.00	\$ -
41	Bypass Pumping Setup, ≥12-inch <24-inch Sewer Line	1	1	0	EA	\$ 3,000.00	\$ 3,000.00	\$3,000.00	\$ -
42	Bypass Pumping Setup, ≥48-inch Sewer Line	2	1	-1	EA	\$ 3,000.00	\$ 6,000.00	\$3,000.00	\$ (3,000.00)
43	Bypass Pumping, <12-inch Sewer Line	48	69	21	HR	\$ 80.00	\$ 3,840.00	\$5,520.00	\$ 1,680.00
44	Bypass Pumping, ≥12-inch <24-inch Sewer Line	24	7	-17	HR	\$ 80.00	\$ 1,920.00	\$560.00	\$ (1,360.00)
45	Bypass Pumping, ≥48-inch Sewer Line	120	128	8	HR	\$ 120.00	\$ 14,400.00	\$15,360.00	\$ 960.00
46	Combination Vacuum/Hydraulic Jet/Hydro Excavator, extra as directed by Engineer	10	0	-10	HR	\$ 200.00	\$ 2,000.00	\$0.00	\$ (2,000.00)
47	Backhoe/Extend-a-hoe, extra as directed by Engineer	10	5	-5	HR	\$ 85.00	\$ 850.00	\$425.00	\$ (425.00)
48	Hoe Ram, extra as directed by Engineer	10	0	-10	HR	\$ 300.00	\$ 3,000.00	\$0.00	\$ (3,000.00)
49	Dump Truck, Single Axle, extra as directed by Engineer	10	0	-10	HR	\$ 65.00	\$ 650.00	\$0.00	\$ (650.00)
50	Dump Truck, Tandem or Tri-Axle, extra as directed by Engineer	10	0	-10	HR	\$ 85.00	\$ 850.00	\$0.00	\$ (850.00)
51	Large Track Hoe, CAT 311 or Equivalent, extra as directed by Engineer	10	0	-10	HR	\$ 150.00	\$ 1,500.00	\$0.00	\$ (1,500.00)
52	Small Track Hoe, CAT 301.6C or Equivalent, extra as directed by Engineer	10	0	-10	HR	\$ 100.00	\$ 1,000.00	\$0.00	\$ (1,000.00)
53	Skid-Steer Loader, extra as directed by Engineer	10	0	-10	HR	\$ 80.00	\$ 800.00	\$0.00	\$ (800.00)
54	Roller/Compactor, extra as directed by Engineer	10	0	-10	HR	\$ 100.00	\$ 1,000.00	\$0.00	\$ (1,000.00)

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ACTUAL QUANTITIES INSTALLED ADJUSTMENT - FINAL
East Lake Trunk Sewer Replacement
For: Lexington Fayette Urban County Government
Bid No. 99-2013, RMP No. EH 13
By: Palmer Engineering
August 27, 2014

Cleary Construction Inc
 2006 Edmonton Road
 Tompkinsville, KY 42167

BID ITEM NO.	UNIT DESCRIPTION	APPROX. QTYS. BID	ACTUAL QTYS. INSTALLED	DIFF. OF QTYS.	UNITS	UNIT PRICE	BID AMOUNT	ACTUAL INSTALLED AMOUNT	DIFF. OF AMOUNT
55	Rock Excavation	2,400	1,688	-712	CY	\$ 40.00	\$ 96,000.00	\$67,520.00	\$ (28,480.00)
Total							\$ 735,206.00	\$683,466.00	\$ (51,740.00)
Change in Contract Amount									\$ (51,740.00)



March 24, 2014

Doug Baldwin, PE
Project Engineering Coordinator
Division of Water Quality
125 Lisle Industrial Ave., Ste. 180
Lexington, KY 40511

RE: **Time Extension Request**
East Lake Trunk Sewer Replacement
Lexington, Kentucky

Dear Mr. Baldwin;

We received a letter from Cleary Construction dated February 26, 2014, concerning time extension due to weather days as well as delays due shop drawing review and doghouse manhole change request. Cleary is requesting a time extension of 47 days due to review of doghouse manhole request and 17 days for weather related delays. Palmer Engineering has reviewed this request and offer the following discussion and recommendation.

As you may recall, upon receiving this request, Palmer Engineering and LFUCG had length discussion related to the approval and design of a doghouse manhole that would be suitable to this situation. For the mater of record, LFUCG generally has a policy of not allowing doghouse manholes, but do to the size and location of the manhole specifically requested, LFUCG and Palmer Engineering felt the need to conduct a proper review. Approval of this submittal required a total time of 50 days to evaluate the situation and preparing a design that properly protected LFUCG interest. Typically a submittal approval would require 14 calendar days. Additionally, some additionally information was requested of Cleary, which required time of Cleary's part. Considering all the circumstance of the submittal, Palmer Engineering recommends approval of 34 days of time extension related to this item.

Regarding the time extension due the contractor due to weather, the contractor has prepared a request for 17 days based upon the outlined provided in specifications section 00800. This request is for the months of January and February. During January and February, there was 25 days with 0.1" of precipitation and 19 days in which the average daily temperature was below 25 degrees. However, Cleary feels special circumstance exist due to the nature of the work being attempted during this time period. Cleary has verbally requested Palmer consider circumstance of the work undertaken during this time period. During this time period, Cleary was setting up the bypass pumping operation for a 48" gravity sewer line. This pumping operation would be operating 24 hours a day for approximately 7 days straight. Concerns of freezing due to unusually cold weather delayed the start of this operation of the bypass pumps. The bypass pumping operation was delayed for a total of 21 days due to unseasonably cold weather. Each Monday during this period, Cleary would contact Palmer Engineering to discuss the temperature and forecast and there decision to delay bypass pumping. In each case Palmer would confer with

Suite 900 ☐ 301 East Main Street ☐ Lexington, KY 40507

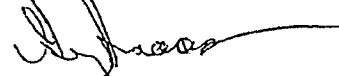
Phone: (859) 389-9293 ☐ E-mail: peclex@palmernet.com ☐ Web Site: www.palmernet.com

LFUCG and all parties agreed that Cleary had made the appropriate decision based upon the potential of unintended bypass to a water body. Note that while considering the delays of bypass pumping, precipitation and cold weather, Palmer Engineering accounted for overlap in these days. Compiling the delays in bypass pumping, the precipitation days, and cold weather days results in a total of 43 days of no or reduced work on site in the months of January and February. Comparing this year's weather to normal expected inclement weather days of 13 days for January and February we can justify 30 days of time extension to Cleary Construction of the month of January and February.

Palmer Engineering recommends a total time extension of 64 days of time extension for this request from Cleary Construction.

Should you have any questions, please call us at 859 389-9293.

Sincerely,

A handwritten signature in black ink, appearing to read 'Greg Isaacs', with a long horizontal flourish extending to the right.

Greg Isaacs, PE
Project Manager



March 14, 2014

Mr. Spenser Smith
Cleary Construction, Inc.
2006 Edmonton Road
Tompkinsville, KY 42167

**RE: East Lake Trunk Sewer Improvements
Field Request
Working Hours**

Dear Mr. Smith:

Palmer Engineering and LFUCG reviewed your letter dated March 11, 2014, requesting a change in the permitted working hours on the project site. LFUCG grants working hours on Monday thru Friday from 7:00 am to 7:30 pm and on Saturday from 7:30 am to 2:00 pm. LFUCG grants up to 30 minutes of preparation time at the beginning of each workday. During the preparation time, no machinery shall be running or operated. This time extension is granted at the sole discretion of LFUCG and may be withdrawn or adjusted at any time.

Cleary Construction, Inc., is reminded that the installation of any pay item requires the Resident Project Representative (RPR) to be present. Also, if the RPR works more than 40 hours a week, Cleary Construction, Inc., will be responsible for the overtime hours. It is our understanding that Cleary Construction, Inc., will be operating the trencher only during the extended work hours, and no pay items will be installed.

Additionally, we wish to remind Cleary Construction, Inc., that site safety is solely the responsibility of Cleary Construction, Inc., and that the site should be left in a safe state each day.

Sincerely,

A handwritten signature in black ink, appearing to read 'Greg Isaacs', with a long horizontal flourish extending to the right.

Greg Isaacs, PE
Branch Manager



August 28, 2014

Doug Baldwin, PE
Project Engineering Coordinator
Division of Water Quality
125 Lisle Industrial Ave., Ste. 180
Lexington, KY 40511

RE: Time Extension Request
East Lake Trunk Sewer Replacement
Lexington, Kentucky

Dear Mr. Baldwin;

We received a letter from Cleary Construction dated August 28, 2014, concerning time extension due to coordination of final inspection and weather delays in the final inspection, and weather delays related to completing the final punch list items. This time extension would extend the project time from June 2, 2014 to July 20, 2014 which is the last day the contractor was on site.

Palmer Engineering recommends a total time extension of 48 days for this request from Cleary Construction.

Should you have any questions, please call us at 859 389-9293.

Sincerely,

A handwritten signature in black ink, appearing to read 'Greg Isaacs', is written over a faint, illegible printed name.

Greg Isaacs, PE
Project Manager



Lexington-Fayette Urban County Government
DEPARTMENT OF PUBLIC WORKS AND ENVIRONMENTAL QUALITY

Jim Gray
Mayor

David L. Holmes
Commissioner

Memorandum

To: Urban County Council

From: Courtney Thacher *CT*
Administrative Specialist Principle for Remedial Measures Program

Date: September 18, 2014

Re: Change Order 1 – Final Adjusting for East Lake Trunk RMP Project

This memorandum is to notify the Urban County Council of the final adjusting change order for the East Lake Trunk Sewer Remedial Measure Project. Under CAO policy 15R the Remedial Measures Program is allowed to approve change orders of less than 10% of the cumulative contract award. Change order 1 for East Lake is a reduction of the contract award by \$51,740, or 7%, and increase of contract time by 112 days. The increase of contract time was due to weather and coordination and has no impact on contract award amount.

Should you have any questions, please contact me at 425-2439.

pc: File