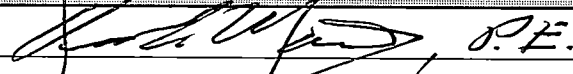


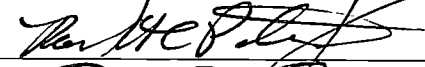
LEXINGTON-FAYETTE URBAN COUNTY GOVERNMENT CONTRACT CHANGE ORDER	DATE: Contract #-227-2017	October 15, 2019
	Contract Modificaiton:	Final Adjusting CO #2
	CONTRACT #:	227-2017

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

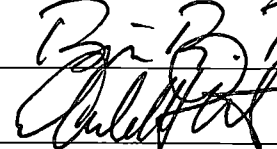
TO: L-M Asphalt Partners, Ltd. dba ATS Construction

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

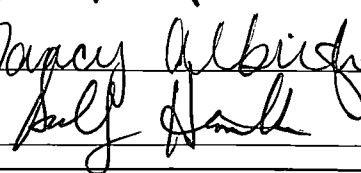
Recommended by , P.E. (Proj. Engr.) Date 11/11/19

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

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

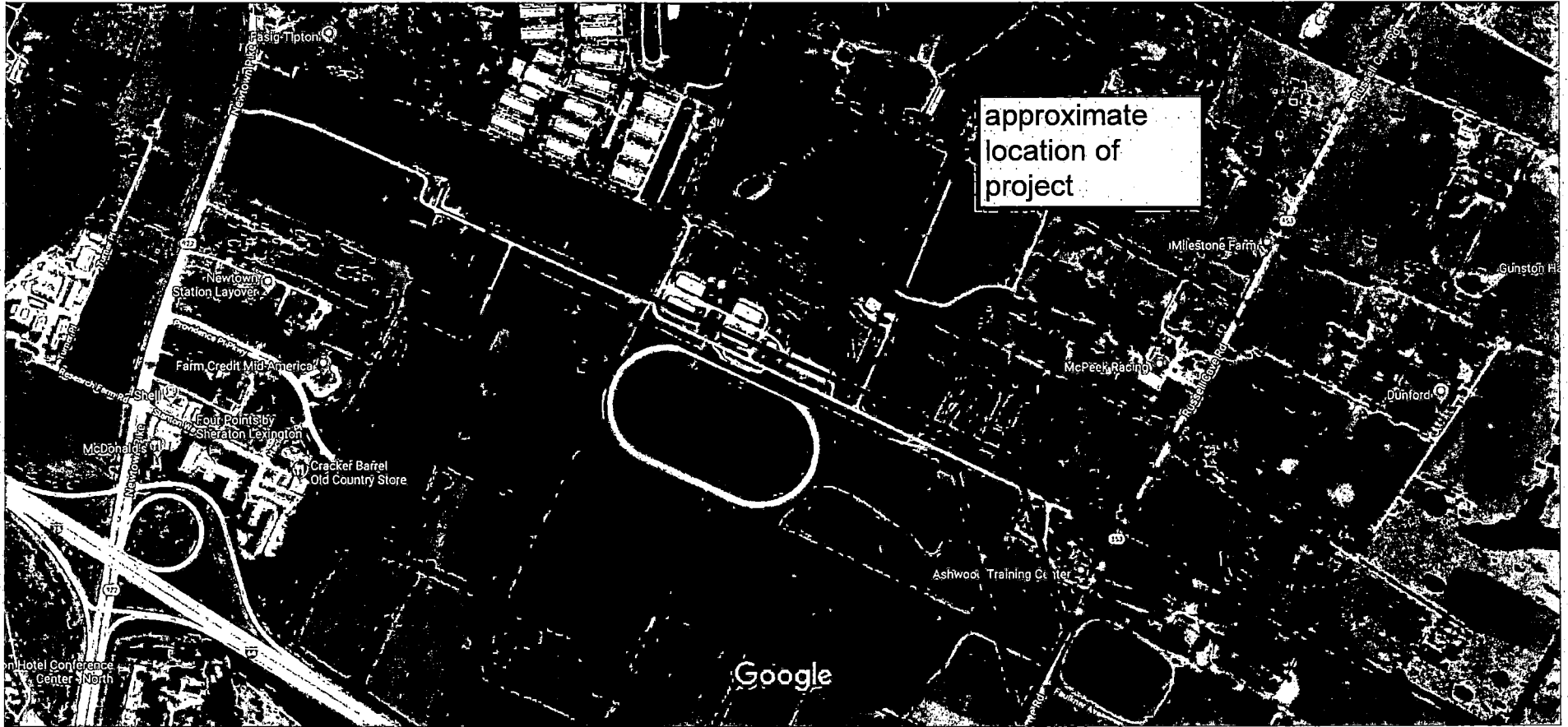
Mayor

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
lexingtonky.gov



NOTICE OF CONFIDENTIALITY

This message is intended only for the use of the individual or entity to which it is addressed and may contain confidential information that is legally privileged and exempt from disclosure under applicable law, including but not limited to, Kentucky Rule of Evidence 503. Any legal opinion provided in this electronic mail transmission is provided in the course of my legal representation of the Lexington-Fayette Urban County Government and should not be disseminated to the public. If the reader of this message is not the intended recipient, you are notified that any dissemination, distribution or copying of this communication is strictly prohibited. If you have received this communication in error, delete it from your system without copying or forwarding it, and notify the sender of the error by replying via e-mail or by calling the Department of Law at (859) 258-3500, so that our address record can be corrected. Thank you.

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



From: LaDonna Roberts
Sent: Thursday, November 14, 2019 9:27 AM
To: Commisioner EQ PW Exec Asst <commegpwea@lexingtonky.gov>
Cc: Charles Martin <chmartin@lexingtonky.gov>; Nancy Albright <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



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
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

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.

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Attorney Senior
Department of Law

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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

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Sandy,

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Thank you,

LaDonna Roberts
Administrative Specialist
Division of Water Quality

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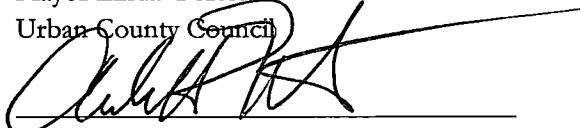
MAYOR LINDA GORTON



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

