



**TO: LINDA GORTON, MAYOR
URBAN COUNTY COUNCIL**

**FROM: THERESA REYNOLDS, DIRECTOR
DIVISION OF GRANTS AND SPECIAL PROGRAMS**

DATE: JUNE 28, 2023

**SUBJECT: Authorization to execute Change Order No. 3 with ATS Construction for the
Clays Mill Road Section 1 Project**

Request: Council authorization to execute Change Order No. 3 with L-M Asphalt Partners, Ltd. dba ATS Construction, for \$641,855.91 for the Clays Mill Road Section 1 project. Approval is contingent upon pending approval of this change order by the Kentucky Transportation Cabinet.

Purpose of Request: On December 3, 2019 (Resolution No. 679-2019), Council authorized the execution of Supplemental No. 4 with Kentucky Transportation Cabinet for acceptance of additional federal funds in the amount of \$13,200,000 for the construction phase of Section 1 on Clays Mill Road. On October 8, 2020 (Resolution 444-2020) Council approved to accept L-M Asphalt Partners Ltd. d/b/a ATS Construction in the amount of \$10,683,653.39 for construction on Clays Mill Road Section 1. On February 9, 2023 Change Order No. 1 increased 2.05% increasing contract price to \$10,903,149.59. On November 15, 2022 Change Order No. 2 increased 4.79% increasing contract price to \$11,415,070.06.

The LFUCG Division of Engineering needs this action to address various site conditions requiring field changes to the subject project, and to compensate for inflationary cost increases in fuel and asphalt, as detailed in the supporting documents attached to the Change Order.

What is the cost in this budget year and future budget years? The cost for Fiscal Year 2024 is \$641,855.91. The new contract total is \$12,056,925.97. No costs are anticipated in future budget years.

Are the funds budgeted? Yes, 3160-303202-3251-91715 CLY_ML_RD_2015 CONST

File Number: 0719-23

Director/Commissioner: Burton/Albright

